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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC, EURATOM, ECSC) No 2022/83
of 18 July 1983
adjusting the weightings applicable to the remuneration and pensions of
officials and other servants of the European Communities

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities,

Article 1

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EEC, Euratom, ECSC) No 440/83 ⁽²⁾, and in particular Articles 63, 64, 65 and 82 of the Staff Regulations and the first paragraph of Article 20 and Article 64 of the conditions of employment,

Having regard to Council Decision 81/1061/Euratom, EEC, ECSC of 15 December 1981 amending the method of adjusting the remuneration of officials and other servants of the Communities ⁽³⁾,

Having regard to the proposal from the Commission,

Whereas, since the cost of living increased substantially in several countries in which officials and other servants of the Communities are employed in the second half of 1982, the weightings applicable pursuant to Regulation (EEC, Euratom, ECSC) No 440/83 to the remuneration and pensions of officials and other servants should be adjusted with effect from 1 January 1983 ;

Whereas, in certain countries where the increase in the cost of living was particularly high, the adjustments should be made with effect from 1 or 16 November 1982, as the case may be,

1. With effect from 1 November 1982, the weightings applicable to the remuneration of officials and other servants employed in the countries listed below shall be as follows :

Chile	223,3
Yugoslavia	142,9
Israel	205,4

2. With effect from 16 November 1982, the weightings applicable to the remuneration of officials and other servants employed in the countries listed below shall be as follows :

Greece	107,9
Italy	97,5
Turkey	99,2
Portugal	90,4
Australia	165,3
Tunisia	133,8
Jordan	215,1 ⁽⁴⁾
Syria	168,0 ⁽⁴⁾

3. With effect from 1 January 1983, the weightings applicable to the remuneration of officials and other servants employed in the countries listed below shall be as follows :

Belgium	103,0
Denmark	120,1
Germany	111,2
France	106,8
Ireland	98,7
Luxembourg	103,0
Netherlands	108,3
United Kingdom	106,7

⁽¹⁾ OJ No L 36, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 53, 26. 2. 1983, p. 1.

⁽³⁾ OJ No L 386, 31. 12. 1981, p. 6.

⁽⁴⁾ Provisional figure.

Spain	115,3
Switzerland	141,2
United States :	
— New York	178,7
— Washington	165,1
Canada	140,4
Japan	172,9
Venezuela	230,0
Austria	118,4
Thailand	178,4
India	143,1
Algeria	158,7 ⁽¹⁾
Morocco	127,3
Egypt	217,5 ⁽¹⁾
Lebanon	151,6 ⁽¹⁾

4. With effect from 16 November 1982, the weightings applicable to pensions, in accordance with the second subparagraph of Article 82 (1) of the Staff Regulations, shall be as given below for the country in which the person entitled to the pension declares his home to be :

Greece	107,9
Italy	97,5

5. With effect from 1 January 1983, the weightings applicable to pensions, in accordance with the second subparagraph of Article 82 (1) of the Staff Regulations, shall be as given below for the country in which the person entitled to the pension declares his home to be :

Belgium	103,0
Denmark	120,1
Germany	111,2
France	106,8
Ireland	98,7
Luxembourg	103,0

Netherlands	108,3
United Kingdom	106,7

Article 2

1. With effect from 16 November 1982, the weighting applicable to pensions and allowances paid to persons covered by Article 2 of Regulation (EEC, Euratom, ECSC) No 160/80 ⁽²⁾ who declare their home to be in Italy shall be as follows :

Italy	124,8
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2. With effect from 1 January 1983, the weightings applicable to the pensions and allowances paid to persons covered by Article 2 of Regulation (EEC, Euratom, ECSC) No 160/80 shall be as follows :

Belgium	117,3
Denmark	143,6
Germany	107,0
France	128,1
Ireland	107,0
Luxembourg	117,3
Netherlands	104,6
United Kingdom	90,7

3. If a person entitled to a pension declares his home to be in a country other than those listed in this Article, the weighting applicable to the pension shall be that for Belgium.

Article 3

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

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

Done at Brussels, 18 July 1983.

For the Council

The President

Y. CHARALAMBOPOULOS

⁽¹⁾ Provisional figure.

⁽²⁾ OJ No L 20, 26. 1. 1980, p. 1.

COUNCIL REGULATION (EEC, EURATOM, ECSC) No 2023/83**of 18 July 1983****amending Regulation (EEC, Euratom, ECSC) No 440/83 in respect of the shift-work allowances for officials and other servants of the European Communities**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities,

Having regard to the Protocol on the privileges and immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EEC, Euratom, ECSC) No 440/83 ⁽²⁾, and in particular Articles 63, 64, 65 and 82 of the Staff Regulations and the first paragraph of Article 20 and Article 64 of the conditions of employment,

Having regard to the proposal from the Commission,

Whereas an error was made in the submission of the proposal for Regulation (EEC, Euratom, ECSC) No 440/83; whereas this error must be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is hereby added to Article 9 of Regulation (EEC, Euratom, ECSC) No 440/83:

‘With effect from 1 July 1982, the amounts of Bfrs 6 207, 10 242 and 13 966 for the shiftwork allowances laid down in Article 9 of Regulation (ECSC, EEC, Euratom) No 372/82 ⁽²⁾ shall be replaced by Bfrs 6 592, 10 877 and 14 832 respectively.

—————
⁽²⁾ OJ No L 47, 19. 2. 1982, p. 13.’

Article 2

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

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

Done at Brussels, 18 July 1983.

For the Council

The President

Y. CHARALAMBOPOULOS

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 53, 26. 2. 1983, p. 1.

COUNCIL REGULATION (EEC) No 2024/83

of 18 July 1983

establishing a definitive anti-dumping duty on 4,4'-isopropylidenediphenol
originating in the United States of America

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas :

A. Provisional measures

1. Commission Regulation (EEC) No 163/83 ⁽³⁾
imposed a provisional anti-dumping duty on
imports of 4,4'-isopropylidenediphenol
(commonly known as 'bisphenol') originating in
the United States of America. In view of the coun-
ter-arguments presented in particular by the prin-
cipal United States exporters, US Steel Chemicals,
and by General Electric US and General Electric
Plastics BV, the Commission notified the expor-
ters concerned of its intention to extend the provi-
sional duty for a period of two months to enable
the facts to be finally established. Since the expor-
ters, who accounted for virtually the whole of the
trade in question, did not raise any objection, the
provisional duty was extended, by Council Regula-
tion (EEC) No 1281/83 ⁽⁴⁾, for a period not ex-
ceeding two months.

B. Procedure for finally establishing the facts

2. Following the imposition of the provisional anti-
dumping duty, the principal United States
exporter, US Steel Chemicals, Pittsburgh, Pennsyl-

vania, and the European subsidiary of another
United States exporter, General Electric Co.
(Indiana), requested and were granted a hearing.

These companies and a Community end-user of
bisphenol Hoechst Holland NV, Weert, Nether-
lands, also took the opportunity of making known
their views in writing.

3. In the light of the information available to it at
that time the Commission sought and obtained
further information from the complainant
producer, Progelec — on behalf of which the
European Council of Chemical Manufacturers'
Federations (Cefic) had lodged the initial
complaint — and from other non-complainant
producers linked with United States exporters,
namely General Electric Plastics BV, Shell Inter-
national Chemical Company, Dow Chemical
GmbH and Dow H. und V. GmbH. The Commis-
sion also contacted certain Community consumers
of the product in question, which then gave their
views on the duty.

After undertaking a detailed examination of the
information thus collected, the Commission made
an inspection visit to the complainant and the
premises of Shell ICC, London, United Kingdom.

