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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2977/83
of 19 October 1983**

**concerning the import system applicable to certain non-member countries in
the sheepmeat and goatmeat sector in the first quarter of 1984**

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽³⁾, as last amended by Regulation (EEC) No 1195/82 ⁽⁴⁾, established a system of trade with non-member countries in this sector; whereas this system includes the collection of an import levy;

Whereas the Community has concluded voluntary restraint agreements with the great majority of the non-member countries exporting sheepmeat and goatmeat products; whereas under Article 34 of the above-

mentioned Regulation the Council may, before 1 April 1984, make amendments to the various systems governing the market of the products in question;

Whereas, pending the conclusion of agreements with other non-member countries which traditionally export to the Community, and pending the disclosure of the amendments, if any, to the existing voluntary restraint agreements, it would seem appropriate to restrict in the first quarter of 1984 the collection of the levy and the issue of import licences in respect of certain products from these countries;

Whereas imports into the Member States should be allowed, account being taken of traditional trade patterns,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy applicable to the following products shall be limited to a maximum of 10 % *ad valorem* subject to quantitative limits expressed in tonnes of carcase equivalent per non-member country concerned and per category:

CCT heading No	Description	Non-member country concerned and quantity		
		Chile	Spain	Other non-member countries (a)
01.04	Live sheep and goats:			
	B. Other (b)	0	0	25
02.01	Meat and edible offal of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen:			
	A. Meat:			
	IV. Of sheep or goats:			
	a) Fresh or chilled	0	125	25
	b) Frozen	375	0	25

(a) Excluding Argentina, Australia, Austria, Bulgaria, Czechoslovakia, Hungary, Iceland, New Zealand, Poland, Romania, Uruguay and Yugoslavia.

(b) The coefficient to be employed for converting net mass (live weight) into carcase mass (carcase weight equivalent) shall be 0,47 for products falling within subheading 01.04 B of the Common Customs Tariff.

⁽¹⁾ OJ No C 180, 7. 7. 1983, p. 6.

⁽²⁾ Opinion delivered on 14 October 1983 (not yet published in the Official Journal).

⁽³⁾ OJ No C 183, 16. 7. 1980, p. 1.

⁽⁴⁾ OJ No L 140, 20. 5. 1982, p. 22.

2. Member States may be authorized to issue import licences for the products referred to in paragraph 1 up to the limit of quantities corresponding to their traditional imports coming from the non-member countries concerned.

Article 2

For the products and non-member countries specified in Article 1, the import licences as provided for in Article 16 of Regulation (EEC) No 1837/80 shall be issued in the first quarter of 1984 subject to the quantitative limits laid down in Article 1.

Article 3

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 1837/80.

Article 4

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

It shall apply from 1 January 1984 until voluntary restraint agreements with the non-member countries concerned are implemented or until 31 March 1984 whichever is the earlier.

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

Done at Luxembourg, 19 October 1983.

For the Council

The President

C. SIMITIS

COUNCIL REGULATION (EEC) No 2978/83

of 24 October 1983

amending Regulation (EEC) No 191/80 imposing a definitive anti-dumping duty on lithium hydroxide originating in the United States of America and the Soviet Union

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 Articles 12 and 14 thereof,

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

Whereas,

A. Prior action

- (1) By its Regulation (EEC) No 191/80⁽³⁾ the Council imposed a definitive anti-dumping duty on lithium hydroxide falling within Common Customs Tariff subheading 28.28 B, corresponding to NIMEXE code ex 28.28-10, originating in the United States of America and the Soviet Union.
- (2) That Regulation was subsequently amended by Regulation (EEC) No 2294/80⁽⁴⁾ which changed the amount of duty to the amount by which the free-at-Community-frontier price of lithium hydroxide is less than US \$ 1,66 per lb.

B. Review procedure

- (3) The Commission has since received a complaint from the European Council of Chemical Industry Federations (CEFIC), acting on behalf of the sole Community producer of lithium hydroxide, requesting a review of the definitive anti-dumping duty and the price undertaking given by one of the American exporters.
- (4) Since the said request provided sufficient evidence to justify opening a review procedure, the Commission announced by a notice

published in the *Official Journal of the European Communities*⁽⁵⁾, a review of the definitive anti-dumping duty on imports of lithium hydroxide originating in the United States of America and the Soviet Union and started an investigation.

