

Official Journal

of the European Communities

ISSN 0378-6978

L 361

Volume 25

22 December 1982

43

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3424/82
of 17 December 1982
amending Regulation (EEC) No 3286/80 on import arrangements in respect of
State-trading countries

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 113
thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 (5) of Regulation (EEC) No
3286/80⁽¹⁾ provides that all Member States must be
notified of all decisions adopted in the context of the
said Regulation by the Commission;

Whereas that rule should be simplified to provide that
only Commission decisions adopted under Article 9
(4) have to be communicated to the Council and to all
Member States;

Whereas provision should be made to enable the
Commission to publish periodically an updated
version of the Annexes to Regulation (EEC) No
3286/80 incorporating amendments adopted by the
Commission or the Council,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 of Regulation (EEC) No 3286/80 is hereby
amended as follows:

1. Paragraph 5 shall be replaced by the following:

‘5. Any decision taken by the Commission
pursuant to paragraph 1 or 3 of this Article shall be
communicated forthwith to the Member State
concerned.

Any decision taken by the Commission pursuant to
the first subparagraph of paragraph 4 shall be
communicated forthwith to the Council and the
Member States.

Commission decisions shall apply at once, subject
to paragraph 8.’

2. The following paragraph 10 shall be added:

‘10. The Commission shall periodically publish
an updated version of the Annexes to this Regula-
tion, incorporating amendments adopted by it or by
the Council.’

Article 2

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

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

Done at Brussels, 17 December 1982.

For the Council

The President

H. CHRISTOPHERSEN

⁽¹⁾ OJ No L 353, 29. 12. 1980, p. 1.

COUNCIL REGULATION (EEC) No 3425/82

of 17 December 1982

opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1983) and extending this quota to include certain other types of paper

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28 and 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open an annual duty-free Community tariff quota of 1 500 000 tonnes of newsprint falling within subheading 48.01 A; whereas, in accordance with Protocol 13 annexed to the 1972 Act of Accession, each year an autonomous Community tariff quota is to be opened for this product when it has been established that all possibilities of supply on the internal market of the Community have been exhausted during the period for which the quota is opened;

Whereas, in view of present Community production capacity, the contractual quota volume of 1 500 000 tonnes is insufficient to meet anticipated import requirements; whereas provisions should therefore be made for an autonomous supplementary quota which, in order not to jeopardize the stability of the market and so as to ensure parallel development of the market for Community production and of supplies for the consumer industries on satisfactory terms, should be fixed at a level so that the total quota does not exceed its anticipated minimum utilization, namely 2 500 000 tonnes; whereas the fixing of a figure of 1 000 000 tonnes for the autonomous supplementary quota does not rule out a readjustment during the quota period; whereas a Community tariff quota should therefore be opened for 1983 for a total quantity of 2 500 000 tonnes of the product in question;

Whereas provision should be made for extending the tariff quota in question to include certain types of paper fulfilling all the conditions set out in the Additional Note to Chapter 48 except those relating to water marks;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of duty for the tariff quota should be applied

without interruption to all imports of the product in question until the quota is exhausted; whereas in the light of these principles, arrangements for the utilization of the Community tariff quota based on an allocation among Member States would seem to be consistent with the Community nature of the quota; whereas, in order that it may correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics on imports from third countries during a representative reference period and to the economic outlook for the year covered by the quota in question;

Whereas, for the past three years for which complete statistics are available, the imports of each of the Member States sharing in the above allocation amounted to the following percentages of total imports of the products in question:

	1979	1980	1981
Benelux	13.05	14.44	12.83
Denmark	5.85	5.49	5.81
Germany	25.64	27.39	23.82
Greece	1.16	1.11	1.74
France	12.08	12.15	10.23
Ireland	1.76	0.39	0.26
Italy	1.03	1.63	2.39
United Kingdom	39.43	37.40	42.92

Whereas, in view of the above and of the foreseeable trend on the market in newsprint, in general, and of Community production in particular during 1983, the initial quota may be allocated approximately in the following percentages:

Benelux	13.35
Denmark	6.45
Germany	24.16
Greece	2.81
France	11.43
Ireland	0.96
Italy	1.23
United Kingdom	39.61

Whereas to take account of import trends for the product concerned, the quota should be divided into two tranches, the first being allocated among the Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, to give importers some degree of certainty and yet enable Community production to be disposed of on satisfactory terms, the first tranche of the quota should be fixed at about 94 % of the full amount;

Whereas Member States may exhaust their initial shares at different rates; whereas, to provide for this eventuality and avoid disruption of supplies, any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the latter must be in a position to keep account of the extent to which the quota has been used up and to inform the Member States accordingly;

Whereas if at a given date in the quota period a considerable quantity of a Member State's initial share remains unused it is essential, to prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others, that such State should return a significant proportion thereof to the reserve;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any transaction in respect of the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 January to 31 December 1983, a Community tariff quota of 2 500 000 tonnes shall be opened in respect of newsprint falling within subheading 48.01 A of the Common Customs Tariff⁽¹⁾.

