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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC, EURATOM, ECSC) No 160/80

of 21 January 1980

amending the Staff Regulations of officials and the conditions of employment of 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, and in particular Article 24 thereof,

Having regard to the proposal made by the Commission after consulting the Staff Regulations Committee (1),

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

Having regard to the opinion of the Court of Justice (3),

Whereas Regulation (EEC, Euratom, ECSC) No 259/68 (4), as last amended by Regulation (Euratom, ECSC, EEC) No 3085/78 (5), lays down in Article 2 the Staff Regulations of officials of the European Communities and in Article 3 the conditions of employment of other servants; whereas it is for the Council, acting by a qualified majority on a proposal from the Commission after consulting the other institutions concerned, to amend them;

Whereas it has been found that unintended increases in remuneration resulted from the manner in which the 157.8 % weighting was incorporated in the basic salary scales, as decided in December 1976, with effect from 1 January 1977 in accordance with the method for adjusting amounts due, adopted on 29 June 1976;

Whereas this situation should be rectified by adjusting the basic salary scales and by accompanying this corrective measure by transitional measures aimed at gradually absorbing these increases without the amounts actually paid being reduced,

(1) OJ No C 191, 30. 7. 1979, p. 5.

HAS ADOPTED THIS REGULATION:

Article 1

The table of basic monthly salaries in Article 66 of the Staff Regulations and Articles 20 and 63 of the conditions of employment, as determined by Articles 1 (a) and 2 of Regulation (Euratom, ECSC, EEC) No 3084/78 (6), are replaced by the tables in Annexes I, II and III.

Article 2

- In the case of officials or other servants as well as persons entitled to a pension or allowance under Article 50 of the Staff Regulations, Article 5 of Regulation (EEC, Euratom, ECSC) No 259/68, Article 3 of Regulation (Euratom, ECSC, EEC) No 2530/72 (7) or Article 3 of Regulation (ECSC, EEC, Euratom) No 1543/73 (8), whose entitlements are reduced by reason of Article 1 of this Regulation:
- (a) no part of the amounts paid during the period between 1 July 1979 and the date on which this Regulation enters into force shall be required to be repaid;
- (b) as a transitional measure, the amounts payable to the persons concerned after the date of entry into force of this Regulation shall be calculated each month by reference to the remuneration paid on 30 June 1979 on the basis of their grade and step and their circumstances as to dependants for the month in question; such calculation shall also take into account any new factor justifying new or changed entitlements; where new weightings are fixed after 30 June 1979, the weighting to apply to the sums referred to in this paragraph shall be that part of the weighting corresponding to the increase in the cost of living for the official's place of employment or the place of residence of the

⁽²⁾ Opinion delivered on 18 January 1980 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 11 July 1979.

⁽⁴⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽⁵⁾ OJ No L 369, 29. 12. 1978, p. 6.

⁽⁶⁾ OJ No L 369, 29. 12. 1978, p. 1.

^{(&}lt;sup>7</sup>) OJ No L 272, 5. 12. 1972, p. 1.

⁽⁸⁾ OJ No L 155, 11. 6. 1973, p. 1.

- recipient of the pension or allowance less that part of the weighting corresponding to the increase in the cost of living for the Member State where such increase is lowest;
- (c) allowances calculated by reference to the basic salary tables which are paid as a lump sum and are exempt from Community tax shall continue to be determined by reference to the salary tables in force on 30 June 1979 as long as the allowances calculated on the basis of such tables are higher than the corresponding allowances calculated on the basis of the tables referred to in Article 1.
- 2. The rules for the calculation of salaries defined at 1 (b) shall cease to apply:
- from the month in which calculation based on the basic salary tables contained in this Regulation produces, for the person concerned, a sum at least equal to that calculated on the basis of the tables in force on 30 June 1979,
- or six years from entry into force of this Regulation, whichever shall be the earlier.

- 3. However, where a retirement or invalidity pension becomes payable to an official or other servant to whom the first indent of paragraph 2 has been applied before he leaves the service and to whom application of the tables in force on 30 June 1979 would have given a net pension higher than the net amount obtained from the tables that entered into force on 1 July 1979, the amount to be paid shall be calculated in the manner prescribed by paragraph 1 (b). The same shall apply to survivor's pensions paid to persons entitled under an official or other servant to whom the first indent of paragraph 2 was applied before his death.
- 4. Paragraph 1 (b) and (c) shall not apply to officials and other servants recruited after the entry into force of this Regulation.

Article 3

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

It shall apply from 1 July 1979.

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

Done at Brussels, 21 January 1980.

For the Council
The President

G. MARCORA

ANNEX I

Grades		Step							
Grades	1	2	3	4	5	6	7	8	
A 1	190 408	200 549	210 690	220 831	230 972	241 113			
A 2	168 921	178 596	188 271	197 946	207 621	217 296		i	
A 3/LA 3	139 808	148 273	1 <i>56</i> 738	165 203	173 668	182 133	190 598	199 063	
A 4/LA 4	117 375	123 982	130 589	137 196	143 803	150 410	157 017	163 624	
A 5/LA 5	96 656	102 418	108 180	113 942	119 704	125 466	131 228	136 990	
A 6/LA 6	83 435	88 024	92 613	97 202	101 791	106 380	110 969	115 558	
A 7/ LA 7	71 757	75 355	78 953	82 551	86 149	89 747			
A 8/LA 8	63 410	65 986					,		
B 1	83 435	88 024	92 613	97 202	101 791	106 380	110 969	115 558	
B 2	72 234	75 645	79 056	82 467	85 878	89 289	92 700	96 111	
B 3	60 504	63 341	66 178	69 015	71 852	74 689	77 526	80 363	
B 4	52 265	54 724	<i>57</i> 183	59 642	62 101	64 560	67 019	69 478	
B 5	46 672	48 661	50 650	52 639					
C 1	53 318	55 489	57 660	59 831	62 002	64 173	66 344	68 515	
C 2	46 315	48 304	50 293	52 282	54 271	56 260	58 249	60 238	
C 3	43 174	44 877	46 580	48 283	49 986	51 689	53 392	55 095	
C 4	38 960	40 559	42 1 58	43 757	45 356	46 955	48 554	50 153	
C 5	35 893	37 382	38 871	40 360					
D 1	40 619	42 417	44 215	46 013	47 811	49 609	51 407	53 205	
D 2	36 995	38 591	40 187	41 783	43 379	44 975	46 571	48 167	
D 3	34 380	35 878	37 376	38 874	40 372	41 870	43 368	44 866	
D 4	32 486	33 808	35 130	36 452					

ANNEX II

Grades	Step								
Olades	1	2	3	4	5	6	7	8	
A 1	190 408	200 549	210 690	220 831	230 972	241 113			
A 2	168 921	178 596	188 271	197 946	207 621	217 296	1	ĺ	
A 3/LA 3	139 808	148 273	156 738	165 203	173 668	182 133	190 598	199 063	
A 4/LA 4	117 375	123 982	130 589	137 196	143 803	150 410	157 017	163 624	
A 5/LA 5	96 656	102 418	108 180	113 942	119 704	125 466	131 228	136 990	
A 6/LA 6	83 435	88 024	92 613	97 202	101 791	106 380	110 969	115 558	
A 7/LA 7	71 757	75 355	78 953	82 551	86 149	89 747			
A 8/LA 8	63 410	65 986							
3 1	83 435	88 024	92 613	97 202	101 791	106 380	110 969	115 558	
3 2	72 234	75 645	79 056	82 467	85 878	89 289	92 700	96 111	
B 3	60 504	63 341	66 178	69 015	71 852	74 689	77 526	80 363	
3 4	52 265	54 724	57 183	59 642	62 101	64 560	67 019	69 478	
3 5	46 672	48 661	50 650	52 639					
C 1	50 882	52 949	55 016	57 083	59 150	61 217	63 284	65 351	
C 2	44 219	46 112	48 005	49 898	51 79 1	53 684	55 577	57 470	
C 3	41 265	42 883	44 501	46 119	47 737	49 355	50 973	52 591	
C 4	37 278	38 795	40 312	41 829	43 346	44 863	46 380	47 897	
C 5	34 359	35 783	37 207	38 631					
) 1	38 870	40 570	42 270	43 970	45 670	47 370	49 070	50 770	
O 2	35 414	36 929	38 444	39 959	41 474	42 989	44 504	46 019	
3	32 931	34 353	35 775	37 197	38 619	40 041	41 463	42 885	
O 4	31 117	32 372	33 627	34 882					

ANNEX III

		Class					
Category	Group	1	2	3	4		
	I	91 190	102 396	113 602	124 808		
A	II	66 238	72 693	79 148	85 603		
	III	55 663	58 152	60 641	63 130		
	IV	53 460	58 691	63 992	69 153		
В	v	41 530	44 395	47 260	50 125		
	VI	39 545	41 898	44 251	46 604		
C	VII	35 396	36 606	37 816	39 026		
	VIII	31 880	33 809	35 738	37 667		
D	IX	30 707	31 157	31 607	32 057		

COUNCIL REGULATION (EEC, EURATOM, ECSC) No 161/80

of 21 January 1980

adjusting the remuneration and pensions of officials and other servants of the European Communities and the weightings applied thereto

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 160/80 (2), and in particular Articles 63 and 64, Article 65 and Article 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 adjusting the remuneration and pensions of officials and other servants of the European Communities,

Whereas the Council, in its Decision of 29 June 1976, as amended on 26 June 1978, fixed the method of calculation to be used in the periodical reviews of the remuneration of officials and other servants of the Communities;

Whereas the Council, in Regulation (EEC, Euratom, ECSC) No 160/80, amended with effect from 1 July 1979 the table of basic salaries laid down by Regulation (Euratom, ECSC, EEC) No 3084/78 (3);

Whereas a review of the remuneration of officials and other servants carried out on the basis of a report by the Commission has shown that the remuneration and pensions of officials and the remuneration of other servants of the Communities should be adjusted in line with this new table,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1979 the Staff Regulations of officials of the European Communities are amended as follows:

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ See page 1 of this Official Journal. (3) OJ No L 369, 29. 12. 1978, p. 1.

