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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1878/83**of 11 July 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 8 July 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 12 July 1983.

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

Done at Brussels, 11 July 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 11 July 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	113,95
10.01 B II	Durum wheat	128,98 ⁽¹⁾ ⁽²⁾
10.02	Rye	129,64 ⁽⁶⁾
10.03	Barley	110,18
10.04	Oats	103,06
10.05 B	Maize, other than hybrid maize for sowing	80,84 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	26,00
10.07 B	Millet	62,75 ⁽⁴⁾
10.07 C	Grain sorghum	98,67 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	175,17
11.01 B	Rye flour	197,16
11.02 A I a)	Durum wheat groats and meal	212,13
11.02 A I b)	Common wheat groats and meal	186,24

⁽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 1879/83**of 11 July 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 8 July 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 12 July 1983.

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

Done at Brussels, 11 July 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 11 July 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 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	3,40	3,40	4,55
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	0,16	0,16	4,71
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1880/83

of 8 July 1983

on a principal standing invitation to tender in order to determine levies and/or
refunds on exports of white 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
Articles 13 (2), 18 (5), 19 (4) and (7) and the second
paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72
of 23 March 1972 laying down rules to be applied in
the case of considerable price rises on the world sugar
market⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, in view of the situation on the Community
and world sugar markets, a principal standing invita-
tion to tender should be issued for export of white
sugar which, having regard to possible fluctuations in
world prices for sugar, must provide for the determina-
tion of export levies and/or export refunds;

Whereas the general rules governing invitations to
tender for the purpose of determining export refunds
for sugar were laid down in Council Regulation (EEC)
No 766/68 of 18 June 1968 laying down general rules
for granting export refunds on sugar⁽⁴⁾, as last
amended by Regulation (EEC) No 1489/76⁽⁵⁾;

Whereas, in view of the specific nature of the transac-
tions involved, special detailed rules should be laid
down in this Regulation, and those provided for in
Commission Regulation (EEC) No 394/70 of 2 March
1970 on detailed rules for granting export refunds on
sugar⁽⁶⁾, as last amended by Regulation (EEC) No
1467/77⁽⁷⁾, should not apply; whereas, for the same
reasons, appropriate provisions should be laid down
with regard to export licences issued in connection
with the standing invitation to tender and there should
be a derogation from Commission Regulation (EEC)
No 2630/81 of 10 September 1981 on special detailed

rules for the application of the system of import and
export licences for sugar⁽⁸⁾, as last amended by Regu-
lation (EEC) No 3130/82⁽⁹⁾, from Commission Regu-
lation (EEC) No 3183/80 of 3 December 1980 laying
down common detailed rules for the application of the
system of import and export licences and advance-
fixing certificates for agricultural products⁽¹⁰⁾, as last
amended by Regulation (EEC) No 2666/82⁽¹¹⁾, and
from Commission Regulation (EEC) No 645/75 of 13
March 1975 laying down common detailed rules for
the application of the export levies and charges on
agricultural products⁽¹²⁾, as last amended by Regula-
tion (EEC) No 1607/80⁽¹³⁾;

Whereas the second subparagraph of Article 3 (1) of
Commission Regulation (EEC) No 1160/82 of 14 May
1982 providing for the advance fixing of monetary
compensatory amounts⁽¹⁴⁾ provides that, where the
levy or refund is fixed in advance by means of tenders,
applications to fix the monetary compensatory amount
in advance shall be accepted only if the party
concerned has declared in writing at the time of
submission of the tender that he will also apply to fix
the monetary compensatory amount in advance if the
tender is accepted in whole or in part; whereas, in
such cases, the obligation to lodge an application to fix
the levy or refund in advance following acceptance of
the tender involves an obligation to request at the
same time advance fixing of the monetary compensa-
tory amount; whereas, for reasons peculiar to the
market in sugar, when an operator intends to make use
of the facility of fixing a monetary compensatory
amount in advance in connection with an export levy
or refund fixed in advance under a tendering proce-
dure he only makes up his mind to do so at the
moment when the application for the export licence is
made; whereas it is only after he has been declared
successful in respect of a levy or refund for the quan-
tity of sugar indicated in his tender that the said
monetary compensatory amount can be fixed in
advance; whereas application of the second subpara-
graph of the said Article 3 (1) would as a consequence,
if the tenderer did not, as laid down, ask for advance
fixing of the monetary compensatory amount at the
time the licence or certificate was applied for, entail
his losing a very large security, the loss of which would
be out of proportion to the objective behind the provi-

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁵⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁹⁾ OJ No L 329, 25. 11. 1982, p. 20.

⁽¹⁰⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹¹⁾ OJ No L 283, 6. 10. 1982, p. 7.

⁽¹²⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹³⁾ OJ No L 160, 26. 6. 1980, p. 42.

⁽¹⁴⁾ OJ No L 134, 15. 5. 1982, p. 22.

sions of the second subparagraph of the said Article 3 (1); whereas, in consequence, a derogation should be made from the said provision in the case of this tendering procedure, so that application for advance fixing of the monetary compensatory amount at the time when the application for the export licence is made should be optional;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued a principal standing invitation to tender in order to determine export levies and/or export refunds on white sugar, and during the period of validity of this standing invitation there shall be issued partial invitations to tender.

2. The standing invitation to tender shall remain open until 13 June 1984.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Regulation (EEC) No 766/68 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. Member States shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

(a) shall begin on 12 July 1983;

(b) shall end on 20 July 1983 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

(a) shall begin on the first working day following the end of the preceding period;

(b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. Notwithstanding paragraph 2 (b), the period for the submission of tenders which was to end on Wednesday 2 and Wednesday 16 November 1983 shall end on Thursday 3 and Thursday 17 November 1983 respectively, at 10.30 a.m.

4. Notwithstanding paragraph 2, no partial invitation to tender will be issued on Wednesday 28 December 1983.

5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex or telegram.

2. An offer must indicate:

(a) the reference number of the invitation to tender to which the offer relates;

(b) the name and address of the tenderer;

(c) the quantity of white sugar to be exported;

(d) the amount of the export levy or, where applicable of the export refund per 100 kilograms of white sugar, expressed in the currency of the Member State in which the tender is submitted;

(e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

(a) the quantity to be exported is not less than 250 tonnes of white sugar;

(b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;

(c) it includes a declaration by the tenderer that if his tender is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of white sugar to be exported;

(d) it includes a declaration by the tenderer that if his tender is successful he will:

— where the obligation to export created by the export licence referred to in Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (3), and

- within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used;

(e) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if:

(a) the minimum export levy or, where applicable the maximum export refund, is fixed on the day of the expiry of the period for the submission of the tenders in question;

(b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the notice of invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of 9 ECU per 100 kilograms of sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (3), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in the case of *force majeure*, the security will be released:

(a) to tenderers only in respect of the quantity for which no award was made;

(b) to successful tenderers only if they applied for their export licence within the period laid down in Article 12 (b) and only for the quantity in respect of which they have fulfilled the obligation created by that licence, Article 33 of Regulation (EEC) No 3183/80 remaining applicable. The security lodged in respect of a quantity for which the above obligations have not been fulfilled shall be forfeited.

