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Contents

I *Acts whose publication is obligatory*

- *Council Regulation (EEC) No 1463/82 of 27 May 1982 amending Regulation (EEC) No 2915/79 as regards the conditions for the entry of certain cheeses under certain tariff headings and Regulation (EEC) No 950/68 on the Common Customs Tariff 1**
- Commission Regulation (EEC) No 1464/82 of 9 June 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal 10
- Commission Regulation (EEC) No 1465/82 of 9 June 1982 fixing the premiums to be added to the import levies on cereals, flour and malt 12
- Commission Regulation (EEC) No 1466/82 of 9 June 1982 fixing the import levies on rice and broken rice 14
- Commission Regulation (EEC) No 1467/82 of 9 June 1982 fixing the premiums to be added to the import levies on rice and broken rice 16
- Commission Regulation (EEC) No 1468/82 of 9 June 1982 fixing for the United Kingdom the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving that Member State 18
- *Commission Regulation (EEC) No 1469/82 of 9 June 1982 amending Regulation (EEC) No 3800/81 determining the classification of vine varieties . . 21**
- Commission Regulation (EEC) No 1470/82 of 9 June 1982 fixing the export refunds on white sugar and raw sugar exported in the natural state 28
- Commission Regulation (EEC) No 1471/82 of 9 June 1982 fixing the maximum export refund for the 45th 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 30

(Continued overleaf)

Contents (continued)

Commission Regulation (EEC) No 1472/82 of 9 June 1982 fixing the maximum export refund for the 13th partial invitation to tender for white sugar issued within the framework of the supplementary standing invitation to tender provided for in Regulation (EEC) No 2042/81	31
Commission Regulation (EEC) No 1473/82 of 9 June 1982 fixing the import levies on white sugar and raw sugar	32
Commission Regulation (EEC) No 1474/82 of 9 June 1982 altering the import levies on products processed from cereals and rice	33
Commission Regulation (EEC) No 1475/82 of 9 June 1982 fixing the maximum export refund for raw sugar for the 41st partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 2235/81	35
Commission Regulation (EEC) No 1476/82 of 9 June 1982 suspending advance fixing of the import levy for bran	36

II *Acts whose publication is not obligatory*

Commission

82/358/EEC :

- * **Commission Decision of 14 May 1982 approving the agricultural measures included in the integrated development programme for the department of Lozère pursuant to Council Regulation (EEC) No 1940/81** 37

82/359/EEC :

- * **Commission Decision of 14 May 1982 on the implementation of the reform of agricultural structures in Denmark pursuant to Council Directive 72/159/EEC** 38

82/360/EEC :

- * **Commission Decision of 14 May 1982 approving a programme relative to the processing and marketing of durum wheat in the central and southern areas of Italy pursuant to Council Regulation (EEC) No 355/77** 39

Contents (continued)

82/361/EEC :	
*Commission Decision of 14 May 1982 granting authorization to the Kingdom of Denmark pursuant to Council Regulation (EEC) No 1945/81	40
82/362/EEC :	
Commission Decision of 17 May 1982 amending Decision 81/987/EEC on health protection measures in respect of the Republic of Botswana	41
82/363/EEC :	
Commission Decision of 17 May 1982 amending Decision 81/926/EEC opening a standing invitation to tender for the export of 300 000 tonnes of barley held by the German intervention agency	43
82/364/EEC :	
*Commission Decision of 17 May 1982 concerning the subsidizing of interest rates on credits for exports from France to Greece after the accession of that country to the European Economic Community	44
82/365/EEC :	
Commission Decision of 17 May 1982 fixing the maximum aid levels for butter and concentrated butter for the 19th individual invitation to tender under the standing invitation to tender provided for in Regulation (EEC) No 1932/81	48
82/366/EEC :	
Commission Decision of 17 May 1982 fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 814/82, the maximum amounts for the supply of butter as food aid	50

Corrigenda

Corrigendum to Commission Regulation (EEC) No 1219/82 of 19 May 1982 fixing the import levies on live cattle and on beef and veal other than frozen (OJ No L 141, 20. 5. 1982)	51
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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1463/82

of 27 May 1982

amending Regulation (EEC) No 2915/79 as regards the conditions for the entry of certain cheeses under certain tariff headings and Regulation (EEC) No 950/68 on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular Article 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 1191/82 ⁽⁴⁾, lays down certain conditions for the entry into the Community of certain cheeses falling within heading No 04.04 of the Common Customs Tariff; whereas, following bilateral agreements concluded under GATT with Austria and Finland, the Regulation in question should be adjusted in order to put into effect the Community's undertakings in respect of those countries;

Whereas, moreover, changes should be made to Annex II to Regulation (EEC) No 2915/79 to take account of a judgment of the Court of Justice of 9 July 1981 ⁽⁵⁾;

Whereas the tariff nomenclature resulting from application of this Regulation is used in the Common

Customs Tariff; whereas the Common Customs Tariff laid down by Regulation (EEC) No 950/68 ⁽⁶⁾, as last amended by Regulation (EEC) No 1191/82, should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2915/79 is hereby amended as follows:

1. Article 1 (2) shall be deleted.
2. Articles 7 to 11 shall be replaced by the following:

Article 7

1. The levy on 100 kilograms of a product belonging to Group 7 shall be:

- 18.13 ECU in respect of the products appearing under (a) and (c) in Annex II,
- 9.07 ECU in respect of the products appearing under (b) in Annex II,

if it is established that the products correspond to the description and, where provision is made therefor, that the applicable free-at-frontier value is complied with.

2. The free-at-frontier value limits for the products described under (a) and (b) in Annex II shall be increased or reduced by 14 ECU for any upward or downward movement of 1 ECU per 100 kilograms of the common target price for milk.

Article 8

The levy on a product belonging to Group 9 and falling within subheading 04.04 B shall be limited to 6 % of its customs value.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 140, 20. 5. 1982, p. 12.

⁽⁵⁾ OJ No C 191, 31. 7. 1981, p. 8.

⁽⁶⁾ OJ No L 172, 22. 7. 1968, p. 1.

Article 9

1. The levy on 100 kilograms of the products belonging to Group 10 described under (d), (e) and (f) in Annex II shall be 12.09 ECU if it is established that the products correspond to the description and that the applicable free-at-frontier value is complied with.

2. The free-at-frontier value limits for the products referred to in paragraph 1 shall be increased or decreased by an amount equal to any increase or decrease in the threshold price of Cheddar.

Article 10

1. Without prejudice to paragraph 2, the levy on 100 kilograms of a product belonging to Group 11 shall be equal:

- A. if it falls within subheading 04.04 D I a), to the sum of the following components:
 - (a) a component equal to 80 % of the levy on the pilot product of Group 11;
 - (b) a component equal to 5 % of the levy on the pilot product of Group 6; and
 - (c) a component equal to 12.09 ECU;
- B. if it falls within subheading 04.04 D I b), to the sum of the following components:
 - (a) a component equal to 60 % of the levy on the pilot product of Group 11;
 - (b) a component equal to 24 % of the levy on the pilot product of Group 6; and
 - (c) a component equal to 12.09 ECU;
- C. if it falls within subheading 04.04 D II, to the sum of the following components:
 - (a) a component equal to the levy calculated in accordance with point B; and
 - (b) a component equal to 96.72 ECU;
- D. if it falls within subheading 04.04 E I c) 1, to 75 % of the levy on the pilot product;
- E. if it falls within subheadings 04.04 E I c) 2 or 04.04 E II b), to the sum of the following components:
 - (a) a component equal to the levy on the pilot product of Group 11; and
 - (b) a component equal to 96.72 ECU.

2. However, the levy on 100 kilograms of the products described under (g) and (h) in Annex II shall be 36.27 ECU if it is established that the

products correspond to the description and, where provision is made therefor, that the applicable free-at-frontier value is complied with.