(a) the table of basic monthly salaries in Article 66 is replaced by the following:

Grade	Step								
Grade	1	2	3	4	5	6	7	8	
A 1	206 924	217 945	228 966	239 987	251 008	262 02 9			
A 2	183 573	194 088	204 603	215 118	225 633	236 148			
A 3/LA 3	151 937	161 136	170 335	179 534	188 733	197 932	207 131	216 330	
A 4/LA 4	127 557	134 737	141 917	149 097	156 277	163 457	170 637	177 817	
A 5/LA 5	105 041	111 303	117 565	123 827	130 089	136 351	142 613	148 875	
A 6/LA 6	90 674	95 661	100 648	105 635	110 622	115 609	120 596	125 583	
A 7/LA 7	77 983	81 893	85 803	89 713	93 623	97 533			
A 8/LA 8	68 908	71 710							
3 1	90 674	95 661	100 648	105 635	110 622	115 609	120 596	125 583	
3 2	78 500	82 207	85 914	89 621	93 328	97 035	100 742	104 449	
3 3	65 753	68 836	71 919	75 002	78 08 <i>5</i>	81 168	84 251	87 334	
3 4	56 800	59 472	62 144	64 816	67 488	70 160	72 832	75 504	
3 5	50 722	52 883	55 044	57 205					
C 1	57 944	60 303	62 662	65 021	67 380	69 739	72 098	74 457	
C 2	50 335	52 496	54 657	56 818	58 979	61 140	63 301	65 462	
2 3	46 919	48 770	50 621	52 472	54 323	56 174	58 025	59 876	
C 4	42 339	44 077	45 815	47 553	49 291	51 029	52 767	54 505	
C 5	39 006	40 625	42 244	43 863					
0 1	44 143	46 097	48 051	50 005	51 959	53 913	55 867	57 821	
O 2	40 204	41 939	43 674	45 409	47 144	48 879	50 614	52 349	
) 3	37 363	38 991	40 619	42 247	43 875	45 503	47 131	48 759	
O 4	35 304	36 741	38 178	39 615			1		

- (b) Bfrs 2 869 is replaced by Bfrs 3 119 in Article 67 (1) (a) of the Staff Regulations and in Article 1 (1) of Annex VII thereto,
 - Bfrs 3 696 is replaced by Bfrs 4 018 in Article 67 (1) (b) of the Staff Regulations and in Article 2 (1) of Annex VII thereto,
 - Bfrs 6 603 is replaced by Bfrs 7 177 in the second sentence of Article 69 of the Staff Regulations and in the second paragraph of Article 4 (1) of Annex VII thereto,
 - Bfrs 3 302 is replaced by Bfrs 3 589 in the first paragraph of Article 3 of Annex VII to the Staff Regulations.

Article 2

With effect from 1 July 1979, the conditions of employment of other servants of the European Communities are amended as follows:

(a) the table of basic monthly salaries in Article 20 is replaced by the following:

Grade	Step								
Grade	1	2	3	4	5	6	7	8	
A 1	206 924	217 945	228 966	239 987	251 008	262 029			
A 2	183 573	194 088	204 603	215 118	225 633	236 148			
A 3/LA 3	151 937	161 136	170 335	179 534	188 733	197 932	207 131	216 330	
A 4/LA 4	127 557	134 737	141 917	149 097	156 277	163 457	170 637	177 817	
A 5/LA 5	105 041	111 303	117 565	123 827	130 089	136 351	142 613	148 875	
A 6/LA 6	90 674	95 661	100 648	105 635	110 622	115 609	120 596	125 583	
A 7/LA 7	77 983	81 893	85 803	89 713	93 623	97 533			
A 8/LA 8	68 908	71 710							
B 1	90 674	95 661	100 648	105 635	110 622	115 609	120 596	125 583	
B 2	78 500	82 20 ⁻⁷	85 914	89 621	93 328	97 035	100 742	104 449	
B 3	65 753	68 836	71 919	75 002	78 08 <i>5</i>	81 168	84 251	87 334	
B 4	56 800	59 47 2	62 144	64 816	67 488	70 160	72 832	75 504	
B 5	50 722	52 883	55 044	57 205	·				
C 1	55 294	57 541	59 788	62 035	64 282	66 529	68 776	71 023	
C 2	48 056	50 113	<i>5</i> 2 1 <i>7</i> 0	54 227	56 284	58 341	60 398	62 455	
C 3	44 846	46 604	48 362	50 120	51 878	53 636	55 394	57 152	
C 4	40 511	42 160	43 809	45 458	47 107	48 756	50 405	52 054	
C 5	37 341	38 888	40 435	41 982					
O 1	42 240	44 088	45 936	47 784	49 632	51 480	53 328	55 176	
D 2	38 488	40 134	41 780	43 426	45 072	46 718	48 364	50 010	
O 3	35 790	37 335	38 880	40 425	41 970	43 515	45 060	46 605	
O 4	33 818	35 181	36 544	37 907					

(b) the table of basic monthly salaries in Article 63 is replaced by the following:

_		Class					
Category	Group	1	2	3	4		
	· I	98 778	110 959	123 140	135 321		
	II	71 651	78 668	85 685	92 702		
	III	60 157	62 863	65 569	68 275		
	IV	57 781	63 467	69 153	74 839		
B	v	45 137	48 197	51 257	54 317		
	VI	42 941	45 498	48 055	50 612		
	VII	38 431	39 746	41 061	42 376		
	VIII	34 609	36 706	38 803	40 900		
	IX	33 344	33 830	34 316	34 802		

Article 3

With effect from 1 July 1979 the fixed allowance referred to in Article 4a of Annex VII to the Staff Regulations shall be:

- Bfrs 1 872 per month for officials in Grade C 4 or C 5.
- Bfrs 2 870 per month for officials in Grade C 1,
 C 2 or C 3.

Article 4

- 1. Pensions for which entitlement has accrued by or on 1 July 1979 shall be calculated from that date for officials and temporary staff other than those covered by Article 2 (d) of the conditions of employment of other servants by reference to the table of basic monthly salaries laid down in Article 66 of the Staff Regulations as amended by Article 1 (a) of this Regulation.
- 2. Pensions for which entitlement has accrued by or on 1 July 1979 shall be calculated from that date for temporary staff covered by Article 2 (d) of the conditions of employment of other servants by reference to the table of basic monthly salaries laid down in Article 20 of the conditions of employment, as amended by Article 2 (a) of this Regulation.

Article 5

With effect from 1 July 1979, the date '1 July 1978' mentioned in the second paragraph of Article 63 of the Staff Regulations shall be replaced by '1 July 1979'.

Article 6

1. With effect from 1 January 1979, the weightings applicable to the remuneration of officials and other servants employed in the countries listed below shall be as follows:

D 1 1	1007
Belgium	102.7
Denmark	138.3
Germany	78·8
France	134.5
Ireland	143
Italy	1 <i>5</i> 7·2
Luxembourg	102.7
Netherlands	94.6
United Kingdom	149.3
Switzerland	78
United States	136
Canada	137-1

Japan	145.6
Greece	171.8
Turkey	448.3

2. With effect from 1 January 1979, the weightings applicable to pensions in accordance with the second subparagraph of Article 82 (1) of the Staff Regulations shall be that given below for the Community country in which the person entitled to the pension declares his home to be:

Belgium	102.7
Denmark	138.3
Germany	78.8
France	134.5
Ireland	143
Italy	157.2
Luxembourg	102.7
Netherlands	94.6
United Kingdom	149.3

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

Article 7

1. With effect from 1 July 1978, the weighting applicable to the remuneration of officials and other servants employed in Venezuela shall be as follows:

Venezuela 107-8

2. With effect from 1 January 1979, the weightings applicable to the remuneration of officials and other servants employed in any of the countries indicated below shall be as follows:

	113.1
Chile	108.6
Algeria	125
Tunisia	105.6

3. With effect from 1 April 1979, the weightings applicable to the remuneration of officials and other servants employed in any of the countries indicated below shall be as follows:

Belgium	102.7
Denmark	110.6
Germany	99.4
France	96.4
Ireland	62 ·1
Italy	75.3
Luxembourg	102.7
Netherlands	100.4
United Kingdom	64.8
Switzerland	120.9

United States	88.7	Morocco	116
Canada	86·1	Tunisia	105.6
Japan	168.7	Egypt	127.3
Greece	91.2	Syria	111.7
Turkey	107·3	Jordan	133.9
Spain	88.2	Lebanon	131
Portugal	74.2	Israel	103-3
Austria	102:4		

4. With effect from 1 April 1979, the weightings applicable to a pension in accordance with the second subparagraph of Article 82 (1) of the Staff Regulations shall be that given below for the Community country in which the person entitled to the pension declares his home to be:

Belgium	102.7
Denmark	110.6
Germany	99.4
France	96.4
Ireland	62.1
Italy	75.3
Luxembourg	102.7
Netherlands	100.4
United Kingdom	64.8

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

Article 8

1. With effect from 1 July 1979, the weightings applicable to the remuneration of officials and other servants employed in any of the countries indicated below shall be as follows:

Belgium	100
Denmark	106.9
Germany	99.3
France	91.3
Ireland	63.5
Italy	70.5
Luxembourg	100
Netherlands	9 7
United Kingdom	69.9
Switzerland	120.5
United States	81.6
Canada	74.9
Japan	139-2
Greece	87.8
Turkey	94.7
Spain	97.6
Portugal	65·3
Venezuela	111.7
Austria	100.3
Thailand	111.6
Chile	108.6
Algeria	125
-	

2. With effect from 1 July 1979, the weightings applicable to a pension in accordance with the second subparagraph of Article 82 (1) of the Staff Regulations shall be that given below for the Community country in which the person entitled to the pension declares his home to be:

Belgium	100
Denmark	106.9
Germany	99.3
France	91.3
Ireland	63.5
Italy	70.5
Luxembourg	100
Netherlands	97
United Kingdom	69.9

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

Article 9

1. With effect from 1 July 1979, the weightings applicable to the remuneration of persons covered by Article 2 of Regulation (EEC, Euratom, ECSC) No 160/80 shall be as follows:

Belgium	102.9
Denmark	114.5
Germany	100.6
France	98.8
Ireland	65.5
Italy	77·9
Luxembourg	102.9
Netherlands	100.4
United Kingdom	67.8
Switzerland	123.4
United States	93
Canada	88.9
Japan	170.4
Greece	100.1
Turkey	151.7
Spain	92.8
Portugal	80.4
Austria	102.2
Venezuela	116.9

2. With effect from 1 July 1979, the weighting applicable to pensions and allowances paid to persons covered by Article 2 of Regulation (EEC, Euratom, ECSC) No 160/80 shall be as follows:

Belgium	102.9
Denmark	114.5
Germany	100.6
France	98.8
Ireland	65.5
Italy	77·9
Luxembourg	102.9
Netherlands	100.4
United Kingdom	67.8

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

Article 10

1. For the period 1 July to 30 September 1979, the weightings applicable to pensions and allowances paid to persons covered by Article 4 of Regulation (Euratom, ECSC, EEC) No 3085/78 (1) shall be as follows:

Belgium	100
Denmark	139
Germany	77.4
France	133.9
Ireland	146-4
Italy	157.9
Luxembourg	100
Netherlands	91.9
United Kingdom	151.7

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

2. For the period 1 July to 30 September 1979, the weightings applicable to pensions and allowances paid to persons covered by paragraph 1 of this Article and by Article 2 of Regulation (EEC, Euratom, ECSC) No 160/80, shall be as follows:

Belgium	102.9
Denmark	143.1
Germany	79.7
France	137.9
Ireland	150.9
Italy	162.7
Luxembourg	102.9
Netherlands	94.6
United Kingdom	156.3

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

Article 11

With effect from 1 July 1979, the table in Article 10 (1) of Annex VII to the Staff Regulations is replaced by the following:

		led to allowance		titled to allowance
	1st to 15th day	from 16th day	1st to 15th day	from 16th day
	Bírs per calendar day			
A 1 to A 3 and L/A 3	1 217	572	836	480
A 4 to A 8 and L/A 4 to L/A 8 and category B	1 180	535	800	418
Other grades	1 071	500	689	345

Article 12

With effect from 1 July 1979, the allowances of Bfrs 4 992, Bfrs 8 237 and Bfrs 10 528 laid down in Article 7 of Regulation (Euratom, ECSC, EEC) No 3084/78 for shiftwork are replaced by Bfrs 5 426, Bfrs 8 954 and Bfrs 12 210 respectively.

⁽¹⁾ OJ No L 369, 29. 12. 1978, p. 6.

Article 13

Regulations (Euratom, ECSC, EEC) No 3084/78, (ECSC, EEC, Euratom) No 1793/79 (1) and (EEC, Euratom ECSC) No 160/80 are repealed with effect from 1 July 1979, except for Article 2 of Regulation (EEC, Euratom, ECSC) No 160/79.

Article 14

With effect from 1 July 1979, the amounts shown in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68 (2) shall be subject to a weighting of 1.941935.

With effect from 1 July 1979, the amounts shown in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68 shall be subject to a weighting of 1·132395 in the case of persons covered by Article 2 of Regulation (EEC, Euratom, ECSC) No 160/80.

Article 15

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, 21 January 1980.

For the Council
The President
G. MARCORA

⁽¹⁾ OJ No L 206, 14. 8. 1979, p. 1. (2) OJ No L 56, 4. 3. 1968, p. 8.

COMMISSION REGULATION (EEC) No 162/80

of 25 January 1980

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 1547/79 (2), and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 1658/79 (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 effective parity;
- 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 January 1980;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1658/79 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 January 1980.

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

Done at Brussels, 25 January 1980.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, 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 193, 1. 8. 1979, p. 5.

ANNEX to the Commission Regulation of 25 January 1980 fixing the import levies on cereals and

on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading Description No		Levies	
10.01 A	Common wheat, and meslin	82.29	
10.01 B	Durum wheat	113.90 (1) (5)	
10.02	Rye	67.09 (6)	
10.03	Barley	70.71	
10.04	Oats	73.40	
10.05 B	Maize, other than hybrid maize for		
	sowing	97.48 (2) (3)	
10.07 A	Buckwheat	4.14	
10.07 B	Millet	59.93 (4)	
10.07 C	Grain sorghum	89.51 (4)	
10.07 D	Canary seed; other cereals	0 (5)	
11.01 A	Wheat or meslin flour	129.15	
11.01 B	Rye flour	107.71	
11.02 A I a)	Durum wheat groats and meal	189.77	
11.02 A I b)	Common wheat groats and meal	138-40	

⁽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⁾ Where maize originating in the ACP or OCT is imported into the French overseas departments the levy is reduced by 7.25 ECU/tonne as provided for in Regulation (EEC) No 706/76.

⁽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 163/80

of 25 January 1980

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals (1), as last amended by Regulation (EEC) No 1547/79 (2), and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 1659/79 (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 effective parity;
- 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 January 1980;

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 January 1980.

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

Done at Brussels, 25 January 1980.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 188, 26. 7. 1979, 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 193, 1. 8. 1979, p. 7.

ANNEX

to the Commission Regulation of 25 January 1980 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	o	0	o
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	1.05	1.05	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	o
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	o	0	О
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 1	1st period	2nd period 3	3rd period 4	4th period
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 164/80

of 25 January 1980

fixing the world market price for colza and rape seed

THE COMMISSION 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 markets in oils and fats (1), as last amended by Regulation (EEC) No 590/79 (2),

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza and rape seed (3), as last amended by Regulation (EEC) No 852/78 (4),

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza and rape seed and repealing Regulation (EEC) No 1464/73 (5), as last amended by Regulation (EEC) No 1234/77 (6), and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza and rape seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in Commission Regulation (EEC) No 2415/79 of 31 October 1979 fixing the amount of the subsidy

on oil seeds (7), as last amended by Regulation (EEC) No 150/80 (8);

Whereas, if the price system is to operate normally, the world market price 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 effective parity;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas it follows from applying these provisions that the world market price for colza and rape seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 January 1980.

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

Done at Brussels, 25 January 1980.

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

⁽²) OJ No L 78, 30. 3. 1979, p. 1.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 116, 28. 4. 1978, p. 6. (5) OJ No L 236, 24. 8. 1973, p. 28.

^(°) OJ No L 143, 10. 6. 1977, p. 9.

⁽⁷⁾ OJ No L 275, 1. 11. 1979, p. 43.

⁽⁸⁾ OJ No L 19, 25. 1. 1980, p. 39.

