

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2511/81

of 28 August 1981

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 1949/81⁽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 2196/81⁽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 27 August 1981;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2196/81 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 29 August 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 7.

ANNEX

to the Commission Regulation of 28 August 1981 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>		
CCT heading No	Description	Levies
10.01 A	Common wheat, and meslin	73.51
10.01 B	Durum wheat	124.68 ⁽¹⁾ ⁽²⁾
10.02	Rye	30.54 ⁽⁶⁾
10.03	Barley	61.95
10.04	Oats	24.21
10.05 B	Maize, other than hybrid maize for sowing	70.73 ⁽³⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	19.96 ⁽⁴⁾
10.07 C	Grain sorghum	63.90 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	115.89
11.01 B	Rye flour	55.76
11.02 A I a)	Durum wheat groats and meal	206.25
11.02 A I b)	Common wheat groats and meal	125.16

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

COMMISSION REGULATION (EEC) No 2512/81

of 28 August 1981

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 1949/81 ⁽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 2197/81 ⁽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 27 August 1981 ;

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 29 August 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 198, 20. 7. 1981, p. 2.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 214, 1. 8. 1981, p. 10.

ANNEX

to the Commission Regulation of 28 August 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

<i>(ECU/tonne)</i>					
CCT heading No	Description	Current	1st period	2nd period	3rd period
		8	9	10	11
10.01 A	Common wheat, and meslin	0	0	0	0
10.01 B	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0.99	0.99	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

<i>(ECU/tonne)</i>						
CCT heading No	Description	Current	1st period	2nd period	3rd period	4th period
		8	9	10	11	12
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 2513/81

of 28 August 1981

fixing the export levies on starch products manufactured from rice

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 last amended by the Act of Accession of Greece ⁽²⁾,

Having regard to Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors ⁽³⁾, as last amended by Regulation (EEC) No 1956/81 ⁽⁴⁾, and in particular Article 6(2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 6(2) of Regulation (EEC) No 2742/75, an export levy may be introduced for products falling within subheading 11.08 A II of the Common Customs Tariff when world market prices for broken rice exceed the threshold prices less the production refund;

Whereas, by Regulation (EEC) No 2007/75 ⁽⁵⁾, the Commission laid down detailed rules for the application of the export levy on starch products; whereas Article 1(1) of that Regulation provides that a levy is introduced when it is found that the import levy for broken rice is at least 3.63 ECU per tonne less than the amount of the production refund valid in the current month and that the average of the levies in the immediately following fortnight is at least 3.63 ECU per tonne less than the average of the production refund valid in that fortnight;

Whereas the export levy must be equal, per tonne of basic product, to the difference between the production refund valid on the day on which this export levy is fixed and the average of the levies applicable on the seven days preceding the day it comes into force;

whereas this difference must then be multiplied for the products mentioned in Article 1 by the coefficients relating to these products shown in column 4 of the Annex to Regulation (EEC) No 2744/75 ⁽⁶⁾, as last amended by Regulation (EEC) No 1783/81 ⁽⁷⁾;

Whereas the production refund on broken rice intended for the manufacture of starch is defined in Article 1 of Regulation (EEC) No 2742/75;

Whereas the export levy must be fixed once per week; whereas it is altered only if application of Article 1(2)(a) of Regulation (EEC) No 2007/75 entails an increase or a reduction of more than 0.97 ECU per tonne of basic product;

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 %, at 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 all these provisions to the world market price of broken rice and to the import levies that an export levy should be introduced for the product listed in the Annex,

HAS ADOPTED THIS REGULATION:

Article 1

The export levies provided for in Article 6(2) of Regulation (EEC) No 2742/75 are hereby fixed as shown in the table annexed to this Regulation for the product listed therein.

Article 2

This Regulation shall enter into force on 29 August 1981.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁴⁾ OJ No L 198, 20. 7. 1981, p. 13.

⁽⁵⁾ OJ No L 203, 1. 8. 1975, p. 7.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁷⁾ OJ No L 176, 1. 7. 1981, p. 10.

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

Done at Brussels, 28 August 1981.

For the Commission
Poul DALSAER
Member of the Commission

ANNEX

to the Commission Regulation of 28 August 1981 fixing the export levies on starch products manufactured from rice

(ECU/tonne)

CCT heading No	Description	Export levy
11.08 A II	Rice starch	32.25

COMMISSION REGULATION (EEC) No 2514/81
of 28 August 1981
fixing the import levies on milk and milk products

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 the Act of Accession of Greece ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 921/81 ⁽³⁾, as last
amended by Regulation (EEC) No 2334/81 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 921/81 to the
prices 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 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 September
1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSA GER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 93, 6. 4. 1981, p. 1.

⁽⁴⁾ OJ No L 230, 14. 8. 1981, p. 15.

ANNEX

to the Commission Regulation of 28 August 1981 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	18.23
04.01 A I b)	0120	15.82
04.01 A II a) 1	0130	15.82
04.01 A II a) 2	0140	19.48
04.01 A II b) 1	0150	14.61
04.01 A II b) 2	0160	18.27
04.01 B I	0200	40.01
04.01 B II	0300	84.65
04.01 B III	0400	130.82
04.02 A I	0500	13.22
04.02 A II a) 1	0620	63.68
04.02 A II a) 2	0720	124.26
04.02 A II a) 3	0820	126.68
04.02 A II a) 4	0920	142.93
04.02 A II b) 1	1020	56.43
04.02 A II b) 2	1120	117.01
04.02 A II b) 3	1220	119.43
04.02 A II b) 4	1320	135.68
04.02 A III a) 1	1420	34.79
04.02 A III a) 2	1520	46.97
04.02 A III b) 1	1620	84.65
04.02 A III b) 2	1720	130.82
04.02 B I a)	1820	36.27
04.02 B I b) 1 aa)	2220	per kg 0.5643 ⁽¹⁾
04.02 B I b) 1 bb)	2320	per kg 1.1701 ⁽¹⁾
04.02 B I b) 1 cc)	2420	per kg 1.3568 ⁽¹⁾
04.02 B I b) 2 aa)	2520	per kg 0.5643 ⁽²⁾
04.02 B I b) 2 bb)	2620	per kg 1.1701 ⁽²⁾
04.02 B I b) 2 cc)	2720	per kg 1.3568 ⁽²⁾
04.02 B II a)	2820	52.92
04.02 B II b) 1	2910	per kg 0.8465 ⁽²⁾
04.02 B II b) 2	3010	per kg 1.3082 ⁽²⁾
04.03 A	3110	153.90
04.03 B	3210	187.76
04.04 A I a) 1	3321	18.13
04.04 A I a) 2	3420	160.26 ⁽³⁾
04.04 A I b) 1 aa)	3521	18.13
04.04 A I b) 1 bb)	3619	160.26 ⁽³⁾
04.04 A I b) 2	3719	160.26 ⁽³⁾
04.04 A II	3800	160.26
04.04 B	3900	159.55 ⁽⁴⁾
04.04 C	4000	169.03
04.04 D I	4120	36.27
04.04 D II a) 1	4410	138.61
04.04 D II a) 2	4510	138.15
04.04 D II b)	4610	234.87
04.04 E I a)	4710	159.55
04.04 E I b) 1 aa) 11)	4840	192.51 ⁽⁵⁾
04.04 E I b) 1 aa) 22) aaa)	4850	192.51 ⁽⁵⁾
04.04 E I b) 1 aa) 22) bbb)	4860	192.51 ⁽⁵⁾
04.04 E I b) 1 bb)	4870	192.51 ⁽⁵⁾

