

English edition

## Legislation

### Contents

#### I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 3179/81 of 6 November 1981 fixing the import levies on cereals and on wheat or rye flour, groats and meal . . . . .	1
Commission Regulation (EEC) No 3180/81 of 6 November 1981 fixing the premiums to be added to the import levies on cereals, flour and malt . . . . .	3
Commission Regulation (EEC) No 3181/81 of 6 November 1981 fixing the world market price for colza and rape seed . . . . .	5
Commission Regulation (EEC) No 3182/81 of 3 November 1981 opening an invitation to tender for the mobilization of common wheat as food aid for the Kingdom of Lesotho . . . . .	7
Commission Regulation (EEC) No 3183/81 of 3 November 1981 opening an invitation to tender for the mobilization of common wheat as food aid for the Republic of Zambia . . . . .	10
Commission Regulation (EEC) No 3184/81 of 6 November 1981 amending Regulation (EEC) No 1878/81 opening a standing invitation to tender for the sale for export of olive oil held by the Italian intervention agency . . . . .	14
Commission Regulation (EEC) No 3185/81 of 6 November 1981 fixing the import levies on white sugar and raw sugar . . . . .	15

#### II *Acts whose publication is not obligatory*

##### Council

81/861/EEC:

* Council Decision of 28 September 1981 appointing an alternate member of the Advisory Committee on Veterinary Training . . . . .	16
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81/862/EEC :	
* Council Decision of 28 September 1981 appointing a member of the Advisory Committee on Training in Nursing . . . . .	17
81/863/EEC :	
* Council Decision of 28 September 1981 appointing an alternate member of the Advisory Committee on Training in Nursing . . . . .	18
Commission	
81/864/EEC :	
* Commission Decision of 2 July 1981 authorizing the French Republic not to apply Community treatment to men's and boys' shirts, woven, originating in Romania . . . . .	19
81/865/EEC :	
* Commission Decision of 17 July 1981 authorizing the French Republic not to apply Community treatment to woven and knitted or crocheted dresses originating in India . . . . .	21
81/866/EEC :	
* Commission Decision of 17 July 1981 authorizing the French Republic not to apply Community treatment to colour television sets originating in Japan and Taiwan . . . . .	23
81/867/EEC :	
* Commission Decision of 17 July 1981 authorizing the French Republic not to apply Community treatment to parkas, anoraks, windcheaters, waister jackets and the like, woven, originating in South Korea . . . . .	25
81/868/EEC :	
* Commission Decision of 23 July 1981 authorizing the French Republic not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, originating in the Philippines and Taiwan . . . . .	27
81/869/EEC :	
* Commission Decision of 12 August 1981 authorizing the French Republic to apply intra-Community surveillance to imports of products originating in a non-member country which have been put into free circulation in the Community and which may be the subject of protective measures under Article 115 of the Treaty . . . . .	29
81/870/EEC :	
* Commission Decision of 17 September 1981 authorizing Ireland not to apply Community treatment to men's and boys' underpants and briefs, women's, girls' and infants' knickers and briefs originating in Hong Kong . . . . .	31
81/871/EEC :	
* Commission Decision of 28 September 1981 authorizing the French Republic not to apply Community treatment to blouses and shirt-blouses, knitted, crocheted or woven, originating in Pakistan . . . . .	33

## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 3179/81**

of 6 November 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1949/81<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, 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<sup>(5)</sup> 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 5 November 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 7 November 1981.

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

Done at Brussels, 6 November 1981.

*For the Commission*

Poul DALSAGER

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 198, 20. 7. 1981, p. 2.

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

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 214, 1. 8. 1981, p. 7.

## ANNEX

## to the Commission Regulation of 6 November 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	73.07
10.01 B	Durum wheat	133.30 <sup>(1)</sup> <sup>(5)</sup>
10.02	Rye	40.82 <sup>(6)</sup>
10.03	Barley	76.06
10.04	Oats	37.82
10.05 B	Maize, other than hybrid maize for sowing	97.52 <sup>(2)</sup> <sup>(3)</sup>
10.07 A	Buckwheat	0
10.07 B	Millet	53.66 <sup>(4)</sup>
10.07 C	Grain sorghum	85.47 <sup>(4)</sup>
10.07 D	Canary seed; other cereals	0 <sup>(5)</sup>
11.01 A	Wheat or meslin flour	116.01
11.01 B	Rye flour	70.88
11.02 A I a)	Durum wheat groats and meal	219.82
11.02 A I b)	Common wheat groats and meal	124.48

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

<sup>(2)</sup> 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'.

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

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

<sup>(5)</sup> 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.

<sup>(6)</sup> 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 3180/81****of 6 November 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1949/81<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, 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<sup>(5)</sup> 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 5 November 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 7 November 1981.

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

Done at Brussels, 6 November 1981.

*For the Commission*

Poul DALSA GER

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 198, 20. 7. 1981, p. 2.

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

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 214, 1. 8. 1981, p. 10.