ANNEX

to the Commission Regulation of 25 January 1980 fixing the world market price for colza and rape seed

(ECU/100 kg)(1)

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	20.548

(ECU/100 kg)(1)

ССТ	Description	World market price where the subsidy is fixed in advance for the month of					
heading No		January 1980	February 1980	March 1980	April 1980	May 1980	June 1980
ex 12.01	Colza and rape seed	20·548	20·548	20.548	20.896	20.896	21·244

⁽¹⁾ The conversion rates from ECU into national currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following:

1 ECU - DM 2.48208
1 ECU - FI 2.74362
1 ECU - Bfr/Lfr 39.7897
1 ECU - FF 5.84700
1 ECU - Dkr 7.72336
1 ECU - I £ 0.668201
1 ECU - £ 0.628966
1 ECU - Lit 1 158.77

COMMISSION REGULATION (EEC) No 165/80

of 25 January 1980

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 Regulation (EEC) No 2916/79 (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 1365/79 (3), as last amended by Regulation (EEC) No 146/80 (4);

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1365/79 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 4 February 1980.

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

Done at Brussels, 25 January 1980.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24, 12, 1979, p. 15. (3) OJ No L 163, 2, 7, 1979, p. 30.

⁽⁴⁾ OJ No L 19, 25. 1. 1980, p. 29.

ANNEX

to the Commission Regulation of 25 January 1980 fixing the import levies on live cattle and on beef and veal other than frozen (1) for the period beginning 4 February 1980

(ECU/100 kg)

CCT heading No	Austria/Sweden/Switzerland	Other third countries		
	— Live weight —			
01.02 A II a) (a) 01.02 A II b) (b)	 16·980	60·649 67·784		
	— Net weight —			
02.01 A II a) 1 aa) (a)	_	115.233		
02.01 A II a) 1 bb)	32·263	128.790		
02.01 A II a) 2 aa) (a)	<u> </u>	92-187		
02.01 A II a) 2 bb)	25.810	103.032		
02.01 A II a) 3 aa) (a)	_	138-280		
02.01 A II a) 3 bb)	38·716	154-549		
02.01 A II a) 4 aa)	48·394	193-186		
02.01 A II a) 4 bb)	55:356	220-978		
02.06 C I a) 1	48·394	193·186		
02.06 C I a) 2	55:356	220.978		
16.02 B III b) 1 aa)	55:356	220-978		

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, 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) The levy shall be established in accordance with the provisions set out in Annex I to the Trade Agreement between the EEC and the Socialist Federal Republic of Yugoslavia.

⁽b) 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 166/80

of 25 January 1980

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 Regulation (EEC) No 2916/79 (2), and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Regulation (EEC) No 1366/79 (3), as last amended by Regulation (EEC) No 2942/79 (4);

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1366/79 to the

quotations and other information known to the Commission, that the levies should be 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 4 February 1980.

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

Done at Brussels, 25 January 1980.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24. (2) OJ No L 329, 24. 12. 1979, p. 15. (3) OJ No L 163, 2. 7. 1979, p. 34.

⁽⁴⁾ OJ No L 334, 28. 12. 1979, p. 30.

ANNEX

to the Commission Regulation of 25 January 1980 fixing the import levies on frozen beef and veal (1) for the period beginning 4 February 1980

(ECU/100 kg)

CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	109-657
02.01 A II b) 2	87·725 (a)
02.01 A II b) 3	137.071
02.01 A II b) 4 aa)	164.485
02.01 A II b) 4 bb) 11	137·071 (a)
02.01 A II b) 4 bb) 22 (b)	137·071 (a)
02.01 A II b) 4 bb) 33	188·610 (a)

⁽¹⁾ In accordance with Regulation (EEC) No 706/76, 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 167/80

of 24 January 1980

on the delivery of various consignments of butteroil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products (1), as last amended by Regulation (EEC) No 1761/78 (2), and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 939/79 of 8 May 1979 laying down general rules for the supply of milk fats to certain developing countries and specialized bodies under the 1979 food-aid programme (3), and in particular Article 7 thereof,

Whereas, under the food-aid programmes adopted by the Council Regulations specified in the Annex, certain third countries and beneficiary organizations have requested the delivery of the quantities of butteroil set out therein;

Whereas, therefore, delivery should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 303/77 of 14 February 1977

laying down general rules for the supply of skimmedmilk powder and butteroil as food aid (4), as last amended by Regulation (EEC) No 1488/79 (5); whereas, in particular, the periods and terms for delivery and the procedure to be followed by the intervention agencies to establish the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

In accordance with the provisions of Regulation (EEC) No 303/77, the intervention agencies specified in the Annex shall deliver butteroil as food aid on the special terms set out therein.

Article 2

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

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

Done at Brussels, 24 January 1980.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13. (2) OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 119, 15. 5. 1979, p. 5.

⁽⁴⁾ OJ No L 43, 15. 2. 1977, p. 1. (5) OJ No L 181, 18. 7. 1979, p. 20.

	ANNEX (¹)				
Consignment	A				
Application of Council Regulations:					
(a) legal basis	(EEC) No 939/79 (1979 programme)				
(b) affectation	(EEC) No 940/79				
2. Beneficiary	India				
3. Country of destination					
4. Total quantity of the consignment	500 tonnes				
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12				
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)				
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees (5)				
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Calcutta'				
9. Delivery period	Delivery in March 1980				
10. Stage and place of delivery	Community port operating a regular service with the recipient country (6)				
11. Representative of the beneficiary responsible for reception (4)					
12. Procedure to be applied to determine the costs of supply	Tender				
13. Expiry of the time limit for submission of tenders	12 noon on 11 February 1980				

Consignment		В		С	
Application of Counc Regulations:	cil				
(a) legal basis		(EEC) No 939/79 (1979 programme)			
(b) affectation		(EEC) No 940/79			
2. Beneficiary		}	Ind	lia	
3. Country of destination	on J				
4. Total quantity consignment	of the	500 tonnes		400 tonnes	
5. Intervention agency to for delivery	responsible	Will result from applicat	ion of the	procedure referred to in point 12	
6. Origin of butteroil (²)) .	To manufacture from butter or cream bought on the Community market (aged no more than six months)			
 Special characteristic packaging (3) 	s and / or I	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equivalent guarantees (5)			
8. Markings on the pack	saging '			n under the food-aid programme of the ic Community /	
		'Bombay'	lollowe	'Calcutta'	
9. Delivery period		D	elivery in	May 1980	
10. Stage and place of de	livery	Community port operating a	a regular s	service with the recipient country (6)	
11. Representative of beneficiary response reception (4)					
12. Procedure to be a determine the costs of		Tender			
13. Expiry of the time submission of tenders	limit for	12 no	on on 11	February 1980	

					
	Consignment	D		E	
1.	Application of Council Regulations:				
	(a) legal basis	(EEC)	No 939/79 (19	79 programme)	
	(b) affectation		(EEC) No 9	40/79	
2.	Beneficiary	}	India		
3.	Country of destination	J			
4.	Total quantity of the consignment	1 000 tonnes (7)		200 tonnes	
5.	Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12			
6.	Origin of butteroil (²)	To manufacture from butter or cream bought on the Community market (aged no more than six months)			
7.	Special characteristics and / or packaging (3)		See notes (5) a	and (8)	
8.	Markings on the packaging	'Supplied to the Indian Dairy Corp.	oration under Bconomic Com followed b	•	
		'Bombay'		'Madras'	
9.	Delivery period		Delivery in Jun	ne 1980	
10.	Stage and place of delivery	Community port operating	g a regular serv	ice with the recipient country (6)	
11.	Representative of the beneficiary responsible for reception (4)				
12.	Procedure to be applied to determine the costs of supply		Tender		
13.	Expiry of the time limit for submission of tenders	12 n	oon on 11 Feb	oruary 1980	

Consignment	F
Application of Council Regulations:	
(a) legal basis	(EEC) No 939/79 (1979 programme)
(b) affectation	(EEC) No 940/79
2. Beneficiary	India
3. Country of destination	
4. Total quantity of the con- signment	1 000 tonnes (7)
5. Intervention agency responsible for delivery	Will result from application of the procedure referred to in point 12
6. Origin of butteroil (2)	To manufacture from butter or cream bought on the Community market (aged no more than six months)
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatment giving equiva- lent guarantees (5)
8. Markings on the packaging	'Supplied to the Indian Dairy Corporation under the food-aid programme of the European Economic Community / Bombay'
9. Delivery period	Delivery in July 1980
10. Stage and place of delivery	Community port operating a regular service with the recipient country (6)
11. Representative of the beneficiary responsible for reception (4)	
12. Procedure to be applied to determine the costs of supply	Tender
13. Expiry of the time limit for submission of tenders	12 noon on 11 February 1980

Consignment	G
Application of Council Regulations:	
(a) legal basis	(EEC) No 939/79 (1979 programme)
(b) affectation	(EEC) No 940/79
2. Beneficiary	Pakistan
3. Country of destination	
4. Total quantity of the consignment	500 tonnes
5. Intervention agency responsible for delivery	German
6. Origin of butteroil (²)	To manufacture from intervention butter
7. Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food-can varnish or having undergone treatmen giving equivalent guarantees
8. Markings on the packaging	'Butteroil / Gift of the European Economic Community to Pakistan'
9. Delivery period	Delivery in March 1980
10. Stage and place of delivery	Community port operating a regular service with the recipient country
11. Representative of the beneficiary responsible for reception (4)	
12. Procedure to be applied to determine the costs of supply	Tender
13. Expiry of the time limit for submission of tenders	12 noon on 11 February 1980

