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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 101/83

of 17 January 1983

**imposing a definitive anti-dumping duty on certain chemical fertilizer
originating in the United States of America**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3017/79 of 20 December 1979 on protection against
dumped or subsidized imports from countries not
members of the European Economic Community⁽¹⁾,
as amended by Regulation (EEC) No 1580/82⁽²⁾, and
in particular Article 12 thereof,

Having regard to the proposal submitted by the
Commission after consultation within the Advisory
Committee set up by the said Regulation,

Whereas in 1981 the Council, by Regulation (EEC) No
349/81⁽³⁾, imposed a definitive anti-dumping duty on
imports of urea ammonium nitrate solution fertilizer
(UAN) originating in the United States of America the
level of duty being 6.5 %;

Whereas this definitive anti-dumping duty did not
apply to UAN exported by *inter alia* Allied Corpora-
tion (formerly Allied Chemical Corporation), Kaiser
Aluminium Domestic and International Sales Corpo-
ration (Kaiser) and Transcontinental Fertilizer Co.
(Transcontinental) since price undertakings were
offered by these companies and were considered
acceptable by the Commission⁽⁴⁾;

Whereas Allied Corporation, Transcontinental and
Kaiser have by correspondence dated 7 June, 2 July
and 23 July 1982 respectively informed the Commis-
sion of their withdrawal from their individual price
undertakings;

Whereas, in accordance with Article 10 (6) of Regula-
tion (EEC) No 3017/79, the Commission informed the
Member States forthwith and reopened the proceed-
ings⁽⁵⁾; whereas this reopening was also warranted by
evidence submitted to the Commission by the EEC
producers of changed circumstances as regards imports
of UAN falling within subheading ex 31.02 C of the
Common Customs Tariff (NIMEXE code ex 31.02-90)
to the Community from the United States to justify a
need for a review in terms of Article 14 of Regulation
(EEC) No 3017/79;

Whereas the Commission considers that the compa-
nies which withdrew from their undertakings did so in
order to export UAN to the Community at price levels
below those specified in the undertakings; whereas
according to the information available to the Commis-
sion any exports at such price levels would be dumped
and would cause injury to the Community industry;

Whereas the dumping margins determined during the
previous investigation were 6.5 % for Allied Corpora-
tion and Transcontinental and 5 % for Kaiser;
whereas these levels were those at which duties would
have been imposed had these companies' price under-
takings not been accepted;

Whereas the Community's interests therefore called
for the immediate application of provisional measures
based on the evidence available to the Commission;
whereas the Commission has, accordingly, in terms of
Article 10 (6) of Regulation (EEC) No 3017/79
imposed provisional anti-dumping duties at the above-
mentioned levels on the three companies concerned
by Regulation (EEC) No 1976/82⁽⁶⁾, as amended by
Regulation (EEC) No 2302/82⁽⁷⁾;

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 39, 12. 2. 1981, p. 4.

⁽⁴⁾ OJ No L 39, 12. 2. 1981, p. 35.

⁽⁵⁾ OJ No C 179, 16. 7. 1982, p. 4.

⁽⁶⁾ OJ No L 214, 22. 7. 1982, p. 7.

⁽⁷⁾ OJ No L 246, 21. 8. 1982, p. 5.

Whereas the Commission at the same time started a further investigation and officially so advised the exporters and importers known to be concerned as well as representatives of the exporting country;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to request a hearing; whereas all the exporters concerned and certain importers have made their views known in writing and have requested and been granted a hearing;

Whereas, in order that a full examination of the available facts could be made by the Commission before definitive measures were taken, the Council, by Regulation (EEC) No 3044/82⁽¹⁾, prolonged the validity of the provisional anti-dumping duties by two months;

Whereas the Commission has for the purpose of the further investigation sought and verified information deemed to be necessary at the premises of the following EEC producers:

Azotes et Produits Chimiques SA, Paris,
Compagnie Française de l'Azote, Paris,
Générale des Engrais, Paris,
Société Chimique de la Grande Paroisse, Paris,
Ruhr Stickstoff AG, Bochum,
BASF AG, Ludwigshafen,
Nederlandsche Stikstof Maatschappij, Brussels,
Unie van Kunstmestfabrieken BV, Utrecht;
and the following importers: Demufert SA, Brussels;
Ferdis SA, Brussels;

Whereas Allied Corporation did not cooperate in the investigation; whereas Kaiser informed the Commission that they had not exported to the EEC since offering their undertaking and accordingly no relevant export price existed for comparison purposes; whereas, however, an investigation took place at the premises of Transcontinental in Philadelphia which revealed that the product exported by it had been produced by Kaiser;

Whereas the Commission, as a result of this further investigation, has established updated normal values for the companies concerned; whereas, because of the lack of cooperation from Allied Corporation, the Commission had to establish whether there was dumping in the case of Allied Corporation in conformity with Article 7 (7) (b) of Regulation (EEC) No 3017/79 on the basis of the facts available; whereas, of the facts available, published data on US domestic prices had to be rejected by the Commission, since the exporters and importers concerned disputed their accuracy and since the Commission had reason to

believe that even if these prices accurately reflected conditions on the US market they were not sufficient to cover the producer's fixed and variable costs; whereas consequently the Commission took account of the fact that in 1981 Allied Corporation had given a price undertaking in order to keep its export prices in line with normal value and that in order to avoid future discrepancy between normal value and export prices the undertaking included an indexation formula requiring the six-monthly adjustment of export prices;

Whereas, since Allied Corporation had made two large shipments to the Community since withdrawing from their price undertaking, the reference period for the purposes of establishing dumping was taken from the date of the first shipment (July 1982) to the end of 1982; whereas the Commission has applied in the indexation formula for the reference period and since the resulting price is that at which Allied would have had to export in accordance with the terms of the price undertaking, has used this price to establish the normal value for the reference period;

Whereas Kaiser and Transcontinental were requested to apply the same indexation formula as Allied Corporation to adjust their export prices at six-monthly intervals;

Whereas although Kaiser made no direct shipments during the period of validity of its price undertaking, the investigation revealed that the single shipment made by Transcontinental during this period was of products manufactured by Kaiser; whereas, consequently, a normal value was established for Kaiser by applying the formula for adjusting Kaiser's export price for the six-month period during which the single shipment took place, i.e. the first six months of 1982;

Whereas since Transcontinental made no sales of the product on the US domestic market and since the only shipment made by this company to the Community during the relevant period was of products manufactured by Kaiser, the Commission considered it appropriate to take the normal value established for Kaiser as the basis for Transcontinental's normal value; whereas adjustment of Kaiser's normal value was made to take account of a reasonable profit margin for Transcontinental; whereas for this purpose 5 % before taxation was considered reasonable;

Whereas, for Allied Corporation and Transcontinental, export prices were determined on the basis of the prices actually paid for the products exported to the Community;

Whereas, since Kaiser made no direct shipments to the Community during the relevant period but exported via Transcontinental and since during the investigation Transcontinental would not reveal the price it paid to Kaiser for the product, the Commis-

⁽¹⁾ OJ No L 322, 18. 11. 1982, p. 4.

sion determined Kaiser's export price by reducing that of Transcontinental by the amount of a reasonable profit margin for the resale of such product to the Community, namely 5 % ; whereas, in addition, the price agreed in the undertaking entered into by Kaiser was significantly higher than that of Transcontinental ; whereas Kaiser was required by the terms of its undertaking to take all possible steps to ensure that the undertaking was not evaded by resales made for export to the Community of products sold in countries not members of the Community ; whereas the Commission therefore has reason to believe that Kaiser's undertaking has been breached ;

Whereas all comparisons of normal values with export prices were made at a fob US port level ;

Whereas such comparisons show the existence of dumping in respect of the three companies concerned, the margins of dumping being equal to the amounts by which the normal values as established exceed the prices for export to the Community ;

Whereas since Allied Corporation made shipments at different price levels a weighted average dumping margin for that company was determined ;