## ANNEX

to the Commission Regulation of 6 November 1981 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

CCT heading No	Description	<i>(ECU/tonne)</i>			
		Current 11	1st period 12	2nd period 1	3rd period 2
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	0	1.83
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

CCT heading No	Description	<i>(ECU/tonne)</i>				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
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 3181/81**  
**of 6 November 1981**  
**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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3454/80<sup>(2)</sup>,

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

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<sup>(5)</sup>, as last amended by Regulation (EEC) No 3476/80<sup>(6)</sup>, 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 2138/81 of 28 July

1981 fixing the amount of the subsidy on oil seeds<sup>(7)</sup>, as last amended by Regulation (EEC) No 3168/81<sup>(8)</sup>;

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 9 November 1981.

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

Done at Brussels, 6 November 1981.

*For the Commission*

Poul DALSA GER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 360, 31. 12. 1980, p. 16.

<sup>(3)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(4)</sup> OJ No L 116, 28. 4. 1978, p. 6.

<sup>(5)</sup> OJ No L 236, 24. 8. 1973, p. 28.

<sup>(6)</sup> OJ No L 363, 31. 12. 1980, p. 71.

<sup>(7)</sup> OJ No L 209, 29. 7. 1981, p. 17.

<sup>(8)</sup> OJ No L 316, 6. 11. 1981, p. 24.

## ANNEX

## to the Commission Regulation of 6 November 1981 fixing the world market price for colza and rape seed

(ECU/100 kg)(<sup>1</sup>)

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	24.133

(ECU/100 kg)(<sup>1</sup>)

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		November 1981	December 1981	January 1982	February 1982	March 1982	April 1982
ex 12.01	Colza and rape seed	25.050	25.223	25.381	25.633	26.003	25.863

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

1 ECU = DM	2.40989
1 ECU = Fl	2.66382
1 ECU = Bfr/Lfr	40.7572
1 ECU = FF	6.17443
1 ECU = Dkr	7.91117
1 ECU = £ Irl	0.684452
1 ECU = £	0.583611
1 ECU = Lit	1 293.04

**COMMISSION REGULATION (EEC) No 3182/81**

of 3 November 1981

**opening an invitation to tender for the mobilization of common wheat as food aid for the Kingdom of Lesotho**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1949/81<sup>(2)</sup>, and in particular Article 28 thereof,

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<sup>(3)</sup>, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(4)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(5)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 19 May 1981 the Council of the European Communities declared that by way of Community action it proposed to grant Lesotho 4 000 tonnes of common wheat under its 1981 food-aid programme;

Whereas an analysis of the state of the cereals market with reference to cereals intervention in Germany indicates that the criteria of Article 3 (2) of Council Regulation (EEC) No 2750/75 should be applied and that the intervention agency of the Member State as specified should mobilize the cereals from those stocked in its own stores and should also determine the conditions of mobilization;

Whereas the proposed invitation to tender should be for supply of the products delivered to Durban/East London, that is at the moment when the goods are actually placed on the quay or in the lighter where applicable;

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 set time limits, it should be made clear who is to bear the liability for any resulting costs;

Whereas provisions 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 German intervention agency should be made responsible for the tendering procedure for supply to Lesotho;

Whereas it is important that the Commission be informed without delay 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, by way of Community food-aid action, to the Kingdom of Lesotho of 4 000 tonnes of common wheat.
2. The tendering procedure shall take place in the Federal Republic of Germany in one lot. The product shall be mobilized by the German intervention agency from the stores specified in the Annex. Shipment shall be from a Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products delivered to Durban/East London; that is at the moment when the goods are actually placed on the quay or in the lighter where applicable.
4. The product shall be delivered in bulk.

*Article 2*

1. The decision on tenders received in response to the invitation provided for in Article 1 shall be taken on 20 November 1981.
2. The closing date for submission of tenders shall be 20 November 1981 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 submission of tenders.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 198, 20. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 89.

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

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

*Article 3*

The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

*Article 4*

The contract shall be awarded to the tenderer offering the best terms. However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency, with the agreement of the Commission, may refuse the tenders.

*Article 5*

1. The tenderer shall give security in an amount of 6 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,
- 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 referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the breadmaking quality required for intervention except that the moisture content shall not exceed 15 %.

2. For this purpose the intervention agency of the country of shipment shall arrange for a check at the port at the time of loading on the nature, quality and packaging of the goods. Following inspection an attes-

tation shall be issued. The costs relating thereto shall be borne by the intervention agency.

3. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment.

*Article 7*

1. The German intervention agency shall be responsible for organizing the invitation to tender provided for by this Regulation and the payment to the successful tenderer.

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. The intervention agency shall request the successful tenderer to supply the following information:

- (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing;
- (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination;
- (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

*Article 8*

As regard 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, 3 November 1981.