Article 11

1. Without prejudice to paragraphs 2, 3 and 4, the levy on 100 kilograms of the products belonging to Group 11 shall be equal to the threshold price less:

- 226.34 ECU per 100 kilograms in respect of the product described under (i) in Annex II,
- 226.34 ECU per 100 kilograms plus a component to 24.18 ECU in respect of the product described under (k) in Annex II,
- 238.43 ECU per 100 kilograms in respect of the products described under (l) and (m) in Annex II,

provided the import price is not less than the amount deducted from the threshold price. The import price for the product described under (m) in Annex II must not, however, be less than 220.30 ECU per 100 kilograms.

Moreover, it must be established that the products correspond to the description in Annex II.

2. The levy on 100 kilograms of the products described under (n) in Annex II shall be 55 ECU if it is established that the products correspond to the description therein.

3. The levy on 100 kilograms of the products described under (o) and (p) in Annex II shall be 50 ECU if it is established that the products correspond to the description therein.

4. The levy on 100 kilograms of the products described under (q) in Annex II shall be 18.13 ECU if it is established that the products correspond to the description therein.

3. Annexes I and II shall be replaced by Annexes I and II to this Regulation.

Article 2

The Common Customs Tariff shall be amended in accordance with Annex III to 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 from 5 July 1982.

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

Done at Brussels, 27 May 1982.

For the Council

The President

M. HANSENNE

ANNEX I

Number of group	Groups of products according to the Common Customs Tariff	Pilot product for each group of products
1	04.02 A I	Powdered whey, obtained by the spray process, with a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.
2	04.02 A II a) 1 04.02 A II b) 1 04.02 B I b) 1 aa) 04.02 B I b) 2 aa) ex 23.07 B	Milk powder, obtained by the spray process, with a fat content of less than 1.5 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.
3	04.02 A II a) 2 04.02 A II a) 3 04.02 A II a) 4 04.02 A II b) 2 04.02 A II b) 3 04.02 A II b) 4 04.02 B I a) 04.02 B I b) 1 bb) 04.02 B I b) 1 cc) 04.02 B I b) 2 bb) 04.02 B I b) 2 cc)	Milk powder, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight, in packages normally used in the trade of a net content of 25 kg or more.
4	04.02 A III a)	Concentrated milk, with a fat content of 7.5 % by weight and a dry matter content of 25 % by weight, in cases or cartons of 96 tins of a net content of 170 g.
5	04.02 B II a)	Concentrated milk with added sugar, with a fat content of 9 % by weight and a lactic dry matter content of 31 % by weight, in cases or cartons of 48 tins of a net content of 397 g.
6	04.01 04.02 A III b) 04.02 B II b) 04.03	Butter with a fat content of 82 % by weight, in packages normally used in the trade of a net content of 25 kg or more.
7	04.04 A	Emmentaler cheese, whole, matured for three to four months with a fat content of 45 % by weight, in the dry matter, without packaging.
8	04.04 C	Blue-veined cheese, whole with a fat content of 45 % by weight, dry matter, in packages normally used in the trade.
9	04.04 E I a) 04.04 B 04.04 E II a)	Parmigiano Reggiano cheese, whole, matured for 18 months, with a fat content of 32 % by weight, in the dry matter, without packaging.
10	04.04 E I b) 1	Cheddar cheese, whole, matured for three months, with a fat content of 50 % by weight, in the dry matter and a water content by weight of the non-fatty matter greater than 50 % and not more than 57 % without packaging.
11	04.04 D 04.04 E I b) 2 04.04 E I c) 04.04 E II b)	Whole cheese, matured for six to eight weeks, with a fat content of 45 % by weight, in the dry matter, without packaging.
12	17.02 A II 21.07 F I	Lactose containing, in the dry state, 98.5 % by weight of the pure product, in packages normally used in the trade.

ANNEX II

CCT heading No	Description
(a) 04.04 A	Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and tête de moine, not grated or powdered, of a minimum fat content of 45 % by weight in the dry matter, matured for at least two months in the case of Vacherin fribourgeois and at least three months in the other cases : — whole cheeses with rind of a free-at-frontier value per 100 kilograms net weight of 348.46 ECU or more but less than 372.64 ECU, — pieces packed in vacuum or inert gas, with rind on at least one side, of a net weight of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 372.64 ECU but less than 396.82 ECU per 100 kilograms net weight
(b) 04.04 A	Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and tête de moine, not grated or powdered, of a minimum fat content of 45 % by weight in the dry matter, matured for at least two months in the case of Vacherin fribourgeois and at least three months in the other cases : — whole cheeses with rind of a free-at-frontier value per 100 kilograms net weight of 372.64 ECU or more, — pieces packed in vacuum or in inert gas, with rind on at least one side of a net weight of not less than 1 kg and of a free-at-frontier value of not less than 396.82 ECU per 100 kilograms net weight, — pieces packed in vacuum or inert gas of a net weight of not more than 450 grams and of a free-at-frontier value of not less than 430.67 ECU per 100 kilograms net weight
(c) 04.04 A	Emmentaler, Gruyère, Sbrinz and Bergkäse, not grated or powdered, of a minimum fat content of 45 % by weight in the dry matter, matured for at least three months : — whole cheeses with rind within an annual tariff quota of : (a) 5 000 tonnes, originating in Austria, (b) 2 950 tonnes, originating in Finland — pieces packed in vacuum or in inert gas, with rind on at least one side, of a net weight of not less than 1 kg but less than 5 kg within an annual tariff quota of : (a) 3 000 tonnes, originating in Austria, (b) 1 350 tonnes, originating in Finland
(d) 04.04 E I b) 1	Cheddar made from unpasteurized milk, of a minimum fat content of 50 % by weight in the dry matter, matured for at least nine months, of a free-at-frontier value per 100 kilograms net weight of not less than : — 277.96 ECU in respect of whole cheeses, — 296.10 ECU in respect of cheeses of a net weight of not less than 500 grams, — 308.19 ECU in respect of cheeses of a net weight of less than 500 grams within an annual tariff quota of 3 250 tonnes for 1981 and 1982
(e) 04.04 E I b) 1	Whole Cheddar cheeses of a minimum fat content of 50 % by weight in the dry matter, matured for at least three months and of a free-at-frontier value of not less than 271.92 ECU per 100 kilograms net weight, within an annual tariff quota of 9 000 tonnes

CCT heading No	Description
(f) 04.04 E I b) 1 04.04 E I b) 2	— Cheddar, — Other cheeses falling within subheading 04.04 E I b) 2 for processing, of a free-at-frontier value of not less than 247.74 ECU per 100 kilograms net weight, within an annual tariff quota of 3 500 tonnes
(g) 04.04 D	Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale, of a free-at-frontier value of not less than 243 ECU per 100 kilograms net weight and of a fat content, by weight, in the dry matter, not exceeding 56 %
(h) 04.04 D	Processed cheese, not grated or powdered, in the blending of which only Emmentaler, Gruyère and Appenzell have been used and which may contain, as an addition, Glarus herb cheese (known as Schabziger), put up for retail sale and of a fat content, by weight, in the dry matter, not exceeding 56 % within an annual tariff quota of: (a) 3 700 tonnes, originating in Austria, (b) 500 tonnes, originating in Finland
(i) 04.04 E I b) 2	Tilsit and Butterkäse, of a fat content, by weight, in the dry matter, not exceeding 48 %
(k) 04.04 E I b) 2	Tilsit and Butterkäse, of a fat content, by weight, in the dry matter, exceeding 48 %
(l) 04.04 E I b) 2	Kashkaval
(m) 04.04 E I b) 2	Cheese of sheep's milk or buffalo milk, in containers containing brine, or in sheep or goatskin bottles
(n) 04.04 E I b) 2	Tilsit, not pressed, matured for at least one month, and Butterkäse, within an annual tariff quota of 1 500 tonnes, originating in Austria
(o) 04.04 C 04.04 E I b) 2	— Blue-veined cheese, not grated or powdered, — Edam of a fat content, by weight, in the dry matter, exceeding 40 % but not exceeding 48 %, in whole cheeses of a net weight not exceeding 350 g (known as 'Geheimratskäse') within an annual tariff quota of 800 tonnes, originating in Austria
(p) 04.04 E I b) 2	Cheeses known as 'Feta' and 'Kefalotyri', made of cow's milk, of a fat content, by weight, in the dry matter, not exceeding 48 %, within an annual tariff quota of 150 tonnes, originating in Austria
(q) 04.04 E I b) 2	Finlandia of a minimum fat content of 45 % by weight in the dry matter, matured for at least 100 days, in rectangular blocks of a net weight of not less than 30 kg, within an annual tariff quota of 2 900 tonnes, originating in Finland