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 1 cc)	4880	192.51 ⁽¹⁹⁾
04.04 E I b) 1 dd)	4890	192.51
04.04 E I b) 2 aa)	4922	148.53 ⁽¹⁵⁾
04.04 E I b) 2 bb)	5022	148.53 ⁽¹⁶⁾
04.04 E I b) 3	5030	148.53 ⁽¹⁷⁾
04.04 E I b) 4	5060	148.53 ⁽¹⁷⁾
04.04 E I b) 5 aa)	5130	148.53 ⁽¹⁸⁾
04.04 E I b) 5 bb)	5140	148.53
04.04 E I c) 1	5210	111.40
04.04 E I c) 2	5250	245.25
04.04 E II a)	5310	159.55
04.04 E II b)	5410	245.25
17.02 A II ⁽¹⁸⁾	5500	36.59
21.07 F I	5600	36.59
23.07 B I a) 3	5700	44.74
23.07 B I a) 4	5800	57.72
23.07 B I b) 3	5900	54.16
23.07 B I c) 3	6000	44.88
23.07 B II	6100	57.72

For notes ⁽¹⁾ to ⁽¹⁰⁾, see notes ⁽¹⁾ to ⁽¹⁰⁾ of Council Regulation (EEC) No 1691/80 (OJ No L 166, 1. 7. 1980).

⁽¹¹⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
- (b) 7.25 ECU ; and
- (c) 8.04 ECU.

⁽¹²⁾ The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :

- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
- (b) 8.04 ECU.

⁽¹³⁾ The levy is limited to 9.07 ECU per 100 kg net weight.

⁽¹⁴⁾ The levy is limited to 6 % of the value for customs purposes.

⁽¹⁵⁾ The levy is limited to 75.33 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁶⁾ The levy is limited to 99.51 ECU per 100 kg net weight for imports from Austria, Finland, Romania and Switzerland (Regulation (EEC) No 1054/68 as amended).

⁽¹⁷⁾ The levy is limited to 63.24 ECU per 100 kg net weight for imports from Bulgaria, Hungary, Romania and Turkey (Regulation (EEC) No 1054/68 as amended).

⁽¹⁸⁾ Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.

⁽¹⁹⁾ Within the tariff quotas referred to in Article 9 (2) of Regulation (EEC) No 2915/79 the levy on 100 kg net weight shall be equal to 12.09 ECU.

NB: For the purposes of heading No 04.04, the exchange rate to be applied in converting into national currencies the ECU referred to in the subdivisions of this heading shall, notwithstanding general rule C 3 contained in Part I, Section I, of the Common Customs Tariff, be the representative rate, if such a rate is fixed pursuant to Council Regulation No 129 on the value of the ECU and the exchange rates to be applied for the purposes of the common agricultural policy (OJ No 106, 30. 10. 1962, p. 2553/62).

COMMISSION REGULATION (EEC) No 2515/81

of 28 August 1981

laying down detailed rules for the application of the additional measures applicable to holders of long-term storage contracts for table wine for the 1980/81 wine-growing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 3456/80⁽²⁾, and in particular Articles 12a (5) and 65 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 850/81⁽⁴⁾, and in particular Article 5 thereof,

Whereas the measures employed to support the wine market have not altogether yielded the desired results; whereas, in particular, the representative prices for table wines of types A I, R I and R II have remained lower than the respective activating prices since the beginning of the wine-growing year; whereas therefore the first condition required under Article 12a (1) of Regulation (EEC) No 337/79 for the adoption of additional measures applicable to holders of long-term storage contracts is satisfied; whereas the second conditions, namely that the representative price should remain lower than the activating price for three consecutive weeks, is likely to be fulfilled for table wines of types A I, R I and R II during the reference period;

Whereas these measures should provide for the possibility of removing from the market by distillation a certain quantity of wine and for the possibility of delaying for several months the marketing of the remaining quantity held by holders of long-term storage contracts, in anticipation of a recovery of the market; whereas, however, this latter measure might not achieve the desired objective; whereas provision for any further measures which may be necessary should therefore be made;

Whereas the distillation provided for by this Regulation should take place in accordance with the provisions of Council Regulation (EEC) No 343/79 of 5 February 1979 laying down general rules governing

certain distillation operations in the wine sector⁽⁵⁾, as last amended by Regulation (EEC) No 2007/81⁽⁶⁾; whereas, pursuant to Articles 1 (1) and 5 of that Regulation time limits should be fixed for the submission of applications for approval of distillation contracts, for approval by the intervention agencies and for the distillation operations; whereas Article 2 of that Regulation specifies that aid is to be paid, the amount of which is to be fixed so as to enable the products obtained to be disposed of;

Whereas the additional information which should appear in the distillation contract should also be specified;

Whereas Article 4 of Regulation (EEC) No 343/79 provides that the aid is to be paid to the producer in two instalments; whereas payment of the second instalment should be made within a limited period so as to enable the producer to receive the full amount of the aid quickly; whereas it should therefore be provided that such payment is to be made not later than 30 days after distillation;

Whereas technical conditions for the approval of distillers should be laid down; whereas provision should also be made for approval to be, in principle, withdrawn from the distiller if he defaults for reasons other than *force majeure* or inevitable accident;

Whereas the intervention agencies referred to in Article 8 of Regulation (EEC) No 343/79 and the Commission should be informed of the progress of distillation operations and should in particular be aware of the quantities of wine distilled and the quantities of alcohol obtained;

Whereas, in order to achieve the objective envisaged, storage contracts should be concluded in accordance with Commission Regulation (EEC) No 2600/79 of 23 November 1979 on storage contracts for table wine, grape must and concentrated grape must⁽⁷⁾, as last amended by Regulation (EEC) No 2252/80⁽⁸⁾;

(1) OJ No L 54, 5. 3. 1979, p. 1.

(2) OJ No L 360, 31. 12. 1980, p. 18.

(3) OJ No L 106, 29. 4. 1977, p. 27.

(4) OJ No L 90, 4. 4. 1981, p. 1.

(5) OJ No L 54, 5. 3. 1979, p. 64.

(6) OJ No L 195, 18. 7. 1981, p. 3.

(7) OJ No L 297, 24. 11. 1979, p. 15.

(8) OJ No L 227, 29. 8. 1980, p. 10.