4. During the further examination of the facts,
conducted after the duty had been imposed, the
principal parties concerned were informed of the
grounds on which definitive determination was
envisaged.
5. The arguments put forward by the parties
concerned following the introduction of provi-
sional measures dealt primarily with :
 - the comparability of the products in question,
 - the determination of the dumping margins, in
particular with regard to 'off spec',
 - the determination of the injury caused by the
dumped imports, the main points raised in
this respect being the volume of imports in
relation to Community consumption, the
impact of those imports on the complainant
producer's prices and other factors which
could also have given rise to the injury in
respect of Progelec.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No L 23, 26. 1. 1983, p. 9.

⁽⁴⁾ OJ No L 136, 25. 5. 1983, p. 12.

C. Like product

6. With regard to standard-quality bisphenol (polycarbonate and epoxy), the argument that bisphenol of this quality sold on the United States market was not a like product within the meaning of Article 2 (12) of Regulation (EEC) No 3017/79, i.e., identical to that exported on to the Community market, has been withdrawn by the United States exporting party.

The argument put forward instead is that, within the first quality, 'polycarbonate' and 'epoxy' bisphenols are not alike.

7. With regard to 'off spec' bisphenol, the position of the principal United States exporter, US Steel, is completely unchanged, namely that:

- 'off spec' is a product which cannot be regarded as being similar to standard quality bisphenol,
- it is a non-reproducible product — since it results from interruptions in the manufacturing process — of a quality very inferior to standard bisphenol,
- failure to satisfy any one of the criteria generally used in the commercial specifications for first-quality bisphenols was enough to downgrade the product, limit the number of applications and therefore lower its market value,
- lastly, a very small number of end-users was able to use this product because of its characteristics.

8. The further investigation carried out by the Commission, for both the standard qualities and for 'off spec' bisphenol, showed that:

- (a) from the technical point of view, the main criteria determining the quality of bisphenol were the crystallization point, coloration, the levels of phenol and iron and, lastly, the presence of impurities;
- (b) the commercial specifications relating to these criteria for polycarbonate and epoxy bisphenols were, even in the opinion of the non-complainant producers linked to United States exporters and of the Community consumers of bisphenol, very much the same in the United States of America as in the Community;
- (c) with regard to 'off spec', failure to observe one or other of the commercial specifications relating to these criteria did not necessarily mean,

for the end-user, that difficulties would be encountered in using the product but that generally the cost of using it would be higher, varying according to the application and, in particular, according to the impurities;

the extra cost of using it, although very difficult to quantify, was generally low;

this 'off spec' was supplied regularly and for a number of six-monthly periods between the end of 1980 and the beginning of 1982 to certain Community consumers and met the specifications agreed to by those consumers, thus contradicting the argument that it was non-reproducible and that each batch was 'unique' in nature;

a large proportion of the Community end-users is able to use this 'off spec' bisphenol, for a substantial range of applications;

the United States bisphenol invoiced as 'off spec' is of a quality which could, in certain batches, have been equivalent to that of epoxy-type first-quality bisphenol.

9. In view of these results the Commission is therefore convinced that all types of bisphenol marketed in the Community, whether of United States or Community origin, are products having at least 'characteristics closely resembling' one another.

They are therefore indeed 'like products' within the meaning of Article 2 (12) of Regulation (EEC) No 3017/79.

D. Dumping

10. The principal United States exporter, US Steel, persisted in its refusal to divulge the prices for its sales on the domestic market or details of its production costs.

11. Since no new argument has been put forward regarding standard-quality bisphenol (polycarbonate and epoxy), the preliminary establishment of dumping is now regarded as final. The weighted average dumping margins, expressed as a percentage of the cif price free-at-Community frontier, not cleared through customs, are 22,86 % for polycarbonate quality and 29,61 % for epoxy quality.

12. With regard to bisphenol invoiced as 'off spec', in respect of which the Commission investigation has confirmed that it was indeed a like product with respect to the other types of bisphenol marketed in the United States and the Community, account must be taken, when establishing the

normal value, of the extra costs which may be involved for the end-user in employing bisphenol which does not completely satisfy the first-quality standards because of certain differences in the physical characteristics of the product.

The Commission has therefore endeavoured to determine the effect of those differences on the market value of 'off-spec' bisphenol in the United States. In view of the total lack of cooperation from the main exporter in question, referred to in point 10 above, and of the similarity of the US Steel and Progelec technologies, the Commission has therefore adjusted the 'off-spec' normal value in the light of the best information available. On the basis of the accounting principle followed by the complainant, for its second quality, namely that only the variable production costs are, in addition to a reasonable profit margin, charged to the substandard products — and by applying to the normal value of US \$ 1 168,45 per tonne for first-premium-quality United States bisphenol the appropriate adjustment at the ex-works stage — the normal value for 'off spec' has been established at US \$ 939,97.

On the basis of this normal value the average dumping margin for 'off spec' bisphenol finally amounts to 51,65 %.

13. Given the revision of the dumping margin for 'off spec' bisphenol, the overall average dumping margin for all the qualities together comes to 34,12 % for all United States bisphenol exports to the Community during the period covered by the investigation.

E. Injury

14. In the light of the information collected and verified after the provisional duty was imposed, a detailed review was undertaken of the Commission's provisional conclusions via an analysis of the bisphenol market.

This review confirmed the analysis of the injury set out in Regulation (EEC) No 163/83 and made it possible to be more specific about certain points relating to :

- (i) the actual size of the free and captive markets, which made it possible for the market shares held by the various firms to be calculated exactly ;
- (ii) the impact of United States imports on the complainant producer's prices ;

- (iii) the role played by producers linked with United States exporters ;

- (iv) generally speaking, the possible causes, other than dumped imports, of the injury affecting Progelec.

15. The Community's imports of bisphenol originating in the United States of America went from an average value of ...(*) in 1978/79 to ...(*) in 1980, fell again to ...(*) in 1981, to increase again to ...(*) in 1982, of which ...(*) was for the first six months alone.

Correlatively, the share of the total market (sales on the free market and internal use) (i.e., some 130 000 tonnes) accounted for by these imports rose from 0,61 % in 1978 to 3,73 % in 1980 and stood at 1,60 % in 1981 and 2 % in 1982. Since virtually all the imports from the United States were intended for the free market, which is the market on which the complainant operates, penetration of the product originating in the United States was also measured with reference to the free market in the Community : 2,70 % in 1978, 3,03 % in 1979, 16,23 % in 1980 — corresponding to US Steel's arrival on the Community market at the end of 1979 — 8,16 % in 1981 — which reflects US Steel's production difficulties that year — and a further increase to 16,6 % during the first half of 1982, when the effect of the notice initiating this proceeding had not yet been felt.

16. With regard to the impact of United States imports on the complainant producer's prices, it was alleged by the principal United States exporter that prices on this market were determined exclusively by the interrelation between Progelec — as the principal European supplier of bisphenol on the free market but which does not produce resins — and the other non-complainant European producers, Dow and Shell — which themselves are integrated downstream (resins) to a very large extent, with the result that they are principally interested in resins rather than bisphenol itself.

Consequently, it was alleged by US Steel that United States imports had not influenced free market prices in the Community at all, as the company's policy had been to align itself on the prices established by competition between Progelec, Dow and Shell.

(*) Confidential figures.