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities.

2. Member States may charge against this tariff quota the other types of paper complying with the definition of newsprint contained in the Additional Note to Chapter 48, except as regards the criteria governing watermarks.

3. Imports of newsprint shall not be charged against this tariff quota if they are already free of customs duties under other preferential tariff treatment. Furthermore, imports of any other paper referred to in paragraph 2 enjoying duty-free exemption under the said tariff quota shall not be charged against the target ceilings fixed under certain free trade agreements.

4. The Common Customs Tariff duty shall be totally suspended within the limit of the above quota.

Within the limits of the above quota, Greece shall apply duties calculated in accordance with the relevant provisions laid down in the 1979 Act of Accession.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. A first tranche of 2 350 000 tonnes shall be allocated among the Member States. Member States' shares, which subject to Article 5 shall be valid from 1 January until 31 December 1983 shall be as follows:

	(tonnes)
Benelux	313 725
Denmark	151 575
Germany	567 760
Greece	66 035
France	268 605
Ireland	22 560
Italy	28 905
United Kingdom	930 835

3. The second tranche, of 150 000 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as fixed in Article 2 (2), or of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 15 % of its initial share, rounded up as necessary to the next whole number.

2. If, after its initial share has been exhausted, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a third share equal to 7.5 % of its initial share.

3. If, after its second share has been exhausted, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This procedure shall apply until the reserve is exhausted.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw lesser shares than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. They shall inform the Commission of their reasons for applying this provision.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1983.

Article 5

The Member States shall return to the reserve, not later than 1 October 1983, the unused portion of their initial share which, on 15 September 1983, is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1983, notify the Commission of the total quantities of the products in question imported up to and including 15 September 1983 and charged against the Community tariff quota and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as it has been notified, inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 5 October 1983, of the amount still in reserve after amounts have been returned thereto pursuant to Article 5.

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

Done at Brussels, 17 December 1982.

It shall ensure that when a quantity exhausting the reserve is drawn, the amount so drawn does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the quota.

2. Member States shall take all measures necessary to ensure that the types of paper referred to in Article 1 (2) included in this tariff quota are in fact intended for the printing of newspapers, weekly papers or other periodicals of heading No 49.02, published at least 10 times per year.

In such a case, the control of the use of the goods for the prescribed end-use shall be carried out by applying the relevant Community provisions.

3. Member States shall ensure that importers of the products in question, established in their territory, have free access to the shares allocated to it.

4. The extent to which a Member State has used up its shares shall be determined on the basis of imports of the products in question entered with the customs authorities for free circulation.

Article 8

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 9

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

This Regulation shall enter into force on 1 January 1983.

For the Council

The President

H. CHRISTOPHERSEN

COMMISSION REGULATION (EEC) No 3426/82

of 21 December 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 1451/82⁽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 2118/82⁽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 20 December 1982;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2118/82 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 22 December 1982.

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 223, 31. 7. 1982, p. 44.

ANNEX

to the Commission Regulation of 21 December 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	111.66
10.01 B II	Durum wheat	150.82 ⁽¹⁾ ⁽²⁾
10.02	Rye	104.69 ⁽⁶⁾
10.03	Barley	106.30
10.04	Oats	92.61
10.05 B	Maize, other than hybrid maize for sowing	109.82 ⁽³⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	34.77 ⁽⁴⁾
10.07 C	Grain sorghum	102.95 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	170.38
11.01 B	Rye flour	160.64
11.02 A I a)	Durum wheat groats and meal	247.09
11.02 A I b)	Common wheat groats and meal	182.83

⁽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 3427/82

of 21 December 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 1451/82⁽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
2119/82⁽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
20 December 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 22 December
1982.

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 223, 31. 7. 1982, p. 47.

ANNEX

to the Commission Regulation of 21 December 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 12	1st period 1	2nd period 2	3rd period 3
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	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	12-49
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3428/82
of 20 December 1982

**fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving that region**

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 the United Kingdom is the only country
paying the variable slaughter premium; whereas the
United Kingdom has decided to pay it only in Region
5 (Great Britain), within the meaning of Article 3 (1) of
Regulation (EEC) No 1837/80; whereas it is necessary
therefore for the Commission to fix, for the period 29
November to 5 December 1982, the level of the
premium and the amount to be charged on products
leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 2661/80
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commission
for each Member State concerned or, in the case of the
United Kingdom, for Great Britain;

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 or, in the case of
the United Kingdom, Great Britain shall be fixed
weekly by the Commission for each Member State
concerned and in the case of the United Kingdom for
Great Britain;

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
Great Britain, during the period 29 November to 5
December 1982, shall be as set out in the Annexes
hereto;

Whereas it should be recalled that Commission Regu-
lation (EEC) No 3191/80 of 9 December 1980⁽⁵⁾, as
last amended by Regulation (EEC) No 1558/82⁽⁶⁾,
fixed transitional measures concerning non-recovery of
the variable slaughter premium for sheepmeat and
goatmeat products exported from the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified in Great Britain as
eligible for the variable slaughter premium during the
period 29 November to 5 December 1982, the level of
the premium shall be as set out in Annex I hereto.