4. In case of *force majeure*, the competent agency in the Member State concerned shall take such action

as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenderers remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for that partial invitation.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the intervention price for white sugar for the 1983/84 marketing year and, in particular, the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

- a minimum export levy, or
- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender:

- if a maximum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for;

— if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate:

- (a) the reference number of the invitation to which the tender relates;
- (b) the quantity of white sugar to be exported;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to claim in respect of the quantity awarded, an export licence indicating as appropriate the export levy or the export refund quoted in his tender;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3183/80, an application for an export licence in respect of that quantity, Article 12 (2) of that Regulation and Article 10 of Regulation (EEC) No

645/75 not applying in such a case. The application shall be lodged not later than:

- the last working day preceding the date of the partial invitation to tender to be held the following week, or
 - if no partial invitation to tender is due to be held that week, the last working day of the following week,
- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (3).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EEC) No 2630/81 shall not apply to the white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However:

- (a) licences issued in connection with partial invitations:
 - issued in the period 20 July to 7 September 1983 may be used only from 15 September 1983,
 - issued in the period 14 to 28 September 1983 may be used from the day of issue, and shall be valid only until 31 December 1983;
- (b) licences issued in connection with partial invitations issued from 1 February 1984 shall be valid only until 31 July 1984.

3. Except in cases of *force majeure*, if the obligation to export created by the export licence referred to under (b) of Article 12 has not been fulfilled and if the security referred to in Article 6 is less than:

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence, or
- (b) the sum of the export levy indicated on the licence and the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence, or
- (c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence reduced by the refund indicated on the said licence,

then, under the time limits and conditions laid down in Article 33 of Regulation (EEC) No 3183/80 and by way of a supplementary security for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the calculation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6.

Article 14

If the tenderer intends to apply for advance fixing of the monetary compensatory amount under this standing invitation to tender, the provisions of the second

subparagraph of Article 3 (1) of Regulation (EEC) No 1160/82 shall not apply.

When use is made of the provisions of the first subparagraph of Article 3 (1) of that Regulation, those of the third subparagraph of paragraph 1 and of paragraph 2 of that Article shall remain applicable to this tendering procedure.

Article 15

In Article 1 (2) of Regulation (EEC) No 2016/82 ⁽¹⁾, '31 August 1983' is hereby replaced by '14 July 1983'.

Article 16

This Regulation shall enter into force on 12 July 1983.

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

Done at Brussels, 8 July 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 216, 24. 7. 1982, p. 25.

COMMISSION REGULATION (EEC) No 1881/83

of 8 July 1983

on a supplementary standing invitation to tender in order to determine levies
and/or refunds on exports of white 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
Articles 13 (2), 18 (5), 19 (4) and (7) and the second
paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72
of 23 March 1972 laying down rules to be applied in
the case of considerable price rises on the world sugar
market⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, in view of the situation on the Community
and world sugar markets, a supplementary standing
invitation to tender should be issued for export of
white sugar which, having regard to possible fluctua-
tions in world prices for sugar, must provide for the
determination of export levies and/or export refunds;

Whereas the general rules governing invitations to
tender for the purpose of determining export refunds
for sugar were laid down in Council Regulation (EEC)
No 766/68 of 18 June 1968 laying down general rules
for granting export refunds on sugar⁽⁴⁾, as last
amended by Regulation (EEC) No 1489/76⁽⁵⁾;

Whereas, in view of the specific nature of the transac-
tions involved, special detailed rules of application
should be laid down in this Regulation, and those
provided for in Commission Regulation (EEC) No
394/70 of 2 March 1970 on detailed rules for granting
export refunds on sugar⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1467/77⁽⁷⁾, should not apply; whereas,
for the same reasons, appropriate provisions should be
laid down with regard to export licences issued in
connection with the standing invitation to tender and
there should be a derogation from Commission Regu-
lation (EEC) No 2630/81 of 10 September 1981 on

special detailed rules for the application of the system
of import and export licences for sugar⁽⁸⁾, as last
amended by Regulation (EEC) No 3130/82⁽⁹⁾, from
Commission Regulation (EEC) No 3183/80 of 3
December 1980 laying down common detailed rules
for the application of the system of import and export
licences and advance-fixing certificates for agricultural
products⁽¹⁰⁾, as last amended by Regulation (EEC) No
2666/82⁽¹¹⁾, and from Commission Regulation (EEC)
No 645/75 of 13 March 1975 laying down common
detailed rules for the application of the export levies
and charges on agricultural products⁽¹²⁾, as last
amended by Regulation (EEC) No 1607/80⁽¹³⁾;

Whereas the second subparagraph of Article 3 (1) of
Commission Regulation (EEC) No 1160/82 of 14 May
1982 providing for the advance fixing of monetary
compensatory amounts⁽¹⁴⁾ provides that, where the
levy or refund is fixed in advance by means of tenders,
applications to fix the monetary compensatory amount
in advance shall be accepted only if the party
concerned has declared in writing at the time of
submission of the tender that he will also apply to fix
the monetary compensatory amount in advance if the
tender is accepted in whole or in part; whereas, in
such cases, the obligation to lodge an application to fix
the levy or refund in advance following acceptance of
the tender involves an obligation to request at the
same time advance fixing of the monetary compensa-
tory amount; whereas, for reasons peculiar to the
market in sugar, when an operator intends to make use
of the facility of fixing a monetary compensatory
amount in advance in connection with an export levy
or refund fixed in advance under a tendering proce-
dure he only makes up his mind to do so at the
moment when the application for the export licence is
made; whereas it is only after he has been declared
successful in respect of a levy or refund for the quan-
tity of sugar indicated in his tender that the said
monetary compensatory amount can be fixed in
advance; whereas application of the second subpara-
graph of the said Article 3 (1) would as a consequence,
if the tenderer did not, as laid down, ask for advance
fixing of the monetary compensatory amount at the
time the licence or certificate was applied for, entail
his losing a very large security, the loss of which would
be out of proportion to the objective of the provisions

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁵⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 258 11. 9. 1981, p. 16.

⁽⁹⁾ OJ No L 329, 25. 11. 1982, p. 20.

⁽¹⁰⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹¹⁾ OJ No L 283, 6. 10. 1982, p. 7.

⁽¹²⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹³⁾ OJ No L 160, 26. 6. 1980, p. 42.

⁽¹⁴⁾ OJ No L 134, 15. 5. 1982, p. 22.

of the second subparagraph of the said Article 3 (1); whereas, in consequence, a derogation should be made from the said provision in the case of this tendering procedure, so that application for advance fixing of the monetary compensatory amount at the time when the application for the export licence is made should be optional;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued a supplementary standing invitation to tender in order to determine export levies and/or export refunds on white sugar, and during the period of validity of this standing invitation there shall be issued partial invitations to tender.

2. The standing invitation to tender shall remain open until a date to be determined subsequently.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Regulation (EEC) No 766/68 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. Member States shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

- (a) shall begin on 26 April 1984;
- (b) shall end on 2 May 1984 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

- (a) shall begin on the first working day following the end of the preceding period;
- (b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex or telegram.

