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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1356/83**of 25 May 1983****on storage aid for quality wines produced in specified regions**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3082/82 ⁽²⁾, and in particular Article 57 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 57 of Regulation (EEC) No 337/79, intervention measures may be taken in respect of products other than table wine in order to support the market in table wines;

Whereas the 1982 harvest in northern wine-growing areas of the Community, in particular as regards quality white wines produced in specified regions (quality wines psr), was extremely abundant;

Whereas the situation appears critical in wine growing zone A of the Community where the harvest is, according to wine-growing areas, from two to three times higher than the normal harvest; whereas, in this zone, the prices of the abovementioned white wines have fallen; whereas this situation is not the case for either red wines of zone A or for wines of the other wine-growing areas, the prices of which remain at a satisfactory level;

Whereas these circumstances have led producers to sell certain quantities of these quality wines psr on the market in table wines thus causing substantial difficulties on the market for these wines in the wine-growing area concerned;

Whereas, to remedy this situation, it is not sufficient to act with regard to the table wines which constitute, in

this wine-growing zone, only a moderate part as compared with the entire harvest; whereas, in these circumstances, producers in wine-growing area A should be encouraged, by means of a storage aid, to carry over a certain proportion of their 1982 production of white wines eligible for the appellation quality wine psr or of quality white wine psr; whereas it is appropriate to stress the exceptional nature of this measure, which could not be substituted, should the situation be repeated in future marketing years, for measures enabling arrangements for planting wine-growing areas producing quality wines psr to be strengthened;

Whereas, in order to ensure that this measure is used only for the purpose intended, it is necessary to specify that quality wines psr which are covered by storage contracts should not thereafter be eligible, other than on grounds of quality, for downgrading at the production stage under Article 16 (6) of Council Regulation (EEC) No 338/79 of 5 February 1979 laying down special provisions relating to quality wines produced in specified regions ⁽³⁾, as last amended by Regulation (EEC) No 2145/82 ⁽⁴⁾;

Whereas, having regard to certain procedures for the recognition of the appellation quality wines psr, it seems equitable to provide for an advance of the amount of aid to be paid to the producer, by means of a security, if such recognition is not attained on expiry of the storage contract;

Whereas, although the quality wines psr concerned generally command higher prices than table wines, it is not possible, however, to adjust the storage aid to the product's real value; whereas it appears justified to fix storage aid for all wines concerned at a standard rate, adopted for short-term storage aid for white table wine produced in zone A, namely wines of types A II and A III;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 326, 23. 11. 1982, p. 1.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 48.

⁽⁴⁾ OJ No L 227, 3. 8. 1982, p. 10.

Whereas the Commission should, before the period covered by this measure expires, review the situation on the market in table wines and quality wines psr and should be authorized to extend the period of validity of the contracts, should the need arise,

HAS ADOPTED THIS REGULATION:

Article 1

1. Aid shall be granted to producers who conclude a contract with the competent intervention agency for the storage, for a period of six months, of quality wine psr or wine likely to be designated quality wine psr, referred to in Article 2, produced by them in the 1982/83 wine-growing year.

The contracts shall be concluded during a period to be specified and shall be for bulk wine. Producers may conclude such contracts only if they give a written undertaking that, other than on grounds of quality, they will not invoke the provisions of Article 16 (6) of Regulation (EEC) No 338/79 on downgrading at the production stage in respect of wines designated as quality wines psr at the time of conclusion of the contract.

2. Entitlement to the aid shall arise at the end of the storage period and on condition that the wine in storage has been recognized as quality wine psr.

Where the contract concerns a wine likely to be designated as a quality wine psr and the wine in storage has not been recognized as quality wine psr by the end of the storage period, the producer may request that an amount of aid equal to that indicated in Article 3 be advanced to him against his lodging security for 110 % of that amount in favour of the intervention agency. This security shall not be released, either in

whole or in part, until proof is adduced that the wine in storage has been recognized as quality wine psr before a date to be fixed.

Article 2

1. The wines which may be covered by the contracts referred to in Article 1 (1) shall be white quality psr wines or white wines likely to be designated as quality wine psr, produced in wine-growing zone A.

2. The quantity of white quality wine psr and white wine likely to be designated as quality wine psr referred to in paragraph 1 in respect of which a producer may conclude a storage contract shall not exceed 25 % of the production of white wine by the producer in question during the 1982/83 wine year in wine-growing zone A.

Article 3

The aid referred to in Article 1 (1) shall be 0,0174 ECU per hectolitre per day.

Article 4

Before the contracts referred to in Article 1 expire, the Commission shall review the situation on the market in table wines and quality wines psr. In the light of that situation a decision may be taken, in accordance with the detailed rules of application, to extend the period of validity of the said contracts by three months.

Article 5

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

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

Done at Brussels, 25 May 1983.