- (5) The Commission officially advised the exporters and importers known to be concerned as well as the representatives of the United States and the complainants thereof, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing. Both of the American exporters took this opportunity to make their views known in writing and were granted hearings.
- (6) Most of the importers made their views known in writing and some importers were granted hearings.
- (7) The Commission sought and verified all information it deemed to be necessary for the purposes of the review procedure; it carried out on-the-spot investigations at the premises of the following:

Community producer:

Chemetall GmbH, Frankfurt, Federal Republic of Germany;

Exporters:

Foote Mineral Company, Exton, Pennsylvania, USA,
Lithium Corporation of America, Gastonia, North Carolina, USA;

Importer:

Lithium Corporation of Europe Ltd, Bromborough, United Kingdom.
- (8) The enquiry into dumping covered the year ended 31 March 1983.

C. Normal value

- (9) Normal value for American exporters was determined on the basis of the domestic prices of those producers who exported to the Community.

⁽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, 30. 1. 1980, p. 19.

⁽⁴⁾ OJ No L 228, 30. 8. 1980, p. 59.

⁽⁵⁾ OJ No C 98, 12. 4. 1983, p. 2.

- (10) In order to establish whether the imports from the Soviet Union were dumped, the Commission had to take account of the fact that the Soviet Union does not have a market economy and the Commission therefore had to base its determination on the normal value in a market economy country; in this connection the complainant had suggested the United States' domestic market, this being the only known non-member market economy country which produces the like product. No objection was made to this suggestion and the Commission is satisfied that there is sufficient internal competition in the United States to ensure that price levels are in a reasonable proportion to production costs; it is, therefore, considered appropriate and not unreasonable to determine normal value for imports originating in the Soviet Union on the basis of domestic prices in the United States.

D. Export price

- (11) Export prices for American exporters were determined on the basis of the prices actually paid or payable for the products sold for export to the Community. With regard to exports from the Soviet Union, no information was provided to the Commission by the exporters or importers concerning export prices and these were consequently determined on the basis of the data provided in the complaint which was considered to be the best information available.

E. Comparison

- (12) In comparing normal value with export prices, the Commission took account, where appropriate, of differences affecting price comparability and, in particular, of differences in conditions and terms of sale. All comparisons were made at ex-works level.

F. Margins

- (13) The above examination of the facts showed that the American exporter which had given an undertaking after the original investigation had respected the terms of its undertaking but that, in some cases, the increases in the prices on the United States domestic market had led to a resumption of dumping. For this exporter and for the other exporters concerned the weighted average margin of dumping, which is equal to the amount by which the normal value as established exceeds the price for export to the Community, was as follows:

- exports from the United States 15,5 %,
- exports from the Soviet Union 12,0 %.

G. Injury

- (14) Statistical evidence available to the Commission shows that imports into the Community from the Soviet Union and the United States decreased from 1 139 tonnes in 1980 to 702 tonnes in 1982 and the market share obtained by these imports decreased from 54,9 to 45,8 % during the same period.
- (15) The weighted average resale prices of the dumped imports in the Community were approximately 15 % lower than those required to cover the costs of the sole Community producer and provide a reasonable profit. The resultant impact on this producer has been the incurring of a considerable loss which puts into jeopardy the continuation of the production of this product.
- (16) The Commission has considered whether injury has been caused by other factors. In this connection it has taken into account the imports of lithium hydroxide originating in the People's Republic of China, which are the subject of an anti-dumping proceeding which was initiated at the same time as the review procedure.
- (17) Whilst dumped imports of this product from China have increased substantially between 1980 and 1982 and have been at prices which were even lower than those of American and Soviet origin, the market share of 25,5 %, held by Chinese exports in the Community is far less than the 45 % held by the other exporters concerned who must thus be considered to have a dominant position on the Community market. For this reason the Commission has been led to maintain its view that the continued application of the anti-dumping duty and the maintenance of price undertakings was a requirement for the elimination of injury and the prevention of its recurrence. The renewal of dumping and consequent injury show that if the definitive duty is not increased and the undertakings are not increased to a higher level, material injury to the Community industry concerned would result.

H. Community interest

- (18) Community processing industries have argued that the continuation of protective measures would not be in the Community interest because it would adversely affect the competitive position on extra-Community markets. In view of the particularly serious difficulties facing the only Community producer, its strategic importance and the relatively low impact of a price increase

on the costs of the processing industry the Council has nevertheless come to the conclusion that it is in the Community's interest that definitive measures be continued in respect of lithium hydroxide originating in the Soviet Union and the United States.