Article 2

Without prejudice to the provisions of Regulation
(EEC) No 3191/80, for products referred to in Article 1
(a) of Regulation (EEC) No 1837/80 which left Great
Britain during the period 29 November to 5
December 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 29 November 1982.

⁽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.

⁽⁵⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁶⁾ OJ No L 172, 18. 6. 1982, p. 21.

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

Done at Brussels, 20 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Level of variable slaughter premium for certified sheep in Great Britain for the week commencing 29 November 1982

Description	Premium
Certified sheep or sheepmeat	88.697 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by Great Britain.

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 29 November 1982

(ECU/100 kg)		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		41.688
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	88.697
	2. Short forequarters	62.088
	3. Chines and/or best ends	97.567
	4. Legs	115.306
	5. Other :	
	aa) Unboned (bone-in)	115.306
02.01 A IV b)	bb) Boned or boneless	161.429
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	66.523
	2. Short forequarters	46.566
	3. Chines and/or best ends	73.175
	4. Legs	86.480
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	86.480
	bb) Boned or boneless	121.072
	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	115.306
	2. Boned or boneless	161.429

COMMISSION REGULATION (EEC) No 3429/82
of 21 December 1982
fixing the export refunds on fruit and vegetables

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1738/82⁽²⁾, and in
particular Article 30 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 30 of Regulation (EEC) No 1035/72
provides that, to the extent necessary to allow econom-
ically significant quantities to be exported, the dif-
ference between prices in international trade for the
products referred to in that Article and prices for the
products within the Community may be covered by an
export refund;

Whereas Article 2 of Council Regulation (EEC) No
2518/69 of 9 December 1969 laying down general
rules for the granting of refunds on exports of fruit
and vegetables and criteria for fixing their amounts⁽³⁾,
as amended by Regulation (EEC) No 2455/72⁽⁴⁾,
provides that when refunds are being fixed, account
must be taken of the existing situation and future
trends with regard to prices and availabilities of fruit
and vegetables on the Community market on the one
hand and prices in international trade on the other;
whereas account must also be taken of the costs indi-
cated in (b) of that Article and of the economic aspects
of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC)
No 2518/69, when prices on the Community market
are being determined account must be taken of the
prices which are most favourable from the exportation
point of view; whereas, when prices in international
trade are being determined, the quotations and prices
referred to in paragraph 2 of that Article must be
taken into account;

Whereas the situation with regard to international
trade or the specific requirements of certain markets
may make it necessary to vary the refund for a given
product according to the destination of that product;

Whereas tomatoes, sweet fresh oranges, fresh manda-
rins, fresh lemons and apples of the common quality
standards 'Extra' Class, Class I and Class II, 'Extra'
Class and Class I hothouse grapes and open ground
grapes, almonds and hazelnuts, and unshelled walnuts
may at present be exported in economically significant
quantities;

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 it follows from applying these detailed rules
to the present market situation and to its future trends,
and in particular to quotations and prices for fruit and
vegetables in the Community and in international
trade that the refunds should be as set out in the
Annex hereto;

Whereas the obligations under Article 10 (1) (b) of
Commission Regulation (EEC) No 2730/79 of 29
November 1979 laying down common detailed rules
for the application of the system of export refunds on
agricultural products⁽⁵⁾, as last amended by Regulation
(EEC) No 202/82⁽⁶⁾, may be relaxed in the case of
exports to non-member countries outside Europe;
whereas, in such a case, Article 23 (1) (c) of Regulation
(EEC) No 2730/79 may be applied;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁶⁾ OJ No L 21, 29. 1. 1982, p. 23.

HAS ADOPTED THIS REGULATION :

table grapes of open ground, walnuts in shell, shelled hazelnuts and apples as set out in the Annex hereto.

Article 1

1. The export refunds on fruit and vegetables shall be as set out in the Annex hereto.

Article 2

2. The provisions of Articles 10 (1) (b) and 23 (1) (c) of Commission Regulation (EEC) No 2730/79 shall apply to exports of sweet oranges, mandarins, lemons,

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 21 December 1982 fixing the export refunds on fruit and vegetables