ANNEX III

Amendments to the Common Customs Tariff

1. Additional Notes 4, 5, 6 and 7 to Chapter 4 are deleted. No 8 becomes No 4.

2. The text of heading No 04.04 is replaced by the following :

Heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
04.04	Cheese and curd :		
	A. Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and tête de moine, not grated or powdered	23 (L)	(b)
	B. Glarus herb cheese (known as Schabziger), made from skimmed milk and mixed with finely ground herbs (a)	23 (L) (c)	12
	C. Blue-veined cheese, not grated or powdered	23 (L)	—
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	a) Not exceeding 48 %	23 (L)	—
	b) Exceeding 48 %	23 (L)	—
	II. Exceeding 36 %	23 (L)	—
	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter :		
	a) Not exceeding 47 %	23 (L)	—
	b) Exceeding 47 % but not exceeding 72 % :		
	1. Cheddar	23 (L)	(d) (e)
	2. Other	23 (L)	(e)
	c) Exceeding 72 % :		
	1. In immediate packings of a net capacity not exceeding 500 g	23 (L)	—
	2. Other	23 (L)	—
	II. Other :		
	a) Grated or powdered	23 (L)	—
	b) Other	23 (L)	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) See Annex.

(c) The levy cannot exceed 6 % of the customs value.

- (d) Within the limit of an annual tariff quota of 9 000 tonnes to be granted by the competent authorities, a rate of 12.09 ECU per 100 kilograms net weight is provided for whole Cheddar cheeses of a minimum fat content of 50 % by weight in the dry matter, matured for at least three months and of a free-at-frontier value of not less than 208.53 ECU per 100 kg net weight.

For these purposes 'whole cheeses' means:

1. cheeses of the conventional flat cylindrical shape of a net weight of not less than 33 kg but not more than 44 kg.
2. cheeses of the conventional flat cylindrical shape or cheeses in parallelepiped shape, of a net weight of 10 kg or more.

The minimum values shall be automatically adjusted to take account of changes in the factors determining the formation of Cheddar prices in the Community. This adjustment shall be by way of an increase or decrease equal to that of the threshold price of Cheddar in the Community.

Furthermore, entry under this quota shall be subject to conditions to be determined by the competent authorities.

- (e) Within the limit of an annual tariff quota of 3 500 tonnes to be granted by the competent authorities, a rate of 12.09 ECU per 100 kg net weight is provided for Cheddar of subheading 04.04 E I b) 1 and other cheeses of subheading 04.04 E I b) 2 of a free-at-frontier value of not less than 184.35 ECU per 100 kg net weight, for processing.

The minimum values shall be automatically adjusted to take account of changes in the factors determining the formation of Cheddar prices in the Community. This adjustment shall be by way of an increase or decrease equal to that of the threshold price of Cheddar in the Community.

Furthermore, entry under this quota and verification of the end use shall be subject to conditions to be determined by the competent authorities.

3. The text of subheading 04.04 A of the Annex to the Common Customs Tariff is replaced by the following:

Heading No	Description	Rate of conventional duty
04.04	Cheese and curd ex A. Emmentaler, Gruyère, Sbrinz, Bergkäse and Appenzell, not grated or powdered: — Of a minimum fat content of 45 % by weight in the dry matter, matured for at least three months (a): — Whole cheeses (b) of a free-at-frontier value per 100 kg net weight of: — Not less than 141.45 ECU but less than 171.37 ECU (excluding Appenzell) (c) (d) — Not less than 171.37 ECU (excluding Bergkäse) (c) — Pieces packed in vacuum or in inert gas: — With rind on at least one side, of a net weight: — Of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 165.63 ECU but less than 205.52 ECU per 100 kg net weight (other than Appenzell) (c) (d) — Not less than 1 kg and of a free-at-frontier value of not less than 205.52 ECU per 100 kg net weight (other than Bergkäse) (c) — Other, of a net weight of not more than 450 g and of a free-at-frontier value of not less than 229.70 ECU per 100 kg net weight (other than Bergkäse) (c) (e)	24.18 ECU per 100 kg net weight 9.07 ECU per 100 kg net weight 24.18 ECU per 100 kg net weight 9.07 ECU per 100 kg net weight 9.07 ECU per 100 kg net weight

- (a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

-
- (b) The expression 'whole cheeses' shall be taken to apply to whole cheeses of the following net weights :
- Emmentaler : not less than 60 kg but not more than 130 kg,
 - Gruyère and Sbrinz : not less than 20 kg but not more than 45 kg,
 - Bergkäse : not less than 20 kg but not more than 60 kg,
 - Appenzell : not less than 6 kg but not more than 8 kg.
- (c) The Community reserves the right to apply value limits lower than those specified in the text of the concessions. With effect from 1 July 1970 the value limits shall be adapted automatically on the basis of changes in the factors determining the formation of prices for Emmentaler in the Community.
- Such adjustment shall be based on an increase or reduction of 14 ECU in the minimum value for any upward or downward movement of 1 ECU per 100 kg of the common target price for milk in the Community.
- (d) The Community reserves the right to reduce customs duties autonomously from 24.18 ECU to 18.13 ECU subject to an increase of 6.05 ECU in the value limits.
- (e) Vacuum-packed pieces of a net weight of not more than 450 g qualify for the concession only if their packings bear at least the following particulars :
- description of the cheese,
 - fat content,
 - packer responsible,
 - country of manufacture.
-

COMMISSION REGULATION (EEC) No 1464/82

of 9 June 1982

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 3808/81⁽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 central rate,

- 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 8 June 1982;

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 10 June 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽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 9 June 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	113.79
10.01 B II	Durum wheat	152.63 ⁽¹⁾ ⁽²⁾
10.02	Rye	61.94 ⁽³⁾
10.03	Barley	83.36
10.04	Oats	64.66
10.05 B	Maize, other than hybrid maize for sowing	97.23 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	74.69 ⁽⁴⁾
10.07 C	Grain sorghum	90.64 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	174.73
11.01 B	Rye flour	102.16
11.02 A I a)	Durum wheat groats and meal	250.27
11.02 A I b)	Common wheat groats and meal	186.00

⁽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 1465/82

of 9 June 1982

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81⁽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 agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
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
central rate,

- 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
8 June 1982;

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 10 June
1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽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 9 June 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0.98	0.99	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.75	0.75	1.00
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	2.93	2.88	6.83
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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	1.74	1.76	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	1.30	1.32	0	0
11.07 B	Roasted malt	0	1.52	1.53	0	0

**COMMISSION REGULATION (EEC) No 1466/82
of 9 June 1982
fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by the Act of
Accession of Greece ⁽²⁾, and in particular Article 11 (2)
thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2526/81 ⁽³⁾, as last
amended by Regulation (EEC) No 1361/82 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2526/81 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June
1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 248, 1. 9. 1981, p. 5.

⁽⁴⁾ OJ No L 153, 3. 6. 1982, p. 5.