For the Council

The President

I. KIECHLE

COUNCIL REGULATION (EEC) No 1357/83

of 25 May 1983

amending Regulation (EEC) No 1055/81 introducing temporary financial aid from the Community to Ireland for pre-movement tuberculin testing and brucellosis blood sampling of cattle

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

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

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

Whereas Regulation (EEC) No 1055/81 ⁽⁴⁾ introduced temporary financial aid from the Community to Ireland for pre-movement tuberculin testing and brucellosis blood sampling of cattle;

Whereas it is necessary, in order to make the allocation of appropriations clearer, to include all expenditure on the Community's various measures in the veterinary field in the chapter covering expenditure in the agricultural sector;

Whereas, in order to apply proper financial and monetary rules and procedures to Community expenditure connected with the implementation of the above measure, the appropriate Articles of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁵⁾, as last amended by Regulation (EEC) No 3509/80 ⁽⁶⁾, and Council Regulation (EEC) No 129/78 of 24 January 1978 on the exchange rates to be applied for the purposes of the common agricultural structures policy ⁽⁷⁾ should be made applicable *mutatis mutandis* thereto,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1055/81 is hereby amended as follows:

1. Article 1 (3) is replaced by the following:

'3. Community financial aid shall be given for the measure referred to in paragraph 1.'

2. Article 2 (2) is replaced by the following:

'2. The estimated amount of aid to be charged to the chapter of the Community budget covering expenditure in the agricultural sector for the duration of the measure laid down in paragraph 1 is six million ECU.'

3. In Article 3:

(a) in paragraph 1, 'shall be eligible for reimbursement from the Guidance Section of the Fund' is replaced by 'shall be subsidized by the Community';

(b) paragraph 2 is replaced by the following:

'2. The Community shall reimburse to Ireland 50 % of the expenditure referred to in paragraph 1.'

4. Article 4 (2) is replaced by the following:

'2. Article 7 (1) of Regulation (EEC) No 729/70 shall apply to Commission decisions on Community financing of this measure.'

5. The following Article 4a shall be inserted:

Article 4a

Regulation (EEC) No 129/78 and Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply *mutatis mutandis*.

Article 2

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

⁽¹⁾ OJ No C 299, 16. 11. 1982, p. 8.

⁽²⁾ OJ No C 68, 14. 3. 1983, p. 86.

⁽³⁾ OJ No C 77, 21. 3. 1983, p. 3.

⁽⁴⁾ OJ No L 111, 23. 4. 1981, p. 4.

⁽⁵⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁶⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽⁷⁾ OJ No L 20, 25. 1. 1978, p. 16.

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

Done at Brussels, 25 May 1983.

For the Council

The President

I. KIECHLE

COMMISSION REGULATION (EEC) No 1358/83

of 30 May 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
27 May 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 31 May 1983.

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

Done at Brussels, 30 May 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 30 May 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	110,15
10.01 B II	Durum wheat	133,76 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	115,59 ⁽⁶⁾
10.03	Barley	117,41
10.04	Oats	103,79
10.05 B	Maize, other than hybrid maize for sowing	83,07 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	34,21
10.07 B	Millet	69,69 ⁽⁴⁾
10.07 C	Grain sorghum	92,32 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	169,58
11.01 B	Rye flour	177,22
11.02 A I a)	Durum wheat groats and meal	221,04
11.02 A I b)	Common wheat groats and meal	180,50

⁽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 1359/83**of 30 May 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 27 May 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 31 May 1983.

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

Done at Brussels, 30 May 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 30 May 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 5	1st period 6	2nd period 7	3rd period 8
10.01 B I	Common wheat, and meslin	0	0	0	0,78
10.01 B II	Durum wheat	0	0	0	2,22
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	1,88
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	1,09

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	1,39	1,39
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	1,04	1,04
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 1360/83

of 30 May 1983

re-establishing the levying of customs duties on other leather, falling within subheading 41.02 ex C and originating in Uruguay, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3377/82 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3377/82 of 8 December 1982 applying generalized tariff preferences for 1983 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 12 thereof,

Whereas, pursuant to Articles 1 and 9 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex C, other than those listed in column 4 of Annex A, within the framework of the preferential tariff ceiling fixed in column 9 of Annex A; whereas, as provided for in Article 10 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of other leather falling within subheading 41.02 ex C, the individual ceiling was fixed at 4 750 000 ECU; whereas on 24 May 1983, imports of these products into the Community, originating in Uruguay, reached that ceiling after being charged thereagainst;

Whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against Uruguay,

HAS ADOPTED THIS REGULATION:

Article 1

As from 3 June 1983, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3377/82, shall be re-established on imports into the Community of the following products originating in Uruguay:

CCT heading No	Description
41.02 (NIMEXE codes 41.02-21; 28; 31; 32; 35; 37; 98)	Bovine cattle leather (including buffalo leather) and equine leather, except leather falling within heading No 41.06 or 41.08; ex C. Other, excluding leather not further prepared than tanned

Article 2

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

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

Done at Brussels, 30 May 1983.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 363, 23. 12. 1982, p. 1.

COMMISSION REGULATION (EEC) No 1361/83
of 30 May 1983
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1183/82 ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1248/83 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1248/83 to the
prices 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 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1983.

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

Done at Brussels, 30 May 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 1.

⁽³⁾ OJ No L 133, 21. 5. 1983, p. 5.