CCT heading No	Description	(ECU/100 kg net) Refund
ex 07.01 M	Tomatoes ('Extra' Class, Class I and Class II)	4.50
ex 08.02 A I	Sweet fresh oranges : For export of varieties Biondo comune and Sanguigno comune ('Extra' Class, Class I and Class II) to : — Countries or States with a planned economy in central or eastern Europe — Other destinations For export of other varieties ('Extra' Class, Class I and Class II) to : — Countries or States with a planned economy in central or eastern Europe — Other destinations	8.00 5.32 14.50 9.67
ex 08.02 B	Fresh mandarins ('Extra' Class, Class I and Class II)	7.25
ex 08.02 C	Fresh lemons ('Extra' Class, Class I and Class II) For export to : — Countries or States with a planned economy in central or eastern Europe — Other destinations	12.00 4.23
ex 08.04 A I	Table grapes : — Fresh, open ground ('Extra' Class and Class I) — Fresh, hothouse ('Extra' Class and Class I)	7.00 19.34
ex 08.05 A II	Shelled almonds, other than bitter almonds	9.67
ex 08.05 B	Unshelled walnuts	14.00
ex 08.05 G	Shelled hazelnuts	14.51
ex 08.06 A II	Apples ('Extra' Class, Class I and Class II) other than cider apples : For export to : — Botswana, Lesotho, Swaziland, Zambia, Malawi, Mozambique, Tanzania, Kenya, Rwanda, Burundi, Uganda, Somalia, Madagascar, Comoros, Mauritius, Sudan, Ethiopia, Jibuti, the countries of the Arabian peninsula ⁽¹⁾ , Iran, Iraq, Jordan and Finland — Countries and territories of Africa other than those mentioned above and South Africa, Syria, countries with a planned economy in central and eastern Europe, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Iceland, Norway, Sweden, Austria and the Faroe Islands	12.00 4.00

(¹) For the purpose of this Regulation the 'countries of the Arabian peninsula' are considered to be the following, including the territories attached thereto : Saudi Arabia, Bahrain, Qatar, Kuwait, the Sultanate of Oman, United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qawain, Fujairah, Ras Al Khaimah), Yemen Arab Republic (North Yemen) and the People's Democratic Republic of Yemen (South Yemen).

COMMISSION REGULATION (EEC) No 3430/82
of 21 December 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 1716/82⁽³⁾,
as last amended by Regulation (EEC) No 3423/82⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1716/82 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 Regu-
lation (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 22 December
1982.

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

Done at Brussels, 21 December 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 189, 1. 7. 1982, p. 42.

⁽⁴⁾ OJ No L 360, 21. 12. 1982, p. 30.

ANNEX

to the Commission Regulation of 21 December 1982 fixing the import levies on white
sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	39.18
	B. Raw sugar	37.33 ⁽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 3431/82**of 17 December 1982****extending Regulation (EEC) No 1193/81 fixing, in respect of the 1980 crop, export refunds for raw tobacco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1461/82 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain varieties of tobacco from the 1980 crop by Commission Regulation (EEC) No 1193/81 of 30 April 1981 ⁽³⁾, as last amended by Regulation (EEC) No 1687/82 ⁽⁴⁾;

Whereas the final date for granting those refunds was set at 30 December 1982; whereas, in respect of certain varieties of that tobacco, export possibilities after that date have presented themselves; whereas it is advisable to grant refunds for these varieties until 30

June 1983, in order to enable those exports to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

The date '31 December 1982' appearing in Article 2 of Regulation (EEC) No 1193/81 is hereby replaced by '30 June 1983'.

Article 2

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

It shall apply from 1 January 1983.

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

Done at Brussels, 17 December 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 27.

⁽³⁾ OJ No L 121, 5. 5. 1981, p. 25.

⁽⁴⁾ OJ No L 186, 30. 6. 1982, p. 29.

COMMISSION REGULATION (EEC) No 3432/82

of 17 December 1982

fixing export refunds for raw tobacco in respect of the 1982 crop

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1461/82 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas, by virtue of Article 9 of Regulation (EEC) No 727/70, the difference between the world market prices of the products referred to in Article 1 of that Regulation and their prices within the Community may be covered by an export refund;

Whereas, pursuant to Council Regulation (EEC) No 326/71 of 15 February 1971 laying down general rules for granting export refunds on raw tobacco and criteria for fixing the amount of such refunds ⁽³⁾, the granting of export refunds is to be limited to baled tobacco produced from leaf tobacco harvested in the Community; whereas the refunds must be fixed for each variety produced in the Community in the light of the factors indicated in Article 2 (1) of Regulation (EEC) No 326/71;

Whereas the outlets for some varieties are very limited or entail very high transport costs; whereas, also, some exporting third countries' prices have a marked impact on the competitive position of Community tobacco; whereas, under Article 4 of Regulation (EEC) No 326/71, this situation constitutes one of the excep-

tional cases referred to in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70 which allows a refund to be fixed outside the limits laid down therein for the varieties in question;

Whereas, applying the abovementioned rules and criteria to existing conditions on the market in tobacco, and in particular to prices in the Community and on the world market, it follows that the amount of the refund and the products and countries in respect of which it should apply should be as specified in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of varieties of baled tobacco from the 1982 crop in respect of which the export refund provided for in Article 9 of Regulation (EEC) No 727/70 shall be granted, and the amount of such refund and the third countries of destination for which it shall apply, shall be as shown in the Annex hereto.

Article 2

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

It shall apply until 31 December 1983.

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

Done at Brussels, 17 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 27.

⁽³⁾ OJ No L 39, 17. 2. 1971, p. 1.

