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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 980/83**of 26 April 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 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 25 April 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 27 April 1983.

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

Done at Brussels, 26 April 1983.

For the Commission

Poul DALSAER

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 26 April 1983 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	106,94
10.01 B II	Durum wheat	145,97 ⁽¹⁾ ⁽²⁾
10.02	Rye	117,64 ⁽⁶⁾
10.03	Barley	103,54
10.04	Oats	103,71
10.05 B	Maize, other than hybrid maize for sowing	82,21 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	48,47
10.07 B	Millet	57,78 ⁽⁴⁾
10.07 C	Grain sorghum	76,73 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	164,82
11.01 B	Rye flour	179,83
11.02 A I a)	Durum wheat groats and meal	239,89
11.02 A I b)	Common wheat groats and meal	175,65

⁽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 981/83

of 26 April 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 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
25 April 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 27 April
1983.

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

Done at Brussels, 26 April 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 26 April 1983 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	4,35
10.01 B II	Durum wheat	0	0	0	2,19
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	8,75	8,75	8,75
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	6,09

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	7,74	7,74
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	5,79	5,79
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 982/83

of 25 April 1983

on the supply of common wheat to Ethiopia as food aid

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⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid⁽³⁾, as amended by Regulation (EEC) No 3331/82⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 3 December 1982 the Council of the European Communities expressed its intention to grant, under a Community measure, 15 000 tonnes of cereals to Ethiopia under its food-aid programme for 1982;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁷⁾, as last amended by Regulation (EEC) No 3323/81⁽⁸⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions which are set out in Annex I to this Regulation;

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

The German intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in Annex I hereto.

Article 2

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, 25 April 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 L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁸⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX I

1. **Programme :** 1982
 2. **Recipient :** Ethiopia
 3. **Place or country of destination :** Ethiopia
 4. **Product to be mobilized :** common wheat
 5. **Total quantity :** 15 000 tonnes
 6. **Number of lots :** one
 7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/
Main (telex 411 475)
 8. **Method of mobilizing the product :** intervention
 9. **Characteristics of the goods :**
the common wheat must be of fair and sound merchantable quality and correspond at least to
the minimum bread-making quality required for intervention (moisture : maximum 14,5 %)
 10. **Packaging :**
in bulk plus 306 000 empty new jute sacks, minimum weight 500 g, of a capacity of 50 kilo-
grams, 200 needles and sufficient twine
— marking on the bags, in letters at least 5 cm high :
‘FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF
ETHIOPIA’
 11. **Port of shipment :** a Community port
 12. **Delivery stage :** cif
 13. **Port of landing :** Assab
 14. **Procedure to be applied in order to determine supply costs :** tendering
 15. **Deadline for the submission of tenders :** 12 noon on 9 May 1983
 16. **Shipment period :** 15 May to 15 June 1983
 17. **Security :** 6 ECU per tonne
-

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

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Mængde (t) Menge (t) Τόνοι Tonnage Tonnage Tonnellaggio Hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	15 000	Emder Lagerhaus GmbH Postfach 367 2970 Emden	Nr. 067 601 Emden

COMMISSION REGULATION (EEC) No 983/83

of 25 April 1983

on the supply of milled rice to the International Committee of the Red Cross as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 25 thereof,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽²⁾, as amended by Regulation (EEC) No 3331/82 ⁽³⁾, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁵⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 26 April 1982 the Council of the European Communities expressed its intention to grant, under a Community measure, 91 tonnes of cereals for the International Committee of the Red Cross under its food-aid programme for 1982;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁶⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁷⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions which are set out in the Annex to this Regulation;