ANNEX

to the Commission Regulation of 30 May 1983 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	23,60
04.01 A I b)	0120	21,19
04.01 A II a) 1	0130	21,19
04.01 A II a) 2	0140	26,33
04.01 A II b) 1	0150	19,98
04.01 A II b) 2	0160	25,12
04.01 B I	0200	56,13
04.01 B II	0300	118,75
04.01 B III	0400	183,52
04.02 A I	0500	19,79
04.02 A II a) 1	0620	91,73
04.02 A II a) 2	0720	138,99
04.02 A II a) 3	0820	141,41
04.02 A II a) 4	0920	159,69
04.02 A II b) 1	1020	84,48
04.02 A II b) 2	1120	131,74
04.02 A II b) 3	1220	134,16
04.02 A II b) 4	1320	152,44
04.02 A III a) 1	1420	23,90
04.02 A III a) 2	1520	32,27
04.02 A III b) 1	1620	118,75
04.02 A III b) 2	1720	183,52
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 0,8448 ⁽⁴⁾
04.02 B I b) 1 bb)	2320	per kg 1,3174 ⁽⁴⁾
04.02 B I b) 1 cc)	2420	per kg 1,5244 ⁽⁴⁾
04.02 B I b) 2 aa)	2520	per kg 0,8448 ⁽⁵⁾
04.02 B I b) 2 bb)	2620	per kg 1,3174 ⁽⁵⁾
04.02 B I b) 2 cc)	2720	per kg 1,5244 ⁽⁵⁾
04.02 B II a)	2820	46,75
04.02 B II b) 1	2910	per kg 1,1875 ⁽⁵⁾
04.02 B II b) 2	3010	per kg 1,8352 ⁽⁵⁾
04.03 A	3110	215,90
04.03 B	3210	263,40
04.04 A	3300	197,88 ⁽⁶⁾
04.04 B	3900	198,03 ⁽⁷⁾
04.04 C	4000	143,23 ⁽⁸⁾
04.04 D I a)	4410	149,95 ⁽⁹⁾
04.04 D I b)	4510	159,20 ⁽⁹⁾
04.04 D II	4610	255,92
04.04 E I a)	4710	198,03
04.04 E I b) 1	4800	198,74 ⁽¹⁰⁾

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	158,82 ⁽¹¹⁾
04.04 E I c) 1	5210	119,12
04.04 E I c) 2	5250	255,54
04.04 E II a)	5310	198,03
04.04 E II b)	5410	255,54
17.02 A II	5500	40,33 ⁽¹²⁾
21.07 F I	5600	40,33
23.07 B I a) 3	5700	65,78
23.07 B I a) 4	5800	85,21
23.07 B I b) 3	5900	79,82
23.07 B I c) 3	6000	65,84
23.07 B II	6100	85,21

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 17,98 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 17,98 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy is limited to 12,09 ECU per 100 kg net weight:
- for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania or Turkey and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Cyprus,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 12,09 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 1362/83**of 30 May 1983****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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 syrups and certain other sugar products were fixed by Regulation (EEC) No 1036/83 ⁽³⁾, as last amended by Regulation (EEC) No 1350/83 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1036/83 to the information known to the Commission that the basic

amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 1036/83, are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 31 May 1983.

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

Done at Brussels, 30 May 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 116, 30. 4. 1983, p. 27.

⁽⁴⁾ OJ No L 139, 28. 5. 1983, p. 49.

ANNEX

to the Commission Regulation of 30 May 1983 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,2763	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	47,81
	ex II. Other	0,2763	—
	E. Artificial honey, whether or not mixed with natural honey	0,2763	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,2763	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	47,81
	IV. Other	0,2763	—

COMMISSION REGULATION (EEC) No 1363/83
of 30 May 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 1351/83⁽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 31 May 1983.

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

Done at Brussels, 30 May 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 139, 28. 5. 1983, p. 51.

ANNEX

**to the Commission Regulation of 30 May 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	27,63
	B. Raw sugar	24,26 ⁽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 1364/83**of 30 May 1983****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 1286/83⁽³⁾, as last amended by Regulation (EEC) No 1352/83⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1286/83 to the information known to the Commission that the export

refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1286/83 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 May 1983.

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

Done at Brussels, 30 May 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 137, 26. 5. 1983, p. 9.

⁽⁴⁾ OJ No L 139, 28. 5. 1983, p. 52.

ANNEX

to the Commission Regulation of 30 May 1983 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	25,55	
	(b) Other	17,63	
	(II) Flavoured or coloured sugar		0,2555
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	23,51 ⁽¹⁾	
	(b) Other raw sugar	16,22 ⁽¹⁾	

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

COMMISSION REGULATION (EEC) No 1365/83

of 30 May 1983

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 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 Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 986/83⁽⁷⁾, as last amended by Regulation (EEC) No 1269/83⁽⁸⁾;

Whereas Council Regulation (EEC) No 414/83 of 21 February 1983⁽⁹⁾ amended Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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 27 May 1983;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹¹⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 414/83, as fixed in the Annex to amended Regulation (EEC) No 986/83 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 May 1983.

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

Done at Brussels, 30 May 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 L 166, 25. 6. 1976, p. 1.
 (⁴) OJ No L 291, 19. 11. 1979, p. 17.
 (⁵) OJ No 106, 30. 10. 1962, p. 2553/62.
 (⁶) OJ No L 263, 19. 9. 1973, p. 1.
 (⁷) OJ No L 110, 27. 4. 1983, p. 15.
 (⁸) OJ No L 133, 21. 5. 1983, p. 62.
 (⁹) OJ No L 51, 24. 2. 1983, p. 1.
 (¹⁰) OJ No L 281, 1. 11. 1975, p. 65.