Whereas, to allow for market developments, it should be possible to terminate contracts;

Whereas, in accordance with Article 2 of Regulation (EEC) No 878/77, the new representative rate fixed for the German mark by that Regulation is to be applied from 16 December 1981 for wine; whereas, however, other dates may be provided for distillation measures;

Whereas the application of the measures provided for in this Regulation extends beyond 15 December 1981; whereas it is necessary, in order to avoid any discrimination between those concerned, to provide for the application of a single representative rate for all payments relating to the distillation operations referred to in this Regulation; whereas since the storage contracts referred to in the latter were concluded during the 1980/81 wine-growing year, the last representative rate applicable during the said wine-growing year should be used;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the application of additional measures, as provided for in Article 12a of Regulation (EEC) No 337/79, in respect of holders of long-term storage contracts for table wine for the 1980/81 wine-growing year.

Article 2

1. The period of three consecutive weeks referred to in Article 12 (1) of Regulation (EEC) No 337/79 shall fall between 15 July and 30 November 1981.

2. If the decision referred to in Article 12a (5) of Regulation (EEC) No 337/79 is adopted, holders of long-term storage contracts for the types of table wine in respect of which the decision is adopted and for wines in close economic relationship with such wines may:

- (a) for a quantity of wine subject to contract not exceeding a percentage to be determined of the total quantity of table wine which they have produced during the 1980/81 wine-growing year, undertake distillation under the conditions referred to in Articles 3 to 9;
- (b) for a quantity of wine subject to contract to be determined and which is not subject to the

measure provided for at point (a), conclude a storage contract under the conditions referred to in Article 10, for a period to be determined.

3. The total quantity of table wine to which the percentage referred to in Article 12a (3) of Regulation (EEC) No 337/79 is to apply shall be:

- for producers subject to the obligation referred to in Article 2 (1) of Regulation No 134, the total of the quantities given in their harvest declarations and the quantities given in the records referred to in Article 14 of Regulation (EEC) No 1153/75 and obtained by themselves after the date of submission of the harvest declaration, from products listed in the said declaration,
- for producers who are not subject to the obligation referred to in the first indent, the quantity given in the records referred to in Article 14 of Regulation (EEC) No 1153/75 and obtained by themselves by vinification of purchased must.

4. Other additional measures applicable to holders of the storage contracts referred to in paragraph 2 (b) in respect of a given type of wine or a wine in close economic relationship therewith may be taken if the representative price for that type of table wine has remained lower than the activating price during the period between the date of adoption of the decision referred to in Article 12a (5) of Regulation (EEC) No 337/79 and 15 January 1982.

Article 3

1. The distillation referred to in Article 2 (2) (a) shall be carried out in accordance with the provisions of Regulation (EEC) No 343/79 and of this Regulation.

2. The wines which may be distilled are either

- those which have been the subject of long-term storage, or
- other wines of the same type which have been produced by the holder of the storage contract.

In the cases referred to in the second indent, the quantity of wine which is the subject of the contract referred to in Article 1 of Regulation (EEC) No 343/79 may be greater than the proportion, referred to in Article 2 (2) (a), of the wine under storage contract, provided that the actual alcoholic strength of the wine to be distilled is not less than 10 % vol and that the total quantity of alcohol contained in that wine is not greater than the total quantity of alcohol contained in the proportion of the wine under storage contract, distillation of which is permissible.

Article 4

1. Applications for approval of the contracts referred to in Article 1 of Regulation (EEC) No 343/79 shall be made not later than 15 January 1982.

2. The intervention agency referred to in Article 8 of Regulation (EEC) No 343/79 shall inform the parties to the contract not later than 15 days after receiving the application for approval of a distillation contract of the result of the approval procedure.

3. Distillation shall be carried out between 1 October 1981 and 30 June 1982.

Article 5

1. The contracts referred to in Article 1 of Regulation (EEC) No 343/79 shall state :

- (a) the quantity, colour and actual alcoholic strength of the wines to be distilled ;
- (b) the name and address of the producer ;
- (c) the place where the wine is stored ;
- (d) the name of the distiller or the distillery ;
- (e) the address of the distillery.

2. The person on whose account distillation is carried out shall be treated on the same basis as the distiller.

Article 6

1. The price provided for in the second indent of Article 12a (3) of Regulation (EEC) No 337/79 shall be :

- 2.26 ECU per % vol per hectolitre in the case of table wines of type A I and in the case of those which are closely related economically to those wines,
- 2.45 ECU per % vol per hectolitre in the case of table wines of types R I and R II and in the case of those which are closely related economically to the wines of those types produced within the Community of Nine ;
- 2.21 ECU per % vol per hectolitre in the case of table wines of types R I and R II and in the case of those which are closely related economically to those wines, produced in Greece.

2. The amount of aid provided for in Article 2 of Regulation (EEC) No 343/79 shall be as follows :

- (a) for the wines referred to in the first indent of paragraph 1 :
 - 1.64 ECU per % vol per hectolitre, if the wine has been processed into a product referred to in the first indent of Article 2 (3) of that Regulation,

- 1.59 ECU per % vol per hectolitre, if the wine has been processed into a product referred to in the second indent of Article 2 (3) of that Regulation ;

(b) for the wines referred to in the second indent of paragraph 1 :

- 1.83 ECU per % vol per hectolitre, if the wine has been processed into a product referred to in the first indent of Article 2 (3) of that Regulation,

- 1.78 ECU per % vol per hectolitre, if the wine has been processed into a product referred to in the second indent of Article 2 (3) of that Regulation ;

(c) for the wines referred to in the third indent of paragraph 1 :

- 1.59 ECU per % vol per hectolitre, if the wine has been processed into a product referred to in the first indent of Article 2 (3) of that Regulation,

- 1.54 ECU per % vol per hectolitre, if the wine has been processed into a product referred to in the second indent of Article 2 (3) of that Regulation.

3. The payments to be made pursuant to Article 4 (1) and (3) of Regulation (EEC) No 343/79 shall be made not later than 30 days after the necessary conditions have been satisfied.

4. Where Article 4 (5) of Regulation (EEC) No 343/79 applies, payment of the minimum buying-in price shall be made not later than 30 days after the total quantity of wine appearing in the contract has entered the distillery.

5. Where Article 4 (6) of Regulation (EEC) No 343/79 applies, payment of the minimum buying-in price shall be made not later than 30 days after the total quantity of wine appearing in the contract has been distilled. When the relevant intervention agency of a Member State has not decided to make general use of the facility provided for in Article 4 (6), the distiller may make use of this facility only after having obtained the agreement of the producer.

6. The conversion into national currency of the amounts referred to in paragraphs 1 and 2 above shall be made using the representative rate for wine applicable on 31 August 1981.

Article 7

Member States shall take the necessary measures to ensure that the provisions of the Regulation are applied. They may provide for the use of an indicator in the case of wines delivered for distillation.

Article 8

1. In order to be approved within the meaning of Article 7 of Regulation (EEC) No 343/79, distillers must be capable of processing wine into a product with an alcoholic strength of 86 % vol or more or into a product with an alcoholic strength of 85 % vol or less.

2. Approval shall be withdrawn if the distiller, save in the event of inevitable accident or *force majeure*, fails to pay the purchase price to the producer or to fulfil his obligations under Community provisions.