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

The Italian intervention agency shall be charged with implementing the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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, 25 April 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽³⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁶⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁷⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1982
 2. **Recipient :** International Committee of the Red Cross (ICRC)
 3. **Place or country of destination :** Ethiopia
 4. **Product to be mobilized :** milled round grain rice
 5. **Total quantity :** 31 tonnes (91 tonnes of cereals)
 6. **Number of lots :** one
 7. **Intervention agency responsible for conducting the procedure :**
Ente nazionale risi, piazza Pio XI, 1, I-Milano (telex 334 032)
 8. **Method of mobilizing the product :** the Community market
 9. **Characteristics of the goods :**
 - rice of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 %
 - broken rice : 5 % maximum
 - chalky grains : 5 % maximum
 - grains striated with red : 3 % maximum
 - spotted grains : 1,5 % maximum
 - stained grains : 1 % maximum
 - yellow grains : 0,050 % maximum
 - amber grains : 0,20 % maximum
 10. **Packaging :**
 - in bags ⁽¹⁾ :
 - quality of the bags : new jute sacks, minimum weight 600 g
 - net weight of the bags : 50 kg
 - marking on the bags :
a red cross 15 × 15 cm followed by (in letters at least 5 cm high):
'ETH 57 / RICE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF
THE INTERNATIONAL COMMITTEE OF THE RED CROSS / FOR FREE DISTRIBUTION'
 11. **Port of shipment :** a Community port
 12. **Delivery stage :** cif
 13. **Port of landing :** Assab
 14. **Procedure to be applied in order to determine supply costs :** tendering
 15. **Deadline for the submission of tenders :** 12 noon on 9 May 1983
 16. **Shipment period :** 15 May to 15 June 1983
 17. **Security :** 12 ECU per tonne
-

⁽¹⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

COMMISSION REGULATION (EEC) No 984/83

of 26 April 1983

derogating from certain provisions of Regulation (EEC) No 2042/75 with regard
to the period of validity of certain import licences in the cereals sector

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
Articles 12 (2) and 15 (5) thereof,

Whereas Article 8 of Commission Regulation (EEC)
No 2042/75⁽³⁾, as last amended by Regulation (EEC)
No 537/83⁽⁴⁾, specifies the duration of the validity of
export licences in respect of cereals;

Whereas application from the beginning of the
1983/84 marketing year of new coefficients for deter-
mining the variable component of the levy on products
falling within subheadings 23.02 A 1 a) and 23.02 A II
a) of the Common Customs Tariff is likely to cause
disturbances in trade if the present arrangements on
validity of import licences are maintained; whereas,
therefore, the period of validity of import licences for
these products which include advance fixing of the
levy should be limited to 31 July 1983;

Whereas Commission Regulation (EEC) No 881/83 of
14 April 1983 suspending advance fixing of the import
levy for bran⁽⁵⁾, which was adopted pending adoption
of this Regulation, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 8 of Regulation (EEC) No
2042/75, the period of validity of import licences for
products falling within subheadings 23.02 A I a) and
23.02 A II a) of the Common Customs Tariff which
include advance fixing of the levy shall end on 31 July
1983.

This derogation shall apply to licences applied for
within the meaning of Article 14 of Commission
Regulation (EEC) No 3183/80⁽⁶⁾ from the date of
entry into force of this Regulation until 31 July 1983.

Article 2

Regulation (EEC) No 881/83 is hereby repealed.

Article 3

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, 26 April 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. 22.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 63, 9. 3. 1983, p. 10.

⁽⁵⁾ OJ No L 96, 15. 4. 1983, p. 42.

⁽⁶⁾ OJ No L 338, 13. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 985/83

of 26 April 1983

imposing a provisional anti-dumping duty on imports of barium chloride originating in the People's Republic of China and the German Democratic Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1580/82⁽²⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

(1) In June 1982 the Commission received a complaint lodged by the Conseil Européen des Fédérations de l'Industrie Chimique (CEFIC) on behalf of a producer established in France who accounts for the bulk of Community production. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of barium chloride (crystallized and/or anhydrous) falling within subheading 28.30 A II of the Common Customs Tariff (NIMEXE code 28.30-20) and originating in the People's Republic of China and in the German Democratic Republic and commenced an investigation.

(2) The Commission officially so advised the exporters and importers known to be concerned and the representatives of the exporting countries and the complainant and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

(3) All of the known exporters and most of the importers made their views known in writing; the exporters and some of the importers have requested and have been granted hearings.