ANNEX

to the Commission Regulation of 9 June 1982 fixing the import levies on rice and broken rice

CCT heading No	Description	(ECU / tonne)	
		Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	130.34	61.57
	2. Long grain	145.78	69.29
	b) Husked rice :		
	1. Round grain	162.92	77.86
	2. Long grain	182.23	87.51
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	239.95	108.05
	2. Long grain	351.56	163.89
	b) Wholly milled rice :		
	1. Round grain	255.55	115.42
	2. Long grain	376.87	176.08
	III. Broken rice	44.99	19.49

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

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

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

**COMMISSION REGULATION (EEC) No 1467/82
of 9 June 1982**

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by the Act of
Accession of Greece ⁽²⁾, and in particular Article 13 (6)
thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2527/81 ⁽³⁾, as last amended by Regulation (EEC)
No 1362/82 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 10 June
1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 248, 1. 9. 1981, p. 8.

⁽⁴⁾ OJ No L 153, 3. 6. 1982, p. 7.

ANNEX

to the Commission Regulation of 9 June 1982 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU / tonne)			
		Current 6	1st period 7	2nd period 8	3rd period 9
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1468/82

of 9 June 1982

fixing for the United Kingdom the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving that Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1195/82⁽²⁾,

Having regard to Commission Regulation (EEC) No 2661/80 of 17 October 1980 laying down detailed rules for applying the variable slaughter premium for sheep⁽³⁾, as amended by Regulation (EEC) No 1238/82⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas Article 3 (1) of Regulation (EEC) No 2661/80 lays down that the level of the variable slaughter premium for each Member State concerned shall be fixed weekly by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 2661/80 lays down that the amount to be charged on products leaving the Member States concerned shall be fixed weekly by the Commission;

Whereas, since the United Kingdom is paying the variable slaughter premium, it is necessary for the Commission to fix the level of the premium and the amount to be charged on products leaving that Member State for the period 17 May 1982 until the end of the 1981/82 marketing year, i.e. the period 17 to 19 May 1982;

Whereas it follows from the application of the rules laid down in Article 9 (1) of Regulation (EEC) No 1837/80 and in Article 4 (1) and (3) of Regulation (EEC) No 2661/80 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving that Member State, during the period 17 to 19 May 1982, shall be as set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified in the United Kingdom as eligible for the variable slaughter premium during the period 17 to 19 May 1982, the level of the premium shall be as set out in Annex I hereto.

Article 2

For products referred to in Article 1 (a) of Regulation (EEC) No 1837/80 which left the territory of the United Kingdom during the period 17 to 19 May 1982, the amounts to be charged shall be as set out in Annex II hereto.

Article 3

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

It shall apply with effect from 17 May 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

⁽⁴⁾ OJ No L 143, 20. 5. 1982, p. 10.

ANNEX I

Level of variable slaughter premium for certified sheep in the United Kingdom for the period 17 to 19 May 1982

Description	Premium
Certified sheep or sheepmeat	44.072 ECU per 100 kg of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by the United Kingdom.

ANNEX II

Amount to be charged for products which left the territory of the United Kingdom during the period 17 to 19 May 1982

(ECU/100 kg)

CCT heading No	Description	Charge
		Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	20.714
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	44.072
	2. Short forequarters	30.850
	3. Chines and/or best ends	48.479
	4. Legs	57.294
	5. Other :	
	aa) Unboned (bone-in)	57.294
	bb) Boned or boneless	80.211
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	33.054
	2. Short forequarters	23.138
	3. Chines and/or best ends	36.359
	4. Legs	42.970
	5. Other :	
	aa) Unboned (bone-in)	42.970
	bb) Boned or boneless	60.158
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	57.294
	2. Boned or boneless	80.211

COMMISSION REGULATION (EEC) No 1469/82**of 9 June 1982****amending Regulation (EEC) No 3800/81 determining the classification of vine varieties**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3577/81 ⁽²⁾, and in particular Article 31 (4) thereof,

Whereas Article 31 of Regulation (EEC) No 337/79 provides for the classification of vine varieties approved for cultivation in the Community; whereas those vine varieties are to be classified, by administrative units or parts thereof, into recommended vine varieties, authorized vine varieties and provisionally authorized vine varieties;

Whereas this classification was last determined by Commission Regulation (EEC) No 3800/81 ⁽³⁾; whereas experience shows that the wines obtained from several varieties of wine grapes which have been classified for at least five years as authorized vine varieties for certain French administrative units may be regarded as normally of good quality; whereas those varieties should therefore be classified among the recommended varieties for the same administrative units in accordance with Article 11 (4) of Council Regulation (EEC) No 347/79 of 5 February 1979 on general rules for the classification of vine varieties ⁽⁴⁾, as last amended by the Act of Accession of Greece;

Whereas the classification of wine grape varieties should be supplemented by adding to the recommended varieties for certain French administrative units some varieties which have been listed in the classification for at least five years for an immediately adjacent administrative unit and which thus meet the condition laid down in Article 11 (1) (a) of Regulation (EEC) No 347/79;

Whereas the classification should be supplemented by adding certain French and German varieties of wine

grapes and one French variety of table grape whose suitability for cultivation has been examined and found to be satisfactory; whereas, pursuant to Article 11 (1) (b) of Regulation (EEC) No 347/79, these varieties may be authorized provisionally for certain French and German administrative units;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3800/81, Title I, Sub-title I, point II 'Federal Republic of Germany' is amended as follows, the vine varieties being inserted in the correct alphabetical order:

3. Regierungsbezirk Koblenz:

Dornfelder (*) ⁽⁵⁹⁾ and Dunkelfelder (*) ⁽⁵⁹⁾ are added to the class of authorized varieties;

4. Regierungsbezirk Rheinhessen-Pfalz:

Dornfelder (*) and Dunkelfelder (*) are deleted from the class of authorized varieties.

Article 2

In the Annex to Regulation (EEC) No 3800/81, Title I, Sub-title I, point IV 'France' is amended as follows, the vine varieties being inserted in the correct alphabetical order:

1. Department of the Ain:

(a) Chasan B and Portan N are added to the class of recommended varieties;

(b) Chasan B and Portan N are deleted from the class of authorized varieties;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 359, 15. 12. 1981, p. 1.

⁽³⁾ OJ No L 381, 31. 12. 1981, p. 1.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 75.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

⁽⁵⁹⁾ Not authorized in Landkreis Cochem-Zell, Verbandsgemeinde Untermosel and in Landkreis Mayen-Koblenz and Stadtteile of Güls, Metternich, Moselweiß and Lay der kreisfreien Stadt Koblenz.

3. Department of the Allier :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) is added,
 - Chasan B and Portan N are deleted ;

4. Department of the Alpes de Haute-Provence :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson B, Gramon N, Monérac N and Portan N are deleted ;

5. Department of the Hautes-Alpes :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson B, Gramon N, Monérac N and Portan N are deleted ;

6. Department of the Alpes-Maritimes :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N and Portan N are deleted ;

7. Department of the Ardèche

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N and Portan N are deleted ;

9. Department of the Ariège :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

10. Department of the Aube :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

11. Department of the Aude :

- (a) Chasan B, Ganson N, Gramon N, Monérac N, Muscat de Hambourg N ⁽⁶⁰⁾ and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N, Muscat de Hambourg N and Portan N are deleted ;

12. Department of the Aveyron :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

13. Department of the Bouches-du-Rhône :

- (a) Chasan B, Ganson N, Gramon N, Monérac N, Portan N and Vermentino B are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N, Portan N and Vermentino B are deleted ;

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

⁽⁶⁰⁾ Except in the cantons of Sigean, Tuchan, Mouthoumet, Couiza, Quillan, Axat, Belcaire and Chalabre for the production of sparkling wines of the aromatic type only.