*For the Commission*

Poul DALSGER

*Member of the Commission*

## BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Indskibningshavn Verschiffungshafen Λιμένας φορτώσεως Port of shipment Port d'embarquement Porto d'imbarco Haven van inlading	Mængde (t) Menge (t) Τόνοι Tonnage Tonnage Tonnellaggio Hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση έναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de deponhouder	Lagerplads Ort der Lagerhaltung Τόπος άποθηκείσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	Fællesskabshavn Hafen der Gemeinschaft Κοινοτικός λιμένας Community port Port de la Communauté Porto della Comunità Haven van de Gemeenschap	4 000	Wilhelm Bley KG Emden Nellinghof 4 2846 Neuenkirchen 3	Emden

## COMMISSION REGULATION (EEC) No 3183/81

of 3 November 1981

## opening an invitation to tender for the mobilization of common wheat as food aid for the Republic of Zambia

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1949/81<sup>(2)</sup>, and in particular Article 28 thereof,

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<sup>(3)</sup>, and in particular Article 6 thereof,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(4)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(5)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 19 May 1981 the Council of the European Communities declared that by way of Community action it proposed to grant Zambia 15 000 tonnes of common wheat under its 1981 food-aid programme ;

Whereas an analysis of the state of the cereals market with reference to cereals intervention in the Federal Republic of Germany indicates that the criteria of Article 3 (2) of Council Regulation (EEC) No 2750/75 should be applied and that the intervention agency of the Member State as specified should mobilize the cereals from those stocked in its own stores and should also determine the conditions of mobilization ;

Whereas the proposed invitation to tender should be for supply of the products delivered to East London, that is at the moment when the goods are actually placed on the quay or in the lighter where applicable ;

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 set time

limits, it should be made clear who is to bear the liability for any resulting costs ;

Whereas provisions 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 German intervention agency should be made responsible for the tendering procedure for supply to Zambia ;

Whereas it is important that the Commission be informed without delay 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, by way of Community food-aid action, to the Republic of Zambia of 15 000 tonnes of common wheat.
2. The tendering procedure shall take place in the Federal Republic of Germany in three lots of 5 000 tonnes. The product shall be mobilized by the German intervention agency from the stores specified in the Annex. Shipment shall be from a Community port.
3. The invitation to tender provided for in paragraph 1 is for supply of products delivered to East London ; that is at the moment when the goods are actually placed on the quay or in the lighter where applicable.
4. The successful tenderer shall deliver the product specified in paragraph 1 in new jute sacks of a net capacity of 50 kilograms.

Minimum weight of the sacks shall be 600 grams. The following shall be printed on the sacks :

'Common wheat / Gift of the European Economic Community to Zambia.'

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 198, 20. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 89.

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

<sup>(5)</sup> OJ No L 263, 19. 9. 1973, p. 1.

To allow for the possibility of rebagging, 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 20 November 1981.
2. The closing date for submission of tenders shall be 20 November 1981 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 submission of tenders.

#### Article 3

The prices offered must be expressed in the currency of the Member State in which the invitation to tender was issued.

#### Article 4

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

However, if the tenders submitted do not appear to reflect normal market prices and costs, the intervention agency, with the agreement of the Commission, may refuse the tenders.

#### Article 5

1. The tenderer shall give security in an amount of 6 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,
- 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 referred to in Article 1 must be of fair and sound merchantable quality and correspond at least to the breadmaking quality required for intervention, except that the moisture content shall not exceed 15 %.
2. For this purpose the intervention agency of the country of shipment shall arrange for a check at the port at the time of loading on the nature, quality and packaging of the goods. Following inspection an attestation shall be issued. The costs relating thereto shall be borne by the successful tenderer.
3. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment.

#### Article 7

1. The German intervention agency shall be responsible for organizing 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. The intervention agency shall request the successful tenderer to supply the following information :
  - (a) after each shipment, a statement giving details of the quantities loaded, the quality of the products and the type of packing ;
  - (b) the date of the departure of the ships, the estimated date of arrival of the products at their destination ;
  - (c) all possible contingencies which might occur during transportation of the products.

The information indicated above shall be forwarded by the intervention agency to the Commission immediately upon receipt.

#### 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, 3 November 1981.

*For the Commission*  
Poul DALSGER  
*Member of the Commission*

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## BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Indskibningshavn Verschiffungshafen Λιμένας φορτώσεως Port of shipment Port d'embarquement Porto d'imbarco Haven van inlading	Mængde (t) Menge (t) Τόνοι Tonnage Tonnage Tonnellaggio Hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση έναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de deponhouder	Lagerplads Ort der Lagerhaltung Τόπος άποθηκείσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	Fællesskabshavn Hafen der Gemeinschaft Κοινοτικός λιμένας	5 000	Otto Behrens Lagerhäuser St. Margarethen, Stuken und Brunsbüttel 2226 Averlak Post Eddelak	Brunsbüttel
2	Community port Port de la Communauté Porto della Comunità Haven van de Gemeenschap	1 394	Ritelner Lagerhaus Rudolf Meyer Lagerei und Umschlag Bahnhofstraße 6 Postfach 13 50 3260 Rinteln	Rinteln
		3 606		
		5 000		
3		1 198	Wunstorfer Sped. Lagerei Pinkenburg KG Speckelstraße 10 Postfach 11 50 3050 Wunstorf 1	Wunstorf
		3 802		
		5 000	Lagerhaus Paul Lamers u. Stock u. Hausmann OHG Speditionstraße 13 4000 Düsseldorf-Hafen	Issum