(4) The China National Chemicals Import and Export Corporation (China) requested an opportunity to meet the main Community producer for the purpose of presenting their opposing views. The Commission was prepared to grant this request but the Community producer refused to attend a meeting and it was not, therefore, possible to arrange a confrontation.

(5) A submission was made by only one Community purchaser or processor of the product concerned.

(6) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the Community producer, a major importer and a manufacturer of the product concerned in the analogue country for the purpose of establishing the normal value.

(7) The investigation of dumping covered the period August 1981 to July 1982.

B. Normal value

(8) In order to establish whether the imports from the People's Republic of China and from the German Democratic Republic were dumped, the Commission had to take account of the fact that these countries do not have market-economies and the Commission therefore had to base its determinations on the normal value in a market-economy country. In this connection the complainant had suggested the United States of America.

(9) The main importer of the product concerned originating in China objected to this suggestion on the grounds that the American producer is the only manufacturer of the product concerned in that country. This manufacturer was said, therefore, to benefit from a monopoly position enabling him to impose upon his customers prices which are higher than prices resulting from normal market conditions.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No C 207, 10. 8. 1982, p. 5.

Furthermore, this importer suggested taking the ex-works prices of a manufacturer in the Federal Republic of Germany on 31 March 1981, the date on which the latter had to close down its factory and with whose clients the importer had then started doing business. The prices of this ex-manufacturer were said to have been established in free competition between the complainant and this ex-manufacturer and without influence from Chinese imports, which had to orient themselves to this established level.

- (10) In view of the quantities of the product concerned of Chinese origin imported in the United States of America (varying between 32 and 45 %), the Commission is satisfied that there is sufficient internal competition in that country ensuring that price levels are in a reasonable proportion to production costs.

The Commission therefore concluded that it would be appropriate and not unreasonable to determine normal value on the basis of domestic prices in the United States of America.

Furthermore, the alternative suggested by the importer of the product originating in China would not have been acceptable to the Commission, since the prices suggested could not be considered as representative, particularly since they may have been at a loss, and fell outside the reference period.

- (11) An importer of the product concerned originating in the German Democratic Republic suggested Spain as an analogue country. The Commission, however, did not accept this suggestion because the importer had not motivated its objection against the choice of the United States of America as an analogue country and the main importer of the product concerned originating in China considered Spain as an inappropriate alternative because the production unit in Spain was said not to be comparable to the one in China. The suggestion to take production costs of the EEC producers was also considered to be inappropriate since this is permissible only if there is no other adequate basis for the establishment of normal value.

C. Export price

- (12) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

D. Comparison

- (13) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability, and in

particular of differences in the payment and delivery terms.

- (14) Some importers of the product concerned claimed adjustments of the normal value because of an alleged lower quality of the dumped product. Such adjustment cannot be made, however, since no proof was given.
- (15) Furthermore, the main importer of the product concerned originating in China claimed adjustments of the normal value because of alleged cost advantages of the raw material in China and the different production process in China. Such an adjustment cannot be made, however, since it is uncertain how such advantages, if they really existed and were not counterbalanced by competitive disadvantages, would be reflected in the normal value, if the same conditions existed in the market-economy country used for establishing normal value. The American manufacturer of the product concerned, asked by the Commission to give his opinion on the alleged advantages, stated that he was not able to do so due to absence of accurate knowledge of the different production processes.
- (16) All comparisons were made at ex-works level.

E. Margins

- (17) The above preliminary examination of the facts shows the existence of dumping in respect of China National Chemicals Import and Export Corporation (People's Republic of China) and AHB Chemie-Export-Import (German Democratic Republic), the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.
- (18) The margin varies according to the exporting country concerned. The weighted average margin as determined for the product concerned originating in the People's Republic of China and in the German Democratic Republic exceeded 75 %.

F. Injury

- (19) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that imports into the Community from the People's Republic of China of barium chloride increased from 3 088 tonnes in 1980 to 3 543 tonnes in 1982 with a consequent increase of the market share of 19 % for the market of crystallized barium chloride and of 12 % of the

combined market of crystallized and anhydrous barium chloride for the same period. The imports of these products reached, during the first two months of 1983, approximately 3 000 tonnes.