	Consignment	н	I	
1.	Application of Council Regulations:			
	(a) legal basis	(EEC) No 939/7	79 (1979 programme)	
	(b) affectation	(EEC)	No 940/79	
2.	Beneficiary	Ban	ngladesh	
3.	Country of destination			
4.	Total quantity of the consignment	500 tonnes	2 500 tonnes (9)	
5.	Intervention agency responsible for delivery	United Kingdom	German	
6.	Origin of butteroil (2)	To manufacture fr	om intervention butter	
7.	Special characteristics and / or packaging (3)	In 5 kg tins, coated internally with food giving equiv	l-can varnish or having undergone treatmen alent guarantees	
8.	Markings on the packaging	'Butteroil / Gift of the European	Economic Community to Bangladesh'	
9.	Delivery period	Delivery i	n March 1980	
10.	Stage and place of delivery	Community	port of loading	
11.	Representative of the beneficiary responsible for reception (4)			
12.	Procedure to be applied to determine the costs of supply	Tender		
13.	Expiry of the time limit for submission of tenders	12 noon on 11 February 1980		

Notes

- (1) This Annex, together with the notice published in Official Journal No C 95 of 19 April 1977, page 7, takes the place of an invitation to tender from the intervention agencies concerned in cases where, under point 12, there must be a tendering procedure.
- (2) In cases where the goods come from intervention stocks, an additional notice stating the warehouse where the product is stored will be published in the 'C' series of the Official Journal of the European Communities.
- (3) Other than those set out in Annex II to Regulation (EEC) No 303/77.
- (4) Only in the case of delivery 'to the port of unloading' and 'free at destination'; see Article 5 and the last indent of Article 13 (1) of Regulation (EEC) No 303/77.
- (5) Free fatty acids: maximum 0.3 % (oleic acid).

Amount of peroxide/kg: maximum 0.5 unit (in milli-equivalents of oxygen per kg).

Thio-barbituric acid test (TBA): maximum 0.22 %.

Copper content: maximum 0.05 ppm.

Iron content: maximum 0.2 ppm.

- (6) Delivery shall be deemed to have taken place and the risks shall pass from the successful tenderer to the recipient at the moment when the products have actually been lifted across the rails of the vessel at the port of shipment designated for delivery.
- (7) In cases where the total quantity of a lot is a multiple of 500 tonnes, the tender submitted may relate to a part quantity of 500 tonnes or to a multiple of 500 tonnes; see Article 14 (2) of Regulation (EEC) No 303/77.
- (8) In new bunged metal drums, coated inside with an alimentary varnish or having been subject to a procedure giving equivalent guarantees, of 190 or 200 kg (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.
- (9) Each offer may cover only a part quantity of 500 tonnes as specified in the complementary tender indicating the storage locations of the product, published together with this Regulation in the 'C' series of the Official Journal of the European Communities.

COMMISSION REGULATION (EEC) No 168/80

of 25 January 1980

opening an invitation to tender for the mobilization of common wheat flour as food aid for the Republic of Guinea

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 1547/79 (2),

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid (3), and in particular Article 6 thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (4), as last amended by Regulation (EEC) No 2543/73 (5), and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 3 000 tonnes of common wheat (in other words 1 986 tonnes of common wheat flour) to the Republic of Guinea under its 1978/79 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas the proposed invitation to tender should be for supply of the products to the quay or in the lighter where applicable at the port of unloading;

Whereas tenders may be submitted by tenderers established in any Member State of the Community and may relate to products mobilized anywhere within those Member States; whereas, in view of the currency situation in the Member States and in order to ensure that the tenders are as comparable as possible, account

should be taken of the effect on each tender of the currency situation in the Member State in which the customs export formalities will be completed;

Whereas the award under the invitation to tender must be made in favour of the tenderer offering the best terms;

Whereas, should force majeure make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given for the purpose of guaranteeing that the obligations arising by virtue of participation in the invitation to tender will be fulfilled;

Whereas the United Kingdom intervention agency should be made responsible for the tendering procedure;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

- 1. Tenders are hereby invited for the supply to the Republic of Guinea, by way of Community action, of 1 986 tonnes of common wheat flour.
- 2. The tendering procedure shall take place in the United Kingdom in one lot.
- 3. The products shall be mobilized on the Community market.
- 4. Shipment shall be from a Community port.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1. (2) OJ No L 188, 26. 7. 1979, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

- 5. The invitation to tender provided for in paragraph 1 is for supply of products to the quay, or in the lighter where applicable, in the port of Conakry.
- 6. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

The following shall be printed on the sacks:

'Farine de froment / Don de la Communauté économique européenne à la république de Guinée'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2% of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

- 1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 8 February 1980.
- 2. The closing date for the submission of tenders shall be 8 February 1980 at 12 noon.
- 3. The notice of invitation to tender shall be published in the Official Journal of the European Communities not less than nine days before the closing date for the submission of tenders.

Article 3

- 1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
- 2. Tenders must in particular mention the Member State in which the tenderer, in the event of his being declared successful, expects to complete the customs export formalities for the products concerned.
- 3. For the purpose of rendering the tenders comparable, the prices shall, where appropriate, be corrected by the monetary compensatory amount applicable on the closing date for submission of tenders to exports from the Member State mentioned in the tender pursuant to paragraph 2. Such correction shall be made by:
- increasing prices which mention a Member State whose currency has depreciated,

— reducing prices which mention a Member State whose currency has been revalued.

The monetary compensatory amount shall, where appropriate, be converted into the currency of the Member State in which the invitation to tender is issued using:

- in the case when the currencies concerned are kept at any given moment within a band of 2.25 %, a conversion rate resulting from their central rate,
- in the other cases, the average of the spot rates of the currencies concerned recorded in the Member State in which the invitation to tender is issued during a period from the Wednesday of one week to the Tuesday of the following week being the period immediately preceding the closing date for submission of tenders.

Article 4

The contract shall be awarded to the tenderer offering the best terms, taking into consideration the adjustment referred to in Article 3 (3).

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

1. The tenderer shall give security in an amount of 12 ECU per tonne of goods.

It shall be released:

- in the case of all tenderers whose tenders are unsuccessful or are not accepted,
- in the case of the successful tenderer, when the operations concerned have been carried out within the prescribed time limit and on submission of the original export licence duly granted and endorsed by the competent authorities of the Member State mentioned in the tender pursuant to Article 3 (2),
- in the case of the successful tenderer, for quantities not supplied by reason of force majeure.
- 2. The security required under paragraph 1 may be provided in the form of a cash deposit or of a guarantee issued by a credit institution conforming to criteria laid down by each Member State.

Article 6

- 1. The common wheat flour referred to in Article 1 to be supplied to the Republic of Guinea must meet the following requirements:
- moisture: 14 % maximum,
- protein content: 10.5 % minimum (N × 6.25 on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Flour not meeting these requirements shall be refused.

- 2. Tenders for supply to the Republic of Guinea of the common wheat flour referred to in Article 1 must relate to a product with the following characteristics:
- moisture: 14 % maximum,
- protein content: 10.5 % minimum (N × 6.25 on dry matter),
- ash content: 0.52 % maximum referred to dry matter.

Article 7

- 1. The United Kingdom intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.
- 2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.
- 3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the inter-

vention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in the second subparagraph of Article 3 (3) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

- 4. The intervention agency shall ask that the tenderer specifies the following information:
- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging;
- (b) the date of the departure of the ships and the expected date of arrival of the products at their destination:
- (c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided for to the Commission as soon as it is received.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regards this tender, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment

Article 9

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 January 1980.

COMMISSION REGULATION (EEC) No 169/80

of 25 January 1980

opening an invitation to tender for the mobilization of semi-milled long grain rice as food aid for the United Nations High Commissioner for Refugees

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice (1), as amended by Regulation (EEC) No 113/80 (2),

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 laying down the conditions for the mobilization of cereals as food aid (3), and in particular Article 6 thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy (4), as last amended by Regulation (EEC) No 2543/73 (5), and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 8 May 1979 the Council of the European Communities declared that it proposed, by way of Community action, to grant the equivalent of 12 168 tonnes of husked rice (in other words, 9 000 tonnes of semi-milled long grain rice) to the United Nations High Commissioner for Refugees under its 1978/79 food-aid programme;

Whereas pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75 the goods may be purchased anywhere on the Community market;

Whereas the proposed invitation to tender should be for supply of the products placed on the quay at the port of unloading;

Whereas, in view of the different monetary circumstances in the Member States, the observation of these conditions is not guaranteed by the application of exchange rates applicable in the framework of the common agricultural policy since monetary compensa-

tory amounts do not apply in the rice sector; whereas it is advisable to take account of the monetary situation as regards different offers;

Whereas the award under the invitation to tender must be made to the tenderer offering the best terms;

Whereas, should force majeure make it impossible to complete the operation in question within the time limits specified, it must be made clear who is to bear the liability for any resulting costs;

Whereas provision should be made for security to be given to guarantee fulfilment of the obligations arising by virtue of participation in the invitation to tender;

Whereas the Italian intervention agency should be made responsible for the tendering procedure;

Whereas the Commission must be informed quickly of the tenders submitted in response to the invitation and of those accepted by the intervention agency;

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

- 1. Tenders are hereby invited for the supply to the United Nations High Commissioner for Refugees, by way of Community action, of 9 000 tonnes of semi-milled long grain rice.
- 2. The tendering procedure shall take place in Italy in six lots. The product shall be mobilized on the Community market. The product shall be loaded for departure from any Community port.
- 3. The invitation to tender provided for in paragraph 1 is for supply of products delivered on the quay in one of the ports of unloading listed in the Annex.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89. (4) OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁵⁾ OJ No L 263, 19. 9. 1973, p. 1.