(¹¹) OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 May 1983 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	117,27 ⁽¹⁾	115,46 ⁽¹⁾ ⁽⁵⁾
07.06 A II	120,29 ⁽¹⁾	115,46 ⁽¹⁾ ⁽⁵⁾
11.01 C ⁽²⁾	217,13	211,09
11.02 A III ⁽²⁾	217,13	211,09
11.02 B I a) 1 ⁽²⁾	190,65	187,63
11.02 B I b) 1 ⁽²⁾	190,65	187,63
11.02 C III ⁽²⁾	299,22	293,18
11.02 D III ⁽²⁾	122,64	119,62
11.02 E I a) 1 ⁽²⁾	122,64	119,62
11.02 E I b) 1 ⁽²⁾	240,58	234,54
11.02 F III ⁽²⁾	217,13	211,09
11.04 C I	120,29	113,64 ⁽⁵⁾
11.07 A II a)	219,62 ⁽⁴⁾	208,74
11.07 A II b)	166,85	155,97
11.07 B	192,65 ⁽⁴⁾	181,77

⁽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.

⁽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.

**COUNCIL REGULATION (EEC) No 1366/83
of 26 May 1983**

**extending the provisional 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 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by its Regulation (EEC) No 290/83 ⁽³⁾, the
Commission imposed a provisional anti-dumping duty
on certain chemical fertilizer originating in the United
States of America and exported by Agrico Chemical
Company;

Whereas the examination of the facts is not yet
complete and the sole exporter known to be
concerned has requested that the provisional duty be
extended for a further period of two months,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty on certain
chemical fertilizer originating in the United States of
America and exported by Agrico Chemical Company
imposed by Regulation (EEC) No 290/83 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*.

Without prejudice to Article 11 of Regulation (EEC)
No 3017/79 and to any decision to different effect
taken by the Council, it shall apply until the entry
into force of a regulation adopting definitive measures
or, at the latest, until the expiry of a period of two
months beginning on 5 June 1983.

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

Done at Brussels, 26 May 1983.

For the Council

The President

Otto Graf LAMBSDORFF

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 33, 4. 2. 1983, p. 9.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 May 1983

**authorizing extension or tacit renewal of certain trade agreements concluded
between the Member States and third countries**

(83/249/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to Council Decision 69/494/EEC of 16
December 1969 on the progressive standardization of
agreements concerning commercial relations between
Member States and third countries and on the negotia-
tion of Community agreements ⁽¹⁾, and in particular
Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of
the transitional period was last authorized in the case
of the Agreements and Protocols mentioned in the
Annex by Decision 82/180/EEC ⁽²⁾;

Whereas the Member States concerned have, with a
view to avoiding disruption of their commercial rela-
tions with the third countries concerned based on
agreement, requested authorization to extend or renew
the abovementioned Agreements;

Whereas, however, most of the areas covered by these
national agreements, are henceforth the subject of
Community agreements; whereas, having regard to
this situation, authorization should be granted for the
maintenance of national agreements only for those

areas not covered by Community agreements;
whereas, in addition, such authorization should not,
therefore, adversely affect the obligation incumbent
upon the Member States to avoid and, where appro-
priate, to eliminate any incompatibility between the
said agreements and Community law;

Whereas, moreover, the agreements to be either
extended or renewed should not, during the period of
extension envisaged, constitute an obstacle to the
implementation of the common commercial policy;

Whereas the Member States concerned have declared
that the extension or tacit renewal of these agreements
would neither constitute an obstacle to the opening of
Community negotiation with the third countries
concerned and the transfer of the commercial
substance thereof to Community agreements nor,
during the period under consideration, hinder the
adoption of the measures necessary to complete the
standardization of the import arrangements applied by
the Member States;

Whereas on the conclusion of the consultations
provided for in Article 2 of Decision 69/494/EEC it
was established, as the aforesaid declarations by the
Member States concerned confirm, that the provisions
of the agreements to be extended or renewed would
not, during the period under consideration, constitute
an obstacle to the implementation of the common
commercial policy;

Whereas, in these circumstances, the agreements may
be either extended or tacitly renewed for a limited
period,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 83, 29. 3. 1982, p. 13.

HAS ADOPTED THIS DECISION :

Article 2

Article 1

The Trade Agreements and Protocols concluded between Member State and third countries and mentioned in the Annex may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

This Decision is addressed to the Member States.

Done at Brussels, 24 May 1983.