2. A tender must indicate:

- (a) the reference number of the invitation to tender to which the offer relates;
- (b) the name and address of the tenderer;
- (c) the quantity of white sugar to be exported;
- (d) the amount of the export levy or, where applicable of the export refund per 100 kilograms of white sugar, expressed in the currency of the Member State in which the tender is submitted;
- (e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

- (a) the quantity to be exported is not less than 250 tonnes of white sugar;
- (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
- (c) it includes a declaration by the tenderer that if his offer is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of white sugar to be exported;
- (d) it includes a declaration by the tenderer that if his tender is successful he will:

— where the obligation to export created by the export licence referred to in Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (4), and

— within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used ;

(e) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if :

(a) the minimum export levy or, where applicable the maximum export refund, is fixed on the day of the expiry of the period for the submission of the tenders in question ;

(b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the notice of invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of 9 ECU per 100 kilograms of sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (4), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in the case of *force majeure*, the security will be released :

(a) to tenderers only in respect of the quantity for which no award was made,

(b) to successful tenderers only if they applied for their export licence within the period laid down in Article 12 (b) and only for the quantity in respect of which they have fulfilled the obligation created by that licence, Article 33 of Regulation (EEC) No 3183/80 remaining applicable. The security lodged in respect of a quantity for which the above obligations have not been fulfilled shall be forfeited.

4. In case of *force majeure*, the competent agency in the Member State concerned shall take such action

as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenderers remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for that partial invitation.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the intervention price for white sugar for the 1983/84 marketing year and, in particular, the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either :

— a minimum export levy, or
— a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender :

— if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy ; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,

— if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate:

- (a) the reference number of the invitation to which the tender relates;
- (b) the quantity of white sugar to be exported;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to claim in respect of the quantity awarded, an export licence indicating as appropriate the export levy or the export refund quoted in his tender;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3183/80, an application for an export licence in respect of that quantity, Article 12 (2) of that Regu-

lation and Article 10 of Regulation (EEC) No 645/75 not applying in such a case. The application shall be lodged not later than:

- the last working day preceding the date of the partial invitation to tender to be held the following week, or
 - if no partial invitation to tender is due to be held that week, the last working day of the following week,
- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (4).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EEC) No 2630/81 shall not apply to the white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until 30 September 1984.

3. Export licences issued in connection with a partial invitation to tender held between 2 May and 27 June 1984 shall be used only with effect from 1 July 1984.

4. Except in cases of *force majeure*, if the obligation to export created by the export licence referred to under (b) of Article 12 has not been fulfilled and if the security referred to in Article 6 is less than:

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence; or
- (b) the sum of the export levy indicated on the licence and the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence; or
- (c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence reduced by the refund indicated on the said licence;

then, under the time limits and conditions laid down in Article 33 of Regulation (EEC) No 3183/80 and by way of a supplementary security for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the calculation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6.

Article 14

If the tenderer intends to apply for advance fixing of the monetary compensatory amount under this standing invitation to tender, the provisions of the second subparagraph of Article 3 (1) of Regulation (EEC) No 1160/82 shall not apply.

When use is made of the provisions of the first subparagraph of Article 3 (1) of that Regulation, those of the third subparagraph of paragraph 1 and of paragraph 2 of that Article shall remain applicable to this tendering procedure.

Article 15

1. In so far as the conditions set out in Article 12 of Regulation (EEC) No 766/68 are satisfied, any export refunds and export levies fixed in advance in connection with this invitation to tender before 1 July 1984 for sugar exported on or after that date shall, at the request of the party concerned, be adjusted in accordance with paragraph 2.

2. For purposes of the adjustment referred to in paragraph 1, the export refund shall be increased, and the export levy decreased, by the difference, expressed

in ECU per 100 kilograms, between the intervention price of white sugar applicable with effect from 1 July 1984 and the intervention price of that sugar applicable on 30 June 1984.

In calculating the difference referred to in the above subparagraph there shall be added to these intervention prices the relevant storage levy as referred to under (a) of the third subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

3. The request referred to in paragraph 1 must be submitted by the export-licence holders concerned, before completion of the customs export formalities relating to the quantities concerned, to the Member State which issued the licence.

That Member State shall insert the relevant adjustment in section 18 (a) of the export licence and shall place its stamp thereon.

The Member States shall inform the Commission without delay of the quantities of sugar covered by the requests referred to in paragraph 1.

Article 16

This Regulation shall enter into force on 12 July 1983 and shall apply with effect from 26 April 1984.

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

Done at Brussels, 8 July 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1882/83

of 8 July 1983

on a principal standing invitation to tender in order to determine levies and/or
refunds on exports of 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
Articles 13 (2), 18 (5), 19 (4) and (7) and the second
paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72
of 23 March 1972 laying down rules to be applied in
the case of considerable price rises on the world sugar
market⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, in view of the situation on the Community
and world sugar markets, a principal standing invita-
tion to tender should be issued for export of raw sugar
obtained from beet or cane harvested in the Commu-
nity; whereas, in view of possible fluctuations in world
prices for sugar, the invitation to tender must provide
for the determination of export levies and/or export
refunds;

Whereas the general rules governing invitations to
tender for the purpose of determining export refunds
for sugar were laid down in Council Regulation (EEC)
No 766/68 of 18 June 1968 laying down general rules
for granting export refunds on sugar⁽⁴⁾, as last
amended by Regulation (EEC) No 1489/76⁽⁵⁾;

Whereas, in view of the specific nature of the trans-
actions involved, special detailed rules should be laid
down in this Regulation, and those provided for in
Commission Regulation (EEC) No 394/70 of 2 March
1970 on detailed rules for granting export refunds on
sugar⁽⁶⁾, as last amended by Regulation (EEC) No
1467/77⁽⁷⁾, should not apply; whereas, for the same
reasons, appropriate provisions should be laid down
with regard to export licences issued in connection
with the standing invitation to tender and there should

be a derogation from Commission Regulation (EEC)
No 2630/81 of 10 September 1981 on special detailed
rules for the application of the system of import and
export licences for sugar⁽⁸⁾, as last amended by Regu-
lation (EEC) No 3130/82⁽⁹⁾, from Commission Regu-
lation (EEC) No 3183/80 of 3 December 1980 laying
down common detailed rules for the application of the
system of import and export licences and advance-
fixing certificates for agricultural products⁽¹⁰⁾, as last
amended by Regulation (EEC) No 2666/82⁽¹¹⁾, and
from Commission Regulation (EEC) No 645/75 of 13
March 1975 laying down common detailed rules for
the application of the export levies and charges on
agricultural products⁽¹²⁾, as last amended by Regula-
tion (EEC) No 1607/80⁽¹³⁾;

Whereas the second subparagraph of Article 3 (1) of
Commission Regulation (EEC) No 1160/82 of 14 May
1982 providing for the advance fixing of monetary
compensatory amounts⁽¹⁴⁾ provides that, where the
levy or refund is fixed in advance by means of tenders,
applications to fix the monetary compensatory amount
in advance shall be accepted only if the party
concerned has declared in writing at the time of
submission of the tender that he will also apply to fix
the monetary compensatory amount in advance if the
tender is accepted in whole or in part; whereas, in
such cases, the obligation to lodge an application to fix
the levy or refund in advance following acceptance of
the tender involves an obligation to request at the
same time advance fixing of the monetary compen-
satory amount; whereas, for reasons peculiar to the
market in sugar, when an operator intends to make use
of the facility of fixing a monetary compensatory
amount in advance in connection with an export levy
or refund fixed in advance under a tendering pro-
cedure he only makes up his mind to do so at the
moment when the application for the export licence is
made; whereas it is only after he has been declared
successful in respect of a levy or refund for the quan-
tity of sugar indicated in his tender that the said
monetary compensatory amount can be fixed in
advance; whereas application of the second subpara-
graph of the said Article 3 (1) would, as a consequence,
if the tenderer did not, as laid down, ask for advance
fixing of the monetary compensatory amount at the

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁵⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁹⁾ OJ No L 329, 25. 11. 1982, p. 20.