Whereas the margins varied according to each exporter and were as follows :

Allied Corporation : 19.05 % ,

Kaiser Aluminium Domestic and International Sales Corporation : 12.13 % ,

Transcontinental Fertilizer Company : 12.01 % ;

Whereas the Commission considered that the results of its investigation provided as accurate a basis for determination of the level of dumping as possible and that lower levels would constitute a bonus for Allied Corporation's withdrawal from its undertaking and subsequent non-cooperation and the withdrawal from their undertakings by Kaiser and Transcontinental ;

Whereas, with regard to the injury caused by the dumped imports, the evidence available to the Commission shows that for the companies concerned the quantity of these imports for the first eight months of 1982 amounted to 118 850 tonnes which, if taken on an annual basis, would account for some 12 % of total Community consumption of UAN ;

Whereas the prices paid in the Community for the dumped products in question significantly undercut the prices of the Community producers ;

Whereas the impact on this Community industry has been that losses continue to be made on UAN sales ;

Whereas, in considering whether injury has been caused by other factors, the evidence available to the Commission shows that certain other Community producers situated in other Member States have entered the market and increased their sales of UAN, particularly in France ; whereas, however, the investigation has shown that the low level of these producers' prices resulting in considerable losses was due to the fact that they had to compete with the dumped imports ; whereas, accordingly, injury caused by the dumped imports has been sustained by producers throughout the Community and the allegation of the exporters and importers concerned that any injury to French and German producers was solely as a result of increased sales of UAN from other Community producers cannot be supported ;

Whereas, furthermore, the Commission is currently undertaking an anti-dumping review procedure concerning the remaining exports of UAN to the Community ;

Whereas the impact of the dumped imports of the companies concerned has therefore been isolated from that of the other exports subject to the above review investigation ;

Whereas the exporters and importers concerned further alleged that the French producers, comprising 43 % of Community production of UAN, could not be considered to have sustained injury in view of the Decision of the Minister responsible for competition ⁽¹⁾ requiring an alteration of certain aspects of the French producers pricing policy regarding *inter alia* nitrogen based fertilizers ; whereas they further alleged that, although this decision refers to both solid (mainly ammonium nitrate) and liquid (UAN) nitrogen based fertilizers this does not reduce its relevance since ammonium nitrate and UAN are effectively like products ; whereas, however, in its investigation, the Commission sought and verified data relating to production and sales of UAN, this data clearly permitting separate identification of the product concerned ; whereas the Commission is satisfied that in the course of this investigation it received correct information on the particular situation relating to Community producers of UAN ; whereas the Commission, in the light of this information is satisfied that the dumped imports of UAN from the companies concerned have caused material injury to the Community producers including those in France ; whereas the Commission sees no

⁽¹⁾ Bulletin officiel de la concurrence et de la consommation of 12 December 1981.

contradiction between this specific injury finding regarding UAN and the Decision of the French authorities which referred to the behaviour of fertilizer producers in relation to a much wider range of both phosphate and nitrogen based fertilizers;

Whereas no representations have been received by the Commission from consumers in the Community; whereas, in any case, it is not in the long-term interest of consumers in the Community to allow a Community industry to be weakened or have its activities reduced by persistent dumping; whereas, in these circumstances, protection of the Community's interests calls for the imposition of definitive anti-dumping duties on urea ammonium nitrate solution fertilizer originating in the United States of America and exported by the three companies concerned; whereas, having regard to the extent of injury caused, the rates of these duties should be equal to the dumping margins found; whereas the protection of the Community's interests also calls for the definitive collection of all amounts secured by way of provisional duty in respect of the product concerned;

Whereas the exporters and importers concerned were informed of the Commission's findings in accordance with Article 7 of Regulation (EEC) No 3017/79;

Whereas, however, these definitive measures regarding the imports by those exporters which have withdrawn from their undertakings shall not in any way prejudice the results of the review procedure regarding other exports of UAN from the USA currently being undertaken by the Commission;

Whereas, until the current or any subsequent review procedure requires the repeal, annulment or amendment of Regulation (EEC) No 349/81 it shall remain in force,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on urea ammonium nitrate solution fertilizer,

falling within subheading ex 31.02 C of the Common Customs Tariff and corresponding to NIMEXE code ex 31.02-90, exported by Allied Corporation, Kaiser Aluminium Domestic and International Sales Corporation and Transcontinental Fertilizer Company.