For the Council

The President

H.-W. LAUTENSCHLAGER

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

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηράς ανανεώσεως
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging
BENELUX	Honduras	Handelsakkoord/ Accord commercial 30. 1. 1959	27. 5. 1984
	Joegoslavië/ Yougoslavie	Handelsakkoord/ Accord commercial 18. 6. 1958	30. 6. 1984
	Marokko/ Maroc	Handelsakkoord/ Accord commercial 5. 8. 1958	30. 6. 1984
DANMARK	Indonesien	Handelsaftale 9. 9. 1952	30. 6. 1984
	Madagaskar	Handelsaftale 10. 12. 1965	25. 6. 1984
	Marokko	Handelsaftale 26. 7. 1961	30. 6. 1984
	Senegal	Handelsaftale 11. 4. 1962	10. 7. 1984
	Spanien	Handelsaftale 1. 7. 1960	30. 6. 1984
	Tunesien	Handelsaftale 8. 6. 1960	31. 5. 1984
DEUTSCHLAND	Afghanistan	Handelsabkommen 31. 1. 1958	31. 5. 1984
	Island	Handelsabkommen 20. 5. 1954	30. 6. 1984
	Jugoslawien	Handelsabkommen 11. 6. 1952	} 30. 6. 1964
		Protokoll 16. 7. 1964	
	Philippinen	Handelsabkommen 28. 2. 1964	12. 8. 1984
	Türkei	Abkommen über Warenverkehr 16. 2. 1952	30. 6. 1984
ΕΛΛΑΔΑ	Ιράν	Εμπορική συμφωνία 3. 2. 1976	3. 2. 1984
	Τυνησία	Εμπορική συμφωνία 2. 3. 1960	2. 3. 1984
	Ιορδανία	Εμπορική συμφωνία 27. 2. 1977	27. 2. 1984
	Συρία	Εμπορική συμφωνία 27. 5. 1969	27. 5. 1984
	Μάλτα	Εμπορική συμφωνία 14. 4. 1976	14. 4. 1984
FRANCE	RAE (république arabe d'Égypte)	Accord commercial 10. 7. 1964	10. 7. 1984
ITALIA	Austria	Accordo commerciale 19. 6. 1949	} 30. 6. 1984
		Scambio di lettere 14. 11. 1961	
	Colombia	Modus vivendi 19. 6. 1952	19. 6. 1984
	Somalia	Accordo commerciale e di cooperazione economica e tecnica 1. 7. 1960	30. 6. 1984
	Spagna	Accordo commerciale 28. 6. 1960	} 8. 6. 1984
		Processo verbale 1. 4. 1967	
	Turchia	Accordo commerciale 24. 1. 1952	31. 5. 1984

COUNCIL RECOMMENDATION**of 24 May 1983****to the Member States concerning the encouragement of investment in the use of solid fuel in industry****(83/250/EEC)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal submitted by the Commission ⁽¹⁾,

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

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

Having regard to the communication from the Commission on the role for coal in Community energy strategy,

Whereas the considerable extent to which the Community is dependent on oil imports, with the concomitant uncertainty regarding supplies and prices, imposes constraints on the Community economy;

Whereas even a slight economic upturn in the industrialized countries, in conjunction with an increase in oil demand in the rest of the world, could increase those constraints still further;

Whereas the policy of oil substitution ought therefore to facilitate the necessary process of structural adjustment; whereas this can only be accomplished by pursuing a policy of rational energy use, which includes increasing the contribution made by substitute sources of energy, with special reference to solid fuel;

Whereas it would be desirable to use solid fuel in both new and established installations;

Whereas industry — with the exception of the iron and steel industry and the energy sector, where substitution has started as a result of the measures taken — requires heat both for industrial processes and for heating and therefore offers particularly wide scope for substituting solid fuel for oil;

Whereas, despite the price advantage of solid fuel over fuel oil, the process of substitution has made only a

slow start; whereas the factors involved are in particular:

- high investment and finance costs,
- numerous other obstacles to investment, including environment-protection requirements, site problems, lengthy approval procedures and uncertain economic prospects, particularly as regards the relative price of solid fuel and oil,
- lack of experience in the use of solid fuel,
- shortcomings in the infrastructure for supplying solid fuel to consumers,
- uncertainty about future developments in solid fuel technology;

Whereas the use of solid fuel, including transport and waste-processing, should take place in a way which takes the environment into account;

Whereas the Member States should adopt in a concerted manner a coherent set of measures to encourage investment in order to overcome these difficulties and obstacles,

HEREBY RECOMMENDS THAT THE MEMBER STATES:

1. Take all environmentally compatible measures, in undertakings in all branches of industry, with the exception of the iron and steel industry and the energy sector, which they consider appropriate, to encourage both the conversion or the reconversion to solid fuel of existing combustion installations fired by fuel oil and to encourage the building of new solid-fuel-fired installations;

2. Notify the Commission at the end of each year of the measures taken in the field covered by this recommendation, so that the Commission can make an annual report to the Council in the appropriate form.

Done at Brussels, 24 May 1983.

For the Council

The President

H.-W. LAUTENSCHLAGER

⁽¹⁾ OJ No C 105, 26. 4. 1982, p. 1.

⁽²⁾ OJ No C 149, 14. 6. 1982, p. 134.

⁽³⁾ OJ No C 205, 9. 8. 1982, p. 3.