ANNEX

Serial No	Varieties	Amount of refund (ECU/kg)	Countries of destination
1	Badischer Geudertheimer	0.34	} to all third countries
2	Badischer Burley E	0.34	
4	(a) Paraguay	0.34	
	(b) Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appel terre	0.34	
7	Bright	0.30	} to all third countries with the exception of the USA and Canada
8	Burley I	0.30	
9	Maryland	0.30	
10	Kentucky	0.44	
11	(a) Forchheimer Havanna II c)	0.34	} to all third countries
13	Xanti-Yakà	0.44	
14	(a) Perustitza	0.44	} to all third countries with the exception of Turkey and Yugoslavia
	(b) Samsun	0.30	
15	Erzegovina	0.44	
16	(a) Round Tip	} 0.72	} to all third countries with the exception of the USA and Canada
	(b) Scafati		
	(c) Sumatra I		
17	Basmas	0.34	} to all third countries with the exception of Turkey and Yugoslavia
18	Katerini and similar varieties	0.34	
19	Kaba Koulak classic	0.34	
20	(a) Kaba Koulak non classic	0.44	
	(b) Ellassona, Myrodata Smyrne, Trapezous, and Phi 1	0.44	
21	Myrodata Agrinion	0.44	
22	Zichnomyrodata	0.34	
23	Tsebelia	0.44	
24	Mavra	0.44	
25	Burley GR	0.30	} to all third countries with the exception of the USA and Canada
26	Virginia GR	0.30	

COMMISSION REGULATION (EEC) No 3433/82

of 17 December 1982

opening an invitation to tender for the sale for export of baled tobacco held by
the Italian intervention agencyTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 727/70
of 21 April 1970 on the common organization of the
market in raw tobacco ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1461/82 ⁽²⁾, and in particular Article 7
(4) thereof,Whereas Commission Regulation (EEC) No 3389/73
of 13 December 1973 ⁽³⁾, as last amended by Regula-
tion (EEC) No 313/79 ⁽⁴⁾, lays down the procedure and
conditions for the sale of tobacco held by intervention
agencies ;Whereas, on account of the problems caused by the
storage of baled tobacco, and in particular the costs of
storage, and in view of the quantities of tobacco
available on the internal Community market, an invi-
tation to tender should be opened for the sale of the
tobacco in lots ; whereas this tobacco should be
intended for export, without refund ;Whereas, in view of the size of the lots and of the fact
that payment for all these lots is made before the
tobacco is removed, it should be provided that, at the
request of the successful tenderer, the security should
be released progressively as the quantities of tobacco
are exported ;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Tobacco,

HAS ADOPTED THIS REGULATION :

*Article 1*Eight lots of baled raw tobacco from the 1978 and
1979 harvests, held by the Italian intervention agency,
with a total weight of 15 543 409 kilograms divided by
varieties as shown in the Annex hereto, shall be sold
for export.⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.⁽²⁾ OJ No L 164, 14. 6. 1982, p. 27.⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.⁽⁴⁾ OJ No L 43, 20. 2. 1979, p. 5.*Article 2*The sale shall take place in accordance with the ten-
dering procedure provided for in Regulation (EEC) No
3389/73.*Article 3*The deadline for the submission of tenders at the
headquarters of the Commission of the European
Communities shall be at 12 noon, local time, on 13
April 1983.*Article 4*The closing date referred to in Article 9 (1) of Regula-
tion (EEC) No 3389/73 for removal of the tobacco by
the successful tenderer shall be :

- (a) at the end of the sixth month following the date of
publication of the result of the tendering proce-
dure in the *Official Journal of the European
Communities*, in respect of at least one third of the
lots ;
- (b) at the end of the 10th month following the said
date for the remaining tobacco ;

Article 5

1. The security specified in Article 5 of Regulation
(EEC) No 3389/73 must be lodged with and by the
Azienda di Stato per gli interventi nel mercato agri-
colo, sezione specializzata per il tabacco (AIMA), via
Duccio Galimberti 47, 00136 I-Roma.

2. The Commission shall inform the relevant inter-
vention agency forthwith of the result of the sale by
tender. The agency shall immediately release the
securities of tenderers whose tenders were inadmissible
or who were unsuccessful.

Save as otherwise provided in the second subparagraph
of Article 7 of Regulation (EEC) No 3389/73, the
securities of the successful tenderer or tenderers shall
be released once the conditions laid down in Article 7
(c) of that Regulation have been fulfilled.

3. On application by the person concerned, the
security shall be released by instalments in proportion
to the quantities of tobacco in respect of which the
proof referred to in Article 7 (c) of the said Regulation
has been furnished.

*Article 6*This Regulation shall enter into force on the third day
following its publication in the *Official Journal of the
European Communities*.