A comparison of the selling prices charged by the complainant producer and the non-complainant producers at the delivered-to-customer stage, in each of the principal Member States concerned with the prices of the dumped United States products clearly showed:

— that the massive intrusion of United States bisphenol on the Community market at the end of 1979 depressed prices throughout 1980 to a level which, in absolute terms, was 15 % below their previous level; that, during 1980, the prices at which the United States imports were resold were more often than not 3 to 5 % below the prices charged by the complainant, despite the downward alignment of the latter's prices; that United States bisphenol prices were, from the second quarter of 1980 to the last quarter of 1981 inclusive, below the minimum level required for the Community industry to cover its production costs, despite the reduction in the costs of its raw materials (benzene) throughout 1980; that the other non-complainant producers, which were integrated as regards resins — and hence less vulnerable than the complainant on the free market — evidently chose not to engage in a process of pushing down prices and consequently generally maintained their prices above those of US Steel and the complainants,

— that, as from the last quarter of 1980, the increase in the costs of supplying benzene, the raw material from which the complainant's bisphenol is derived, was such on the Community market that the complainant was unable to maintain its prices at the depressed level they had reached as a result of the competition from the United States in 1980 and had no alternative but to try and reflect its higher production costs in its selling prices; this rise in prices in 1981 coincided with a temporary reduction in exports from the United States; that, however, the increase in prices by the complainant was less than would have been warranted by the rise in its cost prices; that during 1981 the prices at which United States imports were resold were more often than not 2 to 5 % below the prices charged by the complainant; that, consequently, it was not until the first quarter of 1982 that the

complainant ceased to sell its bisphenol at a loss.

It is therefore quite clear, in particular because of the price undercutting noted, that the part played by bisphenol imports from the United States — in respect of which dumping had been proved — was not a passive one on the free market in the Community. Although, until the middle of 1981, the general trend of the bisphenol market reflected the variations in the price of benzene and although subsequently the demand for epoxy resins exerted an underlying influence, it is nevertheless true that the fall in bisphenol prices during 1980 and up until the beginning of 1981 would not have occurred — at least not to the same extent — in the absence of the dumped imports from the United States. Since the integrated producers — Dow and Shell — were producers of resins rather than of bisphenol it was not in their commercial interests to lower their prices on the free market to a level which would enable their consumers — i.e., resin producers — to attack them on the market for their own resins.

17. With regard to the other factors also capable of causing injury to the complainant it was alleged by the United States party that, in general, Progelec's financial difficulties stemmed from the role played by the non-complainant producers, Dow and Shell, on the bisphenol market from the angle of both prices and production capacity or from that of the competition on non-Community markets.

(i) With regard to prices it has already been stated that in 1980 and for most of 1981 the attitude of the non-complainant producers had been not to get involved in pushing down prices. This was reflected in the fall in their share of the total market, which declined from 45,09 % in 1979 to 38,43 %, to rise again to only 42,11 % in 1981.

(ii) With regard to production capacity, which, it is alleged had become excessive before the arrival of US Steel as a result of the installation in Europe of non-complainant producers linked with United States producers, it should be noted that the average plant utilization rate was 71,6 % in 1979. However, with the flood of imports from the United States in 1980, this rate fell to 58,9 %, to climb back to only 60,8 % in 1981.

(iii) Lastly, it must be stressed that the competition from non-complainant producers affecting Progelec's sales outside the Community has steadily declined since 1979 as these companies' extra-Community exports fell from ...(*) in 1979 to ...(*) in 1980, ...(*) in 1981 and ...(*) in 1982, i.e., a 64,6 % fall in four years.

18. It was also alleged that, of the possible causes of injury to Progelec other than the imports in question, the decline in demand for bisphenol in the Community was at the root of the complainant's difficulties.

In this connection, information checked by the Commission shows that demand for bisphenol on the free market in the Community has declined to a much lesser extent than was initially estimated at the time of the provisional determination. Thus total sales on the free market fell from 29 414 tonnes in 1979 to 28 190 tonnes in 1980 (i.e., by 4,16 %) and to 27 271 tonnes in 1981 (only 7,28 % down on 1979).

Correlatively, the volume of the complainant producers' sales fell by 12,50 % in 1980 compared with 1979, despite the alignment of its prices on those of imports from the United States, and its market share fell from 49,13 % in 1979 to 44,87 %.

In 1981 the volume of Progelec's sales was up on 1980 but it stood at a level which was still 7,35 % below that for 1979, and the market share also rose but without returning to its 1979 level.

It is therefore clear that sales lost by the complainant producer in 1980 and, to a lesser extent in 1981, were well in excess of the fall-off in demand and coincided with the arrival of large quantities (4 575 tonnes) in 1980 of United States bisphenol on the free market in the Community.

Moreover, it is clear that the loss of the complainant's market share did not benefit the non-complainant producers, as is shown by the decline in

the latter's market share from 45,09 % in 1979 to 38,43 % in 1980. Furthermore, it is probable that one of the factors responsible for this decline in the non-complainant producers' market share is, in addition to the impact of imports from the United States, the decision taken by these producers to process more bisphenol into pre-resins, this being reflected incidentally in the confidential figures which the Commission possesses regarding internal use.

Lastly, it has been clearly established that the moderate contraction of the free market since 1979 has affected the Community industry considerably more than imports of bisphenol from the United States.

19. Consequently, the facts as finally established (points 2 to 18) indicate that the injury caused by dumped imports of bisphenol originating in the United States must, judged in isolation, be regarded as material.

F. Community interest

20. The principal United States exporter asserted, as did two Community end-users of bisphenol SCADO NV and Hoechst Holland NV, Netherlands, that the imposition of a definitive anti-dumping duty on imports of United States bisphenol would limit the supply possibilities of the consumers — which are also manufacturers of resins — and that in this respect such a definitive decision would be contrary to the interest of the Community.
21. In this context, the Commission re-examined the impact of any protective measures on derived products containing principally bisphenol and came to the conclusion that it was not in the interests of the Community to leave the main non-integrated European producer, the essential supplier of the free market, in a situation where it was totally vulnerable to imports which have been proven to have been dumped and which had caused it material injury. The protection of the interests of the Community industry therefore make it necessary to impose a definitive anti-dumping duty on imports of bisphenol originating in the United States of America.

(*) Confidential figures.

G. Definitive duty

22. In the light of the facts as finally established and, in particular, the Community industry's production costs, the Commission re-examined the price needed to enable the Community industry to stop selling its bisphenol at a loss and to make a reasonable profit. In this context, it seemed fair to draw a distinction between first-quality products, on the one hand (polycarbonate and epoxy), and, on the other, bisphenol not satisfying the usual standards.

On this basis the Commission came to the conclusion that a definitive anti-dumping duty of less than the amount of the provisional duty should be sufficient to eliminate the injury done to the Community industry by the dumped imports.

H. Undertakings

23. An undertaking was offered by the principal United States exporter, US Steel. The Commission, following consultation felt that it should not, because of the features of the Community bisphenol market and the risks of circumvention, envisage the acceptance of such an undertaking.
24. With regard to the exporting companies which could not, because of the absence of exports during the reference period, be exonerated from the charge of dumping, the Commission determined that it was not appropriate to exclude them from the duty because of the likely impossibility for these companies to export competitively without dumping.

I. Collection of the amounts lodged by way of provisional duty

25. In view of the final establishment of dumping and of the material injury resulting therefrom, the sums lodged by way of security for the 37,6 % provisional anti-dumping duty must be collected up to the amount of the duty definitively imposed,

HAS ADOPTED THIS REGULATION :

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of 4,4'-isopropylidenediphenol, falling within subheading 29.06 B IV of the Common Customs Tariff and corresponding to NIMEXE code 29.06-37, originating in the United States of America.

2. The definitive duty shall be fixed, as a percentage of the net free-at-Community frontier price, not cleared through customs, at :

- 14,17 % for the 'polycarbonate' or 'epoxy' qualities,
- 36,65 % for bisphenol having other characteristics.

The free-at-Community frontier price, not cleared through customs, shall be net if the terms of sale provide that payment shall be made within 30 days of the date of consignment ; it shall be increased by 1 % for each month for which payment is deferred.

3. The provisions in force with regard to customs duties shall apply to the duty imposed in paragraph 1.

4. For the purposes of this Regulation only bisphenol having all the following characteristics will be regarded as bisphenol of 'polycarbonate' or 'epoxy' quality :

- crystallization point (dry basis) $> 155,0^{\circ}\text{C}$,
- coloration in solution (25 g of product/35 ml methanol) ≤ 100 APHA/HAZEN,
- phenol level $\leq 0,10\%$,
- iron level $\leq 1,5$ ppm,
- other impurities : none.

