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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1645/83**of 20 June 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 17 June 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 21 June 1983.

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

Done at Brussels, 20 June 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. 44.

ANNEX

to the Commission Regulation of 20 June 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	111,53
10.01 B II	Durum wheat	137,53 ⁽¹⁾ ⁽²⁾
10.02	Rye	124,26 ⁽⁶⁾
10.03	Barley	123,44
10.04	Oats	104,14
10.05 B	Maize, other than hybrid maize for sowing	83,15 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	28,48
10.07 B	Millet	65,93 ⁽⁴⁾
10.07 C	Grain sorghum	90,61 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	171,78
11.01 B	Rye flour	189,63
11.02 A I a)	Durum wheat groats and meal	226,96
11.02 A I b)	Common wheat groats and meal	182,58

⁽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 1646/83**of 20 June 1983****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2119/82⁽⁵⁾ and subsequent amending Regulations;

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

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

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 17 June 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 21 June 1983.

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

Done at Brussels, 20 June 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. 47.

ANNEX

to the Commission Regulation of 20 June 1983 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 6	1st period 7	2nd period 8	3rd period 9
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	3,93	3,93	8,51
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	3,37	3,37	5,61
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	2,24	2,24	2,24
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	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 1647/83

of 20 June 1983

amending Regulation (EEC) No 1054/78 following the fixing of a new exchange rate to be applied in agriculture for the Belgian/Luxembourg franc, the Irish pound and the French franc

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽¹⁾, as amended by Regulation (EEC) No 1626/83 ⁽²⁾, and in particular Article 5 thereof,

Whereas Article 2 (2) of Commission Regulation (EEC) No 1054/78 ⁽³⁾, as last amended by Regulation (EEC) No 1244/83 ⁽⁴⁾, laid down that the provisions of the last subparagraph of Article 4 (1) of Council Regulation (EEC) No 1134/68 ⁽⁵⁾ should apply only in the case of alterations to the representative rates taking place up to 28 June 1982;

Whereas Regulation (EEC) No 1223/83, replacing Regulation (EEC) No 878/77, fixed a new representative rate for the Belgian/Luxembourg franc, the Irish pound and the French franc; whereas it is therefore appropriate to amend Regulation (EEC) No 1054/78;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EEC) No 1054/78 is hereby replaced by the following:

'2. The provisions of the last subparagraph of Article 4 (1) of Regulation (EEC) No 1134/68 shall apply only to advance fixings and to certificates or

titles attesting them issued within the meaning of Article 21 of Regulation (EEC) No 3183/80 ⁽¹⁾:

- before 19 October 1982, with regard to the representative rates for the Belgian/Luxembourg franc and the French franc, referred to respectively in Annexes I and IV to Regulation (EEC) No 878/77 in the version introduced by Regulation (EEC) No 2792/82 ⁽²⁾,
- before 26 January 1983, with regard to the representative rate for the Greek drachma, referred to in Annex V to Regulation (EEC) No 878/77, in the version introduced by Regulation (EEC) No 221/83 ⁽³⁾,
- before 29 March 1983, with regard to the representative rate for the Belgian/Luxembourg franc, referred to in Annex I to Regulation (EEC) No 878/77, in the version introduced by Regulation (EEC) No 771/83 ⁽⁴⁾,
- before 17 May 1983, with regard to the representative rates for the German mark, the French franc, the Greek drachma, the Irish pound, the Italian lira and the Dutch guilder, referred to respectively in Annexes III, IV, V, VI, VII and VIII to Regulation (EEC) No 1223/83 ⁽⁵⁾,
- before 14 June 1983, with regard to the representative rates for the Belgian/Luxembourg franc, the Irish pound and, as regards the wine sector, the French franc, referred to respectively in Annexes I, IV and VI to Regulation (EEC) No 1626/83 ⁽⁶⁾.

⁽¹⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽²⁾ OJ No L 295, 21. 10. 1982, p. 6.

⁽³⁾ OJ No L 27, 29. 1. 1983, p. 7.

⁽⁴⁾ OJ No L 85, 31. 3. 1983, p. 95.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁶⁾ OJ No L 160, 18. 6. 1983, p. 6.

⁽¹⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽²⁾ OJ No L 160, 18. 6. 1983, p. 6.

⁽³⁾ OJ No L 134, 22. 5. 1978, p. 40.

⁽⁴⁾ OJ No L 135, 23. 5. 1983, p. 1.

⁽⁵⁾ OJ No L 188, 1. 8. 1968, p. 1.