⁽¹⁰⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹¹⁾ OJ No L 283, 6. 10. 1982, p. 7.

⁽¹²⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹³⁾ OJ No L 160, 26. 6. 1980, p. 42.

⁽¹⁴⁾ OJ No L 134, 15. 5. 1982, p. 22.

time the licence or certificate was applied for, entail his losing a very large security, the loss of which would be out of proportion to the objective behind the provisions of the second subparagraph of the said Article 3 (1); whereas, in consequence, a derogation should be made from the said provision in the case of this tendering procedure, so that application for advance fixing of the monetary compensatory amount at the time when the application for the export licence is made should be optional;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued a principal standing invitation to tender in order to determine export levies and/or export refunds on raw sugar obtained from beet or cane harvested in the Community, and during the period of validity of this standing invitation there shall be issued partial invitations to tender.

2. The standing invitation to tender shall remain open until 13 June 1984.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Regulation (EEC) No 766/68 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. Member States shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

(a) shall begin on 12 July 1983;

(b) shall end on 20 July 1983 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

(a) shall begin on the first working day following the end of the preceding period;

(b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. Notwithstanding paragraph 2 (b), the period for the submission of tenders which was to end on Wednesday 2 and Wednesday 16 November 1983 shall end on Thursday 3 and Thursday 17 November 1983 respectively, at 10.30 a.m.

4. Notwithstanding paragraph 2, no partial invitation to tender will be issued on Wednesday 28 December 1983.

5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex or telegram.

2. A tender must indicate:

(a) the reference number of the invitation to tender to which the offer relates;

(b) the name and address of the tenderer;

(c) the quantity *tel quel* of raw sugar to be exported;

(d) the amount of the export levy or, where applicable of the export refund per 100 kilograms of standard quality sugar, expressed in the currency of the Member State in which the tender is submitted;

(e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

(a) the quantity to be exported is not less than 250 tonnes of raw sugar;

(b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;

- (c) it includes a declaration by the tenderer that if his offer is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of raw sugar to be exported;
 - (d) it includes a declaration by the tenderer certifying that :
 - the product intended for export consists of raw sugar obtained either from beet or from cane harvested in the Community, and
 - the customs export formalities will be completed in the French overseas departments in the case of sugar obtained from cane harvested in the Community;
 - (e) it includes a declaration by the tenderer that if his tender is successful he will :
 - where the obligation to export created by the export licence referred to in Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (4), and
 - within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used;
 - (f) it contains all the information required under paragraph 2.
4. A tender may stipulate that it is to be regarded as having been submitted only if :
- (a) the minimum export levy or, where applicable the maximum export refund, is fixed on the day of the expiry of the period for the submission of the tenders in question;
 - (b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the notice of invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of 9 ECU per 100 kilograms of sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (4), this security shall in the case of successful tenderers and at the time of the application referred to

in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in the case of *force majeure*, the security will be released :

- (a) to tenderers only in respect of the quantity for which no award was made;
- (b) to successful tenderers only if they applied for their export licence within the period laid down in Article 12 (b) and only for the quantity in respect of which they have fulfilled the obligation created by that licence, Article 33 of Regulation (EEC) No 3183/80 remaining applicable. The security lodged in respect of a quantity for which the above obligations have not been fulfilled shall be forfeited.

4. In case of *force majeure*, the competent agency in the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenderers remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for that partial invitation.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the intervention price for raw sugar for the 1983/84 marketing year and, in particular, the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either :

- a minimum export levy, or
- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender :

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy ; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,
- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent ; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows :

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender.

In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate :

- (a) the reference number of the invitation to which the tender relates ;
- (b) the quantity *tel quel* of raw sugar to be exported ;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of standard quality raw sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have :

- (a) the right to claim in respect of the quantity awarded, an export licence indicating as appropriate the export levy or the export refund quoted in his tender ;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3183/80, an application for an export licence in respect of that quantity, Article 12 (2) of that Regulation and Article 10 of Regulation (EEC) No 645/75 not applying in such a case. The application shall be lodged not later than :
 - the last working day preceding the date of the partial invitation to tender to be held the following week, or
 - if no partial invitation to tender is to be held that week, the last working day of the following week ;
- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (4).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EEC) No 2630/81 shall not apply to the raw sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However :

(a) licences issued in connection with partial invitations :

— issued in the period 20 July to 7 September 1983 may be used only from 15 September 1983,

— issued in the period 14 to 28 September 1983 may be used from the day of issue, and shall be valid only until 31 December 1983 ;

(b) licences issued in connection with partial invitations issued from 1 February 1984 shall be valid only until 31 July 1984.

3. In the case of raw sugar obtained from cane harvested in the Community, section 18 (a) of the export licence shall contain one of the following endorsements :

'Licence valid for the French overseas departments',

'Licens gyldig for de franske oversøiske departementer',

'Lizenz gültig für die französischen überseeischen Departements',

'Πιστοποιητικό ισχύος για τα υπερπόντια γαλλικά διαμερίσματα',

'Certificat valable pour les départements français d'outre-mer',

'Titolo valido per i dipartimenti francesi d'oltremare',

'Certificaat geldig voor de Franse overzeese departementen'.

4. Except in cases of *force majeure*, if the obligation to export created by the export licence referred to in Article 12 (b) has not been fulfilled and if the security referred to in Article 6 is less than :

(a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in

force on the last day of validity of the said licence ; or

(b) the sum of the export levy indicated on the licence and the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence ; or

(c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence, reduced by the refund indicated on the said licence ;

then, under the time limits and conditions laid down in Article 33 of Regulation (EEC) No 3183/80 and by way of a supplementary security for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the calculation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6.

Article 14

If the tenderer intends to apply for advance fixing of the monetary compensatory amount under this standing invitation to tender, the provisions of the second subparagraph of Article 3 (1) of Regulation (EEC) No 1160/82 shall not apply.

When use is made of the provisions of the first subparagraph of Article 3 (1) of that Regulation, those of the third subparagraph of paragraph 1 and of paragraph 2 of that Article shall remain applicable to this tendering procedure.