Article 2

The amounts secured by way of provisional anti-dumping duty in accordance with Commission Regulation (EEC) No 163/83 shall be definitively collected up to the amount of the duties definitively imposed in respect of the different qualities of the product, referred to in Article 1 (2) of this Regulation.

Article 3

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

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

Done at Brussels, 18 July 1983.

For the Council

The President

Y. CHARALAMBOPOULOS

COUNCIL REGULATION (EEC) No 2025/83

of 18 July 1983

amending Regulation (EEC) No 974/71 as regards the calculation of the monetary compensatory amounts in the pigmeat sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽³⁾, as last amended by Regulation (EEC) No 3439/82 ⁽⁴⁾, provides that monetary compensatory amounts shall be calculated on the basis of the intervention price for products covered by intervention arrangements; whereas, for other products, monetary compensatory amounts are to be derived from the monetary compensatory amounts applicable to the abovementioned products;

Whereas, in view of Article 1 (3) of Regulation (EEC) No 974/71, monetary compensatory amounts should be applied only in so far as is necessary to avoid disturbances in trade;

Whereas, in the pigmeat sector, it seems possible to limit the impact of monetary compensatory amounts by calculating them henceforth on the basis of a price level lower than that used in recent years,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 3a is hereby inserted in Article 2 of Regulation (EEC) No 974/71:

'3a. The monetary compensatory amounts for products in the pigmeat sector shall be calculated on the basis of 90 % of the lower limit of the buying-in price applicable to pig carcasses.'

Article 2

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

It shall apply from 1 August 1983.

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

Done at Brussels, 18 July 1983.

For the Council

The President

C. SIMITIS

⁽¹⁾ OJ No C 180, 7. 7. 1983, p. 12.

⁽²⁾ Opinion delivered on 8 July 1983 (not yet published in the Official Journal).

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 362, 23. 12. 1982, p. 4.

COUNCIL REGULATION (EEC) No 2026/83

of 18 July 1983

amending Regulation (EEC) No 565/80 on the advance payment of export
refunds in respect of agricultural products

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82⁽²⁾, and in particular
Article 16 (5) thereof, and the corresponding provi-
sions of the other Regulations establishing a common
organization of the market in agricultural products,

Having regard to the proposal from the Commission,

Whereas Article 2 of Regulation (EEC) No 565/80⁽³⁾
defines basic products as products covered by a market
organization which are intended to be exported after
processing; whereas basic products may be eligible for
advance payment of export refunds;

Whereas the goods covered by Regulation (EEC) No
3035/80⁽⁴⁾, as last amended by Regulation (EEC) No
764/82⁽⁵⁾, are not at present included in the definition
of basic products;

Whereas such goods should be included in that defini-
tion in order to ensure that they are treated in the
same way as products covered by the market organiza-
tion;

Whereas Article 4 (3) of Regulation (EEC) No 565/80
provides that the rate of yield applicable for processing
shall be that applicable in respect of inward proces-
sing; whereas refunds are paid on notional quantities
of products used in the manufacture of goods listed in
Annex C to Regulation (EEC) No 3035/80; whereas

these notional quantities should be used as the rate of
yield in respect of those goods,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 565/80 is hereby amended as
follows:

1. Article 2 shall be replaced by the following:

Article 2

For the purpose of this Regulation:

(a) — "products" means the products referred to in
Article 1,

— "basic products" means products intended to
be exported after processing into processed
products or into goods; goods intended to
be exported after processing shall also be
considered as basic products;

(b) "processed products" means products:

— obtained from the processing of basic
products, and

— to which an export refund is applicable;

(c) "goods" means the goods listed in Annexes B
and C to Regulation (EEC) No 3035/80.

2. Article 4 (3) shall be replaced by the following:

'3. As regards control procedures and the rate of
yield, the basic products shall be subject to the
same rules as apply in respect of inward processing
to products of the same nature.

However, the rates of yield to be applied for basic
products used in the manufacture of the goods
listed in Annex C to Regulation (EEC) No 3035/80
shall be those indicated in that Annex.'

Article 2

This Regulation shall enter into force on 1 October
1983.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁵⁾ OJ No L 87, 1. 4. 1982, p. 4.

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

Done at Brussels, 18 July 1983.

For the Council

The President

C. SIMITIS

COUNCIL REGULATION (EEC) No 2027/83

of 18 July 1983

amending Regulation (EEC) No 1569/72 laying down special measures for colza, rape and sunflower seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1413/82 ⁽²⁾, and in particular Article 36 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds ⁽³⁾ extended the aid system to *inter alia* colza and rape seed incorporated into animal feedingstuffs; whereas it is therefore necessary to adapt the special measures provided by Regulation (EEC) No 1569/72 ⁽⁴⁾, as last amended by Regulation (EEC) No 1986/82 ⁽⁵⁾, to take this into account;

Whereas Regulation (EEC) No 1569/72 makes provision for a system of differential amounts which takes account of the differences recorded between, firstly, the representative rates for the currencies of the Member States and, secondly, depending on the circumstances, the central rates or the spot market rates for the same currencies; whereas this system does not take account of the forward exchange rates; whereas, where the aid or refund for oil seeds is fixed in advance, failure to take account of the forward exchange rates may, in certain circumstances, create serious distortions between undertakings situated in different Member States as regards the cost of obtaining supplies of oil seeds of Community origin;

Whereas these difficulties should be alleviated by providing for the fixing of forward differential amounts which take account of the forward exchange rates for the currencies; whereas, however, provision should be made for fixing forward differential amounts only in cases where problems may arise, that is to say, where the difference between the forward exchange

rates and the spot market exchange rates exceeds a threshold to be determined;

Whereas it should be possible to suspend the pre-fixing of the differential amounts if an abnormal situation on the financial markets in the Community threatens to create disorder in the oil-seeds market;

Whereas, in order to be able to assess the effectiveness of the measures in question, the duration of their application should be limited to one year,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1569/72 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

For colza, rape and sunflower seed harvested in the Community and processed in accordance with Article 1 of Regulation (EEC) No 1594/83 ⁽¹⁾ or exported with a refund, Member States shall levy or grant differential amounts under the conditions set out below.

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.'

2. Article 2 (2) is replaced by the following paragraphs 2 and 3:

'2. However, where the forward exchange rate for one or more currencies differs from the spot rate by at least a percentage to be determined, forward differential amounts shall be determined for the months following the current one and for which the aid or refund may be fixed in advance.

In such a case, for Member States whose currencies are in the situation referred to above and, for the months following the current one, the differential amount calculated in accordance with paragraph 1 shall be adjusted to take account of the exceeding of the percentage referred to in the preceding paragraph.

3. The differential amounts shall be fixed by the Commission. They shall be altered when the differences referred to in paragraphs 1 and 2 differ by one point at least from the percentage adopted for the previous fixing of the subsidy or refund.'

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 162, 12. 6. 1982, p. 6.

⁽³⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽⁴⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁵⁾ OJ No L 215, 23. 7. 1982, p. 10.

3. Article 3 shall be deleted.

4. Article 5 is replaced by the following:

Article 5

1. Where the subsidy or export refund is not fixed in advance the differential amounts shall be those valid on the day on which the application for Part ID of the Community subsidy certificate is lodged or, as the case may be, the day on which the customs export formalities are completed.

2. Where the subsidy or export refund is fixed in advance, the differential amounts shall be those valid:

- on the day on which the application for Part AP of the Community subsidy is lodged, where the subsidy has been fixed in advance, or
- on the day on which the application for the advance-fixing certificate is lodged, where the export refund has been fixed in advance.