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

Done at Brussels, 17 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Xanti-Yakà	1978	524 825
	Perustitza	1978	391 190
	Erzegovina	1978	975 705
			<u>1 891 720</u>
2	Xanti-Yakà	1978	692 161
	Perustitza	1978	339 223
	Erzegovina	1978	1 079 894
			<u>2 111 278</u>
3	Xanti-Yakà	1978	612 838
	Perustitza	1978	364 195
	Erzegovina	1978	970 117
			<u>1 947 150</u>
4	Xanti-Yakà	1979	403 015
	Perustitza	1979	513 995
	Erzegovina	1979	975 174
			<u>1 892 184</u>
5	Xanti-Yakà	1979	576 242
	Perustitza	1979	321 136
	Erzegovina	1979	1 032 590
			<u>1 929 968</u>
6	Xanti-Yakà	1979	519 236
	Perustitza	1979	529 355
	Erzegovina	1979	864 625
			<u>1 913 216</u>
7	Xanti-Yakà	1979	396 292
	Perustitza	1979	426 083
	Erzegovina	1979	1 130 607
			<u>1 952 982</u>
8	Xanti-Yakà	1979	424 124
	Perustitza	1979	502 604
	Erzegovina	1979	978 183
			<u>1 904 911</u>
Total			<u>15 543 409</u>

COMMISSION REGULATION (EEC) No 3434/82
of 21 December 1982

amending Regulation (EEC) No 2197/82 extending the period of storage of certain quantities of dried figs and dried grapes held by the Greek storage agencies beyond the end of the 1981/82 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2194/81 of 27 July 1981 laying down the general rules for the system of production aid for dried figs and dried grapes ⁽¹⁾, as amended by Regulation (EEC) No 2101/82 ⁽²⁾, and in particular Article 10 (1) thereof,

Whereas Article 10 of Regulation (EEC) No 2194/81 provides for the granting of storage aid to storage agencies for the quantities of dried figs and dried grapes which they have purchased under the contracts provided for in that Regulation, for the duration of storage of the fruit in question, which is not to extend beyond the end of the marketing year; whereas, however, it is stipulated in that Article that, where the market situation so requires, extension of the storage of certain quantities into the following marketing year may be authorized;

Whereas an extension until 31 December 1982 is provided for in Commission Regulation (EEC) No

2197/82 ⁽³⁾; whereas the market situation requires the period of storage to be further extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2197/82, '31 December 1982' is hereby replaced by '31 March 1983'.

Article 2

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

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 214, 1. 8. 1981, p. 1.

⁽²⁾ OJ No L 223, 31. 7. 1982, p. 4.

⁽³⁾ OJ No L 233, 7. 8. 1982, p. 24.

COMMISSION REGULATION (EEC) No 3435/82
of 21 December 1982
amending Regulation (EEC) No 1960/82 on a special measure for durum wheat
in Greece

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 1451/82 ⁽²⁾,

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

Whereas, by Commission Regulation (EEC) No
1960/82 of 20 July 1982 ⁽⁴⁾, an invitation to tender for
the refund for the export of durum wheat to countries
of Zones I, II, III, IV, V, VI, VII and the German
Democratic Republic was opened until 22 December
1982;

Whereas in view of the present situation the tender
should be extended until 26 January 1983;

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

HAS ADOPTED THIS REGULATION :

Article 1

Article 2 (3) of Regulation (EEC) No 1960/82 shall
read as follows :

'3. The invitation shall remain open until 26
January 1983. During the period of its validity
weekly awards shall be made, for which the time
limits for the submission of tenders shall be as
prescribed in the notice of invitation to tender.'

Article 2

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

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 212, 21. 7. 1982, p. 38.

COMMISSION REGULATION (EEC) No 3436/82**of 21 December 1982****amending Regulation (EEC) No 318/82 fixing, for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1118/81⁽²⁾, and in particular the fourth subparagraph of Article 6 (2) thereof,

Whereas Regulation (EEC) No 318/82⁽³⁾ laid down the export refunds for products processed from fruit and vegetables ;

Whereas Regulation (EEC) No 519/77⁽⁴⁾ lays down general rules for granting export refunds on products processed from fruit and vegetables and criteria for

fixing the amount for such refunds ; whereas it follows from the application of these rules that the refunds should be amended as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds provided for in Article 6 of Regulation (EEC) No 516/77 shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1983.

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

Done at Brussels, 21 December 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 118, 30. 4. 1981, p. 10.

⁽³⁾ OJ No L 39, 11. 2. 1982, p. 14.

⁽⁴⁾ OJ No L 73, 21. 3. 1977, p. 25.