4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks lined with cotton sacks of a net capacity of 50 kilograms.

The following shall be printed on the sacks:

'Rice / Gift of the European Economic Community / Action of the United Nations High Commissioner for Refugees'.

To allow for the possibility of re-bagging, the successful tenderer shall supply 2% of new empty sacks, of the same quality as those containing the goods but with the printing followed by a capital letter 'R'.

Article 2

- 1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 11 February 1980.
- 2. The closing date for the submission of tenders shall be 11 February 1980 at 12 noon.
- 3. The notice of invitation to tender shall be published in the Official Journal of the European Communities not less than nine days before the closing date for the submission of tenders.

Article 3

- 1. The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.
- 2. The rates used for converting into ECU those offers, made in national currencies shall be:
- the central rate in cases where the relevant currency is held at any given moment within a band of 2.25 %,
- in other cases, the average spot exchange rate during the period from Wednesday of one week to Tuesday of the following week and which immediately precedes the time limit for the submission of offers.

Article 4

The contract shall be awarded to the tenderer offering the best terms.

However, if the tenders submitted do not appear to correspond to normal market prices and costs, the intervention agency may cancel the invitation to tender.

Article 5

1. The successful tenderer shall give security of a value of 12 ECU per tonne; the security is intended

to guarantee that the operations specified in Article 1 are duly completed. The security shall be forfeit if those operations are not carried out within the prescribed time limit, save as regards quantities not delivered owing to *force majeure*.

2. The security provided for in paragraph 1 may be given in the form of a cash deposit or of a guarantee issued by a credit institution conforming to the criteria laid down by the Member State.

Article 6

- 1. The semi-milled long grain rice referred to in Article 1 to be supplied to the United Nations High Commissioner for Refugees must meet the following requirements:
- moisture : 15 %,
- broken rice: 5 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Rice not meeting these requirements shall be refused.

- 2. Tenders for supply to the United Nations High Commissioner for Refugees of the semi-milled long grain rice referred to in Article 1 must relate to a product with the following characteristics:
- moisture: 15 %,
- broken rice: 5 % maximum,
- chalky grains: 5 % maximum,
- grains striated with red: 3 % maximum,
- spotted grains: 1.5 % maximum,
- stained grains: 1 % maximum,
- yellow grains: 0.050 % maximum,
- amber grains: 0.20 % maximum.

Article 7

- 1. The Italian intervention agency shall be responsible for the operations relating to the invitation to tender provided for by this Regulation.
- 2. It shall forthwith communicate to the Commission the list of firms which have responded to the invitation to tender, specifying the terms of each tender, together with the name and business name of the successful tenderer.

3. Where the customs export formalities for the mobilized product are completed in a Member State other than that in which the invitation to tender is issued, the intervention agency of the latter Member State shall be responsible for the operations following tendering, including payment to the successful tenderer.

In such case, the intervention agency choosing the successful tenderer shall immediately inform the intervention agency of the Member State concerned and shall supply it with all the information which it may require.

Furthermore, the amount of the successful tender shall be paid after it has been converted using the average of the spot rates referred to in Article 3 (2) to the tenderer in the currency of the Member State in which the operations relating to the tendering are completed.

- 4. The intervention agency shall ask that the tenderer specifies the following information:
- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and their packaging;
- (b) the date of the departure of the ships; the expected date of arrival of the products at their destination;

(c) all possible contingencies which might occur during transportation of the products.

The intervention agency shall transmit the information provided to the Commission as soon as it is received.

5. When the intervention agency responsible for the operations relating to tendering is not the intervention agency which appoints the successful tenderer, it shall send as soon as possible to the latter the information necessary for releasing the security.

Article 8

As regards this tender, the intervention agency is authorized to make an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of that document and subject to the taking of a security for an amount equal to the initial payment.

Article 9

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 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX

Number of lot	Port of unloading	Minimum rate of unloading	Tonnage cif
1 2 3 4 5 6	Manila Tanjung-Pinang-Bintan (Riau Islands) via Singapore Vientiane	Customs of the port	660 1 320 1 000 1 000 1 000 4 020

COMMISSION REGULATION (EEC) No 170/80

of 25 January 1980

prolonging the temporary suspension of advance fixing of export refunds for butter, butteroil and skimmed-milk powder

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 1761/78 (2),

Having regard to Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds (3), as last amended by Regulation (EEC) No 2429/72 (4), and in particular the first subparagraph of Article 5 (4) thereof,

Whereas Commission Regulation (EEC) No 79/80 of 16 January 1980 (5) prolonged the temporary suspension of advance fixing of export refunds for butter and butteroil; whereas Commission Regulation (EEC) No 131/80 of 22 January 1980 (6) temporarily suspended advance fixing of export refunds for skimmed-milk powder;

Whereas the reasons which led to the above measures still obtain; whereas it is necessary, therefore, to maintain them in respect of the products in question, with the exception of skimmed-milk powder in small packages, for a limited period to enable the situation to be monitored and, possibly, to adapt the rules governing the export of the products concerned;

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 REGULATION:

Article 1

Advance fixing of refunds on products falling within subheadings 04.02 A II b) 1 and 04.02 B I b) 2 aa) and heading No 04.03 of the Common Customs Tariff shall remain suspended during the period 26 January to 1 February 1980 inclusive.

Article 2

This Regulation shall enter into force on 26 January 1980.

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

Done at Brussels, 25 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 204, 28. 7. 1978, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

^{(&}lt;sup>5</sup>) OJ No L 12, 17. 1. 1980, p. 12. (⁶) OJ No L 17, 23. 1. 1980, p. 19.

COMMISSION REGULATION (EEC) No 171/80

of 25 January 1980

altering the rates of the refunds applicable to sugar and beet or cane syrups exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 1396/78 (2), and in particular the second sentence of the sixth subparagraph of Article 19 (2) thereof,

Whereas the rates of the refunds applicable from 1 January 1980 to sugar, to beet or cane syrups and to molasses exported in the form of goods not covered by Annex II to the Treaty were fixed by Regulation (EEC) No 2996/79 (3);

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 2996/79 to

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds fixed by Regulation (EEC) No 2996/79 for white sugar, raw sugar and beet or cane syrups containing by weight in the dry state 98 % or more of sucrose, exported in the form of goods listed in the Annex to amended Regulation (EEC) No 3330/74, are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 26 January 1980.

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

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1.

⁽³⁾ OJ No L 337, 29. 12. 1979, p. 37.

ANNEX

to the Commission Regulation of 25 January 1980 altering the rates of the refunds applicable to sugar and beet or cane syrups exported in the form of goods not covered by Annex II to the Treaty

Table I

	Molasses:	12 00 / 10
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$12-06 \times \frac{5}{10}$
	Raw sugar:	4.36
Rate of refund in ECU/100 kg:	White sugar:	12-06
	Table II	
	Molasses :	
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$7.95 imes rac{S}{10}$
	Raw sugar:	0.58
Rate of refund in ECU/100 kg:	White sugar:	7-95

COMMISSION REGULATION (EEC) No 172/80

of 25 January 1980

altering the rate of the refund applicable to isoglucose exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1111/77 of 17 May 1977 laying down common provisions for isoglucose (1), as last amended by Regulation (EEC) No 1293/79 (2), and in particular the second sentence of the third subparagraph of Article 4 (2) and Article 4 (5) thereof,

Whereas the rate of the refund applicable from 1 January 1980 to isoglucose exported in the form of goods not covered by Annex II to the Treaty was fixed be Regulation (EEC) No 2997/79 (3);

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 2997/79 to

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

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the refund fixed by Regulation (EEC) No 2997/79 for isoglucose exported in the form of goods listed in the Annex to Regulation (EEC) No 1111/77 is hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 26 January 1980.

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

Done at Brussels, 25 January 1980.

For the Commission

Étienne DAVIGNON

Member of the Commission

ANNEX

to the Commission Regulation of 25 January 1980 altering the rate of the refund applicable to isoglucose exported in the form of goods not covered by Annex II to the Treaty

(ECU)

CCT heading No	Description	Amound of refund for 100 kg of dry matter
17.02 D I	Isoglucose	12:06

⁽¹⁾ OJ No L 134, 28. 5. 1977, p. 4. (2) OJ No L 162, 30. 6. 1979, p. 10. (3) OJ No L 337, 29. 12. 1979, p. 39.