3. However, in the event of an abnormal situation on the Community exchange market, in particular where this situation threatens to disturb the market in seeds, the Commission may decide to

suspend the application of paragraph 2 for the period strictly necessary and for not more than one week. This period may be extended according to the procedure provided for in Article 38 of Regulation No 136/66/EEC.

In such a case, the differential amounts shall be those valid on the day on which the application for Part ID of the Community subsidy certificate is lodged or, as the case may be, the day on which customs export formalities are completed.'

Article 2

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

The Commission shall draw up a report and submit, where necessary, proposals with a view to amending this Regulation, in good time to enable the Council, acting on a qualified majority, to take a decision on them before 31 December 1983.

This Regulation shall apply until the entry into force of such amendment and, at the latest, until 30 June 1984.

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

Done at Brussels, 18 July 1983.

For the Council

The President

C. SIMITIS

COMMISSION REGULATION (EEC) No 2028/83

of 20 July 1983

fixing the sluice-gate prices and levies on pigmeat

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2759/75 of 29 October 1975 on the common organi-
zation of the market in pigmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 2966/80 ⁽²⁾, and in particular
Articles 8 and 12 (1) thereof,

Whereas a levy fixed quarterly in advance must be
charged on imports into the Community for the
products specified in Article 1 (1) of Regulation (EEC)
No 2759/79; whereas levies were last fixed by
Commission Regulation (EEC) No 902/83 of 15 April
1983 ⁽³⁾ for the period 1 May to 31 July 1983 and
levies must therefore be fixed anew for the period
1 August to 31 October 1983;

Whereas the levy on pig carcasses is made up of two
components;

Whereas the first component must be equal to the
difference between prices within the Community and
on the world market for the quantity of feed grain
specified in Article 1 of Council Regulation (EEC) No
2764/75 of 29 October 1975 laying down the rules for
calculating a component of the levy on pig carcasses ⁽⁴⁾,
as last amended by Regulation (EEC) No 2791/82 ⁽⁵⁾,
the composition whereof is indicated therein;

Whereas the value within the Community for that
quantity of feed grain must be determined in accor-
dance with Article 2 of Regulation (EEC) No 2764/75;
whereas the value for the like quantity on the world
market must be determined in accordance with Article
3 thereof;

Whereas the said Article 3 provides that the prices for
each type of feed grain on the world market shall be
equal to the average of the cif prices of such cereal;
whereas the cif prices shall be determined for the

period of five months ending one month before the
quarter in respect of which the said component is
calculated; whereas that period is 1 February to 30
June 1983;

Whereas the second component must be equal to 7 %
of the average of the sluice-gate prices applicable for
the four quarters to 1 May in each year;

Whereas the levies on the products specified in Article
1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other
than pig carcasses must be derived from the levy on pig
carcasses on the basis of the coefficients fixed for such
products pursuant to Article 10 (4) of Regulation (EEC)
No 2759/75 in Annex I to Commission Regulation
(EEC) No 3602/82 of 21 December 1982 fixing coeffi-
cients for calculating levies on pigmeat products other
than pig carcasses, amending the Annex to Council
Regulation (EEC) No 950/68 on the Common
Customs Tariff and repealing Regulation (EEC) No
747/79 ⁽⁶⁾;

Whereas the levies on the products specified in Article
1 (1) (c) of Regulation (EEC) No 2759/75 are made up
of two components;

Whereas the first component must be derived from
the levy on pig carcasses on the basis of the coefficients
fixed in Annex II to Regulation (EEC) No 3602/82;

Whereas the second component must be equal to
7 %, and for products falling within heading No ex
16.02 of the Common Customs Tariff, to 10 %, of the
average offer prices for imports during the 12 months
to 1 May; whereas these averages should be deter-
mined bearing in mind all the information available
relating to imports into the Community from third
countries, taking into account the representative
character of prices;

Whereas, in the case of products falling within sub-
headings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A and
16.02 A II of the Common Customs Tariff, in respect
of which the rate of duty has been bound with GATT,
the levies must not exceed the amount resulting from
that binding;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 100, 19. 4. 1983, p. 5.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 21.

⁽⁵⁾ OJ No L 295, 21. 10. 1982, p. 4.

⁽⁶⁾ OJ No L 376, 31. 12. 1982, p. 23.

Whereas, for pig carcasses and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate price for pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 1905/83 ⁽²⁾, the sluice-gate prices must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 902/83 for the period 1 May to 31 July 1983 and prices must therefore be fixed anew for the period 1 August to 31 October 1983;

Whereas the sluice-gate price for pig carcasses is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 February to 30 June 1983;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accor-

dance with Article 3 (2) of Regulation (EEC) No 2766/75, be 38.69 ECU per 100 kilograms of pig carcasses;

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcasses, must be derived from the sluice-gate price for pig carcasses on the basis of the coefficients laid down by Regulation (EEC) No 3602/82;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 August to 31 October 1983 the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof and the sluice-gate prices provided for in Article 12 thereof for the products referred to in Article 1 of Regulation (EEC) No 2766/75 shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A and 16.02 A II of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 August 1983.

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

Done at Brussels, 20 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽²⁾ OJ No L 190, 14. 7. 1983, p. 1.

to the Commission Regulation of 20 July 1983 fixing the sluice-gate prices and levies on pigmeat

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
01.03	Live swine :			
	A. Domestic species :			
	II. Other :			
	a) Sows having farrowed at least once, of a weight of not less than 160 kg	83,99	36,50	—
	b) Other	98,76	42,92	—
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen :			
	A. Meat :			
	III. Of Swine :			
	a) Of domestic swine :			
	1. Whole carcasses or half carcasses	128,43	55,81	—
	2. Legs and parts thereof	186,23	80,93	—
	3. Fore-ends or shoulders ; parts thereof	143,84	62,51	—
	4. Loins and parts thereof	208,06	90,42	—
	5. Bellies and parts thereof	111,74	48,56	—
	6. Other :			
	aa) Boned or boneless	208,06	90,42	—
	bb) Other	—	90,42	—
	B. Offals :			
	II. Other :			
	c) Of domestic swine :			
	1. Heads and parts thereof	—	17,86	4
	2. Feet or tails	—	5,02	4
	3. Kidneys	—	58,60	4
	4. Livers	—	67,53	7
	5. Hearts, tongues or lungs	—	33,49	4
	6. Livers, hearts, tongues and lungs with windpipe and gullet all attached	—	49,11	4
	7. Other	—	49,11	4
02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked :			
	A. Subcutaneous pig fat :			
	I. Fresh, chilled, frozen, salted or in brine	51,37	22,32	—
	II. Dried or smoked	56,51	24,56	—
	B. Other pig fat	—	13,39	—

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :			
	B. Of domestic swine :			
	I. Meat :			
	a) Salted or in brine :			
	1. Bacon sides or spencers	164,39	71,44	—
	2. ¾ sides or middles	179,80	78,14	—
	3. Hams and parts thereof	186,23	80,93	—
	4. Fore-ends or shoulders ; parts thereof	143,84	62,51	—
	5. Loins and parts thereof	208,06	90,42	—
	6. Bellies and parts thereof	111,74	48,56	—
	7. Other :			
	aa) Boned or boneless	208,06	90,42	—
	bb) Other	—	90,42	—
	b) Dried or smoked :			
	1. Hams and parts thereof	362,18	157,39	—
	2. Fore-ends or shoulders ; parts thereof	285,12	123,90	—
	3. Loins and parts thereof	358,33	155,72	—
	4. Bellies and parts thereof	186,23	80,93	—
	5. Other :			
	aa) Boned or boneless	362,18	157,39	—
	bb) Other	—	157,39	—
	II. Offals :			
	a) Heads and parts thereof	—	17,86	—
	b) Feet or tails	—	5,02	—
	c) Kidneys	—	58,60	—
	d) Livers	—	67,53	—
	e) Hearts, tongues or lungs	—	33,49	—
	f) Livers, hearts, tongues and lungs with windpipe and gullet all attached	—	49,11	—
	g) Other	—	49,11	—
15.01	Lard, other pig fat and poultry fat, rendered or solvent extracted :			
	A. Lard and other pig fat :			
	I. For industrial uses other than the manufacture of foodstuffs for human consumption (a)	—	17,86	3
	II. Other	41,10	17,86	—
16.01	Sausages and the like, of meat, meat offal or animal blood :			
	A. Liver sausages	—	94,64	24
	B. Other (b) :			
	I. Sausages, dry or for spreading, uncooked	301,82	162,16	—
	II. Other	—	114,80	—