**COMMISSION REGULATION (EEC) No 3184/81**

of 6 November 1981

**amending Regulation (EEC) No 1878/81 opening a standing invitation to tender for the sale for export of olive oil held by the Italian intervention agency**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 3454/80<sup>(2)</sup>, and in particular Article 12 (4) thereof,

Whereas Commission Regulation (EEC) No 1878/81<sup>(3)</sup> provided for the sale of some 12 000 tonnes of extra virgin olive oil by six monthly invitations to tender, the last of which took place at the end of December 1981;

Whereas there exists the possibility of exporting olive residue oil; whereas further sales should be provided for;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1878/81 is hereby amended as follows:

1. In Article 1, the first paragraph is replaced by the following:

'1. The Italian intervention agency 'Azienda di Stato per gli interventi sul mercato agricolo', hereinafter referred to as 'AIMA', shall open a standing invitation to tender in accordance with the provi-

sions of this Regulation and of Regulation (EEC) No 2960/77<sup>(1)</sup> for the sale for export of about 12 000 tonnes of extra quality virgin olive oil and about 4 000 tonnes of olive residue oil out of intervention purchases made during the 1980/81 olive oil marketing year at a rate of 2 000 tonnes per month for each quality, this latter quantity being increased the following month by any quantity of olive oil remaining unsold from the previous invitations to tender.

(<sup>1</sup>) OJ No L 348, 30. 12. 1977, p. 46.'

2. The following Article 3a is added:

*Article 3a*

1. With regard to olive residue oil, tenders shall be made for an oil of 5° acidity.

2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to be paid shall be equal to the price tendered, reduced in accordance with the scale below:

— above 5° up to 8° acidity:

reduction of Lit 1 472 for each degree or fraction of degree of acidity above 5°,

— above 8°:

additional reduction of Lit 1 840 for each degree or fraction of degree above 8°.'

*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, 6 November 1981.

*For the Commission*

Poul DALSGER

*Member of the Commission*

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

(<sup>2</sup>) OJ No L 360, 31. 12. 1980, p. 16.

(<sup>3</sup>) OJ No L 187, 9. 7. 1981, p. 16.

**COMMISSION REGULATION (EEC) No 3185/81**  
**of 6 November 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 markets in the sugar sector<sup>(1)</sup>, 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<sup>(2)</sup>, as last amended by Regulation (EEC) No 3172/81<sup>(3)</sup>;

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 7 November 1981.

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

Done at Brussels, 6 November 1981.

*For the Commission*

Poul DALSGER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 181, 2. 7. 1981, p. 24.

<sup>(3)</sup> OJ No L 316, 6. 11. 1981, p. 33.

ANNEX

to the Commission Regulation of 6 November 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	27.77 22.95 <sup>(1)</sup>

<sup>(1)</sup> 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.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 28 September 1981

appointing an alternate member of the Advisory Committee on Veterinary Training

(81/861/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 78/1028/EEC of 18 December 1978 setting up an Advisory Committee on Veterinary Training <sup>(1)</sup>, and in particular Articles 3 and 4 thereof,

Whereas, by its Decision 80/238/EEC <sup>(2)</sup>, the Council appointed Dr Horst Schreiter alternate member for the period ending on 17 February 1983;

Whereas, on 14 September 1981, the Government of the Federal Republic of Germany nominated Dr Gerhart Gerweck to replace Dr Horst Schreiter,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Dr Gerhart Gerweck is hereby appointed alternate member of the Advisory Committee on Veterinary Training in place of Dr Horst Schreiter for the remainder of the latter's term of office, which runs until 17 February 1983.

Done at Brussels, 28 September 1981.

*For the Council*

*The President*

P. WALKER

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<sup>(1)</sup> OJ No L 362, 23. 12. 1978, p. 10.

<sup>(2)</sup> OJ No L 52, 26. 2. 1980, p. 11.

**COUNCIL DECISION**  
**of 28 September 1981**  
**appointing a member of the Advisory Committee on Training in Nursing**  
  
(81/862/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 77/454/EEC of 27 June 1977 setting up an Advisory Committee on Training in Nursing<sup>(1)</sup>, and in particular Articles 3 and 4 thereof,

Whereas, by its Decision 79/843/EEC<sup>(2)</sup>, the Council appointed Dr H. Pabel member for the period ending on 14 January 1982;

Whereas, on 14 September 1981, the Government of the Federal Republic of Germany nominated Mr Hermann Kurtenbach as a replacement for Dr H. Pabel,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Mr Hermann Kurtenbach is hereby appointed member of the Advisory Committee on Training in Nursing in place of Dr H. Pabel for the remainder of the latter's term of office, which runs until 14 January 1982.

Done at Brussels, 28 September 1981.

*For the Council*

*The President*

P. WALKER

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<sup>(1)</sup> OJ No L 176, 15. 7. 1977, p. 11.  
<sup>(2)</sup> OJ, No L 260, 16. 10. 1979, p. 9.