COMMISSION REGULATION (EEC) No 173/80

of 25 January 1980

correcting Regulation (EEC) No 146/80 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 Regulation (EEC) No 2916/79 (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 1365/79 (3), as last amended by Regulation (EEC) No 146/80 (4);

Whereas, as a result of an error, the date as from which Annex II to Regulation (EEC) No 146/80 applies is not the same as the date for the entry into

force of the levies resulting from the Agreement with Yugoslavia prolonged by Regulation (EEC) No 121/80 (5); whereas the Regulation in question should consequently be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In the second paragraph of Article 2 of Regulation (EEC) No 146/80, the date '3 February 1980' is hereby replaced by the date '24 January 1980'.

Article 2

This Reguation shall enter into force on 26 January 1980.

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

Done at Brussels, 25 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 163, 2. 7. 1979, p. 30.

⁽⁴⁾ OJ No L 19, 25. 1. 1980, p. 29.

COMMISSION REGULATION (EEC) No 174/80

of 25 January 1980

altering the basic amount of the import levy on syrups and certain other sugar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 1396/78 (2), and in particular Article 15 (7) thereof,

Whereas the basic amount of the import levy on syrups and certain other sugar products was fixed by Regulation (EEC) No 2990/79 (3), as last amended by Regulation (EEC) No 138/80 (4);

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2990/79 to the

information known to the Commission that the basic amount of the levy at present in force should be altered to the amount set out below,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amount of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 3330/74 shall be, per 100 kilograms of product, 0.1488 ECU per percentage point of sucrose content.

Article 2

This Regulation shall enter into force on 26 January 1980.

1

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

Done at Brussels, 25 January 1980.

For the Commission

Finn GUNDELACH

Vice-President

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²) OJ No L 170, 27. 6. 1978, p. 1. (³) OJ No L 337, 29. 12. 1979, p. 25.

⁽⁴⁾ OJ No L 18, 24. 1. 1980, p. 19.

COMMISSION REGULATION (EEC) No 175/80

of 25 January 1980

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 3330/74 of 19 December 1974 on the common organization of the market in sugar (1), as last amended by Regulation (EEC) No 1396/78 (2), and in particular Article 15 (7) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1328/79 (3), as last amended by Regulation (EEC) No 156/80 (4);

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1328/79 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 15 (1) of Regulation (EEC) No 3330/74 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 January 1980.

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

Done at Brussels, 25 January 1980.

For the Commission Finn GUNDELACH Vice-President

ANNEX

to the Commission Regulation of 25 January 1980 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form: A. White sugar; flavoured or coloured sugar B. Raw sugar	14·88 8·84 (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.

⁽¹⁾ OJ No L 359, 31. 12. 1974, p. 1.

⁽²⁾ OJ No L 170, 27. 6. 1978, p. 1. (3) OJ No L 162, 30. 6. 1979, p. 85. (4) OJ No L 19, 25. 1. 1980, p. 51.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 17 December 1979

on the protection of groundwater against pollution caused by certain dangerous substances

(80/68/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

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

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

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

Whereas there is an urgent need for action to protect the groundwater of the Community from pollution, particularly that caused by certain toxic, persistent and bioaccumulable substances;

Whereas the 1973 programme of action of the European Communities on the environment (4), supplemented by that of 1977 (5), provides for a number of measures to protect groundwater from certain pollutants;

Whereas Article 4 of Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain

dangerous substances discharged into the aquatic environment of the Community (6) provides for the implementation of a separate Directive on groundwater;

Whereas any disparity between the provisions on the discharge of certain dangerous substances into ground-water already applicable or in preparation in the Member States may create unequal conditions of competition and thus directly affect the functioning of the common market; whereas it is therefore necessary to approximate laws in this field, as provided for in Article 100 of the Treaty;

Whereas it is necessary for this approximation of laws to be accompanied by Community action in the sphere of environmental protection and improvement of the quality of life; whereas certain specific provisions to this effect should therefore be laid down; whereas Article 235 of the Treaty should be invoked as the requisite powers have not been provided for by the Treaty;

Whereas the following should be excluded from the scope of this Directive: domestic effluent from certain isolated dwellings and discharges containing substances in lists I or II in very small quantities and concentrations, on account of the low risk of pollution and the difficulty of controlling the discharge of such effluent; whereas discharges of matter containing radioactive substances, which will be dealt with in a specific Community instrument, should also be excluded;

⁽¹⁾ OJ No C 37, 14. 2. 1978, p. 3. (2) OJ No C 296, 11. 12. 1978, p. 35.

⁽³⁾ OJ No C 283, 27. 11. 1978, p. 39. (4) OJ No C 112, 20. 12. 1973, p. 3.

⁽⁵⁾ OJ No C 139, 13. 6. 1977, p. 3.

⁽⁶⁾ OJ No L 129, 18. 5. 1976, p. 23.

Whereas to ensure the effective protection of groundwater in the Community it is necessary to prevent the discharge of substances in list I and limit the discharge of substances in list II;

Whereas a distinction should be drawn between direct discharges of dangerous substances into groundwater and actions likely to result in indirect discharges;

Whereas, with the exception of direct discharges of substances in list I, which are automatically prohibited, all discharges must be made subject to a system of authorization; whereas such authorizations may only be delivered after a survey of the receiving environment;

Whereas provision should be made for exceptions to the rules prohibiting discharges into groundwater of substances in list I, after a survey has been made of the receiving environment and prior authorization given, provided that the discharge is made into groundwater permanently unsuitable for any other use, particularly domestic or agricultural purposes;

Whereas artificial recharges of groundwater intended for public water supplies should be made subject to special rules;

Whereas the competent authorities of the Member States should monitor compliance with the conditions laid down in the authorizations and the effects of discharges on groundwater;

Whereas an inventory should be kept of authorization of discharges into groundwater of substances in list I and of direct discharges into groundwater of substances in list II, and an inventory of authorizations for artificial recharges for the purpose of groundwater management;

Whereas, to the extent that the Hellenic Republic is to become a member of the European Economic Community on 1 January 1981 in accordance with the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties, it appears necessary that, for that State, the period granted to Member States to bring into force the laws, regulations and administrative provisions necessary to comply with this Directive should be extended from two to four years, bearing in mind the inadequacy of that State's technical and administrative infrastructure,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. The purpose of this Directive is to prevent the pollution of groundwater by substances belonging to

the families and groups of substances in lists I or II in the Annex, hereinafter referred to as 'substances in lists I or II', and as far as possible to check or eliminate the consequences of pollution which has already occurred.

- 2. For the purposes of this Directive:
- (a) 'groundwater' means all water which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil;
- (b) 'direct discharge' means the introduction into groundwater of substances in lists I or II without percolation through the ground or subsoil;
- (c) 'indirect discharge' means the introduction into groundwater of substances in lists I or II after percolation through the ground or subsoil;
- (d) 'pollution' means the discharge by man, directly or indirectly, of substances or energy into ground-water, the results of which are such as to endanger human health or water supplies, harm living resources and the aquatic ecosystem or interfere with other legitimate uses of water.

Article 2

This Directive shall not apply to:

- (a) discharges of domestic effluents from isolated dwellings not connected to a sewerage system and situated outside areas protected for the abstraction of water for human consumption;
- (b) discharges which are found by the competent authority of the Member State concerned to contain substances in lists I or II in a quantity and concentration so small as to obviate any present or future danger of deterioration in the quality of the receiving groundwater;
- (c) discharges of matter containing radioactive substances.

Article 3

Member States shall take the necessary steps to:

- (a) prevent the introduction into groundwater of substances in list I; and
- (b) limit the introduction into groundwater of substances in list II so as to avoid pollution of this water by these substances.

Article 4

- 1. To comply with the obligation referred to in Article 3 (a), Member States:
- shall prohibit all direct discharge of substances in list I

- shall subject to prior investigation any disposal or tipping for the purpose of disposal of these substances which might lead to indirect discharge. In the light of that investigation, Member States shall prohibit such activity or shall grant authorization provided that all the technical precautions necessary to prevent such discharge are observed,
- shall take all appropriate measures they deem necessary to prevent any indirect discharge of substances in list I due to activities on or in the ground other than those mentioned in the second indent. They shall notify such measures to the Commission, which, in the light of this information, may submit proposals to the Council for revision of this Directive.
- 2. However, should prior investigation reveal that the groundwater into which the discharge of substances in list I is envisaged is permanently unsuitable for other uses, especially domestic or agricultural, the Member States may authorize the discharge of these substances provided that their presence does not impede exploitation of ground resources.

These authorizations may be granted only if all technical precautions have been taken to ensure that these substances cannot reach other aquatic systems or harm other ecosystems.

3. Member States may, after prior investigation, authorize discharges due to re-injection into the same aquifer of water used for geothermal purposes, water pumped out of mines and quarries or water pumped out for civil engineering works.

Article 5

- 1. To comply with the obligation referred to in Article 3 (b), Member States shall make subject to prior investigation:
- all direct discharge of substances in list II, so as to limit such discharges,
- the disposal or tipping for the purpose of disposal of these substances which might lead to indirect discharge.

In the light of that investigation, Member States may grant an authorization, provided that all the technical precautions for preventing groundwater pollution by these substances are observed.