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
16.02	Other prepared or preserved meat or meat offal :			
	A. Liver :			
	II. Other	—	98,56	25
	B. Other :			
	III. Other :			
	a) Containing meat or offal of domestic swine :			
	1. Containing bovine meat, uncooked	—	240,25	—
	2. Other, containing by weight :			
	aa) 80 % or more of meat or offal, of any kind, including fats of any kind or origin :			
	11. Hams or loins, (excluding collars); parts thereof	314,66	175,54	—
	22. Collars or shoulders; parts thereof	263,29	143,42	—
	33. Other	—	96,75	—
	bb) 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin	—	84,51	—
	cc) Less than 40 % of meat or offal, of any kind, including fats of any kind or origin	—	60,79	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The levy on sausages imported in containers which also contain preserving liquid shall be charged on the net weight, i. e. minus the weight of the liquid.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 July 1983

withdrawing the status of certain parts of the territory of the Federal Republic of Germany with regard to classical swine fever

(83/352/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine⁽¹⁾, as last amended by Directive 82/893/EEC⁽²⁾, and in particular Article 4c (1) (c) thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 82/893/EEC, and in particular Article 13a (2) thereof,

Whereas Council Decision 82/838/EEC⁽⁴⁾ recognizes certain parts of the territory of the Federal Republic of Germany as being either officially swine-fever-free or swine-fever-free;

Whereas outbreaks of classical swine fever have been recorded in some of the parts of the territory of the Federal Republic of Germany referred to in Annexes I and II to Decision 82/838/EEC;

Whereas, by Decision 83/74/EEC⁽⁵⁾, the Commission has suspended for a period of 15 days the status of official freedom from swine fever or freedom from swine fever of affected parts of German territory;

Whereas, taking account of the epidemiological evolution of the disease, the Commission, by Decision

83/117/EEC⁽⁶⁾, temporarily prolonged this period of suspension for certain regions beyond the 15 days provided for initially;

Whereas, since that time, study of the epidemiological situation leads to the conclusion that the disease has persisted in certain districts and it is necessary to withdraw the status of officially swine-fever-free from these districts;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The status of those parts of the territory of the Federal Republic of Germany as areas recognized to be officially swine-fever-free within the meaning of Article 4c (1) (c) of Directive 64/432/EEC is withdrawn for the regions listed in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 378, 31. 12. 1982, p. 57.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 27.

⁽⁵⁾ OJ No L 47, 19. 2. 1983, p. 29.

⁽⁶⁾ OJ No L 76, 22. 3. 1983, p. 22.

ANNEX

**Regions in the Federal Republic of Germany for which the official swine-fever-free status
is withdrawn**

The Regierungsbezirk of Munster.

COMMISSION DECISION

of 5 July 1983

fixing the maximum aid levels for butter and concentrated butter for the 45th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(83/353/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

concentrated butter, the amount of the processing security must be fixed taking account of the maximum aid level ;

Having regard to the Treaty establishing the European Economic Community,

Whereas, in the light of the tenders received in response to the 45th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly ;

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 Article 12 (3) thereof,

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

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs ⁽³⁾, as last amended by Regulation (EEC) No 48/82 ⁽⁴⁾, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter ;

HAS ADOPTED THIS DECISION :

Article 1

Whereas Article 7 of the said Regulation lays down that a maximum aid level is to be fixed for the butter and for the concentrated butter and that this is to be differentiated according to the intended use and the fat content of the butter, or that a decision may be taken not to accept any tender ; whereas, in the case of

For the 45th individual invitation to tender issued under Regulation (EEC) No 1932/81, in respect of which the time limit for the submission of tenders expired on 28 June 1983, the maximum aid and processing securities are hereby fixed as follows :

(a) *for butter :*

Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	(ECU/100 kg butter)
		Maximum aid level
Formula A	82 % or more	235,00
	80 % or more, but not exceeding 82 %	229,00
Formula B	82 % or more	150,00
	80 % or more, but not exceeding 82 %	—

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽⁴⁾ OJ No L 7, 12. 1. 1982, p. 5.

(b) *for concentrated butter:*

<i>(ECU/100 kg pure concentrated butter)</i>		
Use to which the concentrated butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Maximum aid level	Processing security
Formula A and/or C	302,00	330,00
Formula B	200,00	220,00

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 July 1983.

For the Commission
Poul DALSAGER
Member of the Commission

COMMISSION DECISION

of 5 July 1983

fixing the minimum selling prices for butter for the 57th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 262/79

(83/354/EEC)

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 Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by the 1979 Act of Accession, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 1014/83 ⁽⁵⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the

use to which the butter is to be put and according to the fat content of the butter; whereas, alternatively, a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the 57th individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 57th individual invitation to tender issued under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expired on 28 June 1983, the minimum selling prices and processing securities shall be fixed as follows:

(ECU/100 kg butter)			
Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price	Processing security
Formula A and/or C	82 % or more	115,00	267,00
	Less than 82 %	112,00	267,00
Formula B	82 % or more	200,00	174,00
	Less than 82 %	—	—

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁵⁾ OJ No L 114, 29. 4. 1983, p. 8.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION

of 6 July 1983

authorizing certain Member States provisionally to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Pinus L.* originating in Japan

(83/355/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 81/7/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by the Member States concerned,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Pinus L.*, other than fruit and seeds, originating in non-European countries, may in principle not be introduced into the Community;

Whereas, however, Article 14 (3) of the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas in certain Member States there is some interest in the importation of certain *Pinus* plants originating in Japan, and in particular the 'bonsai'-type;

Whereas the Commission has established that on the basis of the information available at present there is no risk of spreading harmful organisms, provided that certain special technical conditions are satisfied;

Whereas the requesting Member States should therefore be authorized to provide for derogations in respect of certain *Pinus* plants under those special technical conditions; whereas, however, this authorization should be granted at present on a provisional basis only, subject to its revision in the light of experience to be gained;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

1. Belgium, Denmark, the Federal Republic of Germany, Greece, France, Italy, Luxembourg, the Netherlands and the United Kingdom are hereby authorized to provide under the conditions laid down in paragraph 2 for derogations from Article 4 (1) of Directive 77/93/EEC, with regard to Annex III (A) (1), for plants of *Pinus L.*, other than fruit and seeds, originating in Japan.

2. For the purpose of paragraph 1, the following conditions shall be satisfied:

(a) The plants shall be of the species '*Pinus parviflora*' (*Pinus pentaphylla*).

They shall not exceed quantities which have been determined by the importing Member State, having regard to available quarantine facilities.

(b) The plants shall have been grown and trained in officially registered 'bonsai'-nurseries and must not have been collected directly from natural habitats.

(c) The plants shall:

— have been grown, at least during the last two years prior to dispatch, in a growing medium treated to ensure freedom from harmful organisms,

— within 14 days prior to dispatch have been shaken free from the growing medium leaving the minimum amount necessary to sustain viability during transport,

— be potted or packed in a sterile or sterilized medium, and

— be free from other plant debris.

(d) The plants shall have undergone a treatment to ensure control of all stages of Homoptera (moths) and Lepidoptera (butterflies).