Article 15

In Article 1 (2) of Regulation (EEC) No 2015/82 ⁽¹⁾, '31 August 1983' is hereby replaced by '14 July 1983'.

Article 16

This Regulation shall enter into force on 12 July 1983.

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

Done at Brussels, 8 July 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 216, 24. 7. 1982, p. 20.

COMMISSION REGULATION (EEC) No 1883/83

of 8 July 1983

on a supplementary standing invitation to tender in order to determine levies
and/or refunds on exports of 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
Articles 13 (2), 18 (5), 19 (4) and (7) and the second
paragraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72
of 23 March 1972 laying down rules to be applied in
the case of considerable price rises on the world sugar
market⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, in view of the situation on the Community
and world sugar markets, a supplementary standing
invitation to tender should be issued for export of raw
sugar obtained from beet or cane harvested in the
Community; whereas, in view of possible fluctuations
in world prices for sugar, the invitation to tender must
provide for the determination of export levies and/or
export refunds;

Whereas the general rules governing invitations to
tender for the purpose of determining export refunds
for sugar were laid down in Council Regulation (EEC)
No 766/68 of 18 June 1968 laying down general rules
for granting export refunds on sugar⁽⁴⁾, as last
amended by Regulation (EEC) No 1489/76⁽⁵⁾;

Whereas, in view of the specific nature of the trans-
actions involved, special detailed rules of application
should be laid down in this Regulation, and those
provided for in Commission Regulation (EEC) No
394/70 of 2 March 1970 on detailed rules for granting
export refunds on sugar⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1467/77⁽⁷⁾, should not apply; whereas,
for the same reasons, appropriate provisions should be
laid down with regard to export licences issued in
connection with the standing invitation to tender and

there should be a derogation from Commission Regu-
lation (EEC) No 2630/81 of 10 September 1981 on
special detailed rules for the application of the system
of import and export licences for sugar⁽⁸⁾, as last
amended by Regulation (EEC) No 3130/82⁽⁹⁾, from
Commission Regulation (EEC) No 3183/80 of 3
December 1980 laying down common detailed rules
for the application of the system of import and export
licences and advance-fixing certificates for agricultural
products⁽¹⁰⁾, as last amended by Regulation (EEC) No
2666/82⁽¹¹⁾, and from Commission Regulation (EEC)
No 645/75 of 13 March 1975 laying down common
detailed rules for the application of the export levies
and charges on agricultural products⁽¹²⁾, as last
amended by Regulation (EEC) No 1607/80⁽¹³⁾;

Whereas the second subparagraph of Article 3 (1) of
Commission Regulation (EEC) No 1160/82 of 14 May
1982 providing for the advance fixing of monetary
compensatory amounts⁽¹⁴⁾ provides that, where the
levy or refund is fixed in advance by means of tenders,
applications to fix the monetary compensatory amount
in advance shall be accepted only if the party
concerned has declared in writing at the time of
submission of the tender that he will also apply to fix
the monetary compensatory amount in advance if the
tender is accepted in whole or in part; whereas, in
such cases, the obligation to lodge an application to fix
the levy or refund in advance following acceptance of
the tender involves an obligation to request at the
same time advance fixing of the monetary compensa-
tory amount; whereas, for reasons peculiar to the
market in sugar, when an operator intends to make use
of the facility of fixing a monetary compensatory
amount in advance in connection with an export levy
or refund fixed in advance under a tendering pro-
cedure he only makes up his mind to do so at the
moment when the application for the export licence is
made; whereas it is only after he has been declared
successful in respect of a levy or refund for the quan-
tity of sugar indicated in his tender that the said
monetary compensatory amount can be fixed in
advance; whereas application of the second subpara-
graph of the said Article 3 (1) would as a consequence,
if the tenderer did not, as laid down, ask for advance
fixing of the monetary compensatory amount at the

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁵⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁹⁾ OJ No L 329, 25. 11. 1982, p. 20.

⁽¹⁰⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹¹⁾ OJ No L 283, 6. 10. 1982, p. 7.

⁽¹²⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹³⁾ OJ No L 160, 26. 6. 1980, p. 42.

⁽¹⁴⁾ OJ No L 134, 15. 5. 1982, p. 22.

time the licence or certificate was applied for, entail his losing a very large security, the loss of which would be out of proportion to the objective behind the provisions of the second subparagraph of the said Article 3 (1); whereas, in consequence, a derogation should be made from the said provision in the case of this tendering procedure, so that application for advance fixing of the monetary compensatory amount at the time when the application for the export licence is made should be optional;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. There shall be issued a supplementary standing invitation to tender in order to determine export levies and/or export refunds on raw sugar obtained from beet or cane harvested in the Community, and during the period of validity of this standing invitation there shall be issued partial invitations to tender.

2. The standing invitation to tender shall remain open until a date to be determined subsequently.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Regulation (EEC) No 766/68 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. Member States shall draw up a notice of invitation to tender which shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.

2. The notice shall indicate in particular the terms of the invitation to tender.

3. The notice shall be published only for the purpose of opening the standing invitation to tender. It may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:

(a) shall begin on 26 April 1984;

(b) shall end on 2 May 1984 at 10.30 a.m.

2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:

(a) shall begin on the first working day following the end of the preceding period;

(b) shall end at 10.30 a.m. on the Wednesday of the following week.

3. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex or telegram.

2. A tender must indicate:

(a) the reference number of the invitation to tender to which the offer relates;

(b) the name and address of the tenderer;

(c) the quantity *tel quel* of raw sugar to be exported;

(d) the amount of the export levy or, where applicable of the export refund per 100 kilograms of standard quality sugar, expressed in the currency of the Member State in which the tender is submitted;

(e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.

3. An offer shall be valid only if:

(a) the quantity to be exported is not less than 250 tonnes of raw sugar;

(b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;

(c) it includes a declaration by the tenderer that if his offer is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of raw sugar to be exported;

(d) it includes a declaration by the tenderer certifying that:

— the product intended for export consists of raw sugar obtained either from beet or from cane harvested in the Community, and

— the customs export formalities will be completed in the French overseas department in the case of sugar obtained from cane harvested in the Community;

(e) it includes a declaration by the tenderer that if his tender is successful he will:

- where the obligation to export created by the export licence referred to under Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (5), and
- within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used;

(f) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if:

(a) the minimum export levy or, where applicable the maximum export refund, is fixed on the day of the expiry of the period for the submission of the tenders in question;

(b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the notice of invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of 9 ECU per 100 kilograms of sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to 13 (5), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in the case of *force majeure*, the security will be released:

(a) to tenderers only in respect of the quantity for which no award was made;

(b) to successful tenderers only if they applied for their export licence within the period laid down in Article 12 (b) and only for the quantity in respect of which they have fulfilled the obligation created by that licence, Article 33 of Regulation (EEC) No 3183/80 remaining applicable. The security lodged in respect of a quantity for which the above obligations have not been fulfilled shall be forfeited.

4. In case of *force majeure*, the competent agency in the Member State concerned shall take such action

as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. Subject to paragraph 2, persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such manner that the tenderers remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for that partial invitation.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the intervention price for raw sugar for the 1983/84 marketing year and, in particular, the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

- a minimum export levy, or
- a maximum export refund.