(20) Precise figures concerning the imports of the product concerned originating in the German Democratic Republic into the Federal Republic of Germany not being available, the Commission estimates on the basis of the information available that the total imports and market share have remained fairly stable during the last years, except with regard to the United Kingdom, where the imports and market share have increased significantly.

(21) The weighted resale prices of these imports undercut the prices of the Community producers during the investigation period by 14 and 11 % respectively. The resale prices of these imported products were lower than those required to cover the costs of Community producers and to provide a reasonable profit.

(22) With regard to the consequent impact on the main Community producer the evidence available to the Commission shows that total Community production dropped from 19 756 tonnes in 1980 to 12 206 tonnes in 1982. Furthermore, the evidence available to the Commission shows that the production and capacity utilization of the main Community producer dropped by 42 % in the same period.

(23) The pattern of stocks of the main Community producer was rather irregular between 1980 and 1982, but showed a tendency towards substantial increase.

(24) The EEC sales of crystallized barium chloride by the main Community producer dropped by 33 % between 1980 and 1982. Only the sales of anhydrous barium chloride to the main importer of the product concerned from China enabled the main Community producer to maintain his total sales figure of barium chloride in the EEC.

(25) The market share of crystallized barium chloride of the main Community producer dropped from 30 % in 1980 to 27 % in 1982. In order to avoid further injury from the main importer of barium chloride from the People's Republic of China, who could import anhydrous barium chloride in addition to the crystallized barium chloride or transform, directly or indirectly, imported crystallized barium chloride into anhydrous barium chloride, the main Community producer had no choice but to sign a pluri-annual supply contract

of anhydrous barium chloride with the same importer. Due to this contract the main Community producer has been able to maintain its combined market share of crystallized and anhydrous barium chloride.

(26) The losses incurred by the main Community producer for the product concerned increased by a further 53 % between 1980 and 1982.

(27) The employment figures of the main Community producer for the product concerned have remained fairly stable since 1980. The continuation or increase of dumped imports from the exporting countries constitute, however, a serious threat of loss of employment.

(28) The Commission has considered whether injury has been caused by other factors such as the decline of the total consumption of the product concerned in the Community. However, the substantial increase of dumped imports and the prices at which they are offered for sale in the Community led the Commission to determine that the effects of the dumped imports of barium chloride originating in the People's Republic of China and the German Democratic Republic, taken in isolation, have to be considered as constituting material injury to the main Community producer concerned.

G. Community interest

(29) The main importer of barium chloride originating in the People's Republic of China argued that the introduction of protective measures would not be in the Community's interest because it would significantly increase the danger of the complainant obtaining a monopoly position and important branches of the Community's economy would be damaged by the higher price level. In view of the particularly serious financial difficulties which the main Community producer faces with the production and sale of the product concerned, and in order to avoid the closure of the plant of the main Community producer, which would make the Community to a significant extent dependent upon external suppliers of this product, the Commission has, however, come to the conclusion that it is in the Community's interest that action be taken. Furthermore, no satisfactory evidence had been advanced concerning the negative impact of protective measures on the users of the product involved. In order to prevent further injury being caused during the remainder of the proceeding, this action should take the form of a provisional anti-dumping duty.

H. Rate of duty

- (30) Having regard to the extent of the injury caused, the rate of such duty should be less than the dumping margins provisionally established but adequate to remove the injury caused.
- (31) Having compared the complainant's weighted average prices and costs, taking into account its profit situation, with the individual importers' costs and special marketing conditions, where available, the Commission determined that injury would, at present, be removed if the amount of the duty corresponded to the amount by which the free-at-Community-frontier price, before duty, to the first importer in the importing Member State is less than 319 ECU.
- (32) A period should be fixed within which the parties concerned may make their views known and request an oral hearing;

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on barium chloride falling within subheading 28.30 A II of the Common Customs Tariff (NIMEXE code 28.30-20) and originating in the People's Republic of China and in the German Democratic Republic.

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

Done at Brussels, 26 April 1983.