**COUNCIL DECISION****of 28 September 1981****appointing an alternate member of the Advisory Committee on Training in Nursing**

(81/863/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 77/454/EEC of 27 June 1977 setting up an Advisory Committee on Training in Nursing<sup>(1)</sup>, and in particular Articles 3 and 4 thereof,

Whereas, by its Decision 79/810/EEC<sup>(2)</sup>, the Council appointed Mrs Anny Elisabeth Hansen as an alternate member for the period ending on 14 January 1982;

Whereas the Government of Denmark nominated Mrs Lis Bankov, on 15 September 1981, with a view to replacing Mrs Anny Elisabeth Hansen,

HAS DECIDED AS FOLLOWS:

*Sole Article*

Mrs Lis Bankov is hereby appointed an alternate member of the Advisory Committee on Training in Nursing in place of Mrs Anny Elisabeth Hansen for the remainder of the latter's term of office, which runs until 14 January 1982.

Done at Brussels, 28 September 1981.

*For the Council**The President*

P. WALKER

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<sup>(1)</sup> OJ No L 176, 15. 7. 1977, p. 11.  
<sup>(2)</sup> OJ No L 240, 22. 9. 1979, p. 27.

# COMMISSION

## COMMISSION DECISION

of 2 July 1981

**authorizing the French Republic not to apply Community treatment to men's and boys' shirts, woven, originating in Romania**

(Only the French text is authentic)

(81/864/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<sup>(1)</sup>, and in particular Article 3 thereof,

Whereas on 26 June 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to men's and boys' shirts, woven, falling within subheading 61.03 A of the Common Customs Tariff (category 8), originating in Romania and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Romania is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement Romania has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78<sup>(2)</sup>, as last amended by Commission Regulation (EEC) No 920/81<sup>(3)</sup>, introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

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 France has admitted the products in question in free circulation, originating in the said third country, which amount approximately to 9.5 % of the direct quota;

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 15 891 000 pieces in 1978 to 19 383 000 pieces in 1979 and to 20 585 000 pieces in 1980; whereas the market share taken by those imports has risen from 32.5 % in 1978 to 39 % in 1979;

Whereas the prices of the products in question originating in Romania are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 34 264 000 pieces in 1978 to 31 297 000 pieces in 1979; whereas the domestic industry's share of the home market has fallen from 62 % in 1978 to 55 % in 1979;

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

<sup>(2)</sup> OJ No L 365, 27. 12. 1978, p. 1.

<sup>(3)</sup> OJ No L 98, 9. 4. 1981, p. 1.

Whereas an application for import documents covering an amount equal to approximately 17.5 % of the direct quota is duly pending with the authorities of the Member States having made the request;

Whereas the totality of further indirect imports would be likely to aggravate these difficulties in the industrial sector concerned 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;

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,

HAS ADOPTED THIS DECISION :

*Article 1*

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Romania and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 18 June 1981. This authorization shall not cover products to a total volume of 55 000 pieces.

This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decision.

CCT heading No	Description
61.03 A (NIMEXE codes 61.03-11, 15, 19) (category 8)	Men's and boys' shirts, woven, of wool, of cotton or of man-made textile fibres

*Article 2*

This Decision shall apply until 30 November 1981.

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 2 July 1981.

*For the Commission*

Étienne DAVIGNON

*Vice-President*

**COMMISSION DECISION**

of 17 July 1981

**authorizing the French Republic not to apply Community treatment to woven and knitted or crocheted dresses originating in India**

(Only the French text is authentic)

(81/865/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<sup>(1)</sup>, 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 French Government to the Commission of the European Communities for authorization not to apply Community treatment to woven and knitted or crocheted dresses, falling within subheading ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 26), originating in India and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in India is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement India has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78<sup>(2)</sup> introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member

States; whereas uniformity can only be brought about gradually;

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 France has admitted an amount of the products in question in free circulation, originating in the said third country, which represents approximately 16.5 % of the direct quota;

Whereas, with regard to the situation of the industry concerned, the information received by the Commission indicates that total imports of these products originating in third countries have increased from 3 463 000 pieces in 1978 to 5 947 000 pieces in 1979 and to 4 482 000 pieces in 1980;

Whereas the prices of the products in question originating in India are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 32 404 000 pieces in 1978 to 30 171 000 pieces in 1979 and to 29 081 000 pieces in 1980; whereas the domestic industry's share of the home market has fallen from 81 % in 1978 to 70 % in 1980;

Whereas further indirect imports, in addition to those already 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;

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 applications for import documents covering 73 150 pieces are duly pending with the Member State having made the request; whereas these applications do not need to be covered by such authorization,

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

<sup>(2)</sup> OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

*Article 1*

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in India 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
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-41, 42, 43, 44 ; 61.02-48, 52, 53, 54) (category 26)	Women's, girls' and infants' (other than babies) woven and knitted or crocheted dresses, of wool, of cotton or of man-made textile fibres

*Article 2*

This Decision shall apply until new opportunities arise in France for the importation of these products from India or until 30 November 1981, whichever is the earlier.

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 17 July 1981.