Article 9

1. Member States shall notify the Commission not later than 28 February 1982 of the quantities of wine appearing in the distillation contracts approved.

2. Distillers shall send to the intervention agency, not later than the 10th day of each month, a return of the quantities of wine distilled during the previous month stating the quantities expressed as pure alcohol of the products which they have obtained, distinguishing between those referred to in the first indent of Article 2 (3) of Regulation (EEC) No 343/79 and those referred to in the second indent thereof.

3. Member States shall inform the Commission by telex not later than the 20th day of each month in respect of the previous month of the quantities of wine distilled and the quantities expressed as pure alcohol of the products which they have obtained, distinguishing between them in accordance with paragraph 2.

4. Member States shall notify not later than 30 September 1982 cases of distillers who have failed to

fulfil their obligations and the measures taken in consequence.

Article 10

1. The contracts referred to in Article 2 (2) (b) shall be concluded not later than 15 January 1982.

If the holder of a long-term storage contract decides to take advantage of Article 2 (2) (b) in respect of all the wine subject to a long-term storage contract, the intervention agency may extend the old contract for the new period by altering the relevant wording.

2. In the case of storage contracts as referred to in Article 2 (2) (b) the amount of the aid shall be that laid down for long-term storage contracts for the 1980/81 wine-growing year.

3. The storage contracts referred to in Article 2 (2) (b) shall be terminated at the request of the producers concerned.

In that case :

- the storage aid shall remain payable for the period during which the wine was placed under such a contract ;
- wine subject to the contract may not be distilled as described in Article 2 (2) (a).

Article 11

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

It shall apply with effect from 16 September 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSAER

Member of the Commission

COMMISSION REGULATION (EEC) No 2516/81

of 26 August 1981

imposing a provisional anti-dumping duty on imports of light sodium carbonate originating in Bulgaria

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

After consultations within the Advisory Committee set up under Regulation (EEC) No 3017/79,

Whereas on 21 November 1978 the Commission published in the *Official Journal of the European Communities*⁽²⁾ a notice of the initiation of an anti-dumping procedure concerning imports of sodium carbonate originating in Bulgaria, the German Democratic Republic, Poland, Romania and the Soviet Union;

Whereas the Commission conducted a preliminary examination of dumping and injury showing, as set out in Commission Regulation (EEC) No 2599/79⁽³⁾, that there was dumping, that there was sufficient evidence of injury and that the interests of the Community called for immediate intervention;

Whereas voluntary price undertakings were accepted from the export organizations in Bulgaria, the German Democratic Republic, Poland and Romania;

Whereas no such undertaking was offered by the Soviet Union export organization;

Whereas the Commission accordingly imposed, by the said Regulation (EEC) No 2599/79, a provisional anti-dumping duty on light sodium carbonate originating in the Soviet Union;

Whereas this provisional duty was confirmed by Council Regulation (EEC) No 407/80⁽⁴⁾, imposing a definitive anti-dumping duty;

Whereas, the duty thus imposed corresponded to the amount by which the import price was less than US \$ 105.10;

Whereas in May 1981 representatives of CEFIC and of the EEC sodium carbonate producers expressed their

concern to the Commission that there had been breaches of the price undertakings made in this procedure by *inter alia* the Bulgarian exporter;

Whereas an examination of customs statistics regarding Bulgarian exports revealed that certain Bulgarian imports into the Community had been made at prices substantially below the undertaking price;

Whereas the Commission, on 18 May and 24 June 1981, invited the Bulgarian exporter to explain his position and indicated the possible consequences of an unsatisfactory reply; whereas no satisfactory reply has been received;

Whereas, in these circumstances, the protection of the Community's interests call for the withdrawal of acceptance of the Bulgarian exporter's undertaking and immediate application of provisional measures using the information available in accordance with Article 10 (6) of the said Regulation (EEC) No 3017/79;

Whereas, since the information available is that set out in the said Regulation (EEC) No 407/80, the provisional duty should be based on the same data, in particular as regards normal value, as that relating to the definitive duty;

Whereas, consequently, the provisional duty should be equal to the amount by which the import price is less than US\$ 105.10;

Whereas, since the collection of this duty on the basis of the free-at-frontier price of the importing Member State could give rise to technical difficulties, it appears appropriate to base it on a free-at-Community-frontier price; whereas this will have no significant consequences with respect to the amount of the duty to be collected;

Whereas, as stated in Regulation (EEC) No 407/80, in order to avoid evasion of the anti-dumping duty, it is necessary to provide for an alternative procedure for the calculation of the duty for cases where the product is not entered for free circulation by the first purchaser in the Community,

(1) OJ No L 339, 31. 12. 1979, p. 1.

(2) OJ No C 277, 21. 11. 1978, p. 4.

(3) OJ No L 297, 24. 11. 1979, p. 12.

(4) OJ No L 48, 22. 2. 1980, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

The Commission hereby withdraws acceptance of the price undertaking made on 15 October 1979 by the Bulgarian exporter of light sodium carbonate.

Article 2

1. A provisional anti-dumping duty is hereby imposed on light sodium carbonate, falling within subheading ex 28.42 A II of the Common Customs Tariff, corresponding to NIMEXE code ex 28.42-31 and originating in Bulgaria.

2. Without prejudice to paragraph 4, the amount of the duty shall be equal to the amount by which the free-at-Community-frontier price, before duty, per tonne net, to the first purchaser in the customs territory of the Community, is less than US\$ 105.10.

3. The price of US\$ 105.10, as mentioned in paragraph 2, shall be net if the conditions of sale provide for payment within 30 days from the end of the month of delivery; it shall be increased or reduced by 1 % for each increase or decrease of one month in the time limit for payment.

4. (a) Where the product defined in paragraph 1 is not entered for free circulation on the basis of the price to the first purchaser in the Community, a provisional anti-dumping duty of 33 % of US\$ 79.02 shall be levied.

(b) Where, however, the declarant provides satisfactory proof to the customs authorities as to the price paid by the first purchaser, paragraphs 2 and 3 shall apply.

5. For the purposes of this Regulation, light sodium carbonate shall be all non-compacted sodium carbonate with a specific weight of less than 0.7 kg/dm³ and consisting of powder or grains small than 0.4 mm in diameter.

6. The provisions in force for the application of customs duties shall apply to this duty.

7. The entry of the product referred to in paragraph 1 into free circulation shall be conditional upon the deposit of security for the amount of the provisional duty.

Article 3

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 3017/79 the party concerned may make known its views, and apply to be heard orally by the Commission, within a month of the entry into force of this Regulation.

Without prejudice to the provisions of Articles 11, 12 and 14 of Regulation (EEC) No 3017/79 the present Regulation shall apply for a period of four months or until the adoption of definitive measures by the Council.

Article 4

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, 26 August 1981.