2. The amount of the duty shall be equal to the amount by which the price per tonne net, free-at-Community-frontier, before duty, is less than 319 ECU.

The free-at-Community-frontier prices shall be net if the conditions of sale provide for payment within 30 days from the date of shipment; they shall be increased or reduced by 1 % for each increase or decrease of one month in the period for payment.

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

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

Article 2

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

Article 3

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

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 3017/79, it shall apply for a period of four months, unless the Council adopts definitive measures before the expiry of that period.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION REGULATION (EEC) No 986/83

of 26 April 1983

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 14 (4) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 414/83⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and

from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 1460/82⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹³⁾, as last amended by Regulation (EEC) No 279/80⁽¹⁴⁾;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 51, 24. 2. 1983, p. 1.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹⁰⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹²⁾ OJ No L 164, 14. 6. 1982, p. 25.

⁽¹³⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽¹⁴⁾ OJ No L 31, 8. 2. 1980, p. 1.

Whereas, in respect of products falling within subheading 07.06 A of the Common Customs Tariff, Council Regulation (EEC) No 604/83 of 14 March 1983 on the import system applicable in 1983 to 1986 to products falling within subheading 07.06 A of the Common Customs Tariff and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽¹⁾ lays down the terms on which the import levy may be charged at 6 % *ad valorem* and provides for the Common Customs Tariff to be amended accordingly ;

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 the 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for

in this Regulation is incorporated in the Common Customs Tariff ;

Whereas Regulation (EEC) No 1784/81 incorporated products within subheading 17.02 F II within the cereals sector ; whereas the coefficients for calculating the levies on these products were defined in Regulation (EEC) No 1783/81,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1983.

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

Done at Brussels, 26 April 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 72, 18. 3. 1983, p. 3.

ANNEX

to the Commission Regulation of 26 April 1983 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	111,23 ⁽¹⁾	109,42 ⁽¹⁾ ⁽²⁾
07.06 A II	114,25 ⁽¹⁾	109,42 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	206,25	200,21
11.01 D ⁽²⁾	197,76	191,72
11.01 E I ⁽²⁾	162,39	156,35
11.01 E II ⁽²⁾	91,62	88,60
11.01 F ⁽²⁾	87,81	84,79
11.01 G ⁽²⁾	87,57	84,55
11.02 A II ⁽²⁾	228,72	222,68
11.02 A III ⁽²⁾	206,25	200,21
11.02 A IV ⁽²⁾	197,76	191,72
11.02 A V a) 1 ⁽²⁾	128,89	122,85
11.02 A V a) 2 ⁽²⁾	162,39	156,35
11.02 A V b) ⁽²⁾	91,62	88,60
11.02 A VI ⁽²⁾	87,81	84,79
11.02 A VII ⁽²⁾	87,57	84,55
11.02 B I a) 1 ⁽²⁾	180,99	177,97
11.02 B I a) 2 aa)	111,66	108,64
11.02 B I a) 2 bb) ⁽²⁾	194,74	191,72
11.02 B I b) 1 ⁽²⁾	180,99	177,97
11.02 B I b) 2 ⁽²⁾	194,74	191,72
11.02 B II a) ⁽²⁾	148,79	145,77
11.02 B II b) ⁽²⁾	167,55	164,53
11.02 B II c) ⁽²⁾	142,00	138,98
11.02 B II d) ⁽²⁾	135,64	132,62
11.02 C I ⁽²⁾	178,38	175,36
11.02 C II ⁽²⁾	200,96	197,94
11.02 C III ⁽²⁾	284,12	278,08
11.02 C IV ⁽²⁾	173,44	170,42
11.02 C V ⁽²⁾	142,00	138,98
11.02 C VI ⁽²⁾	135,64	132,62
11.02 D I ⁽²⁾	114,81	111,79
11.02 D II ⁽²⁾	129,20	126,18
11.02 D III ⁽²⁾	116,47	113,45
11.02 D IV ⁽²⁾	111,66	108,64
11.02 D V ⁽²⁾	91,62	88,60
11.02 D VI ⁽²⁾	87,57	84,55
11.02 E I a) 1 ⁽²⁾	116,47	113,45
11.02 E I a) 2 ⁽²⁾	111,66	108,64
11.02 E I b) 1 ⁽²⁾	228,50	222,46
11.02 E I b) 2 ⁽²⁾	219,06	213,02
11.02 E II a) ⁽²⁾	203,32	197,28
11.02 E II b) ⁽²⁾	228,72	222,68
11.02 E II c) ⁽²⁾	162,39	156,35
11.02 E II d) 1 ⁽²⁾	150,02	143,98
11.02 E II d) 2 ⁽²⁾	155,24	149,20
11.02 F I ⁽²⁾	203,32	197,28
11.02 F II ⁽²⁾	228,72	222,68
11.02 F III ⁽²⁾	206,25	200,21
11.02 F IV ⁽²⁾	197,76	191,72