*For the Commission*

ANTONIO GIOLITTI

*Member of the Commission*

**COMMISSION DECISION****of 17 July 1981****authorizing the French Republic not to apply Community treatment to colour television sets originating in Japan and Taiwan****(Only the French text is authentic)**

(81/866/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<sup>(1)</sup>, and in particular Article 3 thereof,

Whereas on 7 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to colour television sets, falling within subheading 85.15 A ex III of the Common Customs Tariff, originating in Japan and Taiwan and in free circulation in the other Member States;

Whereas in France the importation of the products in question originating in Japan and Taiwan is subject to an annual quota of 88 000 pieces and FF 3 000 000 respectively;

Whereas disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

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 France has admitted the products in question in free circulation originating in the said third countries amounting to 31 % of the quota for Japan and to 30 % of the quota for Taiwan;

Whereas 50 % of the quota for Japan has been taken up and this for Taiwan is already wholly taken up;

Whereas, with regard to the situation of the industry concerned, the information received by the Commis-

sion indicates that total imports of the products in question originating in third countries have increased from FF 173 million in 1978 to FF 194 million in 1979 and FF 263 million in 1980; whereas the market share taken by those imports has risen from 4 % in 1978 to 5 % in 1979 and to 6 % in 1980;

Whereas the prices of the products in question originating in Japan and Taiwan are approximately 30 % below the prices of like products manufactured in France;

Whereas output of like products in France was FF 4 418 million in 1978, FF 4 400 million in 1979 and FF 4 487 million in 1980, and its market share has fallen from 88 % in 1979 to 76 % in 1980;

Whereas information has been received by the Commission indicating that the industry concerned has been restructuring itself in the last three years to meet competition, in particular in the production of colour televisions, and that in this context there has been a reduction in the number employed of 1 000 per annum;

Whereas applications for import documents covering 35 % of the quota for Japan and 185 % of the quota for Taiwan were lodged with the French authorities on 1 and 2 July 1981 and these may be followed by numerous other applications;

Whereas if all these indirect imports were to be realized at this time, they would be likely to aggravate these difficulties and jeopardize the aims of the above-mentioned 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;

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 this authorization should be limited to colour televisions,

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

HAS ADOPTED THIS DECISION :

*Article 2*

This Decision shall apply until 31 October 1981.

*Article 1*

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Japan and Taiwan and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 30 June 1981. This authorization shall not cover products to a volume corresponding to 20 % of the quotas for each of the abovementioned third countries.

This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decision.

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 17 July 1981.

CCT heading No	Description
85.15 A ex III	Colour television sets

*For the Commission*

Antonio GIOLITTI

*Member of the Commission*

**COMMISSION DECISION**

of 17 July 1981

**authorizing the French Republic not to apply Community treatment to parkas, anoraks, windcheaters, waister jackets and the like, woven, originating in South Korea**

(Only the French text is authentic)

(81/867/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<sup>(1)</sup>, 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 French Government to the Commission of the European Communities for authorization not to apply Community treatment to parkas, anoraks, windcheaters, waister jackets and the like, woven, falling within subheadings ex 61.01 B IV and ex 61.02 B II of the Common Customs Tariff (category 21), originating in South Korea and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in South Korea is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement South Korea has undertaken to take all necessary steps to limit the exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Régulation (EEC) No 3059/78<sup>(2)</sup> introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceilings between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member States; whereas uniformity can only be brought about gradually;

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 France has admitted the products in question in free circulation, originating in the said third country which amounted approximately to 15 % of the direct quota;

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 3 391 000 pieces in 1978 to 4 256 000 pieces in 1979 and to 5 982 000 pieces in 1980; whereas the market share taken by those imports has risen from 27 % in 1978 to 33 % in 1980;

Whereas the prices of the products in question originating in South Korea are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 12 658 000 pieces in 1978 to 10 600 000 pieces in 1980;

Whereas numbers employed have fallen from 6 602 in 1978 to 5 200 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;

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 applications for import documents covering 23 170 pieces originating in South Korea are duly pending with the authorities of the Member State having made the request; whereas these applications do not need to be covered by such authorization,

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

<sup>(2)</sup> OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

*Article 2*

This Decision shall apply until 30 November 1981.

*Article 1*

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

*Article 3*

This Decision is addressed to the French Republic.

CCT heading No	Description
ex 61.01 B IV and ex 61.02 B II (NIMEXE codes 61.01-29, 31, 32; 61.02-25, 26, 28) (category 21)	Parkas, anoraks, windcheaters, waister jackets and the like, woven of wool, of cotton or of man-made textile fibres

Done at Brussels, 17 July 1981.

*For the Commission*

Antonio GIOLITTI

*Member of the Commission*

**COMMISSION DECISION**

of 23 July 1981

**authorizing the French Republic not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, originating in the Philippines and Taiwan**

(Only the French text is authentic)

(81/868/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 <sup>(1)</sup>, and in particular Article 3 thereof,

Whereas on 13 July 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized, falling within subheading ex 60.02 B of the Common Customs Tariff (category 11), originating in the Philippines and Taiwan and in free circulation in the other Member States ;

Whereas the importation into the Community of the products in question originating in the Philippines is covered by an Agreement negotiated between the Community and that country ; whereas under that Agreement the Philippines has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings ;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78 <sup>(2)</sup> introducing specific common rules for imports of certain textile products ;

Whereas the importation into the Community of the products in question originating in Taiwan is subject, under Commission Regulation (EEC) No 3020/77 <sup>(3)</sup>, to a Community quantitative quota ;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community quota and ceilings between the Member States ;