I. Undertakings

- (19) The American exporters concerned were informed of the main findings of the review and commented on them. Foote Mineral Company, which had offered an undertaking in the original proceeding, volunteered to renew it at a level considered necessary to prevent renewed injury to Community industry. The Lithium Corporation of America also voluntarily undertook to respect a minimum price for its exports. The effect of these undertakings will be to maintain the import prices at the level necessary to prevent injury. In no case do the prices in these undertakings exceed the dumping margins found. The Council has therefore determined that imports of lithium hydroxide exported by the Foote Mineral Company and the Lithium Corporation of America should be excluded from the duty.

J. Increase in rate of definitive duty

- (20) In the light of the findings of the review, the definitive duty imposed by Regulation (EEC) No 191/80 and subsequently amended by Regulation (EEC) No 2294/80 should be adjusted so as to fix a new free-at-Community-frontier minimum price before duty of US \$ 1,80 per lb in place of the former price of US \$ 1,66 per lb,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 191/80 is hereby amended as follows:

- (a) Paragraph 1 shall be replaced by the following:

'1. A definitive anti-dumping duty is hereby imposed on imports of lithium hydroxide falling within Common Customs Tariff subheading 28.28 B and corresponding to NIMEXE code ex 28.28-10, originating in the United States of America and the Soviet Union. This duty shall not

apply to lithium hydroxide manufactured and exported by Foote Mineral Company, USA and the Lithium Corporation of America, USA.

The provisions in force concerning customs duties shall apply to this duty.'

- (b) Paragraph 3 shall be replaced by the following:

'3. For the purposes of this Regulation, the normal value of lithium hydroxide originating in the United States of America and the Soviet Union, adjusted to a free-at-Community-frontier basis, before duty, shall be US \$ 1,80 per lb.'

- (c) Paragraph 5 shall be replaced by the following:

'5. (a) Where the product defined in paragraph 1 is not released for consumption on the basis of the price to the first purchaser in the Community, the definitive anti-dumping duty shall be at the following rates:

- 15,5 % of the normal value of US \$ 1,80 per lb for imports originating in the United States of America,
- 12 % of the normal value of US \$ 1,80 per lb for imports originating in the Soviet Union;

- (b) However:

- (i) where the declaring party can provide satisfactory proof to the customs authorities that the price paid by the first purchaser exceeds or is equal to the normal value of US \$ 1,80 per lb, no duty shall be applied;
- (ii) where the declaring party can provide satisfactory proof to the customs authorities that the price paid by the first purchaser is lower than the normal value of US \$ 1,80 per lb by less than 15,8 % for imports originating in the United States of America, or by less than 12 % for imports originating in the Soviet Union, the duty shall be equal to the amount by which the said price is lower than the normal value.'

Article 2

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

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

Done at Luxembourg, 24 October 1983.

For the Council

The President

G. ARSENIS

COMMISSION REGULATION (EEC) No 2979/83

of 25 October 1983

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas, the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2157/83⁽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
24 October 1983;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2157/83 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 26 October
1983.

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

Done at Brussels, 25 October 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 206, 30. 7. 1983, p. 47.

ANNEX

to the Commission Regulation of 25 October 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	86,38
10.01 B II	Durum wheat	123,17 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	80,38 ⁽⁶⁾
10.03	Barley	64,06
10.04	Oats	44,18
10.05 B	Maize, other than hybrid maize for sowing	51,23 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	19,77 ⁽⁴⁾
10.07 C	Grain sorghum	76,48 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	134,49
11.01 B	Rye flour	126,06
11.02 A I a)	Durum wheat groats and meal	204,16
11.02 A I b)	Common wheat groats and meal	144,62

⁽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 2980/83

of 25 October 1983

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2158/83⁽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
24 October 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 26 October
1983.

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 50.