15. Department of the Cantal :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added for the arrondissements of Aurillac and Mauriac,
 - Chasan B and Portan N are deleted ;

16. Department of the Charente :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

18. Department of the Cher :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) is added,
 - Chasan B and Portan N are deleted ;

19. Department of Corrèze :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

20. Departments of the Haute-Corse and the Corse du Sud :

- (a) Chardonnay B, Chasan B, Ganson N, Gramon N, Monérac N, Pinot N, Portan N and Sauvignon B are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Ganson N, Gramon N and Monérac N are deleted ;

21. Department of the Côte d'Or :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;

- (b) in the class of authorized varieties :

- Arriloba B (*) is added,
- Chasan B and Portan N are deleted ;

24. Department of the Dordogne :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

25. Department of the Doubs :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

26. Department of the Drôme :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N and Portan N are deleted ;

30. Department of the Gard :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N and Portan N are deleted ;

31. Department of the Haute-Garonne :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

32. Department of the Gers :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

33. Department of the Gironde :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

36. Department of the Indre :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

37. Department of the Indre-et-Loire :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

38. Department of the Isère :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Ederena N (*) is added,
 - Chasan B, Ganson N and Portan N are deleted ;

39. Department of the Jura :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;

- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

40. Department of the Landes :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

41. Department of the Loir-et-Cher :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

42. Department of the Loire :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Ederena N (*) is added,
 - Chasan B, Ganson N and Portan N are deleted ;

43. Department of the Haute-Loire :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

44. Department of the Loire-Atlantique :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

45. Department of the Loiret :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

46. Department of the Lot :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

47. Department of the Lot-et-Garonne :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

49. Department of the Maine-et-Loire :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added
 - Chasan B and Portan N are deleted ;

51. Department of the Marne :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

54. Department of Meurthe-et-Moselle :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

55. Department of the Meuse :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

57. Department of the Moselle :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;

- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

58. Department of the Nièvre :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) is added,
 - Chasan B and Portan N are deleted ;

63. Department of the Puy-de-Dôme :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) is added,
 - Chasan B and Portan N are deleted ;

64. Department of the Pyrénées-Atlantiques :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

65. Department of Haute-Pyrénées :

Same vine varieties as for the department of the Pyrénées-Atlantiques. In addition, Ganson N is added to the recommended varieties and deleted from the authorized varieties ;

69. Department of the Rhône :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

72. Department of the Sarthe :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

73. Department of the Savoie :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Ederena N (*) is added,
 - Chasan B, Ganson N and Portan N are deleted ;

74. Department of the Haute-Savoie :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) Chasan B and Portan N are deleted from the class of authorized varieties ;

79. Department of the Deux-Sèvres :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

81. Department of the Tarn :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

82. Department of the Tarn-et-Garonne :

- (a) Chasan B, Ganson N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N and Portan N are deleted ;

83. Department of the Var :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N and Portan N are deleted ;

84. Department of the Vaucluse :

- (a) Chasan B, Ganson N, Gramon N, Monérac N and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*), Caladoc N (*), Clarin B (*) and Ederena N (*) are added,
 - Chasan B, Ganson N, Gramon N, Monérac N and Portan N are deleted ;

85. Department of the Vendée :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

86. Department of the Vienne :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) and Ederena N (*) are added,
 - Chasan B and Portan N are deleted ;

89. Department of the Yonne :

- (a) Chasan B and Portan N are added to the class of recommended varieties ;
- (b) in the class of authorized varieties :
 - Arriloba B (*) is added,
 - Chasan B and Portan N are deleted.

Article 3

In the Annex to Regulation (EEC) No 3800/81, Title II, point III 'France', paragraph 1 (b), Delhro N (*) is inserted before Ignea Rs.

Article 4

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

It shall apply from 1 January 1982.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

(*) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 January 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

COMMISSION REGULATION (EEC) No 1470/82

of 9 June 1982

fixing the export refunds on white sugar and raw sugar exported in the natural state

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⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

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

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on

sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 1982.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

ANNEX

to the Commission Regulation of 9 June 1982 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	28.05	
	(b) Other	29.78	
	(II) Flavoured or coloured sugar		0.2805
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	25.81 ⁽¹⁾	
	(b) Other raw sugar	27.40 ⁽¹⁾	

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

COMMISSION REGULATION (EEC) No 1471/82

of 9 June 1982

fixing the maximum export refund for the 45th 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

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⁾, as last amended by Regulation (EEC) No 606/82 ⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) 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 ⁽³⁾, as last amended by Regulation (EEC) No 722/82 ⁽⁴⁾, 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 45th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 45th partial invitation to tender for white sugar issued under Regulation (EEC) No 2041/81 is hereby fixed at 31.879 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 10 June 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 200, 21. 7. 1981, p. 22.

⁽⁴⁾ OJ No L 85, 31. 3. 1982, p. 5.

COMMISSION REGULATION (EEC) No 1472/82

of 9 June 1982

fixing the maximum export refund for the 13th partial invitation to tender for white sugar issued within the framework of the supplementary standing invitation to tender provided for in Regulation (EEC) No 2042/81

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⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2042/81 of 16 July 1981 on a supplementary standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 722/82⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2042/81, 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 13th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 13th partial invitation to tender for white sugar issued under Regulation (EEC) No 2042/81 is hereby fixed at 30.990 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 10 June 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 200, 21. 7. 1981, p. 27.

⁽⁴⁾ OJ No L 85, 31. 3. 1982, p. 5.

COMMISSION REGULATION (EEC) No 1473/82
of 9 June 1982
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⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 1446/82⁽⁴⁾;

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 10 June 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 181, 2. 7. 1981, p. 24.

⁽⁴⁾ OJ No L 158, 9. 6. 1982, p. 26.

ANNEX

to the Commission Regulation of 9 June 1982 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	34.74
	B. Raw sugar	32.24 ⁽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 1474/82

of 9 June 1982

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 3808/81⁽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 1287/82⁽⁷⁾, as last amended by Regulation (EEC) No 1447/82⁽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 central rate,

— 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 8 June 1982;

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 1287/82, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 June 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽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 149, 28. 5. 1982, p. 8.

⁽⁸⁾ OJ No L 158, 9. 6. 1982, p. 27.

⁽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 9 June 1982 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 F ⁽²⁾	57.21	54.19
11.02 A VI ⁽²⁾	57.21	54.19
11.02 E II d) 1 ⁽²⁾	98.06	92.02
11.02 F VI ⁽²⁾	57.21	54.19
11.08 A II	76.28	45.45

⁽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.

COMMISSION REGULATION (EEC) No 1475/82**of 9 June 1982****fixing the maximum export refund for raw sugar for the 41st partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 2235/81**

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⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) 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⁽³⁾, as last amended by Regulation (EEC) No 722/82⁽⁴⁾, 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 41st partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 41st partial invitation to tender for raw sugar issued under Regulation (EEC) No 2235/81 is hereby fixed at 28.510 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 10 June 1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 218, 4. 8. 1981, p. 19.

⁽⁴⁾ OJ No L 85, 31. 3. 1982, p. 5.

COMMISSION REGULATION (EEC) No 1476/82
of 9 June 1982
suspending advance fixing of the import levy for bran

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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81⁽²⁾, and in particular the
second subparagraph of Article 15 (7) thereof,

Whereas Article 15 (7) of Regulation (EEC) No
2727/75 provides that the provisions concerning
advance fixing of the levy may be suspended if the
market situation shows that the application of such
provisions will or is likely to cause difficulties;

Whereas there is a danger that, if existing arrange-
ments are adhered to, levies could be fixed in advance
in the short term for quantities considerably in excess
of the quantities which might be expected under more
normal conditions;

Whereas the above situation requires that application
of the provisions concerning advance fixing of levies
for the product concerned be temporarily suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the import levy for the product
falling within subheadings 23.02 A I a) and 23.02 A II
a) of the Common Customs Tariff is suspended from
10 to 14 June 1982 inclusive.

Article 2

This Regulation shall enter into force on 10 June
1982.