For the Commission

Edgard PISANI

Member of the Commission

COMMISSION REGULATION (EEC) No 2517/81**of 27 August 1981****temporarily suspending intervention buying-in of certain qualities of meat in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 6 (5) (b) thereof,

Whereas Article 3 (1) of Council Regulation (EEC) No 898/81 ⁽²⁾ provides the possibility of suspending in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 805/68, the buying-in by intervention agencies of one or more qualities of fresh or chilled meat in Member States or regions of Member States when the market price of the quality or qualities in question remains, during a period of three consecutive weeks, between 100 and 102 % of the maximum buying-in price fixed for that or those qualities ;

Whereas in France the market price for a certain quality is between 100 and 102 % of the maximum

buying-in price ; whereas, therefore, intervention buying-in should be temporarily suspended for the quality in question ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In application of Article 3 (1) (a) of Regulation (EEC) No 898/81 intervention buying-in shall be suspended from 31 August 1981 in the following Member State for the quality specified :

in France : 'Bœufs U'

Article 2

This Regulation shall enter into force on 31 August 1981.

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

Done at Brussels, 27 August 1981.

For the Commission

Poul DALSA GER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 90, 4. 4. 1981, p. 24.

COMMISSION REGULATION (EEC) No 2518/81

of 28 August 1981

re-establishing the levying of customs duties on electrical capacitors, fixed or variable, falling within heading No 85.18 and originating in Singapore, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3322/80 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3322/80 of 16 December 1980 establishing a multi-annual scheme of generalized tariff preferences and its application for 1981 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC, Euratom) No 3308/80 of 16 December 1980 on the replacement of the European unit of account by the ECU in Community legal instruments⁽²⁾,

Whereas, in pursuance of Articles 1 and 9 of Regulation (EEC) No 3322/80 suspension of customs duties shall be accorded to each of the countries or territories listed in Annex C, other than those listed in column 4 of Annex A, within the framework of the preferential tariff ceiling fixed in column 9 of Annex A;

Whereas, as provided for in Article 10 (1) of that Regulation, as soon as the individual ceilings in question are reached at Community level, the Commission, either acting on its own initiative or once a Member State has requested it to do so, shall re-establish the levying of customs duties on imports of the products in question;

Whereas, in the case of electrical capacitors, the individual ceiling was fixed at 2 102 000 ECU; whereas,

on 21 August 1981, imports of these products into the Community originating in Singapore reached that ceiling; whereas Benelux has requested that the levying of customs duties be re-established; whereas the customs duties in respect of the products in question must therefore be re-established against Singapore,

HAS ADOPTED THIS REGULATION :

Article 1

As from 1 September 1981, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3322/80, shall be re-established on imports into the Community of the following products originating in Singapore :

CCT heading No	Description
85.18	Electrical capacitors, fixed or variable

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, 28 August 1981.

For the Commission

Edgard PISANI

Member of the Commission

⁽¹⁾ OJ No L 354, 29. 12. 1980, p. 114.

⁽²⁾ OJ No L 345, 20. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 2519/81
of 28 August 1981
amending Regulation (EEC) No 3265/80 with regard to time limits in connection with certain quantities of butter to be exported to Poland

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 the Act of Accession of Greece, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽²⁾, as last amended by the Act of Accession of Greece, and in particular Article 7a thereof,

Whereas, in the matter of supplying Community butter to Poland, Article 9b of Commission Regulation (EEC) No 3265/80⁽³⁾, as last amended by Regulation (EEC) No 1844/81⁽⁴⁾, provided for the sale of an additional quantity of 2 000 tonnes by the German intervention agency; whereas, in response to a new request from the Polish authorities, the time limits

fixed for taking over and exporting the butter should be changed;

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

Article 9b of Regulation (EEC) No 3265/80 is hereby amended as follows:

1. In paragraph 2 (b) '1 September 1981' is in each case replaced by '1 November 1981'.
2. In paragraph 2 (c) '1 October 1981' is replaced by '1 December 1981'.

Article 2

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

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽³⁾ OJ No L 342, 17. 12. 1980, p. 28.

⁽⁴⁾ OJ No L 183, 4. 7. 1981, p. 15.

COMMISSION REGULATION (EEC) No 2520/81

of 28 August 1981

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3454/80⁽²⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 38/81⁽⁴⁾, and in particular Article 3 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 15.07 A

II a) of the Common Customs Tariff; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of September and October 1981, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 73.88 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Greece,
- 28.13 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Greece,
- 61.96 ECU per 100 kilograms for olive oil utilized in Greece.

Article 2

This Regulation shall enter into force on 1 September 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSA GER

Member of the Commission

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

⁽²⁾ OJ No L 360, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 3, 1. 1. 1981, p. 7.

COMMISSION REGULATION (EEC) No 2521/81
of 28 August 1981
correcting Regulation (EEC) No 2501/81 fixing the export refunds on milk and milk products

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 the Act of Accession of Greece⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Commission Regulation (EEC) No 2501/81 of 27 August 1981⁽³⁾ fixed the export refunds on milk and milk products; whereas verification has shown that one amount does not correspond with the measures submitted to the Management Committee for an opinion; whereas the Regulation in question must therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 2501/81 the amount '22·86 ECU' against subheading 04.01 ex B II (a), second indent, is hereby replaced by '26·86 ECU'.

Article 2

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

It shall apply from 28 August 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 245, 28. 8. 1981, p. 20.

COMMISSION REGULATION (EEC) No 2522/81
of 28 August 1981
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1808/81⁽²⁾, as last amended by Regulation (EEC) No 2506/81⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1808/81 to the

information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 August 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 181, 2. 7. 1981, p. 24.

⁽³⁾ OJ No L 245, 28. 8. 1981, p. 46.

ANNEX

to the Commission Regulation of 28 August 1981 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	26.16 17.56 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 2523/81

of 28 August 1981

altering the import levies on products processed from cereals and rice

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 1949/81⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by the Act of Accession of Greece⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2150/81⁽⁷⁾, as last amended by Regulation (EEC) No 2492/81⁽⁸⁾,

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 27 August 1981;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3.02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽⁹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75⁽¹⁰⁾, as last amended by Regulation (EEC) No 1783/81⁽¹¹⁾, as fixed in the Annex to amended Regulation (EEC) No 2150/81, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 August 1981.

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

Done at Brussels, 28 August 1981.

For the Commission

Poul DALSGER

Member of the Commission

(1) OJ No L 281, 1. 11. 1975, p. 1.
 (2) OJ No L 198, 20. 7. 1981, p. 2.
 (3) OJ No L 166, 25. 6. 1976, p. 1.
 (4) OJ No L 291, 19. 11. 1979, p. 17.
 (5) OJ No 106, 30. 10. 1962, p. 2553/62.
 (6) OJ No L 263, 19. 9. 1973, p. 1.
 (7) OJ No L 210, 30. 7. 1981, p. 17.
 (8) OJ No L 244, 27. 8. 1981, p. 32.

(9) OJ No L 168, 25. 6. 1974, p. 7.
 (10) OJ No L 281, 1. 11. 1975, p. 65.
 (11) OJ No L 176, 1. 7. 1981, p. 10.