ANNEX

to the Commission Regulation of 25 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
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	2,68	2,68	4,08
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2981/83

of 25 October 1983

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving that region

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1195/82⁽²⁾,

Having regard to Commission Regulation (EEC) No
2661/80 of 17 October 1980 laying down detailed
rules for applying the variable slaughter premium for
sheep⁽³⁾, as last amended by Regulation (EEC) No
1689/83⁽⁴⁾, and in particular Articles 3 (1) and 4 (1)
thereof,

Whereas the United Kingdom is the only country
paying the variable slaughter premium; whereas the
United Kingdom has decided to pay it only in Region
5 (Great Britain), within the meaning of Article 3 (1) of
Regulation (EEC) No 1837/80; whereas it is necessary
therefore for the Commission to fix, for the period 3
to 9 October 1983, the level of the premium and the
amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 2661/80
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commission
for each Member State concerned or, in the case of the
United Kingdom, for Great Britain;

Whereas Article 4 (1) of Regulation (EEC) No 2661/80
lays down that the amount to be charged on products
leaving the Member States concerned or, in the case of
the United Kingdom, Great Britain shall be fixed
weekly by the Commission for each Member State
concerned and in the case of the United Kingdom for
Great Britain;

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No
1837/80 and in Article 4 (1) and (3) of Regulation
(EEC) No 2661/80 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
Great Britain during the period 3 to 9 October 1983,
shall be as set out in the Annexes hereto;

Whereas it should be recalled that Commission Regu-
lation (EEC) No 3191/80 of 9 December 1980⁽⁵⁾, as
last amended by Regulation (EEC) No 1267/83⁽⁶⁾,
fixed transitional measures concerning non-recovery of
the variable slaughter premium for sheepmeat and
goatmeat products exported from the Community,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified in Great Britain as
eligible for the variable slaughter premium during the
period 3 to 9 October 1983, the level of the premium
shall be as set out in Annex I hereto.

Article 2

Without prejudice to the provisions of Regulation
(EEC) No 3191/80, for products referred to in Article 1
(a) of Regulation (EEC) No 1837/80 which left Great
Britain during the period 3 to 9 October 1983, the
amounts to be charged shall be as set out in Annex II
hereto.

Article 3

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

It shall apply with effect from 3 October 1983.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽³⁾ OJ No L 276, 20. 10. 1980, p. 19.

⁽⁴⁾ OJ No L 165, 24. 6. 1983, p. 23.

⁽⁵⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁶⁾ OJ No L 133, 21. 5. 1983, p. 59.

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Level of variable slaughter premium for certified sheep in Great Britain for the week commencing 3 October 1983

Description	Premium
Certified sheep or sheepmeat	130,920 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

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

ANNEX II

Amount to be charged for products leaving Great Britain during the week commencing 3 October 1983

(ECU/100 kg)		
CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		61,532
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	130,920
	2. Short forequarters	91,644
	3. Chines and/or best ends	144,012
	4. Legs	170,196
	5. Other :	
	aa) Unboned (bone-in)	170,196
02.01 A IV b)	bb) Boned or boneless	238,274
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	98,190
	2. Short forequarters	68,733
	3. Chines and/or best ends	108,009
	4. Legs	127,647
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	127,647
	bb) Boned or boneless	178,706
	Meat of sheep or goats, salted in brine, dried or smoked :	
02.06 C II a)	1. Unboned (bone-in)	170,196
	2. Boned or boneless	238,274

COMMISSION REGULATION (EEC) No 2982/83

of 25 October 1983

on the sale on the internal market of 200 000 tonnes of common wheat of bread-making quality by the French intervention agency

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 8 (4) thereof,

Whereas French intervention stores already held large quantities of common wheat of bread-making quality at the beginning of the marketing year; whereas the quantities delivered to intervention agencies under the special intervention measures scheduled for the beginning of the 1983/84 marketing year will result in further increases in the stocks concerned; whereas, in the interests of sound management of the Community budget, part of those stocks should be disposed of rapidly;

Whereas some French regions are experiencing problems as regards fodder supplies; whereas consideration should therefore be given to putting up for sale, for use as animal feed, common wheat held by intervention stores in those regions;

Whereas the sale is to be conducted in accordance with the provisions of Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies⁽³⁾; whereas, in particular, there appear to be grounds for applying Article 5 (1) of that Regulation in that the intervention stocks to be disposed of are located in the regions where the product will be used;

Whereas, moreover, as far as surveillance is concerned, the provisions of Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽⁴⁾, as last amended by Regulation (EEC) No 2794/83⁽⁵⁾, are applicable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The French intervention agency shall sell, on the internal market by invitation to tender, 200 000 tonnes of common wheat of bread-making quality stored in Brittany, Burgundy, Rhône-Alpes and Limousin, with a view to its use in animal feed.