2. The rates of duty shall be based on the customs value determined in accordance with Council Regulation (EEC) No 1224/80 of 28 May 1980 on the valuation of goods for customs purposes⁽¹⁾ and are as follows:

Allied Corporation : 19.05 %,

Kaiser Aluminium Domestic and International Sales Corporation : 12.13 %,

Transcontinental Fertilizer Company : 12.01 %.

3. The provisions in force for the application of customs duties shall apply to the duty.

Article 2

The amounts secured by way of provisional duty pursuant to Regulation (EEC) No 1976/82 shall be definitively collected at a rate of:

6.5 % for exports by Allied Corporation,

6.5 % for exports by Transcontinental Fertilizer Company,

5.0 % for exports by Kaiser Aluminium Domestic and International Sales Corporation.

Article 3

This Regulation shall enter into force on the 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 January 1983.

For the Council

The President

J. ERTL

⁽¹⁾ OJ No L 134, 31. 5. 1980, p. 1.

COMMISSION REGULATION (EEC) No 102/83

of 18 January 1983

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 organi-
zation 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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (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
17 January 1983 ;

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 19 January
1983.

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

Done at Brussels, 18 January 1983.

For the Commission

Poul DALSAGER

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 18 January 1983 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)
		Levies
10.01 B I	Common wheat, and meslin	112.99
10.01 B II	Durum wheat	155.62 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	109.74 ⁽⁶⁾
10.03	Barley	118.27
10.04	Oats	102.84
10.05 B	Maize, other than hybrid maize for sowing	114.30 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	52.32 ⁽⁴⁾
10.07 C	Grain sorghum	107.72 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	172.50
11.01 B	Rye flour	167.98
11.02 A I a)	Durum wheat groats and meal	254.61
11.02 A I b)	Common wheat groats and meal	184.83

⁽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 103/83

of 18 January 1983

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 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 17 January 1983;

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 19 January 1983.

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

Done at Brussels, 18 January 1983.

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 18 January 1983 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 1	1st period 2	2nd period 3	3rd period 4
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	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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 104/83**of 18 January 1983****fixing the minimum selling prices for boned beef put up for sale by tender in
accordance with Regulation (EEC) No 2326/79**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68
of 27 June 1968 on the common organization of the
market in beef and veal ⁽¹⁾, as last amended by the Act
of Accession of Greece ⁽²⁾, and in particular Article 7
(3) thereof,

Whereas, pursuant to Article 9 of Commission Regula-
tion (EEC) No 2173/79 ⁽³⁾, the minimum selling prices
for meat put up for sale by tender should be fixed
taking into account tenders submitted;

Whereas, in accordance with Article 1 of Commission
Regulation (EEC) No 2326/79 ⁽⁴⁾, tenders have been
invited for certain quantities of boned beef and veal
fixed by Commission Regulation (EEC) No
3051/82 ⁽⁵⁾; whereas, consequently, the minimum
selling prices should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum selling prices for boned beef
stored by the intervention agencies of Denmark,
Germany and Ireland which are to be adopted for the
invitation to tender held in accordance with Regula-
tion (EEC) No 2326/79, for which the time limit for
the submission of tenders was 10 January 1983 shall
be as set out in the Annex hereto.

2. Tenders submitted in response to the invitation
referred to in paragraph 1 shall be rejected unless they
are for the products listed in the Annex.

Article 2

This Regulation shall enter into force on 19 January
1983.

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

Dont at Brussels, 18 January 1983.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.
⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.
⁽³⁾ OJ No L 251, 5. 10. 1979, p. 12.
⁽⁴⁾ OJ No L 266, 24. 10. 1979, p. 5.
⁽⁵⁾ OJ No L 322, 18. 11. 1982, p. 17.