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

Done at Brussels, 9 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 May 1982

approving the agricultural measures included in the integrated development programme for the department of Lozère pursuant to Council Regulation (EEC) No 1940/81

(Only the French text is authentic)

(82/358/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1940/81 of 30 June 1981 on an integrated development programme for the department of Lozère ⁽¹⁾, and in particular Article 5 thereof,

Whereas, pursuant to Article 5 (2) of Regulation (EEC) No 1940/81, the French Government on 4 February 1982 forwarded a detailed description of the agricultural measures to be applied under the integrated development programme for Lozère;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1940/81, the Commission on 5 April 1982 approved the integrated development programme;

Whereas the description of the agricultural measures meets the conditions laid down in Article 5 of Regulation (EEC) No 1940/81 and shows that they fit into the integrated development programme and are likely to contribute to the attainment of its objectives;

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 agricultural measures included in the integrated development programme for the department of Lozère and forwarded by the French Government on 4 February 1982 pursuant to Regulation (EEC) No 1940/81 are hereby approved.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 14 May 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 197, 20. 7. 1981, p. 9.

COMMISSION DECISION

of 14 May 1982

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

(Only the Danish text is authentic)

(82/359/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 12 March 1982 the Danish Government,
pursuant to Article 17 (4) of Directive 72/159/EEC,
communicated:

- the proclamation No 26 of the Ministry for Agri-
culture of 2 February 1982 amending the procla-
mation concerning aids to encourage the keeping
of accounts on farms,
- the proclamation No 27 of the Ministry for Agri-
culture of 2 February 1982 amending the procla-
mation on the procuration of the modernization of
farms;

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 proclamations No 26 and No 27 of the
Ministry for Agriculture of 2 February 1982 corres-
pond to the objectives of Directive 72/159/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 existing Danish provisions implementing Direc-
tive 72/159/EEC, as now applicable in the light of the
proclamations No 26 and No 27 of the Ministry for
Agriculture of 2 February 1982 as notified by the
Danish Government, 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
Denmark.

Done at Brussels, 14 May 1982.

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 14 May 1982

approving a programme relative to the processing and marketing of durum wheat in the central and southern areas of Italy pursuant to Council Regulation (EEC) No 355/77

(Only the Italian text is authentic)

(82/360/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed⁽¹⁾, and in particular Article 5 thereof,

Whereas on 8 February 1982 the Italian Government forwarded its programme relating to the processing and marketing of durum wheat in the provinces of Tuscany, the Marches, Abruzzi, Latium, Campagna, Molise, Basilicata, Puglia and Calabria;

Whereas the said programme relates to the creation and modernization of durum wheat storage facilities with the aim of an improvement of cereal quality and a better balanced regional spread of these facilities and thus of an increase in the producers' income; whereas it constitutes, therefore, a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains the details required under Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of this

sector; whereas the schedule for implementation of the programme does not exceed the time limit laid down in Article 3 (1) (g) of that Regulation;

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 relating to the processing and marketing of durum wheat in the central and southern areas of Italy forwarded by the Italian Government pursuant to Regulation (EEC) No 355/77 on 8 February 1982 is hereby approved.

Article 2

This Decision is addressed to Italy.

Done at Brussels, 14 May 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

COMMISSION DECISION**of 14 May 1982****granting authorization to the Kingdom of Denmark pursuant to Council Regulation (EEC) No 1945/81****(Only the Danish text is authentic)****(82/361/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1945/81 of 30 June 1981 restricting investment aids for pig production⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽²⁾, as last amended by Directive 81/528/EEC⁽³⁾, and in particular Article 18 (3) thereof,

Whereas the Danish Government has applied for the authorization provided for in Article 1 (1) of Regulation (EEC) No 1945/81;

Whereas the application contains all the information specified in Article 3 of Commission Regulation (EEC) No 2180/81 of 30 July 1981 laying down rules implementing restrictions on investment aids for pig production⁽⁴⁾, showing that the conditions for authorization pursuant to Article 1 of Regulation (EEC) No 1945/81 are met;

Whereas such authorization does not affect the Decision to be adopted by the Commission pursuant to Article 18 of Directive 72/159/EEC concerning the

provisions adopted by the Kingdom of Denmark in applying the authorization;

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 Kingdom of Denmark is hereby authorized to alter the number of pig places laid down in Article 1 (1) of Council Regulation (EEC) No 1945/81 subject to the limits and conditions laid down in that Article and in Commission Regulation (EEC) No 2180/81.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 14 May 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 197, 20. 7. 1981, p. 31.

⁽²⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽³⁾ OJ No L 197, 20. 7. 1981, p. 41.

⁽⁴⁾ OJ No L 211, 31. 7. 1981, p. 28.

COMMISSION DECISION

of 17 May 1982

amending Decision 81/987/EEC on health protection measures in respect of the
Republic of Botswana

(82/362/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries⁽¹⁾, as last
amended by Directive 81/476/EEC⁽²⁾, and in parti-
cular Article 15 thereof,

Whereas Commission Decision 81/987/EEC⁽³⁾
granted the Member States the option of authorizing
imports into their territory, under certain conditions
and from certain regions, of fresh meat from the
Republic of Botswana, taking into account, in parti-
cular the existing health situation in that country and
the measures taken by that country's authorities to
combat foot-and-mouth disease and to avoid its
spreading into other, unaffected regions; whereas
Commission Decision 82/60/EEC⁽⁴⁾ extended the
disease-free area to include the sector of district
Central — north of Dibete cordon fence and south of
the Makoba Palapye-Sherwood Ranch cordons;

Whereas a veterinary mission has visited Botswana
during March 1982 and has reported favourably on the
situation concerning animal health and in particular
foot-and-mouth disease, no outbreak of that disease
having occurred since October 1980;

Whereas it is now possible further to extend the
disease-free area by including a sector north of the
Makoba-Makoro fence and south of the Sese-
Tlalemabele fence;

Whereas the veterinary authorities of Botswana have
repeated their assurances concerning buffer zones,
non-vaccination, control of movement and other

measures; whereas the situation in Botswana will
continue to be kept under review;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 81/987/EEC is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The prohibition provided for in Article 14 (2) of
Directive 72/462/EEC shall not apply to the
following districts of the Republic of Botswana:

- Ghanzi (with the exclusion of its north-west
sector known as "Ghanzi-Farms"),
- Kweneng,
- Kgatlend,
- South-East,
- Southern,
- Kgalagadi, and
- Central (only that sector which is bordered:
 - to the west by the Makoba fence,
 - to the north by Sese-Tlalemabele fence and
the Palapye-Sherwood Ranch fence, and
 - to the east from Sese to Makoro by the
railway line).

2. In the Annex, the text at the end of the first indent
of paragraph IV — Attestation of health, subpara-
graph 1 (a) is replaced by the following:

- '— Ghanzi (with the exclusion of its north-western
sector known as "Ghanzi-Farms"),
- Kweneng,
- Kgatlend,
- South-East,
- Southern,
- Kgalagadi,

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽³⁾ OJ No L 361, 16. 12. 1981, p. 29.

⁽⁴⁾ OJ No L 28, 5. 2. 1982, p. 49.

— Central (only that sector which is bordered :

Article 2

— to the west by the Makoba fence,

This Decision is addressed to the Member States.

— to the north by the Sese-Tlalemabele fence
and the Palapye-Sherwood Ranch fence,
and

Done at Brussels, 17 May 1982.

— to the east from Sese to Makoro by the
railway line).'

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION

of 17 May 1982

amending Decision 81/926/EEC opening a standing invitation to tender for the export of 300 000 tonnes of barley held by the German intervention agency

(Only the German text is authentic)

(82/363/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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 3808/81⁽²⁾, and in particular
Article 7 (5) thereof,

Whereas Commission Decision 81/926/EEC of 6
November 1981⁽³⁾, as last amended by Decision
82/239/EEC of 29 March 1982⁽⁴⁾, opened a standing
invitation to tender for the export of 300 000 tonnes of
barley held by the German intervention agency;
whereas, in view of the present situation, the tender
should be closed;

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

Decision 81/926/EEC, Article 5, paragraph 1, is
amended as follows:

'1. The time limit for submission of tenders
under the first partial invitation to tender shall
expire on 11 November 1981 at 1 p.m. (Brussels
time).