2. Subject to Article 10, where a minimum export levy is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of levy equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender:

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy; if the maximum quantity is not fully covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,

— if maximum refund is fixed, contracts shall be awarded in accordance with the first indent; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate:

- (a) the reference number of the invitation to which the tender relates;
- (b) the quantity *tel quel* of raw sugar to be exported;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of raw sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to claim in respect of the quantity awarded, an export licence indicating as appropriate the export levy or the export refund quoted in his tender;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3183/80, an application for an export licence in respect of that quantity, Article 12 (2) of that Regulation and Article 10 of Regulation (EEC) No 645/75 not applying in such a case. The application shall be lodged not later than:

— the last working day preceding the date of the partial invitation to tender scheduled for the following week, or

— if no partial invitation to tender is scheduled for that week, the last working day of the following week;

- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (5).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EEC) No 2630/81 shall not apply to the raw sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until 30 September 1984.

3. Export licences issued in connection with a partial invitation to tender under this standing invitation to tender held between 2 May and 27 June 1984 shall be used only with effect from 1 July 1984.

4. In the case of raw sugar obtained from cane harvested in the Community, section 18 (a) of the export licence shall contain one of the following endorsements:

'Licence valid for the French overseas departments',

'Licens gyldig for de franske oversøiske departementer',

'Lizenz gültig für die französischen überseeischen Departements',

'Πιστοποιητικό ισχύος για τα υπερπόντια γαλλικά διαμερίσματα',

'Certificat valable pour les départements français d'outre-mer',

'Titolo valido per i dipartimenti francesi d'oltremare',

'Certificaat geldig voor de Franse overzeese departementen'.

5. Except in cases of *force majeure*, if the obligation to export created by the export licence referred to under (b) of Article 12 has not been fulfilled and if the security referred to in Article 6 is less than:

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence; or
- (b) the sum of the export levy indicated on the licences and the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence; or
- (c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence, reduced by the refund indicated on the said licence;

then, under the time limits and conditions laid down in Article 33 of Regulation (EEC) No 3183/80 and by way of a supplementary security for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the calculation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6.

Article 14

If the tenderer intends to apply for advance fixing of the monetary compensatory amount under this standing invitation to tender, the provisions of the second subparagraph of Article 3 (1) of Regulation (EEC) No 1160/82 shall not apply.

When use is made of the provisions of the first subparagraph of Article 3 (1) of that Regulation, those of the third subparagraph of paragraph 1 and of paragraph 2 of that Article shall remain applicable to this tendering procedure.

Article 15

1. In so far as the conditions set out in Article 12 of Regulation (EEC) No 766/68 are satisfied, any export refunds and export levies fixed in advance in connection with this invitation to tender before 1 July 1984 for sugar exported on or after that date shall, at the request of the party concerned, be adjusted in accordance with paragraph 2.

2. For purposes of the adjustment referred to in paragraph 1, the export refund shall be increased, and

the export levy decreased, by the difference, expressed in ECU per 100 kilograms, between the intervention price of raw sugar applicable with effect from 1 July 1984 and the intervention price of that sugar applicable on 30 June 1984.

In calculating the difference referred to in the above subparagraph there shall be added to these intervention prices the relevant storage levy as referred to under (a) of the third subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

3. For the purposes of the adjustment referred to in paragraph 1, where the yield of the raw sugar differs from that of the standard quality as defined in Council Regulation (EEC) No 431/68 ⁽¹⁾, the amount of the adjustment shall be adapted in accordance with Article 2 of Regulation (EEC) No 837/68 ⁽²⁾.

4. The request referred to in paragraph 1 must be submitted by the export-licence holders concerned, before completion of the customs export formalities relating to the quantities concerned, to the Member State which issued the licence.

That Member State shall insert the relevant adjustment in section 18 (a) of the export licence and shall place its stamp thereon.

Member States shall inform the Commission without delay of the quantities of sugar covered by the requests referred to in paragraph 1.

Article 16

This Regulation shall enter into force on 12 July 1983 and shall apply with effect from 26 April 1984.

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

Done at Brussels, 8 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽²⁾ OJ No L 151, 30. 6. 1968, p. 42.

COMMISSION REGULATION (EEC) No 1884/83

of 11 July 1983

amending Regulation (EEC) No 2755/80 in respect of the fixing of intervention
buying-in prices for the period 15 July to 15 December 1983THE 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⁾, and in
particular Article 7 (7) (c) thereof,Whereas the Annex to Commission Regulation (EEC)
No 2755/80 of 28 October 1980 on the conditions for
implementing and suspending intervention buying in
of sheepmeat⁽³⁾, as amended by Regulation (EEC) No
1962/82⁽⁴⁾, lays down the qualities and buying-in
prices for products which could be bought in by inter-
vention agencies during the period 15 July to 15
December 1982;Whereas, it is possible that intervention measures will
be instituted during the period 15 July to 15
December 1983; whereas the buying-in prices to
apply during that period should be fixed now;
whereas, therefore, Regulation (EEC) No 2755/80
should be amended accordingly;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Sheep and Goats,

HAS ADOPTED THIS REGULATION:

*Article 1*Regulation (EEC) No 2755/80 is hereby amended as
follows:

1. The second subparagraph of Article 2 is replaced by
the following:

‘During the period 15 July to 15 December 1983,
the qualities and buying-in prices for products
which may be bought in by the intervention agen-
cies are fixed in the said Annex.’

2. The Annex is replaced by the Annex to this Regu-
lation.

*Article 2*This Regulation shall enter into force on the third day
following its publication in the *Official Journal of the
European Communities*.

It shall apply with effect from 15 July 1983.

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

Done at Brussels, 11 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.⁽³⁾ OJ No L 284, 29. 10. 1980, p. 33.⁽⁴⁾ OJ No L 212, 21. 7. 1982, p. 43.

ANNEX

Intervention buying-in prices

FRANCE : AGNEAUX

(ECU/100 kg green rate)

Quality (¹)	U 3 (couvert)	R 3 (couvert)	O 3 (couvert)	U 4 (gras)	R 4 (gras)
15 July 1983	413,773	402,690	376,829	354,662	339,885
Week commencing :					
18 July 1983	409,741	398,766	373,157	351,206	336,573
25 July 1983	405,216	394,362	369,036	347,328	332,856
1 August 1983	401,083	390,340	365,272	343,786	329,461
8 August 1983	396,894	386,263	361,457	340,195	326,020
15 August 1983	390,432	379,974	355,572	334,656	320,712
22 August 1983	386,680	376,323	352,155	331,440	317,630
29 August 1983	382,290	372,050	348,157	327,677	314,024
5 September 1983	377,776	367,657	344,046	323,808	310,316
12 September 1983	374,752	364,714	341,292	321,216	307,832
19 September 1983	371,885	361,924	338,681	318,758	305,477
26 September 1983	371,885	361,924	338,681	318,758	305,477
3 October 1983	371,885	361,924	338,681	318,758	305,477
10 October 1983	371,885	361,924	338,681	318,758	305,477
17 October 1983	371,885	361,924	338,681	318,758	305,477
24 October 1983	371,885	361,924	338,681	318,758	305,477
31 October 1983	374,304	364,278	340,884	320,832	307,464
7 November 1983	376,914	366,818	343,261	323,069	309,608
14 November 1983	379,646	369,477	345,749	325,411	311,852
21 November 1983	382,547	372,300	348,391	327,898	314,235
28 November 1983	385,739	375,407	351,298	330,634	316,857
5 December 1983	389,939	379,494	355,123	334,234	320,307
Period 12 to 15 December 1983	395,158	384,574	359,876	338,707	324,594

(¹) Within the meaning of point F of Annex III to Regulation (EEC) No 2657/80, as last amended by Regulation (EEC) No 1236/82.