COUNCIL RECOMMENDATION

of 24 May 1983

to the Member States concerning the encouragement of investment in the use of solid fuel in public buildings and in district heating systems

(83/251/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal submitted by the Commission ⁽¹⁾,

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

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

Having regard to the communication from the Commission on the role for coal in Community energy strategy,

Whereas the considerable extent to which the Community is dependent on oil imports, with the concomitant uncertainty regarding supplies and prices, imposes constraints on the Community economy;

Whereas even a slight economic upturn in the industrialized countries, in conjunction with an increase in oil demand in the rest of the world, could increase those constraints still further;

Whereas the policy of oil substitution ought therefore to facilitate the necessary process of structural adjustment; whereas this can only be accomplished by pursuing a policy of rational energy use which includes increasing the contribution made by substitute sources of energy, with special reference to solid fuel;

Whereas it would be desirable to use solid fuel in both new and established installations;

Whereas, even allowing for environmental considerations, public buildings and district heating systems offer considerable scope for substituting solid fuel for oil;

Whereas, despite the price advantage of solid fuel over fuel oil, the process of substitution has made only a

slow start; whereas the factors involved are in particular:

- high investment and finance costs,
- numerous other obstacles to investment, including environment-protection requirements, site problems, lengthy approval procedures and uncertain economic prospects, particularly as regards the relative price of solid fuel and oil,
- lack of experience in the use of solid fuel,
- shortcomings in the infrastructure for supplying solid fuel to consumers,
- uncertainty about future developments in solid fuel technology;

Whereas the use of solid fuel, including transport and waste-processing, should take place in a way which takes the environment into account;

Whereas the Member States should adopt in a concerted manner a coherent set of measures to encourage investment in order to overcome these difficulties and obstacles,

HEREBY RECOMMENDS THAT THE MEMBER STATES:

1. Take all environmentally compatible measures, in public buildings (administrative buildings, barracks, schools, etc.) and in suitable district heating systems, which they consider appropriate, to encourage both the conversion or the reconversion to solid fuel of existing combustion installations fired by fuel oil and to encourage the building of new solid-fuel-fired installations;
2. Notify the Commission at the end of each year of the measures taken in the field covered by this recommendation, so that the Commission can make an annual report to the Council in the appropriate form.

Done at Brussels, 24 May 1983.

For the Council

The President

H.-W. LAUTENSCHLAGER

⁽¹⁾ OJ No C 105, 26. 4. 1982, p. 1.

⁽²⁾ OJ No C 149, 14. 6. 1982, p. 134.

⁽³⁾ OJ No C 205, 9. 8. 1982, p. 3.

COMMISSION

COMMISSION DECISION

of 24 May 1983

relating to a proceeding under Article 85 of the EEC Treaty

(IV/181 — Cematex)

(Only the Dutch, English, French, German and Italian texts are authentic)

(83/252/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation No 17 of 6 February 1962 : First Regulation implementing Articles 85 and 86 ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Articles 6 and 8 thereof,

Having regard to Decision 71/337/EEC ⁽²⁾ by which the Commission, pursuant to Article 85 (3), granted an exemption until 30 November 1982 in respect of the decision of the European Committee of Textile Machinery Manufacturers (Cematex) laying down rules for exhibiting at International Exhibitions of Textile Machinery (ITMA),

Having regard to the application for renewal of the said Decision submitted by Cematex on 19 November 1981,

Having regard to the summary of the rules for exhibiting at ITMA published, in accordance with Article 19 (3) of Regulation No 17, in *Official Journal of the European Communities* No C 20 of 25 January 1983,

Having regard to the opinion of the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas :

I

- (1) Cematex is an association without legal personality formed in 1953. As part of its functions it is responsible for organizing an ITMA every four years. This is the role to which both the notification made on 25 October 1962 and the application for renewal of the exemption Decision adopted by the Commission under Article

85 (3) of the Treaty on 24 September 1971 relate.

- (2) The following national associations, which number among their members the majority of textile machinery manufacturers in their respective countries, belong to Cematex :

- Fachgemeinschaft Textilmaschinen im Verein Deutscher Maschinenbau — Anstalten EV (VDMA)
Lyoner Straße, 18
D-6000 Frankfurt am Main 71,
- Syndicat des Constructeurs belges de Machines textiles (Symatex)
21, rue des Drapiers
B-1050 Bruxelles,
- Union des Constructeurs de Matériel textile de France (UCMTF)
10, avenue Hoche
F-75382 Paris — Cedex 08,
- British Textile Machinery Association (BTMA)
220/224 The Royal Exchange
UK-Manchester M2 7BX,
- Associazione Costruttori Italiani di Macchinario per l'Industria Tessile (ACIMIT)
Via Tevere, 1
I-20123 Milano,
- Groep Textielmachines (GTM) van de Vereniging voor de Metaal- en de Elektrotechnische Industrie FME
Bredewater 20
NL-2715 CA Zoetermeer,
- Société Suisse des Constructeurs de Machines (VSM)
Groupe 'Machines textiles'
4, Kirchenweg
CH-8032 Zürich.

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No L 227, 8. 10. 1971, p. 26.