CCT heading No	(ECU/tonne)	
	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F V ⁽²⁾	162,39	156,35
11.02 F VI ⁽²⁾	87,81	84,79
11.02 F VII ⁽²⁾	87,57	84,55
11.02 G I	88,24	82,20
11.02 G II	71,19	65,15
11.04 C I	114,25	107,60 ⁽³⁾
11.04 C II a)	130,43	106,25 ⁽³⁾
11.04 C II b)	160,39	136,21 ⁽³⁾
11.07 A I a)	205,97	195,09
11.07 A I b)	156,65	145,77
11.07 A II a)	208,87 ⁽⁴⁾	197,99
11.07 A II b)	158,82	147,94
11.07 B	183,29 ⁽⁴⁾	172,41
11.08 A I	130,43	109,88
11.08 A II	117,58	86,75
11.08 A III	203,06	182,51
11.08 A IV	130,43	109,88
11.08 A V	130,43	54,94 ⁽⁵⁾
11.09	513,18	331,84
17.02 B II a) ⁽³⁾	240,05	143,33
17.02 B II b) ⁽³⁾	176,37	109,88
17.02 F II a)	246,87	150,15
17.02 F II b)	170,91	104,42
21.07 F II	176,37	109,88
23.02 A I a)	36,77	30,77
23.02 A I b)	98,31	92,31
23.02 A II a)	36,77	30,77
23.02 A II b)	98,31	92,31
23.03 A I	317,84	136,50

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

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

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

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

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

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

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

COMMISSION REGULATION (EEC) No 987/83

of 26 April 1983

fixing the import levies on compound feedingstuffs

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 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾), as amended by Regulation (EEC) No 2560/77⁽⁴⁾), provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products

processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽⁵⁾; as last amended by Regulation (EEC) No 279/80⁽⁶⁾;

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 the 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1983.

⁽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. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁶⁾ OJ No L 31, 8. 2. 1980, p. 1.

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

Done at Brussels, 26 April 1983.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

to the Commission Regulation of 26 April 1983 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	24,78	13,90
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	417,03	406,15
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	54,31	43,43
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	446,56	435,68
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	97,94	86,86
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	489,99	479,11

COMMISSION REGULATION (EEC) No 988/83

of 26 April 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 4
to 10 April 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 4 to 10 April 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 4 to 10 April 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 4 to 10 April 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 4 April 1983.

⁽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, 26 April 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 4 April 1983

Description	Premium
Certified sheep or sheepmeat	39,158 ECU per 100 kilograms of estimated or actual dressed carcass 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 4 April 1983

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		18,404
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	39,158
	2. Short forequarters	27,411
	3. Chines and/or best ends	43,074
	4. Legs	50,905
	5. Other :	
	aa) Unboned (bone-in)	50,905
02.01 A IV b)	bb) Boned or boneless	71,268
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	29,369
	2. Short forequarters	20,558
	3. Chines and/or best ends	32,306
	4. Legs	38,180
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	38,180
	bb) Boned or boneless	53,452
	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	50,905
	2. Boned or boneless	71,268

COMMISSION REGULATION (EEC) No 989/83

of 26 April 1983

introducing a countervailing charge on courgettes originating in Spain

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 the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 859/83 of 12 April 1983 fixing the reference price for courgettes for the 1983 marketing year⁽³⁾ fixed the reference price for products of class I for the period 21 to 30 April 1983 at 60,67 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 3011/81⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for Spanish courgettes, the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these courgettes;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 15,47 ECU per 100 kilograms net is applied to courgettes (subheading 07.01 T of the Common Customs Tariff) originating in Spain.