2. Furthermore, Member States shall take the appropriate measures they deem necessary to limit all indirect discharge of substances in list II, due to activities on or in the ground other than those mentioned in the first paragraph.

Article 6

Notwithstanding Articles 4 and 5, artificial recharges for the purpose of groundwater management shall be subject to a special authorization issued by the Member States on a case-by-case basis. Such authorization shall be granted only if there is no risk of polluting the groundwater.

Article 7

The prior investigations referred to in Articles 4 and 5 shall include examination of the hydrogeological conditions of the area concerned, the possible purifying powers of the soil and subsoil and the risk of pollution and alteration of the quality of the groundwater from the discharge and shall establish whether the discharge of substances into groundwater is a satisfactory solution from the point of view of the environment.

Article 8

The authorizations referred to in Articles 4, 5 and 6 may not be issued by the competent authorities of the Member States until it has been checked that the groundwater, and in particular its quality, will undergo the requisite surveillance.

Article 9

When direct discharge is authorized in accordance with Article 4 (2) and (3) or Article 5, or when waste water disposal which inevitably causes indirect discharge is authorized in accordance with Article 5, the authorization shall specify in particular:

- the place of discharge,
- the method of discharge,
- essential precautions, particular attention being paid to the nature and concentration of the substances present in the effluents, the characteristics of the receiving environment and the proximity of water catchment areas, in particular those for drinking, thermal and mineral water,
- the maximum quantity of a substance permissible in an effluent during one or more specified periods of time and the appropriate requirements as to the concentration of these substances,
- the arrangements enabling effluents discharged into groundwater to be monitored;
- if necessary, measures for monitoring groundwater, and in particular its quality.

Article 10

When disposal or tipping for the purpose of disposal which might lead to indirect discharge is authorized in accordance with Articles 4 or 5, authorization shall specify in particular:

- the place where such disposal or tipping is done,
- the methods of disposal or tipping used,
- essential precautions, particular attention being paid to the nature and concentration of the substances present in the matter to be tipped or disposed of, the characteristics of the receiving environment and the proximity of water catchment areas, in particular those for drinking, thermal and mineral water,
- the maximum quantity permissible, during one or more specified periods of time, of the matter containing substances in lists I or II and, where possible, of those substances themselves, to be tipped or disposed of and the appropriate requirements as to the concentration of those substances,
- in the cases referred to in Article 4 (1) and Article 5 (1) the technical precautions to be implemented to prevent any discharge into groundwater of substances in list I and any pollution of such water by substances in list II,
- if necessary, the measures for monitoring the groundwater, and in particular its quality.

Article 11

The authorizations referred to in Articles 4 and 5 may be granted for a limited period only, and will be reviewed at least every four years. They may be renewed, amended or withdrawn.

Article 12

- 1. If the person requesting an authorization as referred to in Articles 4 or 5 states that he is unable to comply with the conditions laid down, or if this situation is evident to the competent authority in the Member State concerned, authorization shall be refused.
- 2. Should the conditions laid down in an authorization not be complied with, the competent authority in the Member State concerned shall take appropriate steps to ensure that these conditions are fulfilled; if necessary, it shall withdraw the authorization.

Article 13

The competent authorities of the Member States shall monitor compliance with the conditions laid down in

the authorizations and the effects of discharges on groundwater.

Article 14

As regards discharges of the substances in lists I or II already occurring at the time of notification of this Directive, the Member States may stipulate a period not exceeding four years after entry into force of the provisions referred to in Article 21 (1), on expiry of which the discharges in question must comply with this Directive.

Article 15

The competent authorities of the Member States shall keep an inventory of the authorizations referred to in Article 4 of discharges of substances in list I, the authorizations referred to in Article 5 of direct discharges of substances in list II and the authorizations referred to in Article 6.

Article 16

- 1. For the purposes of implementing this Directive, Member States shall supply the Commission, at its request and on a case-by-case basis, with all the necessary information, and in particular with:
- (a) the results of the prior investigations referred to in Articles 4 and 5;
- (b) details of the authorizations granted;
- (c) the results of the monitoring and inspection operations carried out;
- (d) the results of the inventories provided for in Article 15.
- 2. Information acquired as a result of the application of this Article shall be used only for the purpose for which it was requested.
- 3. The Commission and the competent authorities of the Member States, their officials and other servants shall not disclose information acquired by them pursuant to this Directive and of a kind covered by the obligation of professional secrecy.
- 4. The provisions of paragraphs 2 and 3 shall not prevent publication of general information or surveys which do not contain information relating to particular undertakings or associations of undertakings.

Article 17

With regard to discharges into transfrontier groundwater, the competent authority of the Member State which intends to grant authorization for such discharges shall inform the other Member States concerned before an authorization is issued. At the request of one of the Member States concerned and before an authorization is issued, consultations shall be held in which the Commission may participate.

Article 18

The application of the measures taken pursuant to this Directive may on no account lead, either directly or indirectly, to pollution of the water referred to in Article 1.

Article 19

Where appropriate, one or more Member States may individually or jointly take more stringent measures than those provided for under this Directive.

Article 20

The Council, acting on a proposal from the Commission, shall, in the light of experience, revise and, if necessary, supplement lists I and II, where appropriate, by transferring certain substances from list II to list I.

Article 21

1. The Member States shall bring into force the laws, regulations and administrative provisions neces-

sary to comply with this Directive within two years of its notification. They shall immediately inform the Commission thereof.

However, this period shall be increased to four years for the Hellenic Republic, subject to its accession on 1 January 1981.

- 2. The Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.
- 3. Once the measures referred to in paragraph 1 have been implemented by a Member State, the provisions of Directive 76/464/EEC relating to groundwater shall no longer apply in respect of that Member State.

Article 22

This Directive is addressed to the Member States.

Done at Brussels, 17 December 1979.

For the Council

The President

S. BARRETT

ANNEX

LIST I OF FAMILIES AND GROUPS OF SUBSTANCES

List I contains the individual substances which belong to the families and groups of substances enumerated below, with the exception of those which are considered inappropriate to list I on the basis of a low risk of toxicity, persistance and bioaccumulation.

Such substances which with regard to toxicity, persistance and bioaccumulation are appropriate to list II are to be classed in list II.

- 1. Organohalogen compounds and substances which may form such compounds in the aquatic environment
- 2. Organophosphorus compounds
- 3. Organotin compounds
- 4. Substances which possess carcinogenic mutagenic or teratogenic properties in or via the aquatic environment (1)
- 5. Mercury and its compounds
- 6. Cadmium and its compounds
- 7. Mineral oils and hydrocarbons
- 8. Cyanides.

LIST II OF FAMILIES AND GROUPS OF SUBSTANCES

List II contains the individual substances and the categories of substances belonging to the families and groups of substances listed below which could have a harmful effect on groundwater.

1. The following metalloids and metals and their compounds:

1. Zinc	11. Tin
2. Copper	12. Barium
3. Nickel	13. Beryllium
4. Chrome	14. Boron
5. Lead	15. Uranium
6. Selenium	16. Vanadium
7. Arsenic	17. Cobalt
8. Antimony	18. Thallium
9. Molybdenum	19. Tellurium
10. Titanium	20. Silver.

- 2. Biocides and their derivatives not appearing in list I.
- 3. Substances which have a deleterious effect on the taste and/or odour of groundwater, and compounds liable to cause the formation of such substances in such water and to render it unfit for human consumption.
- 4. Toxic or persistent organic compounds of silicon, and substances which may cause the formation of such compounds in water, excluding those which are biologically harmless or are rapidly converted in water into harmless substances.
- 5. Inorganic compounds of phosphorus and elemental phosphorus.
- 6. Fluorides.
- 7. Ammonia and nitrites.

⁽¹⁾ Where certain substances in list II are carcinogenic, mutagenic or teratogenic, they are included in category 4 of this list.

COUNCIL DECISION

of 21 January 1980

appointing an alternate member of the Advisory Committee on Social Security for Migrant Workers

(80/69/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (1), and in particular Article 82 thereof,

Having regard to the Council Decision of 15 October 1979 appointing the members and alternate members of the Advisory Committee on Social Security for Migrant Workers for the period ending 14 October 1981,

Whereas a seat as alternate member of the above Committee in the employers' representatives category has fallen vacant following the resignation of Mrs Lambert-Beaufils, notified to the Council on 22 October 1979,

Having regard to the nomination submitted on 8 January 1980,

HAS DECIDED AS FOLLOWS:

Sole Article

Miss Liliane Dekeyser is hereby appointed alternate member of the Advisory Committee on Social Security for Migrant Workers in place of Mrs Lambert-Beaufils for the remainder of the latter's term of office, which runs until 14 October 1981.

Done at Brussels, 21 January 1980.

For the Council

The President

G. MARCORA

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2923/79 of 20 December 1979 amending Regulation (EEC) No 1180/77 on imports into the Community of certain agricultural products originating in Turkey (1979/80)

(Official Journal of the European Communities No L 333 of 27 December 1979)

Page 14, Article 1 (b), line 3:

for: '... 11 ECU ...', read: '... 10.88 ECU ...'.