Article 2

The control referred to in Article 2 of Regulation (EEC) No 1687/76 must include systematic inspection of the accounts and on-the-spot inspections. The latter may, if appropriate, be conducted on a random basis.

Article 3

When setting additional terms and conditions of sale compatible with the provisions of this Regulation, the French intervention agency may *inter alia* impose a time limit for the use of common wheat sold pursuant to Article 1.

Article 4

In part II of the Annex to Regulation (EEC) No 1687/76, 'Products subject to a use and/or destination other than that mentioned under I', the following point 20 and footnote relating thereto are hereby added:

'20. Commission Regulation (EEC) No 2982/83 of 25 October 1983 on the sale on the internal market of 200 000 tonnes of common wheat of bread-making quality by the French intervention agency⁽²⁰⁾.

On the dispatch of common wheat for processing:

- section 104: "For processing" (Article 1 of Regulation (EEC) No 2982/83),
- section 106: the date on which the common wheat was withdrawn from intervention.

⁽²⁰⁾ OJ No L 294, 26. 10. 1983, p. 14'.

Article 5

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁵⁾ OJ No L 274, 7. 10. 1983, p. 18.

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2983/83

of 25 October 1983

on the issue of import licences on 30 October 1983 for sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1195/82⁽²⁾,

Having regard to Council Regulation (EEC) No 3459/82 of 21 December 1982 concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector in 1983⁽³⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3475/82 of 23 December 1982⁽⁴⁾ laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3459/82; whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3475/82, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the fourth quarter of 1983;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3475/82, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence applications have been lodged do not exceed the

quantities provided for in Regulation (EEC) No 3475/82,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, on 30 October 1983, issue the import licences provided for in Regulation (EEC) No 3475/82 and applied for from 1 to 10 October 1983 subject to the following conditions:

- (a) for products falling within subheading 02.01 A IV a) of the Common Customs Tariff, the quantities applied for, originating:
 - in Spain shall be reduced by 92,683 %,
 - in other non-member countries shall be granted in full;
- (b) for products falling within subheading 02.01 A IV b) of the Common Customs Tariff, the quantities applied for, originating:
 - in Chile shall be granted in full,
 - in other non-member countries shall be granted in full;
- (c) for products falling within subheading 01.04 B of the Common Customs Tariff, the quantities applied for, originating in other non-member countries shall be granted in full.

Article 2

This Regulation shall enter into force on 26 October 1983.

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

Done at Brussels, 25 October 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 365, 24. 12. 1982, p. 1.

⁽⁴⁾ OJ No L 365, 24. 12. 1982, p. 36.

COMMISSION REGULATION (EEC) No 2984/83**of 25 October 1983****amending Regulation (EEC) No 2890/83 introducing a countervailing charge on tomatoes originating in Romania**

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 2004/83⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2890/83 of 17 October 1983⁽³⁾ introduced a countervailing charge on tomatoes originating in Romania;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that

Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of tomatoes originating in Romania must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2890/83, '9,98 ECU' is replaced by '11,37 ECU'.

Article 2

This Regulation shall enter into force on 26 October 1983.

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 21. 7. 1983, p. 2.

⁽³⁾ OJ No L 285, 18. 10. 1983, p. 7.

COMMISSION REGULATION (EEC) No 2985/83**of 25 October 1983****fixing the import levies on live cattle and on beef and veal other than frozen**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68
of 27 June 1968 on the common organization of the
market in beef and veal ⁽¹⁾, as last amended by the Act
of Accession of Greece ⁽²⁾, and in particular Article 12
(8) thereof,

Whereas the import levies on live cattle and on beef
and veal other than frozen were fixed by Regulation
(EEC) No 1714/83 ⁽³⁾, as last amended by Regulation
(EEC) No 2668/83 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1714/83 to the

quotations and other 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 on live cattle and on beef and veal
other than frozen shall be as specified in the Annex
hereto.

Article 2

This Regulation shall enter into force on 7 November
1983.

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 166, 25. 6. 1983, p. 24.

⁽⁴⁾ OJ No L 263, 24. 9. 1983, p. 14.