Article 2

This Regulation shall enter into force on 28 April 1983.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 95, 14. 4. 1983, p. 11.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 301, 22. 10. 1981, p. 18.

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

Done at Brussels, 26 April 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 990/83

of 26 April 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 978/83⁽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 27 April
1983.

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

Done at Brussels, 26 April 1983.

For the Commission

Poul DALSAGER

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 108, 26. 4. 1983, p. 11.

ANNEX

to the Commission Regulation of 26 April 1983 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	38,14
	B. Raw sugar	34,66 ⁽¹⁾

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

COUNCIL REGULATION (EEC) No 991/83

of 25 April 1983

extending the provisional anti-dumping duty on imports of natural magnesite, dead-burned (sintered), originating in the People's Republic of China and in North Korea

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 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 3542/82 ⁽³⁾, the Commission imposed a provisional anti-dumping duty on natural magnesite, dead-burned (sintered), with a MgO content of between 85 and 92 %, falling within subheading 25.19 ex B of the Common Customs Tariff (NIMEXE code 25.19-51) and originating in the People's Republic of China and North Korea;

Whereas the examination of the facts is not yet complete; whereas the Commission notified the exporters known to be concerned of its intention to extend the provisional duty for a further period of two months; whereas these exporters, who represented a

significant percentage of the trade concerned, did not object,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty imposed by Regulation (EEC) No 3542/82 on natural magnesite, dead-burned (sintered), with a MgO content of between 85 and 92 %, falling within subheading 25.19 ex B of the Common Customs Tariff (NIMEXE code 25.19-51) and originating in the People's Republic of China and North Korea, is hereby extended for a period not exceeding two months.

Article 2

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

Subject to Article 11 of Regulation (EEC) No 3017/79 and to any other decision taken by the Council, it shall apply until the entry into force of an Act of the Council adopting definitive measures or, at the latest, until the expiry of a period of two months beginning on 1 May 1983.

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

Done at Luxembourg, 25 April 1983.

For the Council

The President

H.-W. LAUTENSCHLAGER

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 371, 30. 12. 1982, p. 25.

COUNCIL REGULATION (EEC) No 992/83
of 25 April 1983

**extending the provisional anti-dumping duty on imports of natural magnesite,
caustic-burned, originating in the People's Republic of China**

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 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 3541/82⁽³⁾, the
Commission imposed a provisional anti-dumping duty
on natural magnesite, caustic-burned, with a MgO
content of between 70 and 91 %, falling within
subheading 25.19 ex B of the Common Customs Tariff
(NIMEXE code ex 25.19-59) and originating in the
People's Republic of China;

Whereas the examination of the facts is not yet
complete; whereas the Commission notified the
exporters known to be concerned of its intention to
extend the provisional duty for a further period of two
months; whereas these exporters, who represented a

significant percentage of the trade concerned, did not
object,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty imposed by Regu-
lation (EEC) No 3541/82 on natural magnesite,
caustic-burned, with a MgO content of between 70 and
91 %, falling within subheading 25.19 ex B of the
Common Customs Tariff (NIMEXE code ex 25.19-59)
and originating in the People's Republic of China, is
hereby extended for a period not exceeding two
months.

Article 2

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

Subject to Article 11 of Regulation (EEC) No 3017/79
and to any other decision taken by the Council, it
shall apply until the entry into force of an Act of the
Council adopting definitive measures or, at the latest,
until the expiry of a period of two months beginning
on 1 May 1983.

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

Done at Luxembourg, 25 April 1983.

For the Council

The President

H.-W. LAUTENSCHLAGER

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 371, 30. 12. 1982, p. 21.