- (3) Cematex's statutes have not been changed since Decision 71/337/EEC. The latter should therefore be referred to as far as the substance of the said statutes is concerned.
- (4) The substance of the rules for exhibiting at ITMA is currently as follows :
- (a) participants undertake to comply with the ITMA rules and with all subsequent decisions taken by the organizers on the grounds of order and safety ;
 - (b) the exhibition is open to machines for the textile industry, including hosiery and knitting machines, accessories for such machines, sewing machines and machines for the clothing industry, measuring and testing equipment and apparatus and electrical equipment and machines used in the textile or clothing industries ;
 - (c) only exhibitors' machines may be used to demonstrate accessories at the ITMA ;
 - (d) permission to exhibit is confined to those firms which perform at least two of the three operations of designing, manufacturing or selling and which comply with the following conditions :
 - in signing the application for admission to the ITMA, exhibitors undertake that, in the year of the ITMA and in the preceding year, they will not display, either directly or indirectly through the intermediary of any agent or other reseller, textile, hosiery or knitting machines or mock-ups or models which constitute a faithful reproduction of the aforesaid machines — with the exception of any other advertising material, the showing of which is henceforth entirely unrestricted — at any fair, exhibition, show or other national or international event in the countries covered by the rules ⁽¹⁾,
 - manufacturers linked by a licensing agreement or by a technical cooperation agreement may all exhibit at the ITMA the machines or accessories covered by that agreement. However, if, in the year of the ITMA or in the preceding year, one of the parties displays one or more machines covered by the agreement at another fair, exhibition, show or event in one of the countries covered by the rules, the other party will also be debarred from exhibiting at the ITMA the whole of that part of his range covered by the agreement,
 - where multinational companies or companies in the same group exhibit at the ITMA, the above rules apply to all the companies in the group or which constitute the multinational company ;
 - (e) if a company fails to observe the above undertaking, it is automatically debarred from the current ITMA and forfeits the deposits paid or is debarred from the next ITMA ;
 - (f) in the year of the ITMA and the preceding year Cematex may, if requested, authorize textile machines to be made available to exhibitors at other fairs, exhibitions or shows held in one of the countries covered by the rules provided that :
 - those machines are used exclusively to demonstrate machines or equipment not admitted to the ITMA, have been manufactured for the previous two years and have already been shown at earlier exhibitions,
 - all identifying marks or signs are removed or concealed,
 - such machines are not the subject of any commercial activity (advertising, distribution of catalogues, offers, etc.) on site,
 - the presence of those machines at the abovementioned events is authorized by Cematex in advance, Cematex being free to refuse authorization if it can be used to circumvent the rules directly or indirectly,
 - authorization is requested solely by manufacturers who are ITMA exhibitors ;
 - (g) if requested, Cematex may authorize participation in a non-commercial exhibition whose sole purpose is :
 - presentation of a specific region or a historical display,

⁽¹⁾ The 10 EEC countries as well as Switzerland, Austria, Spain, Finland, Norway, Portugal, Sweden and Turkey.

- scientific or educational (e.g. conferences, universities),
- the public interest (e.g. defence, safety at work, ergonomics, protection of the environment),

the number and type of machines must correspond to the type of event ;

- (h) fairs, exhibitions or shows shall not be taken to mean the display by a manufacturer, on his own premises or on those of his subsidiaries, of machines of his own manufacture, or the display by representatives, distributors, dealers or retailers, on their own premises or on those which they permanently use, of machines which they market ;
- (i) the secretariat, the organizing committee and the national associations are empowered to check whether manufacturers taking part in the ITMA comply with the undertaking they have entered into ;
- (j) if an exhibitor is debarred from or refused admission to an ITMA or is not allowed to participate in a particular event or fair⁽¹⁾, including participation for demonstration purposes, the Cematex secretariat will inform him thereof by registered letter, setting out the reasons for its decision ; the exhibitor may, within a period of 14 days, oppose this decision by appealing either to an arbitration committee or to the court with jurisdiction over the place where the ITMA is held.
- (5) Since Decision 71/337/EEC, Cematex has sponsored two ITMA, one in Milan in 1975 and the other in Hannover in 1979. No application for admission to those ITMA which satisfied the conditions laid down in the rules was rejected. On the other hand, a number of applications which did not satisfy the conditions were rejected. In these circumstances, and in order to ensure the objective application of the ITMA rules, Cematex instituted, at the Commission's request, the appeal procedure mentioned above (cf. point I (4) (c)).
- (6) It has been established that the exhibitors of certain machines and plant not admitted to an ITMA require, in connection with their exhibi-

tions, the presence of textile machines in order to demonstrate their machinery. At the Commission's request, Cematex amended its rules so that henceforth, in the year of the ITMA and the preceding year, the presence of textile machines at such exhibitions may be authorized (cf. point I (4) (g)).

- (7) In future, participation in exhibitions having scientific, educational or historical aims or which are held in the public interest may also be authorized at all times (cf. point I (4) (g)).
- (8) The display of his machines by a manufacturer or by his representatives on their respective premises is henceforth entirely unrestricted (cf. point I (4) (h)). The same applies to participation in exhibitions with advertising material such as photographs, catalogues, etc., excluding models faithfully representing the machines (cf. the first indent of point I (4) (d)).
- (9) It should be remembered that textile equipment and textile machinery in particular consists as a rule of heavy and complex units which must be shown in operation and whose removal and installation involves considerable expenditure and calls for technical and financial assistance on the part of manufacturers. This being so, the need to curb the trend towards a proliferation of exhibitions is felt particularly strongly in the sector in question.
- (10) Following publication of the notice pursuant to Article 19 (3) of Regulation No 17, the Commission has received no comments from third parties which might alter its assessment of the ITMA rules.