COMMISSION REGULATION (EEC) No 1885/83

of 11 July 1983

determining for the Member States the loss of income and the level of the premium payable per ewe for 1982/83

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⁾, and in particular Article 5 (2) and (8) thereof,

Whereas Article 5 (1) of Regulation (EEC) No 1837/80 provides for the granting of a premium to sheepmeat producers; whereas the estimated level of that premium was calculated at the beginning of the marketing year on the basis of the foreseeable loss of income by Commission Regulation (EEC) No 2681/82⁽³⁾;

Whereas, pursuant to Article 5 (2) and (5) of Regulation (EEC) No 1837/80, the estimate of the loss of income and of the amount of the premium payable per ewe are to be revised at the end of the marketing year; whereas, moreover, paragraph 3 of the said Article provides for limitation of the loss of revenue calculated by subtracting from the total amount referred to in paragraph 2 of the said Article the total amount of the premium granted pursuant to Article 9 of the same Regulation;

Whereas, in respect of regions 5 and 6 and pursuant to Article 3 (1) of Regulation (EEC) No 2643/80, there should be deducted from the estimated premium an amount of 21 235 000 ECU to represent the difference between the total amount of advances paid in those regions for 1981/82 and the revised findings for loss of income in the said region for that marketing year; whereas the said amount should be divided into two parts, of 20 320 000 ECU and 915 000 ECU for regions 5 and 6 respectively, to take account of the number of ewes for which a premium was paid in each of those regions in 1981/82;

Whereas, in regions other than 2, 3, 4, 5 and 6, no loss of income was found during the 1982/83 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A difference is hereby found between the reference price and the market price recorded during 1982/83 only for the following regions:

Region	Difference in ECU per 100 kilograms
2	2,677
3	40,611
4	47,166
5	121,039
6	93,154

2. The total revised amount of the loss of income referred to in the second subparagraph of Article 5 (2) of Regulation (EEC) No 1837/80, limited pursuant to paragraph 3 of the same Article and obtained taking account of the provisions of Article 3 (1) of Regulation (EEC) No 2643/80, is hereby determined as follows:

Region	Total amount in ECU
2	4 594 000
3	18 472 000
of which: Denmark	345 000
Netherlands	8 427 000
Luxembourg	45 000
Belgium	1 696 000
Germany	7 959 000
4	18 631 000
5	59 814 000
6	10 403 000

Article 2

The revised amount of the premium payable per ewe and per region and, in the case of region 3, per Member State, calculated pursuant to Article 5 of Regulation (EEC) No 1837/80, is as follows:

Region	Revised premium in ECU payable per ewe
2	0,566
3	7,041
Denmark	13,376
Netherlands	17,308
Luxembourg	18,844
Belgium	10,486
Germany	10,646
4	4,418
5	15,481
6	

Article 3

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

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 284, 7. 10. 1982, p. 17.

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

Done at Brussels, 11 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1886/83

of 11 July 1983

amending Regulation (EEC) No 1354/83 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 1600/83 ⁽²⁾, and in particular Articles 6 (7) and 7 (5) thereof,

Whereas, under the food-aid programmes adopted by Council Regulations (EEC) No 1399/81, (EEC) No 1400/81, (EEC) No 1401/81 and (EEC) No 1402/81 ⁽³⁾, (EEC) No 1037/82, (EEC) No 1038/82, (EEC) No 1039/82 and (EEC) No 1040/82 ⁽⁴⁾, the official letters between the Commission and the recipients of the aid specify the conditions for the delivery of the aid;

Whereas, for certain recipients, the conditions of delivery set out in the official letters have been defined on the basis of Commission Regulation (EEC) No 303/77 of 14 February 1977 laying down general rules for the supply of skimmed-milk powder and butteroil as food

aid ⁽⁵⁾; whereas Commission Regulation (EEC) No 1354/83 ⁽⁶⁾, amended with effect from 1 July 1983 the provisions concerning the conditions of delivery of the aid; whereas, in order to enable effect to be given to commitments made on the basis of Regulation (EEC) No 303/77, the date of application of the new provisions should be postponed by one month;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 31 of Regulation (EEC) No 1354/83, '1 July 1983' is hereby replaced by '1 August 1983'.

Article 2

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

It shall apply with effect from 1 July 1983.

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

Done at Brussels, 11 July 1983.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 141, 27. 5. 1981, p. 1.

⁽⁴⁾ OJ No L 120, 1. 5. 1982, p. 1.

⁽⁵⁾ OJ No L 43, 15. 2. 1977, p. 1.

⁽⁶⁾ OJ No L 142, 1. 6. 1983, p. 1.

COMMISSION REGULATION (EEC) No 1887/83

of 11 July 1983

amending Regulation (EEC) No 1485/83 authorizing the storage in another Member State of butter bought in in accordance with the provisions of Regulation (EEC) No 685/69

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽¹⁾, and in particular Articles 1 and 4 thereof,

Whereas Commission Regulation (EEC) No 1485/83⁽²⁾ authorizes the transportation and storage of certain quantities of butter bought in in accordance with the provisions of Regulation (EEC) No 685/69 in France and Ireland;

Whereas the storage facilities in Denmark have been used up; whereas it is appropriate to authorize the

transportation and storage outside that Member State of a quantity of butter bought in in accordance with Regulation (EEC) No 685/69;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1485/83 is hereby replaced by the following:

ANNEX

Member State	Date referred to in Article 1 (2)	Destination and quantities to be transferred (tonnes)		
		Germany	Belgium	Netherlands
1. France	30 September 1983	10 000	5 000	
2. Ireland	30 September 1983		3 000	
3. Denmark	30 September 1983			3 000'

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, 11 July 1983.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽²⁾ OJ No L 151, 9. 6. 1983, p. 35.