The German intervention agency shall specify in
the notice of invitation to tender the time limit for
submission of tenders under the subsequent partial
invitation to tender.

The time limit for submission of tenders under the
last partial invitation to tender shall expire on 21
April 1982 at 1 p.m. (Brussels time).'

Article 2

This Decision is addressed to the Federal Republic of
Germany.

Done at Brussels, 17 May 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 382, 31. 12. 1981, p. 37.

⁽³⁾ OJ No L 337, 24. 11. 1981, p. 17.

⁽⁴⁾ OJ No L 106, 21. 4. 1982, p. 27.

COMMISSION DECISION

of 17 May 1982

concerning the subsidizing of interest rates on credits for exports from France to Greece after the accession of that country to the European Economic Community

(Only the French text is authentic)

(82/364/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 in accordance with the above Article to the parties concerned to submit their comments,

Whereas :

I

On 1 January 1981, Greece became a Member of the European Economic Community. As from that date, the Treaty rules on State aids are applicable to Greece and in trade relations between the Nine and that country. Before that date, when financing exports of capital goods to Greece, the Member States could apply the credit conditions agreed upon internationally in the 'Arrangement on guidelines for officially supported export credits' ('the consensus') to which the European Economic Community became a party when the Council on 4 April 1978 adopted a Decision to that effect. That Decision is based on Article 113 of the Treaty and concerns credits for exports to third countries.

The terms and interest rates agreed upon in the consensus vary according to the GNP per head of the recipient countries, which are divided accordingly into three categories: rich, intermediate and poor.

With the accession of Greece to the European Economic Community, which is a party to the consensus as such, Greece automatically changed its status from an 'intermediate' to a 'rich' country, to which slightly higher interest rates apply. Therefore all parties to the consensus had to notify the OECD, which acts as the secretariat for the consensus, prior commitments entered into in respect of export credit terms for sales of capital goods to Greece, the contracts for which were being negotiated and had not yet been concluded.

The position created by Greek accession was discussed several times ⁽¹⁾ in the Policy Coordination Group for Credit Insurance, Credit Guarantees and Financial Credits ('Export Credit Insurance Group') of the Council whose competence is exclusively in the field of export credits in relation to third countries ⁽²⁾. At the Group's meeting of 13 March 1980, Commission representatives explained that Article 92 of the Treaty would apply in relations to Greece as from 1 January 1981. No problems would arise as to transactions concluded and executed before that date. In respect of prior commitments in the form of offers made as part of the negotiations for contracts pending at the date of accession, one could imagine that the Commission, when assessing such cases, would apply a bona fide criterion.

At the meeting of the Export Credit Insurance Group on 11 November 1980 it became evident that, while two Member States had taken steps to ensure that there were no commitments beyond the deadline of 31 December 1980, other Member States had entered into prior commitments going beyond that date.

A compromise formula to the effect that Article 92 would not be formally implemented in respect of contracts signed before 28 February 1981 was envisaged but not pursued in view of the position of France, which considered this period too short. Finally, when the Group during its meeting on 11 December 1980 noted that differences of opinion which had arisen still subsisted, the Commission representative stated 'that the Commission's departments reserved the right, pursuant to Article 92 and Article 93 of the Treaty, to examine commitments concluded after 1 January 1981 on a case by case basis' ⁽³⁾.

When on 23 February 1981 the Government of the Federal Republic of Germany submitted to the Commission a request for a derogation in respect of contracts for an electricity generating station on the

⁽¹⁾ 5921/80, CCG 18 of 25 March 1980, 11248/80, CCG 56 of 17 November 1980.

⁽²⁾ Mandate of the Group (OJ No 66, 27. 10. 1960, p. 1339/60).

⁽³⁾ See 12461/80, CCG 75 of 16 December 1980.

grounds that the French Government was maintaining its offer of subsidized interest rates, the Commission concluded that such a derogation could not be granted in view of the fundamental principles of Community policy involved. This position was made known to the German Government⁽¹⁾ as well as to all other Member States⁽²⁾ and included a warning that the Commission would use the full powers granted to it under the Treaty to enforce this position.

At a meeting of the Export Credit Insurance Group on 6 May 1981, the German delegate informed the meeting that France was continuing to maintain its subsidized credit offers in respect of the contracts on which the Commission had stated its position, as well as others. This was confirmed by the French delegate.

On 12 May 1981, therefore, the Commission decided to initiate the procedure under Article 93 (2) of the Treaty⁽³⁾ in respect of the prior commitments entered into by the French Government and notified by it to the OECD secretariat with a stated date of expiry of 30 June 1981. In accordance with the relevant provisions, all Member States⁽⁴⁾ and other interested parties⁽⁵⁾ were asked to submit their comments.

II

In the comments which it submitted to the Commission, the French Government argued that, as the Commission was slow in adopting a clear position, the Member States had to take steps to safeguard their interests. As had been put forward by several delegations in the Council Group, it was the giving of the undertaking and not the conclusion of the contract which created the obligation in the credit insurance field; no practical solution had been found in the discussions of the Council Group with regard to the question of prior commitments.

The French Government argued further that, in accepting the principle of the existence of prior commitments in respect of Greece, the Commission acknowledged their conformity with the Treaty. In stating at the meeting of the Export Credit Insurance Group on 11 November 1980 that it might be prepared to deem prior commitments valid until 28 February 1981 in order to avoid a number of difficulties pointed out by the Member States, the Commission acknowledged that in the case of Greece transitional arrangements in the form of prior commitments were not incompatible with the Treaty.

The French Government was therefore of the opinion that, if the principle of prior commitments was admitted, the definition of the period of their validity was a question not of principle but of degree. Therefore it could be examined in the light of the practices generally applicable in the Member States in this field.

The French authorities had strictly observed general legal principles in advocating the alignment of the period of validity of their prior commitments on that of their guarantee undertakings, namely six months, which rank as a contractual commitment towards the insured; six months was also generally the period agreed to by all parties when the consensus was previously amended. A two months' period, quite apart from having little commercial significance, could therefore only be regarded as an arbitrary compromise.

The French Government finally argued that the Commission could not criticize the attempt to reach agreement on a reasonable transitional period and at the same time refuse to resolve, in a manner reflecting the wishes of the Member States, the problem of equal conditions of competition between exporters in the EEC and those of third countries.

Some Member States submitted their comments upholding the Commission's position. One Member State in particular pointed out that it was necessary that the Commission ensure that its position is respected and adopted by all Member States as otherwise very considerable distortion of competition between Member States would follow.

III

The Commission initiated the procedure under Article 93 (2) of the Treaty in respect of 121 prior commitments entered into by the French Government for credits at reduced interest rates for French sales to Greece with a stated date of expiry of 30 June 1981. Pursuant to Article 93 (3) of the EEC Treaty, the French Government cannot put the aid into operation until the Commission has given a final decision and, as far as the Commission is aware, it has not done so. The date at which the prior commitments expired has passed. However, the French Government, in its telex of 11 June 1981, maintained that it was entitled to continue offering credits at subsidized interest rates for sales to Greece after accession. Moreover, the grant of credits at reduced interest rates in trade between Member States continues to be an important matter. The Commission is of the opinion, therefore, that it is necessary to state in a negative decision pursuant to Article 93 (2) the incompatibility of these aids with the common market in spite of the fact that the stated date of expiry of the 121 prior commitments in respect of which the procedure was initiated has passed.

⁽¹⁾ Telex No 216134-IV of 16 March 1981 to the permanent representation of the Federal Republic of Germany.

⁽²⁾ Telex No 217492-IV of 20 March 1981 to all other permanent representations.

⁽³⁾ SEC(81) 753 of 12 May 1981.

⁽⁴⁾ SG(81) D/6623; SG(81) D/6700.

⁽⁵⁾ OJ No C 136, 5. 6. 1981, p. 2.