II

- (11) For the reasons already outlined in Decision 71/337/EEC, to which reference should be made, the following measures adopted by Cematex concerning the ITMA rules constitute a decision by an association of associations of undertakings and are caught by the prohibition contained in Article 85 (1) of the Treaty :

- the undertaking by exhibitors not to participate in the year of the ITMA and in the preceding year, either directly or indirectly through the intermediary of commercial agents or by displaying models, in any national or international event organized in the countries covered by the rules, except in certain cases authorized by Cematex,

⁽¹⁾ 'Particular event or fair' means, in particular, those referred to at point I (4) (f) and (g) above.

- the exclusion from the current ITMA, or the non-admission to the following one, of machines made by any manufacturer who has exhibited them or caused them to be exhibited, even by means of models, at other national or international events,
- the exclusion from the ITMA of a manufacturer who is party to a licensing agreement or a technical cooperation agreement in respect of those machines or accessories which form the subject matter of the agreement, where the other party to the agreement displays, in the year of the ITMA or in the preceding year, one or more of those machines at other exhibitions in one of the countries covered by the rules,
- the exclusion from the ITMA of all companies in the same group or of multinational companies where one of them has participated in the year of the ITMA or in the preceding year, in other exhibitions in one of the countries covered by the rules,
- the ban on the use of machines other than those of exhibitors to demonstrate accessories at an ITMA,
- the authorization needed from Cematex for textile machines to be made available to exhibitors at other fairs held in the countries covered by the rules in order to demonstrate machines or equipment not admitted to the ITMA provided, however, that such machines have been manufactured for the previous two years, have already been shown at earlier fairs and that their identifying mark is invisible.

III

- (12) As a result of the many changes made by Cematex to the ITMA rules with a view to making them more flexible (cf. the first indent of point I (4) (d), point I (4) (f), (g) and (h)), those rules can now be applied more objectively and much less stringently.

In these circumstances, the Decision which the Commission adopted on 24 September 1971 may be renewed under Article 8 (2) of Regulation No 17 since the tests for the application of Article 85 (3) of the Treaty are still satisfied for the reasons already outlined in the said Decision. The concentration of events brought about

by the ITMA rules allows, in particular, practically all available machines to be displayed at less cost, which has the effect of stimulating manufacturers, of better informing users by giving them a comprehensive view of the market while saving them from considerable travelling, and of improving distribution of the products. On the other hand, the ITMA rules, in the light *inter alia* of the improvements which have been made to them (cf. the first indent of point I (4) (d), point I (4) (f), (g) and (h)) do not contain restrictions which are not indispensable for the realization of the advantages flowing from the rationalization of fairs and exhibitions, and do not eliminate competition between the economic operators in question.

The clauses set out in the second and third indents of point I (4) (d) fit, moreover, into the general context of the objective of the rules, namely the rationalization of textile machinery fairs and exhibitions. For reasons similar to those outlined in Decision 71/337/EEC, to which reference should be made, those clauses satisfy the conditions for the application of Article 85 (3).

- (13) Accordingly, Cematex's application for renewal of the Commission decision of 24 September 1971 may be granted. As ITMA are held every four years, that Decision may be renewed for a period expiring on 31 December 1995.
- (14) For reasons similar to those set out in Decision 71/337/EEC, obligations must be attached to this Decision,

HAS ADOPTED THIS DECISION :

Article 1

The Decision adopted by the Commission on 24 September 1971 under Article 85 (3) of the Treaty establishing the European Economic Community exempting the Cematex decision laying down the rules for exhibiting at ITMA is hereby renewed until 31 December 1995.

Article 2

Cematex shall forthwith notify the Commission of all cases of exclusion from, or refusal to admit to, an ITMA, or of participation in a specific event or fair, together with the reasons therefor.

Article 3

This Decision is addressed to the following associations of undertakings:

- Comité européen des Constructeurs de Matériel textile (Cematex)
4, Kirchenweg
CH-8032 Zürich,
- Fachgemeinschaft Textilmaschinen im Verein Deutscher Maschinenbau — Anstalten EV (VDMA)
Lyoner Straße, 18
D-6000 Frankfurt am Main 71,
- Syndicat des Constructeurs belges de Machines textiles (Symatex)
21, rue des Drapiers
B-1050 Bruxelles,
- Union des Constructeurs de Matériel textile de France (UCMTF)
10, avenue Hoche
F-75382 Paris — Cedex 08,
- British Textile Machinery Association (BTMA)
220/224 The Royal Exchange
UK-Manchester M2 7BX,

- Associazione Costruttori Italiani di Macchinario per l'Industria Tessile (ACIMIT)
Via Tevere, 1
I-20123 Milano,
- Groep Textielmachines (GTM) van de Vereniging voor de Metaal- en de Elektrotechnische Industrie FME
Bredewater 20
NL-2715 CA Zoetermeer,
- Société suisse des Constructeurs de Machines (VSM)
Groupe 'Machines textiles'
4, Kirchenweg
CH-8032 Zürich.

Done at Brussels, 24 May 1983.

For the Commission

Frans ANDRIESEN

Member of the Commission

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