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 14, 16. 1. 1981, p. 23.

(e) The plants and the adhering or associated growing medium (hereinafter referred to as 'the material') shall be accompanied by a phytosanitary certificate issued in Japan in accordance with Article 7 of Directive 77/93/EEC, on the basis of the examination laid down in Article 6 of the said Directive relating to the conditions laid down therein, in particular freedom from *Popillia japonica* (Annex I (A) (a) (8) thereto) and from *Cronartium quercuum* (Annex I (A) (d) (7) thereto), as well as to the requirements specified in (b), (c) and (d) and to freedom from:

- *Bursaphelenchus lignicolus*,
- *Cercospora pini-densiflorae*,
- *Coleosporium paederiae*,
- *Coleosporium phellodendri*,
- *Dendrolimus spectabilis*,
- *Peridermium kurilense*,
- *Thecodiplosis japonensis*.

The certificate shall indicate:

- that the requirements specified in (b), (c) and (d) are met,
- that the plants have been found free in particular from the abovementioned harmful organisms, and

shall specify the treatments referred to in the first indent of (c) and in (d).

(f) The material shall be packed in closed containers which have been officially sealed and bear a distinguishing mark to be reproduced on the phytosanitary certificate, enabling the consignments to be identified.

(g) The material shall be subjected, before it is released, to official post-entry quarantine for a period of not less than three months of active growth and must be found free, during this quarantine period, from any harmful organism unless it is identified as one which is known to occur in the Community and is not listed in Directive 77/93/EEC or in (e).

(h) The post-entry quarantine mentioned under (g) shall:

- be supervised by the official plant protection organization of the Member State concerned and executed by scientifically trained staff of that organization or of any officially approved research body,
- be performed at an officially approved site provided with appropriate facilities sufficient to contain harmful organisms and treat the

material in such a way as to eliminate any risk of spreading harmful organisms,

— be performed for each item of material:

(i) by visual examination upon arrival and at regular intervals thereafter, having regard to the type of material and its state of development during the quarantine period, for harmful organisms or symptoms caused by any harmful organism,

(ii) by appropriate testing on any symptom observed in the visual examination in order to identify the harmful organisms having caused such symptoms.

(i) Any material which has not been found free, during the quarantine period specified under (g), from harmful organisms as specified therein shall be immediately destroyed, unless a special permit for official scientific research has been granted.

(k) Member States shall notify, to the Commission and to the other Member States, any contamination by harmful organisms as specified under (e) which has been confirmed during the quarantine period specified under (g).

(l) Prior to introduction from outside the Community into a Member State, the importer or his agents shall notify each introduction sufficiently in advance to the authority responsible in the Member States concerned, indicating:

- the type of material,
- the quantity,
- the region or regions of origin in Japan,
- the declared point of entry,
- the declared date of import,
- the place or places of first storage after the material has been released.

They shall be officially informed, prior to the introduction, of the conditions laid down in paragraph 2 (a) to (k).

(m) Any material which has been subjected to the quarantine period specified under (g) in one Member State and has been found free, during that quarantine period, from harmful organisms as specified therein and which has been maintained under appropriate conditions shall be exempted, for its introduction into one of the other Member States concerned, from the requirement laid down under (g). However, in such case it may be introduced only where the following conditions are satisfied:

- the required phytosanitary certificates shall indicate the site of the quarantine period as well as the dates thereof,

- copies of the certificates shall be sent to the plant protection organization of the introducing Member State, one week prior to dispatch of the material, at the latest,
- in the introducing Member State, the material shall be subject to conditions which that Member State may lay down to enable adequate phytosanitary monitoring, without affecting the movement of the consignment to the place of destination.

Article 2

The Member States listed in Article 1 (1) shall inform the other Member States and the Commission of any instance of implementation of this Decision.

Article 3

The authorization granted in Article 1 shall expire on 31 December 1985. It shall be revoked earlier, if it is established that the conditions laid down under Article

1 (2) are not sufficient to prevent the introduction of harmful organisms, or have not been complied with.

Article 4

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the French Republic, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the United Kingdom.

Done at Brussels, 6 July 1983.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION

of 6 July 1983

amending the list of establishments in the Republic of South Africa and Namibia approved for the purpose of importing fresh meat into the Community

(83/356/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 83/91/EEC ⁽²⁾, and in particular
Articles 4 (1) and 18 (1) (a) and (b) thereof,

Whereas a list of establishments in the Republic of
South Africa and Namibia, approved for the purposes
of the importation of fresh meat into the Community,
was drawn up initially by Commission Decision
82/913/EEC ⁽³⁾;

Whereas a routine inspection, made pursuant to
Article 5 of Directive 72/462/EEC, has revealed that
the level of hygiene of certain establishments may be
considered to be satisfactory; whereas these establish-
ments may therefore be kept or entered on the said
list;

Whereas it is therefore necessary to amend the list of
establishments;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 82/913/EEC is hereby
replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 381, 31. 12. 1982, p. 28.

ANNEX

LIST OF ESTABLISHMENTS

Establishment No	Establishment	Address
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I. BOVINE MEAT

A. Slaughterhouses and cutting premises

22 ⁽¹⁾	Damara Meat Packers	Windhoek, Namibia
23 ⁽¹⁾	Karoo Meat Packers	Okahandja, Namibia
25	Damara Meat Packers	Otavi, Namibia
30 ⁽¹⁾	Johannesburg Abattoir	City Deep, Transvaal, RSA ⁽²⁾
47 ⁽¹⁾	Bull Brand Foods	Krugersdorp, Transvaal, RSA

B. Cutting premises

61	Meat Control Board	Cape Town, Cape Province, RSA
62	National Meat Suppliers	Cape Town, Cape Province, RSA
69	Karoo Meat Packers	Cape Town, Cape Province, RSA
83	Blue Continent Cold Storage	Cape Town, Cape Province, RSA
87	Rand Cold Storage	City Deep, Transvaal, RSA
93	Wholesome Meats	Durban, Natal, RSA

II. COLD STORES

4	Table Bay Cold Storage	Cape Town, Cape Province, RSA
84	Maydon Wharf Cold Storage	Durban, Natal, RSA
90	Epping Cold Storage	Cape Town, Cape Province, RSA
94	Walvis Bay Cold Storage	Walvis Bay
95	Imperial Cold Storage	City Deep, Transvaal, RSA

⁽¹⁾ Offal excluded.⁽²⁾ RSA = Republic of South Africa.

COMMISSION DECISION

of 7 July 1983

on the date of unloading in Community territory of fresh meat of bovine, ovine and domestic soliped animals from establishments in the Argentine Republic authorized to appear until 30 June 1983 on the list of establishments in the Argentine Republic approved for the purpose of importing fresh meat into the Community

(83/357/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 83/91/EEC⁽²⁾, and in particular Articles 4 (1), 16 and 18 (1) (a) and (b) thereof,

Whereas a routine inspection, made pursuant to Article 5 of Directive 72/462/EEC, led to an amendment to the list of establishments approved for the purpose of importing fresh meat into the Community drawn up by Council Decision 82/737/EEC⁽³⁾;

Whereas Commission Decision 83/12/EEC⁽⁴⁾, adopted on the basis of this last inspection, limited, for reasons of hygiene, the approval of certain establishments to 30 June 1983;

Whereas 30 June 1983 is the final date for the production of fresh meat intended for export to the Community;

Whereas it is necessary, for these same reasons of hygiene and public health, to check if this stipulation has been fully observed;

Whereas the best possible means of control is to fix an unloading date in Community territory for the fresh meat from these establishments and to require a special reference in the public health certificate;

Whereas it is possible to provide for a reasonable interval between the time of dispatch and the time of unloading of the fresh meat in Community territory;

whereas this interval can be fixed for the Argentine at six weeks;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Fresh meat from those establishments authorized to appear until 30 June 1983 on the list of establishments in the Argentine Republic approved for the purpose of importing fresh meat into the Community drawn up by Decision 83/12/EEC may be unloaded in Community territory until 15 August 1983.