Article 2

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

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

Done at Brussels, 20 June 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1648/83

of 20 June 1983

fixing for the 1983/84 marketing year the minimum purchase price for lemons delivered to the industry and the amount of financial compensation payable after their processing

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to promote the marketing of lemon products ⁽¹⁾, as last amended by Regulation (EEC) No 3487/80 ⁽²⁾, and in particular Article 3 thereof,

Whereas, under Article 1 (3) of Regulation (EEC) No 1035/77, the minimum price which processors must pay to the producer is derived from the purchase price for Class III plus 15 % of the basic price ; whereas, to simplify matters, this calculation should be based on the average basic and purchase prices fixed for the 1983/84 marketing year by Council Regulation (EEC) No 1219/83 ⁽³⁾;

Whereas, under Article 2 of Regulation (EEC) No 1035/77, financial compensation cannot exceed the difference between the minimum purchase price referred to in Article 1 of the said Regulation and the prices obtaining for the basic products in producer third countries ; whereas, for the purposes of calculating this compensation and with a view to encouraging optimum marketing of lemon products, it would seem advisable to apply the full difference between these prices ;

Whereas, because of the late publication of the amounts of the minimum price and financial compensation, the interested parties have been unable to conclude contracts for the first part of the 1983/84 marketing year by the specified time ; whereas derogations should therefore be made from the dates speci-

fied in Commission Regulation (EEC) No 1045/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 3482/80 ⁽⁵⁾ ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The minimum price referred to in Article 1 (3) of Regulation (EEC) No 1035/77 shall be 17,65 ECU per 100 kilograms net for the 1983/84 marketing year.
2. The said minimum price shall be in respect of products ex-producer's packaging station.

Article 2

The amount of the financial compensation referred to in Article 2 of Regulation (EEC) No 1035/77 shall be 10,82 ECU per 100 kilograms net for the 1983/84 marketing year.

Article 3

1. By way of derogation from Article 1 (2) of Regulation (EEC) No 1045/77, contracts for the first part of the 1983/84 marketing year may be concluded until 30 June 1983.
2. By way of derogation from Article 1 (3) of Regulation (EEC) No 1045/77, supplementary agreements to the contracts referred to in paragraph 1 may be concluded until 30 September 1983.

Article 4

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

It shall apply as from 1 June 1983.

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

Done at Brussels, 20 June 1983.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽²⁾ OJ No L 365, 31. 12. 1980, p. 3.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 21.

⁽⁴⁾ OJ No L 125, 19. 5. 1977, p. 23.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 89.

COMMISSION REGULATION (EEC) No 1649/83

of 20 June 1983

fixing for the 1983 marketing year the maximum levels of the withdrawal prices
for tomatoes grown under glass

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 last subparagraph of Article 18 (1)
thereof,

Whereas, under the last subparagraph of Article 18 (1)
of Regulation (EEC) No 1035/72, producers' organiza-
tions may be authorized, in view of the characteristics
of the market under consideration, to fix, under certain
conditions, withdrawal prices above the levels referred
to in Article 18 (1) (a) of that Regulation;

Whereas the market in tomatoes grown under glass
has different characteristics from those of the market
in open-grown tomatoes; whereas tomatoes grown
under glass are mainly 'Extra' Class and Class I
products, the prices for which are considerably higher
than those for open-grown products;

Whereas, in order to provide more effective support
for the market in tomatoes grown under glass, produ-
cers' organizations or associations of such organiza-
tions should be allowed to fix their withdrawal price at
a level higher than the Community withdrawal price;
whereas, in accordance with the last subparagraph of
Article 18 (1), it appears that the maximum level of the
withdrawal price for these products can justifiably be
fixed by applying, to the prices fixed for the 1982
marketing year, an increase of the same order as the
increase applied by the Council when fixing the basic
prices and buying-in prices for tomatoes;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1983 marketing year, producers' organizations
or associations of such organizations may fix with-
drawal prices, not exceeding the following maxima, in
ECU per 100 kilograms net, for tomatoes grown under
glass:

— June (11 to 20):	36,22
(21 to 30):	33,80
— July (1 to 10):	32,03
(11 to 20):	30,38
(21 to 31):	28,60
— August:	28,60
— September:	28,60
— October:	28,60
— November:	28,60

Article 2

The producers' organizations shall supply the
following information to the national authorities, who
shall communicate it to the Commission:

- the period during which withdrawal prices are
applicable,
- the levels of withdrawal prices proposed and of
those applied.