ANNEXE — ANHANG — ALLEGATO — BIJLAGE — ANNEX — BILAG —
ΠΑΡΑΡΤΗΜΑ

BUNDESREPUBLIK DEUTSCHLAND ⁽¹⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter Προϊόντα	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Ελάχιστες τιμές πώλησεως Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton — ECU/τόνο
<i>Bullen A</i>	
Filets	10 581
Roastbeef	6 154
Oberschalen	4 260
Unterschalen	4 255
Kugeln	4 193
<i>Ochsen A</i>	
Filets	10 210
Roastbeef	6 174
Unterschalen	4 236
Kniekehlfleisch	3 339

⁽¹⁾ Avis d'adjudication n° D P — 20, JO n° C 337 du 23. 12. 1982, p. 9.

⁽¹⁾ Ausschreibung Nr. D P — 20, ABl. Nr. C 337 vom 23. 12. 1982, S. 9.

⁽¹⁾ Bando di gara n. D P — 20, GU n. C 337 del 23. 12. 1982, pag. 9.

⁽¹⁾ Bericht van inschrijving nr. D P — 20, PB nr. C 337 van 23. 12. 1982, blz. 9.

⁽¹⁾ Notice of invitation to tender No D P — 20, OJ No C 337, 23. 12. 1982, p. 9.

⁽¹⁾ Licitationsbekendtgørelse nr. D P — 20, EFT nr. C 337 af 23. 12. 1982, s. 9.

⁽¹⁾ Προκήρυξη διαγωνισμού αριθ. Γ Π — 20, ΕΕ αριθ. C 337 της 23. 12. 1982, σ. 9.

DANMARK ⁽²⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter Προϊόντα	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Ελάχιστες τιμές πώλησεως Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton — ECU/τόνο
<i>Ungtyre</i>	
Øvrig kød af forfjerdinger	2 827
Bryst og slag	2 326

⁽²⁾ Avis d'adjudication n° DK P — 21, JO n° C 337 du 23. 12. 1982, p. 17.

⁽²⁾ Ausschreibung Nr. DK P — 21, ABl. Nr. C 337 vom 23. 12. 1982, S. 17.

⁽²⁾ Bando di gara n. DK P — 21, GU n. C 337 del 23. 12. 1982, pag. 17.

⁽²⁾ Bericht van inschrijving nr. DK P — 21, PB nr. C 337 van 23. 12. 1982, blz. 17.

⁽²⁾ Notice of invitation to tender No DK P — 21, OJ No C 337, 23. 12. 1982, p. 17.

⁽²⁾ Licitationsbekendtgørelse nr. DK P — 21, EFT nr. C 337 af 23. 12. 1982, s. 17.

⁽²⁾ Προκήρυξη διαγωνισμού αριθ. Δ Π — 21, ΕΕ αριθ. C 337 της 23. 12. 1982, σ. 17.

IRELAND ⁽¹⁾

Produits — Erzeugnisse — Prodotti Produkten — Products — Produkter Προϊόντα	Prix de vente minimaux Mindestverkaufspreise Prezzi minimi di vendita Minimumverkoopprijzen Minimum selling prices Mindstesalgspriser Ελάχιστες τιμές πωλήσεως Écus/t — ECU/t — ECU/t — Ecu/ton — ECU/tonne — ECU/ton — ECU/τόνο
<i>Steers 1 and 2</i>	
Striploin	7 815
Insides	4 637
Outsides	4 604
Rumps	4 741
Cube rolls	5 137
Forequarters	2 932
Shins	2 925
Plates and flanks	2 056

(1) Avis d'adjudication n° Irl P — 20, JO n° C 337 du 23. 12. 1982, p. 14.

(1) Ausschreibung Nr. Irl P — 20, ABl. Nr. C 337 vom 23. 12. 1982, S. 14.

(1) Bando di gara n. Irl P — 20, GU n. C 337 del 23. 12. 1982, pag. 14.