ANNEX

to the Commission Regulation of 21 December 1982 amending for certain products processed from fruit and vegetables, the export refunds provided for in Article 6 of Regulation (EEC) No 516/77

CCT heading No	Description	Amount in ECU / 100 kg of product (including immediate packings)
ex 08.11 E	Stalked and stoned cherries preserved in a sulphurous solution	12.09 ⁽¹⁾
ex 20.04	Cherries preserved by sugar (drained, glacé or crystallized)	30.22 ⁽¹⁾
ex 20.06 A	Common hazelnuts, fruit of <i>Corylus avellana</i> , with the exception of mixtures	14.51
ex 20.07	Pure orange juice, with no other substances added :	
	— Not concentrated (between 10 and 12 degrees Brix value)	2.10
	— Concentrated :	
	— Per unit of concentration (11 degrees Brix value)	2.10

⁽¹⁾ For exports to all third countries, with the exception of North America.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 December 1982

amending Decision 79/277/EEC as regards animal health conditions governing the import of masseter muscles from Argentina, Brazil, Uruguay and Paraguay

(82/863/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 particular Articles 16 and 28 thereof,

Whereas animal health conditions concerning imports of fresh meat from Argentina, Brazil and Uruguay were laid down by Commission Decisions 78/693/EEC, 78/694/EEC and 78/695/EEC⁽³⁾ respectively, as amended by Decision 79/18/EEC⁽⁴⁾, and from Paraguay by Commission Decision 79/238/EEC⁽⁵⁾;

Whereas difficulties exist in the application of Article 20 (k) of Directive 72/462/EEC which have still to be resolved; whereas, in order not to disrupt existing trade patterns, Member States should be allowed, on a temporary basis, to continue to authorize imports of whole masseter muscles of bovine animals;

Whereas Commission Decision 79/277/EEC⁽⁶⁾, as last amended by Decision 82/78/EEC⁽⁷⁾, provides for such temporary authorizations; whereas a further period is necessary to resolve the difficulties referred to above; whereas the Commission has made the necessary proposals to the Council⁽⁸⁾;

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

In Articles 1, 2, 3 and 4 of Decision 79/277/EEC, '31 December 1982' is hereby replaced by '31 December 1983'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 December 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽³⁾ OJ No L 236, 28. 8. 1978, pp. 19, 29 and 37.

⁽⁴⁾ OJ No L 7, 11. 1. 1979, p. 31.

⁽⁵⁾ OJ No L 53, 3. 3. 1979, p. 33.

⁽⁶⁾ OJ No L 65, 15. 3. 1979, p. 32.

⁽⁷⁾ OJ No L 41, 12. 2. 1982, p. 45.

⁽⁸⁾ OJ No C 250, 30. 9. 1981, p. 3.

COMMISSION OPINION**of 15 December 1982****addressed to the French Government on a draft framework law on inland transport****(82/864/EEC)**

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by the Decision of 22 November 1973⁽²⁾, the French Government sent the Commission, under cover of a letter of 17 December 1982 from its Permanent Representation to the European Communities, the text of a draft framework law on inland transport.

The letter from the French Permanent Representation reached the Commission on 20 September 1982 and, in accordance with Article 1 of the Council Decision referred to above, was also sent to the other Member States.

At the Commission's initiative, an information meeting with representatives of the French Government was held in Brussels on 11 October 1982 and, on the same date and pursuant to Article 2 (3) of the said Decision, the other Member States were consulted on the provisions in question.

Under Article 2 (1) of the Council Decision the Commission hereby delivers the following opinion:

1. The Commission has taken note with interest of the draft framework law on inland transport submitted to it by the French Government for examination and consultation. The Commission notes the said government's statement that the aim of the draft law is to make a more efficient transport service available to the public at large and to permit new action, under an overall plan, to overcome the difficulties at present experienced in the transport sector in France.

2. As provided in the Council Decision, the Commission intends to limit its examination of the draft law to those aspects liable to interfere with action taken under the common transport policy provided for by the Treaty establishing the European Economic Community. It is therefore in this light, and more

particularly that of any repercussions the guidelines under consideration may have on intra-Community transport operations that this opinion is issued. The Commission did not go into the national aspects of the draft law except in so far as these impinge on the implementation of the Treaty or of Community rules and regulations.

3. The Commission approves the French Government's initiative of creating, by legislative means, a general framework for a global policy for the internal carriage of goods and people. As, however, this draft law only sets out fundamental principles, creates the means and defines the procedures for this action the Commission must reserve its definitive opinion until it has examined, with regard to the common transport policy, the measures for appropriation implied by the implementation of this framework.

4. As regards Title I of the draft law, comprising general provisions applicable to the various modes of transport, the Commission:

- notes with interest the affirmation of the right to passenger transport, with freedom of choice for users (Article 1);
- considers that the policy objectives, namely to ensure the harmonious and complementary development of the various modes of private and public transport taking into account real economic costs, and to establish the basis for fair competition between modes of transport and between undertakings (Article 3), are in line with the common transport policy guidelines;
- approves the amendments the French Government has made to Articles 1 and 3 to ensure that the national guidelines fit into the European framework, to the effect that the inland transport system promotes 'the expansion of international, and in particular European, trade', and that the overall transport policy 'contributes to the development and improvement of European transport policy';
- notes the French Government's plans to decentralize transport affairs and to introduce transport plans drawn up on an intermodal basis (Article 4);

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.