Information on the date of the entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Tunisia

The exchange of instruments of notification of the completion of the procedures necessary for the entry into force of the Protocol on financial and technical cooperation between the European Economic Community and the Republic of Tunisia ⁽¹⁾, signed in Brussels on 28 October 1982, was completed on 8 April 1983. The Protocol, in accordance with Article 21 thereto, shall enter into force on 1 June 1983.

⁽¹⁾ OJ No L 337, 29. 11. 1982, p. 43.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 894/83 of 15 April 1983 fixing the intervention buying-in prices for carcasses and half-carcasses of beef applicable from 18 April 1983

(Official Journal of the European Communities No L 97 of 16 April 1983)

Page 24 reads as follows :

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

Opkøbspris i ECU pr. 100 kg af produkterne
Ankaufspreis in ECU je 100 kg des Erzeugnisses
Τιμή αγοράς σε ECU ανά 100 χgr προϊόντων
Buying-in price in ECU per 100 kg of product
Prix d'achat en Écus par 100 kilogrammes de produits
Prezzi di acquisto in ECU per 100 kg di prodotti
Aankoopprijs in Ecu per 100 kg produkt

<i>Minimum</i>	<i>Maksimum</i>
<i>Untere Grenze</i>	<i>Obere Grenze</i>
<i>Κατώτατο όριο</i>	<i>Ανώτατο όριο</i>
<i>Lower limit</i>	<i>Upper limit</i>
<i>Limite inférieure</i>	<i>Limite supérieure</i>
<i>Limite inferiore</i>	<i>Limite superiore</i>
<i>Ondergrenzen</i>	<i>Bovengrenzen</i>

BELGIQUE/BELGIË

- *Carcasses, demi-carcasses et quartiers compensés, provenant des :*
 - *Hele dieren, halve dieren en „compensated quarters” afkomstig van :*
- | | | |
|------------------------------|---------|---------|
| Bœufs 55 % / Ossen 55 % | 313,302 | 331,333 |
| Taureaux 55 % / Stieren 55 % | 309,921 | 327,952 |

DANMARK

- *Hele og halve kroppe samt „quartiers compensés” af :*
- | | | |
|-----------|---------|---------|
| Stude I | 297,547 | 301,190 |
| Tyre P | 303,619 | 307,263 |
| Ungtyre I | 316,978 | 320,622 |

DEUTSCHLAND

- *Ganze oder halbe Tierkörper und „quartiers compensés”, stammend von :*
- | | | |
|----------|---------|---------|
| Bullen A | 327,736 | 333,949 |
|----------|---------|---------|

ΕΛΛΑΔΑ

- *Σφάγια, ημισφάγια και „quartiers compensés” από :*
- | | | |
|---------|---------|---------|
| Μόσχο Β | 359,130 | 362,623 |
| Μόσχο Γ | 356,335 | 359,828 |

FRANCE

- *Carcasses, demi-carcasses et quartiers compensés, provenant des :*
- | | | |
|-----------------|---------|---------|
| Bœufs U | 360,498 | 374,623 |
| Bœufs R | 336,014 | 350,140 |
| Bœufs O | 315,926 | 330,052 |
| Jeunes bovins U | 339,468 | 350,454 |
| Jeunes bovins R | 324,087 | 335,074 |
| Jeunes bovins O | 301,330 | 312,317 |

<i>Minimum</i>	<i>Maksimum</i>
<i>Untere Grenze</i>	<i>Obere Grenze</i>
<i>Κατώτατο όριο</i>	<i>Ανώτατο όριο</i>
<i>Lower limit</i>	<i>Upper limit</i>
<i>Limite inférieure</i>	<i>Limite supérieure</i>
<i>Limite inferiore</i>	<i>Limite superiore</i>
<i>Ondergrenzen</i>	<i>Bovengrenzen</i>

IRELAND

— *Carcases, half-carcases and compensated quarters, from :*

Steers 1	293,150	298,216
Steers 2	284,019	289,084'

**CLASSIFICATION OF CHEMICALS IN THE COMMON CUSTOMS TARIFF OF
THE EUROPEAN COMMUNITIES**

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