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 as from 11 June 1983.

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

Done at Brussels, 20 June 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

COMMISSION REGULATION (EEC) No 1650/83
of 17 June 1983

re-establishing the levying of customs duties on chromium oxides and hydroxides, falling within heading No 28.21 and originating in China, 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 Article 1 of that Regulation, duties on the products listed in Annex B originating in each of the countries or territories listed in Annex C shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 11; whereas, as provided for in Article 11, where the increase of preferential re-established imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas, for this purpose, the reference base to be considered shall be, as a general rule, 138 % of the highest maximum amount valid for 1980;

Whereas, in the case of chromium oxides and hydroxides falling within heading No 28.21, the reference base is fixed at 139 150 ECU; whereas, on 10 June

1983, imports of these products into the Community originating in China reached the reference base in question after being charged thereagainst;

Whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties in respect of the products in question must be re-established against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 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 China:

CCT heading No	Description
28.21 (NIMEXE code 28.21-10; 30)	Chromium oxides and hydroxides

Article 2

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

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

Done at Brussels, 17 June 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 1651/83
of 20 June 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 30
May to 5 June 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 30 May to 5 June
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 30 May to 5 June 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 30 May to 5 June 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 30 May 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, 20 June 1983.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX I

Level of variable slaughter premium for certified sheep in Great Britain for the week commencing 30 May 1983

Description	Premium
Certified sheep or sheepmeat	44,821 ECU per 100 kilograms of estimated or actual dressed carcase weight (1)

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

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 30 May 1983

(ECU/100 kg)

CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		21,066
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	44,821
	2. Short forequarters	31,375
	3. Chines and/or best ends	49,303
	4. Legs	58,267
	5. Other :	
	aa) Unboned (bone-in)	58,267
02.01 A IV b)	bb) Boned or boneless	81,574
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	33,616
	2. Short forequarters	23,531
	3. Chines and/or best ends	36,978
	4. Legs	43,701
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	43,701
	bb) Boned or boneless	61,181
	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	58,267
	2. Boned or boneless	81,574

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 June 1983

terminating the anti-dumping proceeding concerning imports of non-alloyed unwrought aluminium originating in Egypt

(83/305/EEC)

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 9 thereof,

After consultations within the Advisory Committee as provided for by that Regulation,

Whereas :

A. Procedure

- (1) In January 1983, the Commission received a complaint lodged by the Comité de Liaison des Industries des Métaux non ferreux on behalf of the great majority of Community producers who account for some 85 % of Community production of non-alloyed unwrought aluminium.

The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify initiating 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 non-alloyed unwrought aluminium falling within subheading ex. 76.01 A of the Common Customs Tariff (NIMEXE code 76.01-11), originating in Egypt, the Soviet Union and Yugoslavia 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) As soon as the investigation had been opened, The Aluminium Company of Egypt, which is the sole Egyptian exporter of the product in question, offered to accept an immediate verification at its premises of all information which the Commission deemed to be necessary for the purposes of a preliminary determination. The Commission therefore carried out such a verification at the premises of The Aluminium Company of Egypt in Cairo and Nag Hammadi.
- (4) The investigation of dumping in relation to the Egyptian exporter covered the year ended 31 December 1982.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No C 31, 5. 2. 1983, p. 4.

- (5) None of the exporters or importers of the product concerned originating in the Soviet Union and Yugoslavia has yet made available to the Commission all the information deemed necessary for the purposes of a preliminary determination and the Commission is thus not in a position at present to come to any preliminary conclusion as to the existence of dumping with respect to imports from these sources.

B. Normal value

- (6) The preliminary investigation to determine the existence of dumping in respect of imports from Egypt showed that the prices of the products marketed by the exporters on the Egyptian domestic market had, over an extended period of time and in respect of substantial quantities, been lower than all costs both fixed and variable normally incurred in the course of production; the normal value was therefore determined on the basis of the constructed value.
- (7) The constructed value was computed by taking the company's total cost of materials and manufacture, including overheads, and adding a profit margin of 5 % considered to be reasonable in the light of the company's performance during a recent representative period.

C. Export prices

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

D. Comparison

- (9) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability resulting from differences in payment and delivery terms.
- (10) In order to determine whether the goods originating in Egypt were being dumped, the normal

values as defined above were therefore compared transaction by transaction at the fob stage with the export price to the Community at the same stage, over the period of the investigation, using weighted averages where appropriate.