ANNEX

to the Commission Regulation of 25 October 1983 fixing the import levies on live cattle and on beef and veal other than frozen⁽¹⁾ for the period beginning 7 November 1983

(ECU/100 kg)

CCT heading No	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
01.02 A II (a)	— Live weight —		
	50,185	14,795	114,422
	— Net weight —		
02.01 A II a) 1	95,352	28,110	217,401
02.01 A II a) 2	76,281	22,489	173,921
02.01 A II a) 3	114,422	33,733	260,882
02.01 A II a) 4 aa)	—	42,165	326,103
02.01 A II a) 4 bb)	—	48,231	373,015
02.06 C I a) 1	—	42,165	326,103
02.06 C I a) 2	—	48,231	373,015
16.02 B III b) 1 aa)	—	48,231	373,015

(¹) In accordance with Regulation (EEC) No 435/80, 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.

(²) This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1725/80 (OJ No L 170, 3. 7. 1980, p. 4).

(a) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 2986/83
of 25 October 1983
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68
of 27 June 1968 on the common organization of the
market in beef and veal ⁽¹⁾, as last amended by the Act
of Accession of Greece ⁽²⁾, and in particular Article 12
(8) thereof,

Whereas the import levies on frozen beef and veal
were fixed by Regulation (EEC) No 1715/83 ⁽³⁾, as last
amended by Regulation (EEC) No 2669/83 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1715/83 to the

quotations and other information known to the
Commission that the levies should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on frozen beef and veal shall be as
set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 November
1983.

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 166, 25. 6. 1983, p. 28.

⁽⁴⁾ OJ No L 263, 24. 9. 1983, p. 16.

ANNEX

to the Commission Regulation of 25 October 1983 fixing the import levies on frozen beef and veal ⁽¹⁾ for the period beginning 7 November 1983

(ECU/100 kg)	
CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	199,878
02.01 A II b) 2	159,903 (a)
02.01 A II b) 3	249,848
02.01 A II b) 4 aa)	299,818
02.01 A II b) 4 bb) 11	249,848 (a)
02.01 A II b) 4 bb) 22 (b)	249,848 (a)
02.01 A II b) 4 bb) 33	343,791 (a)

(¹) In accordance with Regulation (EEC) No 435/80, 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.

(a) Where products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 2987/83**of 25 October 1983****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Regulation (EEC) No 2731/83⁽³⁾, as last amended by Regulation (EEC) No 2973/83⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2731/83 to the information known to the Commission that the basic

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2731/83 are hereby altered to the amounts shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 26 October 1983.

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

Done at Brussels, 25 October 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 269, 1. 10. 1983, p. 17.

⁽⁴⁾ OJ No L 293, 25. 10. 1983, p. 14.

ANNEX

to the Commission Regulation of 25 October 1983 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,3682	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	43,15
	ex II. Other	0,3682	—
	E. Artificial honey, whether or not mixed with natural honey	0,3682	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,3682	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	43,15
	IV. Other	0,3682	—

COMMISSION REGULATION (EEC) No 2988/83

of 25 October 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 2974/83 ⁽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 Regulation (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 26 October 1983.

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

Done at Brussels, 25 October 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 293, 25. 10. 1983, p. 16.

ANNEX

to the Commission Regulation of 25 October 1983 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	36,82 31,05 ⁽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 2989/83

of 25 October 1983

on detailed implementing rules for the special refund on common wheat flour
exported to Egypt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾, and in particular
Articles 12 (2) and 16 (6) thereof,

Whereas the grant of a special export refund for
common wheat flour to Egypt may prove to be neces-
sary; whereas, in the light of the refund's foreseeable
level and in order to ensure that exports to that
country are properly controlled and comply with
suitable limits, provision should be made, throughout
the period during which the arrangements for that
refund are applicable, for granting the refund in accor-
dance with a control system for the exports
concerned; whereas, therefore, provision should be
made for granting the refund only to exporters who
have applied for the advance fixing thereof, for noti-
fying the Commission of the applications for certifi-
cates and for allowing a certain period for considering
whether the said certificates should be granted;
whereas, moreover, provision should be made for ensu-
ring that operators who qualify for the said refund
fulfil their obligations as regards the special destina-
tion of the product;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The special refunds laid down in the Annex to
the Regulation fixing the export refunds on cereals
and on wheat or rye flour, groats and meal shall be
granted in respect of flour of common wheat intended
for Egypt provided:

- (a) the operator has applied for advance fixing of the
refund;
- (b) the product was exported on the basis of a certifi-
cate showing Egypt as the compulsory country of
destination.

2. The Commission shall be notified daily of the
applications for export certificates referred to in para-
graph 1 (b) of this Article.