ANNEX

to the Commission Regulation of 28 August 1981 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	133-01	126-97
11.01 E II ⁽²⁾	74-97	71-95
11.02 A V a) 1 ⁽²⁾	102-00	95-96
11.02 A V a) 2 ⁽²⁾	133-01	126-97
11.02 A V b) ⁽²⁾	74-97	71-95
11.02 B II c) ⁽²⁾	115-88	112-86
11.02 C V ⁽²⁾	115-88	112-86
11.02 D V ⁽²⁾	74-97	71-95
11.02 E II c) ⁽²⁾	133-01	126-97
11.02 F V ⁽²⁾	133-01	126-97
11.02 G II	58-95	52-91
11.04 C II a)	106-38	82-20 ⁽³⁾
11.04 C II b)	134-12	109-94 ⁽³⁾
11.08 A I	106-38	85-83
11.08 A IV	106-38	85-83
11.08 A V	106-38	42-91 ⁽³⁾
17.02 B II a) ⁽¹⁾	208-67	111-95
17.02 B II b) ⁽¹⁾	152-32	85-83
17.02 F II a)	214-00	117-28
17.02 F II b)	148-05	81-56
21.07 F II	152-32	85-83
23.03 A I	287-96	106-62

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1.6 % for rice, 2.5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 July 1981

authorizing the Italian Republic not to apply Community treatment to mounted piezo-electric crystals originating in Japan

(Only the Italian text is authentic)

(81/674/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Article 3 thereof,

Whereas on 10 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Italian Government to the Commission of the European Communities for authorization not to apply Community treatment to mounted piezo-electric crystals, falling within sub-heading 85.21 C, NIMEXE code 85.21-45, originating in Japan and in free circulation in the other Member States;

Whereas in Italy the importation of the products in question originating in Japan is subject to an annual quota of \$ 30 000;

Whereas disparities still exist between the conditions governing the importation of the products in question into the different Member States;

Whereas these disparities in the commercial policy measures applied by the Member States have resulted

in deflections of trade, in that since 1 January 1981 Italy has admitted an amount of the products in question in free circulation, originating in the said third country, to a value of \$ 227 903;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of the products in question originating in third countries have increased from Lit 1 000 million in 1979 to Lit 2 500 million in 1980; whereas the market share taken by those imports has risen from 14.2 % in 1979 to 17.4 % in 1980;

Whereas the prices of the products in question originating in Japan are approximately 50 to 70 % below the prices of like products manufactured in Italy;

Whereas output of like products in Italy has remained stagnant at a level of Lit 4 000 million; whereas the domestic industry's share of the home market has fallen from 50 % in 1979 to 36 % in 1980;

Whereas further indirect imports, in addition to those already admitted or planned, would be likely to aggravate these difficulties and jeopardize the aims of the abovementioned commercial policy measures;

Whereas it is not possible to set in motion rapidly the machinery for bringing about the necessary cooperation from the other Member States;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

Whereas authorization should accordingly be given for the application of protective measures under the first paragraph of Article 115, subject to the conditions laid down in Decision 80/47/EEC, and in particular Article 3 thereof;

Whereas an application for import documents covering \$ 54 327 is duly pending with the authorities of the Member State having made the request; whereas this application does not need to be covered by such authorization,

HAS ADOPTED THIS DECISION:

Article 1

The Italian Republic is authorized not to apply Community treatment to the products indicated below, originating in Japan and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 7 July 1981.

CCT heading No	Description
85.21 C (NIMEXE code 85.21-45)	Mounted piezo-electric crystals

Article 2

This Decision shall apply until new opportunities arise in Italy for the importation of the products in question originating in Japan, or until 31 December 1981, whichever is the earlier.

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 24 July 1981.

For the Commission

Wilhelm HAFERKAMP

Vice-President

COMMISSION DECISION

of 28 July 1981

establishing that particular sealing systems are 'non-reusable systems' within the meaning of Council Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC

(81/675/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/400/EEC of 14 June 1966 on the marketing of beet seed⁽¹⁾, as last amended by Directive 78/692/EEC⁽²⁾, and in particular Article 10 (1) thereof,

Having regard to Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed⁽³⁾, as last amended by Directive 81/126/EEC⁽⁴⁾, and in particular Article 9 (1) thereof,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽⁵⁾, as last amended by Directive 81/126/EEC, and in particular Article 9 (1) thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽⁶⁾, as last amended by Directive 81/126/EEC, and in particular Article 9 (1) thereof,

Having regard to Council Directive 70/458/EEC of 29 September 1970 on the marketing of vegetable seed⁽⁷⁾, as last amended by Directive 80/1141/EEC⁽⁸⁾, and in particular Article 25 (1) thereof,

Whereas, in accordance with the abovementioned provisions, packages of seed shall normally be sealed in such a way that the sealing system comprises either the prescribed official label or an official seal;

Whereas these measures are not necessary where a non-reusable sealing system is used;

Whereas in the interest of a uniform application of the relevant Community provisions, it should be established that certain current sealing systems are 'non-reusable sealing systems';

Whereas it is understood that the system now used exclusively in the case of cereal seed is one the use of which should show a tendency to decrease in favour of new systems offering greater guarantees of effectiveness and should be reconsidered after five years;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION :

Article 1

1. It is hereby established that the sealing systems of the following packages are 'non-reusable sealing systems' within the meaning of Article 10 (1) of Directive 66/400/EEC, Article 9 (1) of Directive 66/401/EEC, Article 9 (1) of Directive 66/402/EEC, Article 9 (1) of Directive 69/208/EEC and Article 25 (1) of Directive 70/458/EEC :

- (a) paper or plastic bags, provided that they have no opening other than the filling device and that the filling device is equipped with a self-adhesive or heat-sealing system closing the filling device after filling in such a way that it cannot be opened without damage;
- (b) bags of non-woven material, which are closed by stitching, provided that there is, at least at one side of the opening, an indelible imprint of a number scale, beginning with Number 1 at the upper edge, or a similar imprint (letters, design), which shows that the bags have retained their original dimensions.

(1) OJ No 125, 11. 7. 1966, p. 2290/66.

(2) OJ No L 236, 26. 8. 1978, p. 13.

(3) OJ No 125, 11. 7. 1966, p. 2298/66.

(4) OJ No L 67, 12. 3. 1981, p. 36.

(5) OJ No 125, 11. 7. 1966, p. 2305/66.

(6) OJ No L 169, 10. 7. 1969, p. 3.

(7) OJ No L 225, 12. 10. 1970, p. 7.

(8) OJ No L 341, 16. 12. 1980, p. 27.

2. It is hereby also established that the sealing systems of the following packages, in addition to those mentioned in paragraph 1, are at present still considered to be 'non-reusable sealing systems' within the meaning of Article 9 (1) of Directive 66/402/EEC:

Paper or plastic bags, provided that they have no opening other than the filling device, that they are closed by pressure on the filling device of the weight of the seed filled in and that the length of that device is not less than 22 % of the bag width.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1981.