Whereas for this reason disparities still exist between the conditions governing the importation of the products in question into the different Member States ; whereas uniformity can only be brought about gradually ;

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 France has admitted a quantity of the product in question in free circulation originating in the third countries in question, which represents in the case of the Philippines 26 % of the quota and in the case of Taiwan 38.4 % of the quota ;

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 been 10 797 000 pieces in 1978, 15 500 000 pieces in 1979 and 14 049 000 pieces in 1980 ; whereas the market share taken by those imports has risen from 74 % in 1978 to 82 % in 1979 ;

Whereas the prices of the products in question originating in the Philippines and Taiwan are considerably below the prices of like products manufactured in France ;

Whereas output of like products in France has remained stagnant since 1978 at a level of 2 800 000 pieces ;

Whereas this production is located in economically less-favoured regions of high unemployment and provides employment for a workforce which would have difficulties in finding alternative jobs ;

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

<sup>(2)</sup> OJ No L 365, 27. 12. 1978, p. 1.

<sup>(3)</sup> OJ No L 357, 31. 12. 1977, p. 51.

Whereas applications for import documents covering 21.5 % and 25.5 % of the quotas for the Philippines and Taiwan respectively are duly pending with the authorities of the Member State having made the request ;

Whereas further indirect imports, in addition to those already admitted, would be likely to 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 ;

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,

HAS ADOPTED THIS DECISION :

*Article 1*

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in the Philippines and Taiwan and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 30 June 1981. This authorization shall not cover products to a quantity representing 15 % of each quota for the abovementioned third countries.

This quantity shall be distributed among the applicants for import documents whose applications are duly pending at the date of this Decision.

CCT heading No	Description
ex 60.02 B (NIMEXE codes 60.02-50, 60, 70, 80) (category 11)	Gloves, mittens and mitts, knitted or crocheted, not elastic or rubberized

*Article 2*

This Decision shall apply until 30 November 1981 for the importation of the products in question originating in the Philippines and until 31 December 1981 for the products in question originating in Taiwan.

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 23 July 1981.

*For the Commission*

Wilhelm HAFERKAMP

*Vice-President*

## COMMISSION DECISION

of 12 August 1981

authorizing the French Republic to apply intra-Community surveillance to imports of products originating in a non-member country which have been put into free circulation in the Community and which may be the subject of protective measures under Article 115 of the Treaty

(Only the French text is authentic)

(81/869/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 <sup>(1)</sup>, and in particular Articles 1 and 2 thereof,

Whereas Decision 80/47/EEC requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of the imports concerned;

Whereas, by Decision 80/605/EEC <sup>(2)</sup>, the Commission authorized Member States, in so far as each is concerned, to introduce intra-Community surveillance of certain imports;

Whereas on 7 and 24 July 1981 the French Republic requested intra-Community surveillance of a certain number of other products;

Whereas the information given in support of these applications has been subjected to close examination by the Commission, in accordance with the criteria laid down by Decisions 80/47/EEC and 80/605/EEC;

Whereas the Commission examined in particular whether the imports could be made subject to intra-Community surveillance measures under Article 2 of

Decision 80/47/EEC, whether information was given as regards the economic difficulties alleged and whether during the reference years set out in Decision 80/47/EEC there had been deflection of trade and whether intra-Community licence applications had been submitted;

Whereas this examination has shown that there is a risk that the imports set out in the Annex hereto are worsening or prolonging the existing economic difficulties; whereas, therefore, the French Republic should be authorized to make these imports subject to intra-Community surveillance until the end of 1981,

HAS ADOPTED THIS DECISION:

*Article 1*

The French Republic is authorized to introduce, until 31 December 1981 and in accordance with Decision 80/47/EEC, intra-Community surveillance of the products set out in the Annex hereto.

*Article 2*

This Decision is addressed to the French Republic.

Done at Brussels, 12 August 1981.

*For the Commission*

Edgard PISANI

*Member of the Commission*

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

<sup>(2)</sup> OJ No L 164, 30. 6. 1980, p. 20.

## ANNEX

A. Textile products for which categories have been established<sup>(1)</sup>

<i>Category</i>	<i>Country of origin</i>
24	Philippines
26	Thailand

## B. Other products

CCT heading No	NIMEXE codes	Description	Country of origin
ex 85.21 D II	85.21-62, 64, 66, 68	Electronic microcircuits : integrated circuits and others	Japan

<sup>(1)</sup> See Commission Regulation (EEC) No 3063/79 (OJ No L 347, 31. 12. 1979).