IV

Since Greece became a Member State of the European Communities, the aid provisions of the EEC Treaty apply to that country and in relations between Greece and the other Member States. A State aid which enables an undertaking in one Member State to offer goods at a price which is artificially lower than that offered by competitors from other Member States who do not benefit from an aid distorts competition by favouring certain undertakings or the production of certain goods and affects trade between Member States. It is incompatible, therefore, with the common market, pursuant to Article 92 (1) of the Treaty. An aid to reduce the rate of interest for a credit to finance the sale of goods produced in one Member State to be exported to another constitutes an export aid.

With regard to export aids applied in intra-Community trade, the Commission has always held the view that they are incompatible with the common market, pursuant to Article 92 (1) of the EEC Treaty, and cannot benefit from any of the derogations laid down in the third paragraph of that Article. This position was upheld by the European Court of Justice in the ruling in Joined Cases 6 and 11/69 (French preferential rediscount rate) and was reaffirmed on a number of occasions by the Commission; when the Council adopted the consensus Decision, the Commission had a statement inserted in the Council minutes to the effect that:

'it has always regarded the export aid granted by the Member States in intra-Community trade as incompatible with the common market within the meaning of Article 92 of the EEC Treaty.

The present Decision, which is based on Article 113 and concerns export credits to third countries, will in no way affect this situation. In particular, it cannot sanction aid by which the Member States would endeavour to allow their transactions with other Member States to enjoy the credit terms provided for in this Decision.

The Commission in any case reserves the right to take the necessary steps under the powers conferred on it by Article 92 of the Treaty in order to abolish such aid where it still exists or to prohibit any new aids which the Member State intends to introduce.'

The date of the accession of Greece with all that this implied was known at least from 28 May 1979, the date when the Accession Treaty was signed. With regard to the State-aid rules, it had been officially noted in February 1977 (at the third session at Deputy level of the EC-Greece accession negotiations on 28 February 1977, CONF-GR/10/77) that Greece had not

thought it necessary to ask for specific adjustment or transitional measures with regard to the aid rules contained in the EEC Treaty and that these rules would be applied to Greece forthwith after accession. No Member State had made known any reservation as to this. Furthermore, the Commission had made clear its position at the Export Credit Insurance Group's meeting of 13 March 1980. Therefore, the French argument that the Commission was late in defining its position is not pertinent. The French Government had ample time to take the necessary steps to ensure that its competent authorities did not act in a manner contrary to the Commission's position and enter into contractual engagements beyond the date of Greek accession concerning sales to Greece. Other Member States did not have difficulties in doing so.

The Commission's position of principle was not changed by the fact that a transitional period of two months was envisaged in November 1980 which, in fact, was a period of more than three months from the date of the meeting. That period of time, during which the Commission would not necessarily intervene, was to permit the official credit insurers of the Member States to make the necessary adjustments.

It must also be pointed out that the competence of the Council Export Credit Insurance Group is restricted to problems concerned with coordinating the activities of Member States in their dealings with third countries, and that the application of the Treaty's State-aid rules lies solely within the competence of the Commission.

The fact that the Member States of the European Communities have entered into obligations in their mutual relations which impose a stricter discipline on them than on third countries is inherent in the nature of the Community.

To reintroduce export aids within the Community would be to renounce the principle of the unity of the common market, which requires that sales in the markets of other Member States should not be treated differently to domestic transactions. As export aids by definition cannot be applied in the domestic market, this would moreover lead to a situation where domestic competitors would suffer a severe disadvantage in comparison with their competitors from other Member States, an intolerable situation which would lead rapidly to the general use of operating aids, including aids to promote national sales.

The consensus, which harmonizes credit conditions but not the amounts of aid, constitutes a pragmatic solution to competition in credit conditions on the international level but it does not present a satisfactory model for application within the EEC. It does not take into account the fact that within the EEC the

disadvantage which high rates of interest may present for some undertakings is usually compensated for or reflected in other elements which make up their cost structure and which are in their favour. To accept that undertakings in one Member State may receive compensation for one disadvantageous cost factor might lead rapidly to the necessity to compensate in other Member States for other disadvantageous cost factors, such as the level of salaries or the importance of social charges, and therefore to accept general operating aids. This is unacceptable under Article 92 of the Treaty, under which derogations from the general principle of the incompatibility of aids with the common market are reserved to aids contributing to the attainment of one of the objectives specified therein,

HAS ADOPTED THIS DECISION :

Article 1

The interest rate subsidy for credits which the Government of the French Republic offered until June 1981

to finance sales of French goods to Greece after the accession of Greece to the European Economic Community constitutes an aid which is incompatible with the common market pursuant to Article 92 (1) of the Treaty.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 17 May 1982.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION

of 17 May 1982

fixing the maximum aid levels for butter and concentrated butter for the 19th individual invitation to tender under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(82/365/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

concentrated butter, the amount of the processing security must be fixed taking account of the maximum aid level ;

Having regard to the Treaty establishing the European Economic Community,

Whereas, in the light of the tenders received in response to the 19th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly ;

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, and in particular Article 12 (3) thereof,

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

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the grant of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs⁽²⁾, as last amended by Regulation (EEC) No 48/82⁽³⁾, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter ;

HAS ADOPTED THIS DECISION :

Article 1

Whereas Article 7 of the said Regulation lays down that a maximum aid level is to be fixed for the butter and for the concentrated butter and that this is to be differentiated according to the intended use and the fat content of the butter, or that a decision may be taken not to accept any tender ; whereas, in the case of

For the 19th individual invitation to tender under Regulation (EEC) No 1932/81, in respect of which the time limit for submission of tenders expired on 11 May 1982, the maximum aid and processing securities are hereby fixed as follows :

(a) *for butter :*

(ECU/100 kg butter)		
Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	Maximum aid level
Formula A	82 % or more	160.00
	80 % or more, but not exceeding 82 %	156.10
Formula B	82 % or more	105.00
	80 % or more, but not exceeding 82 %	102.40

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽³⁾ OJ No L 7, 12. 1. 1982, p. 5.

(b) *for concentrated butter:*

<i>(ECU/100 kg pure concentrated butter)</i>		
Use to which the concentrated butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Maximum aid level	Processing security
Formula A and/or C	212-00	233-00
Formula B	145-00	160-00

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 May 1982.

For the Commission
Poul DALSGER
Member of the Commission

COMMISSION DECISION**of 17 May 1982****fixing, pursuant to the invitation to tender opened by Regulation (EEC) No 814/82, the maximum amounts for the supply of butter as food aid****(82/366/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, and in particular Article 6 (7) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 814/82 of 6 April 1982 on the delivery of various consignments of butter as food aid ⁽²⁾, the intervention agencies of the Member States have invited tenders for the manufacture and the costs of delivery as food aid of 2 624 tonnes of butter to India;

Whereas, in pursuance of 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 ⁽³⁾, as last amended by Regulation (EEC) No 3474/80 ⁽⁴⁾, it is provided that in the light of tenders received a maximum amount for each lot put up for tender is to be fixed or the tendering procedure is to be cancelled;

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

Whereas the measures provided for in this Decision are in accordance with the opinion of the 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 814/82 shall be fixed as follows:

- Lot A: 1 578 287 ECU (NL),
- Lot B: 1 168 064 ECU (B),
- Lot C: 1 727 792 ECU (B),
- Lot D: 1 754 969 ECU (B),
- Lot E: 604 973 ECU (B),
- Lot F: 1 066 847 ECU (B).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 17 May 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 96, 8. 4. 1982, p. 38.

⁽³⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁴⁾ OJ No L 363, 31. 12. 1980, p. 50.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1219/82 of 19 May 1982 fixing the import levies on live cattle and on beef and veal other than frozen

(Official Journal of the European Communities No L 141 of 20 May 1982)

Page 32, Annex, Other third countries, CCT heading Nos 02.01 A II a) 4 bb), 02.06 C I a) 2 and 16.02 B III b) 1 aa):

for: '316-452',

read: '316-451'.

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