For the Commission

The President

Gaston THORN

COMMISSION DECISION

of 28 July 1981

fixing the maximum export refund for the 72nd partial invitation to tender for white sugar issued under Regulation (EEC) No 561/80

(81/676/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, and in particular Article 19 (7) thereof,

Whereas Commission Regulation (EEC) No 561/80 of 5 March 1980 on a standing invitation to tender to determine levies and/or refunds on export of white sugar⁽²⁾, as last amended by Regulation (EEC) No 1676/81⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 561/80, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 72nd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the 72nd partial invitation to tender for white sugar issued under Regulation (EEC) No 561/80 is hereby fixed at 11.919 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 61, 6. 3. 1980, p. 18.

⁽³⁾ OJ No L 168, 25. 6. 1981, p. 16.

COMMISSION DECISION

of 28 July 1981

fixing the maximum export refund for the first partial invitation to tender for white sugar issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2041/81

(81/677/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common organiza-
tion of the market in sugar⁽¹⁾, and in particular
Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2041/81
of 16 July 1981 on a principal standing invitation to
tender in order to determine levies and/or refunds on
exports of white sugar⁽²⁾, requires partial invitations to
tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC)
No 2041/81, a maximum export refund shall be fixed
as the case may be, account being taken in particular
of the state and foreseeable development of the
Community and world markets in sugar for the partial
invitation to tender in question;

Whereas, following an examination of the tenders
submitted in response to the first partial invitation to
tender, the provisions set out in Article 1 should be
adopted;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Manage-
ment Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The maximum export refund for the first partial invita-
tion to tender for white sugar issued under Regulation
(EEC) No 2041/81 is hereby fixed at 14.395 ECU per
100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 200, 21. 7. 1981, p. 22.

COMMISSION DECISION

of 28 July 1981

fixing the maximum export refund for the 52nd partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1216/80

(81/678/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, and in particular Article 19 (7) thereof,

Whereas Commission Regulation (EEC) No 1216/80 of 14 May 1980 on a standing invitation to tender to determine levies and/or refunds on export of raw beet sugar⁽²⁾, as last amended by Regulation (EEC) No 1676/81⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar ;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1216/80, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar for the partial invitation to tender in question ;

Whereas, following an examination of the tenders submitted in response to the 52nd partial invitation to tender, the provisions set out in Article 1 should be adopted ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum export refund for the 52nd partial invitation to tender for raw beet sugar issued under Regulation (EEC) No 1216/80 is hereby fixed at 10.770 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 July 1981.

For the Commission

The President

Gaston THORN

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 122, 15. 5. 1980, p. 29.

⁽³⁾ OJ No L 168, 25. 6. 1981, p. 16.

COMMISSION RECOMMENDATION

of 29 July 1981

**relating to the Council of Europe convention for the protection of individuals
with regard to automatic processing of personal data**

(81/679/EEC)

I

1. The introduction of electronic data processing and the extension thereof into many departments of life increase the danger that data will be misused. This applies especially to data relating to individuals. Their privacy demands comprehensive protection in this field.

2. Data-protection is a necessary part of the protection of the individual. It is quite fundamental. In the Member States of the European Community it is desirable that an approximated level of data-protection be achieved. This will be an important contribution to the effective establishment of citizens' rights at European level.

3. Divergent data-protection law in the EC Member States creates disparate conditions for data processing. The establishment and functioning of the common market in data processing calls for extensive standardization of the conditions obtaining in relation to data processing and, therefore, to data-protection at European level. Approximation of data-protection is desirable so that there can be free movement of data and information across frontiers and in order to prevent unequal conditions of competition and the consequent distortion of competition in the common market.

4. Lastly, an approximated and assured level of data-protection in the Member States will help to break down the reserve which exists in regard to data processing and to the data-processing industry.

5. The Commission of the European Communities accordingly welcomes the Council of Europe convention for the protection of individuals with regard to

automatic processing of personal data. It is of the opinion that this convention is appropriate for the purpose of creating a uniform level of data-protection in Europe.

If, however, all the Member States do not within a reasonable time sign and ratify the convention, the Commission reserves the right to propose that the Council adopt an instrument on the basis of the EEC Treaty.

II

For the foregoing reasons and having regard to the Treaty establishing the European Economic Community, in particular the second indent of Article 155 thereof, the Commission makes the following recommendation :

1. The Commission recommends those Member States of the Community which have not already done so to sign, during the course of 1981, the Council of Europe convention for the protection of individuals with regard to automatic processing of personal data, and to ratify it before the end of 1982.
2. This recommendation is addressed to the Member States.

Done at Brussels, 29 July 1981.

For the Commission

Karl-Heinz NARJES

Member of the Commission

COMMISSION DIRECTIVE

of 30 July 1981

amending Directives 71/250/EEC, 71/393/EEC, 72/199/EEC, 73/46/EEC, 74/203/EEC, 75/84/EEC, 76/372/EEC and 78/633/EEC establishing Community methods of analysis for the official control of feedingstuffs

(81/680/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 2 thereof,

Whereas the Annex to the First Commission Directive 71/250/EEC of 15 June 1971 establishing Community methods of analysis for the official control of feedingstuffs⁽²⁾ sets out the general rules for applying the methods of analysis described in that Directive and in Commission Directives 71/393/EEC⁽³⁾, 72/199/EEC⁽⁴⁾, 73/46/EEC⁽⁵⁾, 74/203/EEC⁽⁶⁾, 75/84/EEC⁽⁷⁾, 76/372/EEC⁽⁸⁾ and 78/633/EEC⁽⁹⁾ establishing Community methods of analysis for the official control of feedingstuffs; whereas, however, some of the abovementioned Directives provide that those general rules are not to apply to the methods of analysis relating to additives in feedingstuffs;

Whereas there is a need to adjust the general rules so that they apply without distinction to the analysis of all the constituents of feedingstuffs; whereas the provisions of the Directives in question should therefore be amended;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,

(1) OJ No L 170, 3. 8. 1970, p. 2.
 (2) OJ No L 155, 12. 7. 1971, p. 13.
 (3) OJ No L 279, 20. 12. 1971, p. 7.
 (4) OJ No L 123, 29. 5. 1972, p. 6.
 (5) OJ No L 83, 30. 3. 1973, p. 21.
 (6) OJ No L 108, 22. 4. 1974, p. 7.
 (7) OJ No L 32, 5. 2. 1975, p. 26.
 (8) OJ No L 102, 15. 4. 1976, p. 8.
 (9) OJ No L 206, 29. 7. 1978, p. 43.

HAS ADOPTED THIS DIRECTIVE:

Article 1

First Commission Directive 71/250/EEC is hereby amended as follows:

1. The following paragraph is added to Article 1:

'The general rules contained in Part 1 of the Annex shall apply to the methods of analysis adopted pursuant to Council Directive 70/373/EEC.'

2. In the Annex, Part 1 'Introduction' is replaced by the Annex to this Directive.

Article 2

In Article 1 of Second Commission Directive 71/393/EEC the second paragraph is deleted.