COMMISSION REGULATION (EEC) No 1888/83

of 11 July 1983

making the import of certain textile products originating in Argentina subject to Community surveillance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, and in particular Article 10 thereof,

After consulting the advisory committee established under the said Regulation,

Whereas imports into the Community of textile products originating in Argentina and a large number of other supplier countries in a situation similar to Argentina have been subject to a special import regime under the terms of bilateral agreements expiring on 31 December 1982; whereas such agreements provided *inter alia* procedures whereby imports of such products could be limited and monitored;

Whereas the Community has negotiated new bilateral agreements with the other supplier countries whereby imports of textiles products are subject to a similar special import regime with effect from 1 January 1983;

Whereas there is no such agreement with Argentina; whereas imports of such products are not subject to specific common import rules from 1 January 1983;

Whereas, from 1 January 1983, a Community surveillance of imports of certain textile products originating in Argentina was introduced for six months by Commission Regulation (EEC) No 3605/82⁽²⁾;

Whereas the threat persists that imports of textile products originating in Argentina will cause injury to Community producers of like or directly competing products; whereas the interests of the Community require that imports of textile products originating in Argentina should not be on more favourable terms than those applying to imports originating in the other supplier countries,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 12 July 1983, placing in free circulation in the Community of the products set out in the Annex and originating in Argentina is hereby made subject to

prior Community surveillance in accordance with Articles 11 and 14 of Regulation (EEC) No 288/82.

Article 2

The products to which Article 1 applies may be put into free circulation in a Member State only on production of an import document. This document shall be issued or endorsed by the competent authority of the Member State of import, free of charge, for the quantities requested and within a maximum of five working days following the submission of a declaration or application by a Community importer and shall be valid for six months from the date of issue.

Article 3

The declaration or application by the importer to the competent authority of the Member State for issue of an import document shall bear:

- (a) the names of the importer and exporter;
- (b) a statement that the products originate in Argentina and, where different, the country of export or of purchase;
- (c) a description of the products, including:
 - their commercial designation,
 - a description of the products and the Common Customs Tariff heading or subheading and/or the NIMEXE statistical code as specified in the Annex;
- (d) the appropriate category and the quantity, in an appropriate unit, as indicated in the Annex;
- (e) where appropriate, dates of payment and delivery and a copy of the bill of lading and of the purchase contract;
- (f) any internal code used for administrative purposes;
- (g) the date and the signature of the importer.

It shall be accompanied by a certified copy of the bill of lading, letter of credit, contract or any other commercial document indicating a firm intention to carry out the importation.

Article 4

1. Member States shall communicate to the Commission within 10 days after the end of each

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 376, 31. 12. 1982, p. 36.

month the quantities of products in respect of which import documents were issued or endorsed during such month, broken down by country of origin and category and in the units specified in the Annex.

2. Member States shall communicate to the Commission within 30 days after the end of each month the quantities of the products to which Article

1 applies imported during such month, broken down by country of origin and NIMEXE code, in the units specified in the Annex.

Article 5

This Regulation shall enter into force on 12 July 1983 and shall apply until 31 December 1983.

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

Done at Brussels, 11 July 1983.

For the Commission

Wilhelm HAFFERKAMP

Vice-President

ANNEX

Category	CCT heading No	NIMEXE code (1983)	Description	Units
1	55.05	55.05-13; 19; 21; 25; 27; 29; 33; 35; 37; 41; 45; 46; 48; 51; 53; 55; 57; 61; 65; 67; 69; 72; 78; 81; 83; 85; 87	Cotton yarn, not put up for retail sale	Tonnes
46	ex 53.05	53.05-10; 22; 29; 32; 39	Sheep's or lambs' wool or other animal hair (fine or coarse), carded or combed: Carded or combed sheep's or lambs' wool or other fine animal hair	Tonnes
50	53.11	53.11-01; 03; 07; 11; 13; 17; 20; 30; 40; 52; 54; 58; 72; 74; 75; 82; 84; 88; 91; 93; 97	Woven fabrics of sheep's or lambs' wool or of fine animal hair	Tonnes

COMMISSION REGULATION (EEC) No 1889/83**of 11 July 1983****abolishing the countervailing charge on cucumbers originating in Poland**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1738/82⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 1713/83
of 24 June 1983⁽³⁾ introduced a countervailing charge
on cucumbers originating in Poland;

Whereas for this product originating in Poland there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled
and the countervailing charge on imports of cucum-
bers originating in Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1713/83 is hereby repealed.

Article 2

This Regulation shall enter into force on 12 July 1983.

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

Done at Brussels, 11 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1983, p. 22.

COMMISSION REGULATION (EEC) No 1890/83
of 11 July 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 1789/83⁽³⁾,
as last amended by Regulation (EEC) No 1875/83⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1789/83 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 12 July 1983.

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

Done at Brussels, 11 July 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 176, 1. 7. 1983, p. 48.
⁽⁴⁾ OJ No L 186, 9. 7. 1983, p. 21.

ANNEX

**to the Commission Regulation of 11 July 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 B. Raw sugar	33,12 28,47 ⁽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 1891/83
of 11 July 1983

altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 July 1983 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Regulation (EEC) No 1782/83⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 1782/83 to the

information at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 1782/83 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 12 July 1983.

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

Done at Brussels, 11 July 1983.

For the Commission

Karl-Heinz NARJES

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 176, 1. 7. 1983, p. 32.

ANNEX

to the Commission Regulation of 11 July 1983 altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Table A

<i>Rate of refund in ECU/100 kg:</i>	White sugar :	26,35
	Raw sugar :	23,58
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$26,35 \times \frac{S^{(1)}}{100}$
	Molasses :	—
	Isoglucose or flavoured or coloured isoglucose syrups :	26,35 ⁽²⁾

Table B

<i>Rate of refund in ECU/100 kg:</i>	White sugar :	22,63
	Raw sugar :	20,16
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$22,63 \times \frac{S^{(1)}}{100}$
	Molasses :	—

(¹) 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

(²) Amount of refund for 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1892/83**of 11 July 1983****altering the export refunds on syrups and certain other sugar products 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 Article 19 (4) thereof,

Whereas the refunds on syrups and certain other sugar
products were fixed by Regulation (EEC) No
1777/83⁽³⁾;

Whereas it follows from applying the rules, criteria
and other provisions contained in Regulation (EEC)
No 1777/83 to the information at present available to
the Commission that the export refunds at present in

force should be altered as shown in the Annex to this
Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in
Article 1 (1) (d), (f) and (g) of Regulation (EEC) No
1785/81, exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 1777/83 are hereby
altered to the amounts shown in the Annex to this
Regulation.

Article 2

This Regulation shall enter into force on 12 July 1983.

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

Done at Brussels, 11 July 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 176, 1. 7. 1983, p. 19.

ANNEX

to the Commission Regulation of 11 July 1983 altering the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
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 : D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) : I. Isoglucose ex II. Other, excluding sorbose E. Artificial honey, whether or not mixed with natural honey F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	 — 0,2635 0,2635 0,2635	 26,35 — — —
21.07	Food preparations not elsewhere specified or included : F. Flavoured or coloured sugar syrups : III. Isoglucose IV. Other (other than lactose, glucose and malto-dextrine syrups)	 — 0,2635	 26,35 —

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 1893/83**of 11 July 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 1847/83⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1847/83 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 Regulation (EEC) No 1847/83 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1983.

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

Done at Brussels, 11 July 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 183, 7. 7. 1983, p. 11.

ANNEX

to the Commission Regulation of 11 July 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	26,35	
	(b) Other	22,95	
	(II) Flavoured or coloured sugar		0,2635
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	24,24 ⁽¹⁾	
	(b) Other raw sugar	21,11 ⁽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.