2. The health certificate accompanying the fresh meat sent from these establishments as from 1 July 1983 must bear the reference 'fresh meat obtained before 1 July 1983'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 July 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 311, 8. 11. 1982, p. 21.

⁽⁴⁾ OJ No L 17, 21. 1. 1983, p. 43.

COMMISSION DECISION**of 7 July 1983****amending the list of establishments in the Argentine Republic approved for the purpose of importing fresh meat into the Community****(83/358/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals, swine and fresh meat from third countries⁽¹⁾, as last amended by Directive 83/91/EEC⁽²⁾, and in particular Articles 4 (1) and 18 (1) (a) and (b) thereof,

Whereas a list of establishments in Argentina, approved for the purposes of the importation of fresh meat into the Community, was drawn up initially by the Council Decision of 25 November 1980, and was amended and published by Decision 81/91/EEC⁽³⁾, as last amended by Council Decision 83/12/EEC⁽⁴⁾;

Whereas a routine inspection, made in application of Article 5 of Directive 72/462/EEC and Article 3 (1) of Commission Decision 83/196/EEC of 8 April 1983 concerning the on-the-spot inspections to be carried out in respect of the importation of bovine animals, swine and fresh meat from non-member countries⁽⁵⁾, has revealed that there has been a change in the level of hygiene of certain establishments in relation to the preceding inspection;

Whereas the list of establishments should, therefore, be amended;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 81/91/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 July 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 58, 5. 3. 1981, p. 39.

⁽⁴⁾ OJ No L 17, 21. 1. 1983, p. 43.

⁽⁵⁾ OJ No L 108, 26. 4. 1983, p. 18.

ANNEX

LIST OF ESTABLISHMENTS

Establishment No	Establishment	Address
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I. BOVINE MEAT

A. Slaughterhouses and cutting premises

8	Corporación argentina de productores de carnes (CAP)	Cuaterros, Daniel Cesri, Buenos Aires
16	Frigorífico regional Santa Elena SA	Santa Elena, Entre Ríos
249	Industrias frigoríficas Nelson SACIA	Nelson, Santa Fé
1014	San Jorge SA	San Jorge, Santa Fé
1113	La Morocha SAAICF	Villa Mercedes, San Luis
1344	Vizental y Cia SACIA	Ramírez, Entre Ríos
1352	Frigorífico Meatex Ciafiiesa	Alejandro Korn, Buenos Aires
1373	Frigorífico el Centenario SA	Venado Tuerto, Santa Fé
1399	Frigorífico regional industria SAIC (FRIA)	Casilda, Santa Fé
1404	Pedro Hnos SAICIFA	Monte Chingolo, Buenos Aires
1408	Subpga SACIEI	Berazategui, Buenos Aires
1905	Frigorífico Yaguane SACIFA	González Catán, Buenos Aires
1918	Cia de carniceros SAICAI (COCARSA)	San Fernando, Buenos Aires
1920	Frigorífico rioplatense SAICIF	General Pacheco, Buenos Aires
1921	San Telmo SACIAFIF	Mar del Plata, Buenos Aires
1930	Vizental y Cia SACIA	San José, Entre Ríos
1970	Frigorífico regional industrias alimenticias reconquista SA	Reconquista, Santa Fé
1984	Matadero y Frigorífico regional de Azul SAGIC	Azul, Buenos Aires
2035	Industrias frigoríficas Hughes SAICF	Hughes, Santa Fé
2052	Matadero y Frigorífico Antartico SAIC	González Catán, Buenos Aires
2062	Finexcor SAICIFA	Bernal, Buenos Aires
2064	Frigorífico Siracusa SAACIIF	Bahía Blanca, Buenos Aires
2065	Frigorífico Mediterraneo SAICIFA	Pajas Blancas, Córdoba
2067	Cia elaboradora de productos animales SAICAGT	Pontevedra, Buenos Aires
2072	Frigorífico ganadero SACIAFIGMS	Curuzú Cuatiá, Corrientes
2082	Ramallo	Perez Milan, Buenos Aires

B. Cutting premises

18	Quickfood, alimentos rapidos SRI	Martinez, Buenos Aires
273	Frigorífico guardia nacional SA	1166, Cap. Federal
1098	Azul y Blanco	Avellaneda, Buenos Aires
1122	Frigorífico Lafayette SAICAG	1740, Cap. Federal
1311	Frymat SAICFA	3680 Santa Fé, Santa Fé
1920 a	Frigorífico rioplatense SAICIF	General Pacheco, Buenos Aires

Establishment No	Establishment	Address
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II. SHEEPMEAT

Slaughterhouses and cutting premises

14	Frigorífico Austral	Río Grande, Tierra del Fuego
97	Carnes Santacruceñas SA	Pto. Deseado, Santa Cruz
286	Frigorífico San Jorge SAIC	Comodoro Rivadavia, Chubut
1408	Subpga SACIEI	Berazategui, Buenos Aires
1879	Troncomar	Ayacucho, Buenos Aires
2006	Vizental y Cia SACIA	General Pico, La Pampa
2044	Frigorífico Siracusa SAACIIF	Comodoro Rivadavia, Chubut
2062	Finexcor SACIFIA	Bernal, Buenos Aires
2066	COAGRO	Río Gallegos, Santa Cruz
2072	Frigorífico ganadero SACIAFIGMS	Curuzú Cuatiá, Corrientes

III. HORSE MEAT

Slaughterhouses and cutting premises

351	SA Indio Pampa ICAG	Trenque Lauquen, Buenos Aires
1369	Frigorífico Felmar SA	San Francisco, Córdoba
1400	Frigorífico Juchco SCA	Gyaleguay, Entre Ríos
1451	Lamar SRL	Mercedes, Buenos Aires
2009	Frigorífico Aimar SA	Río Cuarto, Córdoba
2028	Lamar SRL	Resistencia, Chaco

IV. COLD STORES

14 a	Frigorífico Austral	Ushuaia, Tierra del Fuego
112	La Perla	Cap. Federal
152	Comalfri	Pilar, Buenos Aires
267	Frymat SACIFA	Santa Fé, Santa Fé
308	Frigorífico americano de Morris Neremberg Ltda SA	Cap. Federal
391	Frigorífico Siracusa SAACIIF	Avellaneda, Buenos Aires
1101	Frigorífico ONETO	Virrey Cevallos, Buenos Aires
1326	Establecimiento Azul SRL	Azul, Buenos Aires
1523	La Pampa	Cap. Federal
1838	Guaicos SAIIF	Cap. Federal

COMMISSION DECISION

of 11 July 1983

establishing that the apparatus described as 'Microcal — Differential Scanning Calorimeter, model MC-1' may be imported free of Common Customs Tariff duties

(83/359/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials⁽¹⁾, as last amended by Regulation (EEC) No 608/82⁽²⁾,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75⁽³⁾, and in particular Article 7 thereof,

Whereas, by letter dated 21 December 1982, Italy has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Microcal — Differential Scanning Calorimeter, model MC-1', ordered on 29 May 1981 and intended to be used for research into the effects of solvents on the stability of proteins in solution and in particular for the measurement of the minute amounts of heat given off during phase changes in proteins or membranes, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 22 June 1983 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a calorimeter; whereas its objective technical characteristics, such as the great sensibility, and the use to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable of use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

Article 1

The apparatus described as 'Microcal — Differential Scanning Calorimeter, model MC-1', which is the subject of an application by Italy of 21 December 1982, may be imported free of Common Customs Tariff duties.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 11 July 1983.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 184, 15. 7. 1975, p. 1.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 4.

⁽³⁾ OJ No L 318, 13. 12. 1979, p. 32.