The certificates shall be issued on the fifth working
day after notification has taken place, provided no
measure suspending the advance fixing of the refund
has been adopted during that period.

Article 2

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

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

Done at Brussels, 25 October 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.

COMMISSION REGULATION (EEC) No 2990/83
of 25 October 1983

altering the export refunds 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 the second sentence of the fourth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Regulation (EEC) No 2946/83⁽³⁾;

Whereas the situation on the world market or the specific requirements of certain markets may make it necessary to vary the amount of the refund, depending on the destination;

Whereas, although Egypt constitutes a traditional export market for Community flour, there are at present problems as regards the disposal of that product on the said market; whereas exports of the product in question should therefore be encouraged, by granting a special refund;

Whereas Commission Regulation (EEC) No 2989/83⁽⁴⁾ lays down the detailed implementing rules for that refund;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2946/83 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 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2946/83 are hereby altered as shown in the Annex hereto.

Article 2

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

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

Done at Brussels, 25 October 1983.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 288, 21. 10. 1983, p. 39.

⁽⁴⁾ See page 25 of this Official Journal.

ANNEX

to the Commission Regulation of 25 October 1983 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — other third countries	37,00 44,00 —
10.01 B II	Durum wheat	—
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — Zones II b) and I a) — other third countries	21,00 28,00 —
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — other third countries	17,00 24,00 —
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — Libya — other third countries	0 15,00 —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 for export to : — Egypt — other third countries — of an ash content of 521 to 600 for export to : — Egypt — other third countries — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	79,00 (!) 72,00 79,00 (!) 72,00 63,50 58,50 54,50 48,50

(ECU/tonne)		
CCT heading No	Description	Refund
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	72,00 72,00 72,00 72,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 950 — of an ash content of 951 to 1 300 — of an ash content of 1 301 to 1 500	154,00 154,00 154,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	72,00

(¹) Refund applicable subject to compliance with the provisions laid down in Regulation (EEC) No 2989/83.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 October 1983

accepting the undertaking given in connection with the anti-dumping proceeding in respect of imports of lithium hydroxide originating in the People's Republic of China and terminating that proceeding

(83/522/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3017/79 of 20 December 1979 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1580/82⁽²⁾, and in particular Article 10 thereof,

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

Whereas :

A. Procedure

- (1) In November 1982 the Commission received a complaint lodged by CEFIC, the European Council of Chemical Industry Federations, on behalf of the sole Community producer of lithium hydroxide, relating to imports of the product in question originating in the the People's Republic of China. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a

notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of lithium hydroxide falling within subheading 28.28 B of the Common Customs Tariff, corresponding to NIMEXE code ex 28.28-10 and originating in the People's Republic of China, and commenced an investigation.

- (2) The Commission officially so advised the exporter and importers known to be concerned and the representatives of the exporting country and the complainants, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) Most of the importers made their views known in writing and some importers were granted hearings.
- (4) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination ; it carried out investigations at the premises of the Community producer :
Chemetall GmbH, D-Frankfurt,
and with one of the importers :
Lithium Corporation of Europe Ltd,
UK-Bromborough.
- (5) The enquiry into dumping covered the year ended 31 March 1983.

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 178, 22. 6. 1982, p. 9.

⁽³⁾ OJ No C 98, 12. 4. 1983, p. 2.

B. Normal value

- (6) In order to establish whether the imports from the People's Republic of China were dumped, the Commission had to take account of the fact that this country does not have a market economy and the Commission therefore had to base its determination on the normal value in a market economy country; in this connection the complainant had suggested the United States' domestic market, this being the only non-EEC market-economy country which produces the like product. No objection was made to this suggestion and the Commission is satisfied that there is sufficient internal competition in the United States to ensure that price levels are in a reasonable proportion to production costs; it is, therefore, considered appropriate and not unreasonable to determine normal value for imports originating in the People's Republic of China on the basis of domestic prices in the United States.

C. Export price

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

D. Comparison

- (8) In comparing normal value with export prices, the Commission took account, where appropriate, of differences affecting price comparability and, in particular, of differences in conditions and terms of sale. All comparisons were made at ex-works level.

E. Margins

- (9) The above preliminary examination of the facts shows the existence of dumping in respect of imports of lithium hydroxide originating in the People's Republic of China, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community. These margins vary according to the importing Member State, the weighted average margin being 19,6 %.