- has no objection to the proposals relating to public service obligations (Article 5), or to the conditions subject to which public transport operations are to be conducted (Articles 6 to 8);
 - reminds the French Government that the implementing measures in respect of the operation of the transport market and social matters (Articles 6 to 13) must be compatible with current Community rules;
 - notes that the draft law attaches great importance to compliance with the social legislation in the field of transport, and that this is to be expressed in the strict application and effective surveillance of Community rules in this field;
 - notes the measures advocated, particularly as regards the responsibility of the various operators for infringements of the social and safety rules and as far as the invalidity of the contractual clauses is concerned resulting in non-compliance with the maximum distance that may be travelled and the length of time that may be worked;
 - notes that the idea of infrastructure planning (Articles 14 and 15) on the basis of an analysis of socio-economic benefit is in line with the approach underlying the Community's work in this field. Nevertheless, the Commission would draw attention to the fact that, where medium-term projects are concerned, the master plans will probably not provide sufficient information to contribute, at Community level, to an exchange of information on plans and programmes (Article 5 of the Council Decision of 20 February 1978 instituting a consultation procedure and setting up a committee in the field of transport infrastructure⁽¹⁾), and that in this connection it will be necessary to have information on French planning policy guidelines in general.
5. As regards Title II of the draft law, comprising provisions to each mode of transport, the Commission:
- (a) in connection with rail transport (Articles 18 to 26):
- notes the French Government's intention to:
 - amend the legal status of the SNCF as from 1 January 1983 by creating a public industrial and commercial undertaking which will keep the name of its predecessor,
 - maintain the SNCF's administrative autonomy under a new set of articles and conditions defining its position, and a programme contract, and
 - ensure that the SNCF receives financial aid from the State particularly with a view to improving the railway's finances;
 - reminds the French Government that, although these measures are in line with the common transport policy, the said government must comply with the relevant Community rules, particularly Council Regulations (EEC) No 1191/69⁽²⁾, (EEC) No 1192/69⁽³⁾ and (EEC) No 1107/70⁽⁴⁾, as amended by Regulations (EEC) No 1473/75⁽⁵⁾ and (EEC) No 1658/82⁽⁶⁾, as well as Council Decisions 75/327/EEC⁽⁷⁾ and 82/529/EEC⁽⁸⁾, when preparing the measures to implement the law, particularly those concerning the articles and conditions, the programme contract and finance laws;
- (b) in connection with road transport (Articles 29 to 39):
- notes that, as long as the specific provisions advocated are based on the general principles enunciated in the first section, they will be compatible with the aims of the common transport policy;
 - notes the French Government's intention of encouraging road haulage to develop along lines dictated by its inherent advantages whilst at the same time ensuring cooperation between road haulage undertakings and between the latter and other modes of transport;
- (c) in connection with inland waterway transport (Articles 40 to 42):
- notes that inland waterway transport will be the subject of a development plan comprising a master plan for the waterways and a series of economic and social measures in line with the aims of the framework law;
 - notes in particular the establishment of a national chamber for small waterway undertakings which, as part of a structural policy for waterways, could represent an interesting initiative;
- (d) in connection with air transport (Articles 43 and 44):
- notes that the proposed amendments to existing national laws do not give rise to any objections in relation to the common transport policy.

(¹) OJ No L 54, 25. 2. 1978.

(²) OJ No L 156, 28. 6. 1969, p. 1.

(³) OJ No L 156, 28. 6. 1969, p. 8.

(⁴) OJ No L 130, 15. 6. 1970, p. 1.

(⁵) OJ No L 152, 12. 6. 1975, p. 1.

(⁶) OJ No L 184, 29. 6. 1982, p. 1.

(⁷) OJ No L 152, 12. 6. 1975, p. 3.

(⁸) OJ No L 234, 9. 8. 1982, p. 5.

6. As regards Title III of the draft law (Articles 45 to 48), comprising miscellaneous provisions, the Commission :

- notes that, according to the information provided, in the definition of inland transport given in Article 45 the aim is to clarify specific cases arising either out of the special situation of non-metropolitan territories or the possible application of international treaties or agreements to national inland transport ;
- nevertheless draws the attention of the French Government to the ambiguity of the wording of Article 45 as it stands, since it is not clear how this definition can be related to the Community dimension or what is, for example, the position of a transport operation starting and finishing on French territory but passing through the territory of one or more other Member States on the way ;
- therefore asks the French Government to amend the text of the draft law so as to remove the ambiguity. This amendment should state that the law will be applied without prejudice to the objections arising from the Treaty setting up the European Economic Community and the other international treaties and arguments concerning this matter.

7. The Commission notes that the draft law submitted to it comprises guidelines for the national policy on inland transport and that it is not possible to make a full assessment of the scope of the law until the relevant implementing measures are also known. The Commission therefore requests the French Government to communicate the said implementing measures in good time in accordance with the procedure for prior examination and consultation laid down in the Council Decision of 21 March 1962.

8. The Commission is informing the other Member States of this opinion.

Done at Brussels, 15 December 1982.

For the Commission
Giorgios CONTOGEORGIS
Member of the Commission

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