**COMMISSION DECISION**

of 17 September 1981

**authorizing Ireland not to apply Community treatment to men's and boys' underpants and briefs, women's, girls' and infants' knickers and briefs originating in Hong Kong**

(Only the English text is authentic)

(81/870/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<sup>(1)</sup>, and in particular Article 3 thereof,

Whereas on 2 September 1981 a request was made under the first paragraph of Article 115 of the Treaty by the Irish Government to the Commission of the European Communities for authorization not to apply Community treatment to men's and boys' underpants and briefs, women's, girls' and infants' knickers and briefs, falling within subheading ex 60.04 B IV of the Common Customs Tariff (category 13), originating in Hong Kong and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Hong Kong is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement Hong Kong has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas, in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78<sup>(2)</sup>, as last amended by Commission Regulation (EEC) No 920/81<sup>(3)</sup>, introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the products in question into the different Member

States; whereas uniformity can only be brought about gradually;

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 Ireland has admitted the products in question, originating in the said third country, in free circulation, which amount approximately to 43 % of the quota;

Whereas, with regards 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 amounted to 197 000 pieces in 1979, to 481 000 pieces in 1980 and to 286 000 pieces in the first six months of 1981;

Whereas the prices of the products in question originating in Hong Kong are considerably below the prices of like products manufactured in Ireland;

Whereas output of like products in Ireland has fallen from 9 504 000 pieces in 1979 to 8 500 000 pieces in 1980; whereas the domestic industry's share of the home market has fallen from 44 % in 1979 to 8 500 000 pieces in 1980; whereas the domestic industry's share of the home market has fallen from 44 % in 1979 to 28 % in 1980;

Whereas there have been redundancies and short-time working has increased considerably;

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;

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 19 500 pieces is duly pending with the

<sup>(1)</sup> OJ No L 16, 22. 1. 1981, p. 14.

<sup>(2)</sup> OJ No L 365, 27. 12. 1978, p. 1.

<sup>(3)</sup> OJ No L 98, 9. 4. 1981, p. 1.

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*

Ireland is authorized not to apply Community treatment to the products indicated below, originating in Hong Kong and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 4 September 1981.

CCT heading No	Description
ex 60.04 B IV (NIMEXE codes 60.04-48, 56, 75, 85) (category 13)	Men's and boys' underpants and briefs, women's girls' and infants' (other than babies') knickers and briefs, knitted or crocheted, not elastic or rubberized, of cotton or synthetic textile fibres

*Article 2*

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

*Article 3*

This Decision is addressed to Ireland.

Done at Brussels, 17 September 1981.

*For the Commission*

Lorenzo NATALI

*Vice-President*

**COMMISSION DECISION****of 28 September 1981****authorizing the French Republic not to apply Community treatment to blouses and shirt-blouses, knitted, crocheted or woven, originating in Pakistan****(Only the French text is authentic)****(81/871/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<sup>(1)</sup>, and in particular Article 3 thereof,

Whereas on 15 September 1981 a request was made under the first paragraph of Article 115 of the Treaty by the French Government to the Commission of the European Communities for authorization not to apply Community treatment to blouses and shirt-blouses, knitted, crocheted or woven, falling within subheadings ex 60.05 A II and ex 61.02 B II of the Common Customs Tariff (category 7), originating in Pakistan and in free circulation in the other Member States;

Whereas the importation into the Community of the products in question originating in Pakistan is covered by an Agreement negotiated between the Community and that country; whereas under that Agreement Pakistan has undertaken to take all necessary steps to limit its exports of the products in question to the Community within certain ceilings;

Whereas in order to implement that Agreement and take account of its characteristics, the Council adopted Regulation (EEC) No 3059/78<sup>(2)</sup> introducing specific common rules for imports of certain textile products;

Whereas the differences in market conditions within the Community and the particular sensitivity of this branch of Community industry have been taken into account in allocating the abovementioned Community ceiling between the Member States;

Whereas, for this reason, disparities still exist between the conditions governing the importation of the

products in question into the different Member States; whereas uniformity can only be brought about gradually;

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 France has admitted the products in question in free circulation originating in the said third country, which amount to approximately 23 % of the direct quota;

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 amounted to 11 230 000 pieces in 1978, to 12 508 000 pieces in 1979 and to 11 849 000 pieces in 1980; whereas the market share taken by those imports has risen from 36 % in 1978 to 39 % in 1980;

Whereas the prices of the products in question originating in Pakistan are considerably below the prices of like products manufactured in France;

Whereas output of like products in France has fallen from 22 035 000 pieces in 1978 to 21 687 000 pieces in 1979 and to 20 528 000 pieces in 1980; whereas the domestic industry's share of the home market has fallen from 56 % in 1978 to 52 % in 1980;

Whereas further indirect imports, in addition to those already admitted, 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;

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,

<sup>(1)</sup> OJ No L 16, 22. 1. 1980, p. 14.

<sup>(2)</sup> OJ No L 365, 27. 12. 1978, p. 1.

HAS ADOPTED THIS DECISION :

*Article 1*

The French Republic is authorized not to apply Community treatment to the products indicated below, originating in Pakistan and in free circulation in the other Member States, in respect of which applications for import licences were lodged after 17 September 1981.

CCT heading No	Description
ex 60.05 A II and ex 61.02 B II (NIMEXE codes 60.05-22, 23, 24, 25; 61.02-78, 82, 84) (category 7)	Blouses and shirt-blouses, knitted, crocheted (not elastic or rubberized), or woven, for women, girls and infants, of wool, of cotton or of man-made textile fibres

*Article 2*

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

*Article 3*

This Decision is addressed to the French Republic.

Done at Brussels, 28 September 1981.

*For the Commission*

Wilhelm HAFERKAMP

*Vice-President*