Article 3

In Articles 1 and 2 of Third Commission Directive 72/199/EEC the second paragraph is deleted.

Article 4

In Articles 1 and 2 of Fourth Commission Directive 73/46/EEC the second paragraph is deleted.

Article 5

In Articles 1 and 2 of Fifth Commission Directive 74/203/EEC the second paragraph is deleted.

Article 6

In Article 1 of Sixth Commission Directive 75/84/EEC the second paragraph is deleted.

Article 7

In Article 1 of Seventh Commission Directive 76/372/EEC the second paragraph is deleted.

Article 8

In Article 1 of Eighth Commission Directive 78/633/EEC the second paragraph is deleted.

Article 9

Done at Brussels, 30 July 1981.

The Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive on 1 December 1981 and shall forthwith inform the Commission thereof.

Article 10

This Directive is addressed to the Member States.

*For the Commission**The President*

Gaston THORN

ANNEX

ANNEX

1. GENERAL PROVISIONS ON METHODS OF ANALYSIS FOR FEEDINGSTUFFS**A. PREPARATION OF SAMPLES FOR ANALYSIS****1. Purpose**

The procedures described below concern the preparation for analysis of final samples, sent to the control laboratories after sampling in accordance with the provisions laid down by First Commission Directive 76/371/EEC of 1 March 1976 establishing Community methods of sampling for the official control of feedingstuffs⁽¹⁾.

These samples must be prepared in such a way that the amounts weighed out, as provided for in the methods of analysis, are homogeneous and representative of the final samples.

2. Precautions to be taken

All the necessary operations must be performed in such a way as to avoid as far as possible contamination of the sample and changes of its composition. Grinding, mixing and sieving should be carried out as quickly as possible with minimal exposure of the sample to the air and light. Mills and grinders likely to appreciably heat the sample should not be used. Manual grinding is recommended for feedingstuffs which are particularly sensitive to heat. Care should also be taken to ensure that the apparatus itself is not a source of contamination of trace elements.

If the preparation cannot be carried out without significant changes in the moisture content of the sample, determine the moisture content before and after preparation according to the method laid down in Part 1 of the Annex to Second Commission Directive 71/393/EEC of 18 November 1971 establishing Community methods of analysis for the official control of feedingstuffs⁽²⁾, as amended by Commission Directive 73/47/EEC of 5 December 1972⁽³⁾.

3. Procedure

Mix thoroughly the final sample either mechanically or manually. Divide the sample into two equal portions (the quartering method should be used where applicable). Keep one of the portions in a suitable clean, dry container, fitted with an air-tight stopper, and prepare the other portion or a representative part of it, of at least 100 g, as indicated below.

3.1. Feedingstuffs which can be ground as such

Unless otherwise specified in the methods of analysis, sieve the whole sample through a sieve with a square mesh of 1 mm side (in accordance with recommendation ISO R565) after grinding, if necessary. Avoid any overgrinding.

Mix the sieved sample and collect it in a suitable clean, dry container fitted with an air-tight stopper. Mix again, immediately before weighing out the amount for analysis.

3.2. Feedingstuffs which can be ground after drying

Unless otherwise specified in the methods of analysis, dry the sample to bring its moisture content down to a level of 8 to 12 %, according to the preliminary drying procedure described under point 4.3 of the method of determination of moisture mentioned in section 2 above. Then proceed as indicated in section 3.1.

⁽¹⁾ OJ No L 102, 15. 4. 1976, p. 1.

⁽²⁾ OJ No L 279, 20. 12. 1971, p. 7.

⁽³⁾ OJ No L 83, 30. 3. 1973, p. 35.

3.3. *Liquid or semi-liquid feedingstuffs*

Collect the sample in a suitable clean, dry container, fitted with an air-tight stopper. Mix thoroughly immediately before weighing out the amount for analysis.

3.4. *Other feedingstuffs*

Samples which cannot be prepared according to one of the above procedures should be treated by any other procedure which ensures that the amounts weighed out for the analysis are homogeneous and representative of the final samples.

4. **Storage of samples**

Samples must be stored at a temperature that will not alter their composition. Samples intended for the analysis of vitamins or substances which are particularly sensitive to light should be stored in brown glass containers.

B. PROVISIONS RELATING TO REAGENTS AND APPARATUS USED IN METHODS OF ANALYSIS

1. Unless otherwise specified in the methods of analysis, all analytical reagents must be analytically pure (a.p.). When determining trace elements, the purity of the reagents must be checked by a blank test. Depending upon the results obtained, further purification of the reagents may be required.
2. Any operation involving preparation of solutions, dilution, rinsing or washing, mentioned in the methods of analysis without indication as to the nature of the solvent or diluent employed, implies that water must be used. As a general rule, water should be demineralized or distilled. In particular cases, which are indicated in the methods of analysis, it must be submitted to special procedures of purification.
3. In view of the equipment normally found in control laboratories, only those instruments and apparatus which are special or require specific usage are referred to in the methods of analysis. They must be clean, especially when very small amounts of substances have to be determined.

C. APPLICATION OF METHODS OF ANALYSIS AND EXPRESSION OF THE RESULTS

1. In general a single method of analysis is established for the determination of each substance in feedingstuffs. Where several methods are given, the particular method used by the control laboratory must be indicated on the analysis report.
2. The result given in the analysis report shall be the average value obtained from at least two determinations, carried out on separate portions of the sample, and of satisfactory repeatability.

This result shall be expressed in the manner laid down in the method of analysis to an appropriate number of significant figures and shall be corrected, if necessary, to the moisture content of the final sample prior to preparation.

COMMISSION OPINION

of 30 July 1981

addressed to the Government of the Kingdom of the Netherlands on a draft law relating to safety and working conditions in inland waterway transport

(Only the Dutch text is authentic)

(81/681/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by the Decision of 22 November 1973⁽²⁾, the Netherlands Government sent to the Commission, under cover of letters dated 19 February and 20 May 1981 from the Office of its Permanent Representation to the European Communities, the text of a draft law relating to safety and working conditions in inland waterway transport.

Under Article 2 (1) of the abovementioned Council Decision the Commission hereby delivered the following opinion :

1. The Commission recalls that the Council is expected soon to adopt a Directive laying down Community technical requirements for inland waterway vessels.
2. The Commission finds that the draft law is of a general nature and does not call for any detailed observations in relation to the proposed Community rules.
3. Nevertheless, the Commission notes that the draft law provides for the adoption of detailed rules for its specific implementation by Royal Decree.

4. The Commission feels that only after examination of these implementing provisions can any definitive opinion be delivered on the compatibility of the Netherlands legislation with the proposed Directive referred to above.
5. Consequently, the Commission stresses the importance of ensuring that the implementing provisions be submitted to it in good time.
6. The Commission has not thought it necessary to arrange consultations with the other Member States pursuant to Article 2 (3) of the Council Decision.
7. The Commission will inform the other Member States of this opinion.

Done at Brussels, 30 July 1981.

For the Commission

Giorgios CONTOGEOGIS

Member of the Commission

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1973, p. 48.