E. Margin

- (11) The above preliminary determination of the facts shows the existence of dumping in respect of imports from The Aluminium Company of Egypt, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.
- (12) The weighted average margin for the product concerned originating in Egypt expressed as a percentage of the free-at-Community-frontier price, not cleared through customs, was 0,3 %.

F. Termination of proceeding against Egypt

- (13) The Commission considers that the dumping margin found to exist is minimal and therefore not such as would cause material injury to Community producers. In these circumstances protective measures are unnecessary. No objection to this course of action was voiced in the Advisory Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of non-alloyed unwrought aluminium originating in Egypt is hereby terminated.

Done at Brussels, 16 June 1983.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 16 June 1983

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of low carbon ferro-chromium originating in South Africa, Sweden, Turkey and Zimbabwe, and terminating that proceeding

(83/306/EEC)

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 10 thereof,

After consultations within the Advisory Committee as provided for by that Regulation,

Whereas :

A. Procedure

(1) In November 1982, the Commission was asked by the Fachverband Ferrolegerungen Stahl und Leichtmetallveredler e.V., acting on behalf of a producer established in Germany representing the bulk of Community production of low carbon ferro-chromium, to review the undertakings accepted by the Commission in 1978 in the context of the anti-dumping proceeding in respect of South Africa and Sweden. The Commission also received at the same time a complaint made on behalf of the same Community producer concerning imports originating in Turkey and Zimbabwe. The request for a review and the complaint contained sufficient evidence that dumping was being practised and that material injury was being caused thereby. This evidence was sufficient to justify the initiation of an investigation and the Commission therefore announced, by a notice published in the *Official Journal of the European Communities*⁽³⁾, a review of the price undertakings accepted by the Commission in 1978 in the course of the anti-dumping proceeding concerning imports of low carbon ferro-chromium falling within subheading 73.02 ex E I of the Common Customs Tariff (NIMEXE code ex. 73.02-52), originating in South Africa and Sweden, and the initiation of a new

anti-dumping proceeding concerning imports of this same product originating in Turkey and Zimbabwe and commenced its investigation.

- (2) The Commission officially so advised the exporters and importers known to be concerned as well as the representatives of the exporting countries and the complainant and gave the parties directly concerned an opportunity to make known their views in writing and at an oral hearing.
- (3) All the exporters and the majority of the importers known to be concerned took the opportunity to make known their views in writing; the exporters and a number of importers requested and were granted an oral hearing.
- (4) The authorized agent of the Turkish producer/exporter Etibank asked to meet the main Community producer to compare their viewpoints; the Commission was prepared to accede to this request but the Community producer refused to take part in a meeting and it was therefore not possible to organize a comparison of the respective viewpoints.
- (5) Certain Community purchasers of the product in question made known their views in writing and asked to be heard by the Commission, which acceded to their requests.
- (6) The Commission sought and verified all the information it deemed to be necessary for the purposes of a preliminary determination of dumping and carried out inspections at the premises of the following :
 - the Community producer :
Elektrowerk Weisweiler, Düsseldorf, Germany,
 - non-Community producers/exporters :
 - Ferrolegeringar Trollhätteverken AB, Stockholm, Sweden,
 - Middelburg Steel and Alloys Holdings (PTY) Ltd, Sandton, South Africa,
 - Zimbabwe Alloys Ltd, Harare, Zimbabwe,
 - the importer :
Société Anonyme des Minerais, Luxembourg, acting on behalf of the Turkish producer/exporter Etibank.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No C 338, 24. 12. 1982, p. 26.

- (7) The investigation into the dumping practices covered the period December 1981 to November 1982.

B. Normal Value

- (8) In order to establish the normal value for the Turkish and Zimbabwean exporters, the Commission had to take account of the fact that the sales of the like product effected by the Turkish and Zimbabwean exporters on their respective domestic markets do not permit of a valid comparison as the quantities involved are insufficient; in addition, the investigation in South Africa and Sweden revealed that the prices of like products sold by the exporters on their domestic markets had, over a significant period and in respect of substantial quantities, been less than all costs, both fixed and variable, ordinarily incurred in their production. The Commission therefore decided that the normal value for the four exporters concerned should be established on the basis of the constructed value.
- (9) The constructed values were established by taking, for the undertakings concerned, the total costs of the materials and manufacture, plus general costs, and adding a profit margin of 4 %, which was considered reasonable in the light of the results achieved by the undertakings in profitable years.