F. Injury

- (10) Statistical evidence available to the Commission shows that imports into the Community from China increased from 60 tonnes in 1980 to 500 tonnes in 1982 with a consequent increase in market share held by the People's Republic of China from 2,9 to 25,5 % in the same period. The weighted average resale prices of these imports were approximately 17 % lower than those required to cover the costs of the sole

Community producer and provide a reasonable profit. The resultant impact on this producer has been the incurring of a considerable loss which puts into jeopardy the continued production of this product.

- (11) The Commission has considered whether injury has been caused by other factors. In this connection it has taken into account the imports of lithium hydroxide originating in the United States and the Soviet Union which are being investigated simultaneously as a result of the review⁽¹⁾ of the definitive duty imposed by Council Regulation (EEC) No 191/80⁽²⁾, as amended by Regulation (EEC) No 2978/83⁽³⁾, and covering imports from these two countries. However, the substantial increase in dumped imports originating in the People's Republic of China and the prices at which they are offered for sale in the Community led the Commission to determine that the effect of these imports of Chinese origin taken in isolation have to be considered as constituting material injury to the Community industry concerned.

G. Community interest

- (12) Community processing industries have argued that the introduction of protective measures would not be in the Community interest because it would adversely affect their competitive position on extra-Community markets. In view of the particularly serious difficulties facing the only Community producer, its strategic importance and the relatively low incidence of a price increase on the costs of the processing industry (whose exports outside the Community are also relatively low) the Commission has nevertheless come to the conclusion that it is in the Community's interest that action be taken.

H. Undertakings

- (13) The exporter concerned was informed of the main findings of the preliminary investigation and commented on them. An undertaking was subsequently offered by China National Chemicals Import and Export Corporation concerning its exports of lithium hydroxide to the Community. The effect of the said undertaking will be to increase export prices to the Community to the level which the Commission, having taken into account, on the one hand, the selling price necessary to provide an adequate return to the Community producer and, on the other hand, the

⁽¹⁾ OJ No C 98, 12. 4. 1983, p. 2.

⁽²⁾ OJ No L 23, 30. 1. 1983, p. 19.

⁽³⁾ See page 3 of this Official Journal.

purchase price of the Community importers and their costs and profit margins, considered necessary to eliminate injury. These increases in no case exceed the dumping margins found in the investigation.

In these circumstances, the undertaking offered is considered acceptable and the proceeding may, therefore, be terminated without imposition of anti-dumping duties.

No objection to this course of action was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS:

Article 1

The Commission hereby accepts the undertaking given by China National Chemicals Import and Export Corporation in connection with the anti-dumping proceeding concerning lithium hydroxide

falling within subheading 28.28 B of the Common Customs Tariff and corresponding to NIMEXE code ex 28.28-10, originating in the People's Republic of China.

Article 2

The anti-dumping proceeding concerning imports of lithium hydroxide originating in the People's Republic of China is hereby terminated.

Done at Brussels, 24 October 1983.

For the Commission

Wilhelm HAFERKAMP

Vice-President

THE COMMUNITY SCALE FOR THE CLASSIFICATION OF CARCASSES OF ADULT BOVINE ANIMALS

Illustrated leaflet

The leaflet 'The Community scale for the classification of carcasses of adult bovine animals' was prepared to illustrate the various conformation classes and fat-cover classes defined in the Annexes to Regulations (EEC) No 1208/81 and (EEC) No 2930/81.

The leaflet contains 20 photographs illustrating on the front the five conformation classes (photographs of the external surface and in profile) and on the back the five classes of fat cover (photographs of the internal and external surfaces), accompanied by the technical descriptions given in the Regulations referred to above. Except for conformation class E, where the photograph represents the lower range of the class, the illustrations correspond to the middle range of the conformation and fat-cover classes. The photographs have been chosen by a group of international experts particularly well qualified in the classification of carcasses of adult bovine animals.

This leaflet is above all a practical instrument for use mainly in the classification of carcasses in slaughterhouses. It is also an illustrated manual for those working in the meat trade. Finally, it can usefully be employed in technical colleges both in the training of meat technicians and for all those who might be concerned with some aspect of meat production or marketing in their future careers.

Published in: Danish, Dutch, English, French, German, Greek, Italian

Price (excluding VAT) in Luxembourg: 0,55 ECU; Bfrs 25; £ Irl 1,70; £ 1,40; US \$ 2,50.

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