(1) Bericht van inschrijving nr. Irl P — 20, PB nr. C 337 van 23. 12. 1982, blz. 14.

(1) Notice of invitation to tender No Irl P — 20, OJ No C 337, 23. 12. 1982, p. 14.

(1) Licitationsbekendtgørelse nr. Irl P — 20, EFT nr. C 337 af 23. 12. 1982, s. 14.

(1) Προκήρυξη διαγωνισμού Ιρλ. Π — 20, ΕΕ αριθ. C 337 της 23. 12. 1982, σ. 14.

COMMISSION REGULATION (EEC) No 105/83
of 18 January 1983
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 79/83⁽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 19 January
1983.

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

Done at Brussels, 18 January 1983.

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 12, 14. 1. 1983, p. 41.

ANNEX

**to the Commission Regulation of 18 January 1983 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	40.86
	B. Raw sugar	38.71 ⁽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 106/83
of 18 January 1983

**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 27
December 1982 to 2 January 1983, 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 27 December 1982 to
2 January 1983, 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 27 December 1982 to 2 January 1983, 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 27 December 1982 to 2
January 1983, 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 27 December 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, 18 January 1983.

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 27 December 1982

Description	Premium
Certified sheep or sheepmeat	89·649 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 27 December 1982

(ECU/100 kg)		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		42·135
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	89·649
	2. Short forequarters	62·754
	3. Chines and/or best ends	98·614
	4. Legs	116·544
	5. Other :	
	aa) Unboned (bone-in)	116·544
02.01 A IV b)	bb) Boned or boneless	163·161
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	67·237
	2. Short forequarters	47·066
	3. Chines and/or best ends	73·961
	4. Legs	87·408
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	87·408
	bb) Boned or boneless	122·371
	Meat of sheep or goats, salted in brine, dried or smoked :	
02.06 C II a)	1. Unboned (bone-in)	116·544
	2. Boned or boneless	163·161

II

(Acts whose publication is not obligatory)

COUNCIL

Application of Article 30 of the Sixth Council Directive of 17 May 1977 on value added tax ⁽¹⁾

(Authorization of a derogation in the context of a draft Agreement between Italy and Switzerland)

(83/7/EEC)

By letter dated 23 July 1982 the Italian Government informed the Commission, pursuant to the above provisions, of its intention of introducing into its national law a derogation from the Sixth Directive whereby, in the context of a draft Supplementary Agreement to the Convention between Italy and Switzerland on the protection of common waters against pollution, signed in Rome on 20 April 1972, importation of equipment, fuel and consumable materials used in the event of emergency action to combat accidental pollution of common waters would be exempt from VAT.

The Commission informed the other Member States of the Italian Government's intention by letter dated 25 August 1982.

In accordance with Article 30 of the Sixth Directive the Council decision authorizing this derogation shall be deemed to have been adopted if, within two months of the other Member States being informed as laid down in the previous paragraph, the matter has not been raised before the Council.

Since the matter was not raised within that period the Council's decision is deemed to have been adopted as from 26 October 1982.

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

Application of Article 30 of the Sixth Council Directive of 17 May 1977 on value added tax ⁽¹⁾

(Authorization of a derogation in the context of a draft Convention between Italy and Switzerland)

(83/8/EEC)

By letter dated 23 July 1982 the Italian Government informed the Commission, pursuant to the above provisions, of its intention of introducing into its national law a derogation from the Sixth Directive whereby, in the context of a draft Convention between Italy and Austria on maintenance of the frontier between the two countries which would replace the Convention signed in Vienna on 22 February 1929, final importation of materials used in the maintenance work and temporary importation of motor vehicles, tools and equipment for the work would be exempt from VAT.

The Commission informed the other Member States of the Italian Government's intention by letter dated 23 September 1982.

In accordance with Article 30 of the Sixth Directive the Council decision authorizing this derogation shall be deemed to have been adopted if, within two months of the other Member States being informed as laid down in the previous paragraph, the matter has not been raised before the Council.

Since the matter was not raised within that period the Council's decision is deemed to have been adopted as from 24 November 1982.

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

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