C. Export prices

- (10) The export prices were determined on the basis of the prices actually paid or to be paid for the products sold for export to the Community.

D. Comparison

- (11) In comparing normal value with export prices, the Commission made allowance, where necessary, for differences affecting the comparability of the prices and, in particular, differences in payment and delivery terms.
- (12) All the comparisons were made at the ex-works stage.

E. Margins

- (13) The above preliminary examination established that dumping was being practised by the four countries concerned, the margin of dumping being equal to the amount by which the normal value established exceeded the export price to the Community.
- (14) The margins thus established vary from 7,2 to 31,7 % depending on the exporting country.

F. Injury

- (15) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that imports into the Community of low carbon ferro-chromium originating in South

Africa, Sweden, Turkey and Zimbabwe rose from 17 166 tonnes in 1979 to 23 167 tonnes in 1982, which represents an increase from 21 to 39 % in the market share held by the countries concerned over the same period.

- (16) the selling prices of these imported products were below the prices required by the Community producer to cover its costs and ensure a reasonable profit.
- (17) With regard to the impact on the situation of the main Community producer, the facts available to the Commission show that the production of the complainant Community producer remained stable during the period under consideration, while its sales of low carbon ferro-chromium fell by 11 % between 1979 and 1982; the stocks of the Community producer, although relatively variable, therefore showed a substantial upward trend.
- (18) The profitability of the Community producer of the product in question, which was positive in 1980, became negative in 1981 and fell by a further 89 % in 1982, putting the undertaking, which can no longer meet its financial commitments, in an untenable situation despite its attempts to reduce costs.
- (19) The employment figures for the Community producer of the product in question show a 14 % drop in the workforce between 1980 and 1982; a continuation increase in dumped imports from the exporting countries will entail a serious danger of a further 15 % reduction in the number of workers employed at present.
- (20) The Commission has also examined the injury caused by other factors, such as the drop in global consumption of the product in question, which, in index terms, fell from 100 in 1979 to 73 in 1982; nevertheless, it has been established that this decline hit Community production harder than the dumped imports and the prices at which the products in question are offered for sale in the Community have caused the Commission to conclude that the effects of the dumped imports of low carbon ferro-chromium originating in South Africa, Sweden, Turkey and Zimbabwe, taken in isolation, must be considered as a source of material injury to the Community producer concerned.

G. Interest of the Community

- (21) The main Community users of low carbon ferro-chromium have maintained that the introduction of protective measures was not in the interests of the Community given that this would increase appreciably their costs and would consequently make them less competitive; however, in view of the particularly difficult financial situation which the Community producer must face as regards the production and sale of the product concerned and in order to prevent the closure of its plant, which

would make the Community dependent to a large extent on external suppliers, and in view of the relatively minor impact of an increase in the price of this product on the costs of the consuming industry, the Commission has nevertheless concluded that it is in the Community's interests to take such measures.

H. Undertakings

- (22) The exporters concerned were informed of the main findings of the preliminary investigation and submitted their comments; undertakings were subsequently offered by Middelburg Steel and Alloys Holdings (PTY) Ltd, Ferrolegeringar Trollhätteverken AB, Etibank, and Zimbabwe Alloys Ltd, in respect of their exports of low carbon ferro-chromium to the Community.
- (23) The undertakings will have the effect of raising prices for imports into the Community to the level which the Commission, after comparing the weighted average of the prices and costs of the Community producer with the costs and special marketing terms of the various importers, considers necessary to eliminate the injury; the increases in question are lower than the dumping margins.
- (24) In these circumstances, the undertakings offered are considered acceptable and the proceeding may therefore be terminated without imposition of anti-dumping duties.
- (25) No objection was raised by the Advisory Committee to this solution,

HAS DECIDED AS FOLLOWS:

Article 1

The undertakings given by Middelburg Steel and Alloys Holdings (PTY) Ltd, Ferrolegeringar Trollhätteverken AB, Etibank and Zimbabwe Alloys Ltd, in the context of the anti-dumping proceeding concerning imports of low carbon ferro-chromium falling within subheading 73.02 ex E I of the Common Customs Tariff (NIMEXE code ex 73.02-52), originating in South Africa, Sweden, Turkey and Zimbabwe are hereby accepted.

Article 2

The anti-dumping proceeding concerning imports of low carbon ferro-chromium originating in South Africa, Sweden, Turkey and Zimbabwe is hereby terminated.

Done at Brussels, 16 June 1983.

For the Commission

Wilhelm HAFERKAMP

Vice-President

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