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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1658/82
of 10 June 1982
supplementing by provisions on combined transport Regulation (EEC) No
1107/70 on the granting of aids for transport by rail, road and inland waterway

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1107/70 of 4 June 1970 on the granting of aids for transport by rail, road and inland waterway⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas the various systems and technologies for combined transport bring benefits for the Community in general, *inter alia* by reducing congestion on certain roads, conserving energy and allowing better use to be made of railway capacity;

Whereas the investment required for the development of combined transport should accordingly be encouraged; whereas it is therefore essential that aid granted by a Member State or through State resources can be made available to the undertakings concerned;

Whereas Regulation (EEC) No 1107/70 provides that Member States may grant aid to assist the development of transport systems and technologies that are more economic for the Community but restricts such aid to the experimental phase; whereas, for the development

of combined transport, allowance should also be made for an initial operating phase which is sufficiently long to enable such transport to qualify for better conditions in the haulage market;

Whereas it is therefore necessary to adjust the Community provisions relating to aids,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article 3 (1) of Regulation (EEC) No 1107/70:

(e) where the aids are granted as a temporary measure and designed to facilitate the development of combined transport, such aids having to relate to investment in the following fields:

- infrastructure,
- the fixed and moveable facilities necessary for trans-shipment.

Before 31 December 1986 the Commission shall make a progress report to the Council on the application of this provision. In the light of that report and in view of the temporary nature of the system provided for in this Regulation, the Council shall decide, on a proposal from the Commission, on the system to be applied subsequently and, if necessary, on the procedures to be adopted for terminating that system.

Article 2

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

It shall apply from 1 July 1982.

⁽¹⁾ OJ No L 130, 15. 6. 1970, p. 1.

⁽²⁾ OJ No C 351, 31. 12. 1980, p. 40.

⁽³⁾ OJ No C 260, 12. 10. 1981, p. 123.

⁽⁴⁾ OJ No C 310, 30. 11. 1981, p. 18.

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

Done at Luxembourg, 10 June 1982.

For the Council

The President

H. de CROO

COMMISSION REGULATION (EEC) No 1659/82

of 28 June 1982

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 1451/82⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common 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 central rate,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 25 June 1982;

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 June 1982.

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

Done at Brussels, 28 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 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 June 1982 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 B I	Common wheat, and meslin	101.97
10.01 B II	Durum wheat	146.24 ⁽¹⁾ ⁽²⁾
10.02	Rye	58.23 ⁽³⁾
10.03	Barley	85.71
10.04	Oats	55.75
10.05 B	Maize, other than hybrid maize for sowing	98.21 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	75.58 ⁽⁴⁾
10.07 C	Grain sorghum	97.72 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	158.18
11.01 B	Rye flour	96.96
11.02 A I a)	Durum wheat groats and meal	240.37
11.02 A I b)	Common wheat groats and meal	168.13

⁽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 1660/82

of 28 June 1982

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 1451/82⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common 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 central rate,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 25 June 1982;

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 June 1982.

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

Done at Brussels, 28 June 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No 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 June 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current	1st period	2nd period	3rd period
		6	7	8	9
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	2.10	2.10	2.10
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.52	0.52	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

(ECU/tonne)

CCT heading No	Description	Current	1st period	2nd period	3rd period	4th period
		6	7	8	9	10
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	3.74	3.74	3.74	3.74
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	2.79	2.79	2.79	2.79
11.07 B	Roasted malt	0	3.26	3.26	3.26	3.26

COMMISSION REGULATION (EEC) No 1661/82

of 28 June 1982

amending Regulation (EEC) No 1822/77 as regards collection of the co-responsibility levy in the milk and milk products sector during the 1982/83 milk year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets for milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1189/82⁽²⁾, and in particular Article 6 thereof,

Whereas the general rate of the co-responsibility levy applicable during the 1982/83 milk year is 2 % of the target price for milk for that milk year and the reduced rate applicable to the first 60 000 kilograms per producer per year in less-favoured areas is therefore, pursuant to Article 1 (3) of Regulation (EEC) No 1079/77, 1.5 % of the target price;

Whereas it is consequently necessary to adjust the figures given in Articles 2 (1) and 5 (2) of Commission Regulation (EEC) No 1822/77⁽³⁾, as last amended by Regulation (EEC) No 1171/81⁽⁴⁾;

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

Regulation (EEC) No 1822/77 is hereby amended as follows :

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

Done at Brussels, 28 June 1982.

1. Article 2 (1) is replaced by the following :

'1. During the 1982/83 milk year the amount of the levy per 100 kilograms of cow's milk shall be :

- (a) as regards the general rate mentioned in Article 2 (4) of Regulation (EEC) No 1079/77, 0.5362 ECU;
- (b) as regards the reduced rate under Article 1 (3) of Regulation (EEC) No 1079/77, 0.4022 ECU'.

2. The first subparagraph of Article 5 (2) is replaced by the following :

'2. During the 1982/83 milk year the amount of the levy per 100 kilograms of skimmed milk or buttermilk for which the aid mentioned in paragraph 1 is given shall be :

- (a) as regards the general rate mentioned in Article 2 (4) of Regulation (EEC) No 1079/77, 0.5898 ECU;
- (b) as regards the reduced rate under Article 1 (3) of Regulation (EEC) No 1079/77, 0.4424 ECU'.

Article 2

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

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 8.

⁽³⁾ OJ No L 203, 9. 8. 1977, p. 1.

⁽⁴⁾ OJ No L 120, 1. 5. 1981, p. 69.

COMMISSION REGULATION (EEC) No 1662/82

of 28 June 1982

fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency

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 3577/81 ⁽²⁾,

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 Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in certain third countries ⁽⁵⁾, as last amended by Regulation (EEC) No 3104/80 ⁽⁶⁾, and in particular Article 1a (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 1a of Regulation (EEC) No 1393/76, special rates are used to convert the free-at-frontier prices for imported liqueur wines into national currency; whereas the special rates applicable at present were fixed by Commission Regulation (EEC) No 601/82 ⁽⁷⁾;

Whereas, for the currencies of the Member States maintained at any given moment with a maximum spread of 2.25 %, the special rate is the conversion rate resulting from the central rate; whereas, for the other currencies, the special rate for the period 16 December 1981 to 30 June 1982 and 1 July to 15 December 1982 is equal to the conversion rate against the currencies of the Member States maintained at any given moment within a maximum spread of 2.25 % resulting from the average rate used to calculate the

compensatory amounts valid on 15 November 1981 and 1 June 1982 respectively;

Whereas with effect from 14 June 1982 the central rates for the Belgian franc, the Luxembourg franc, the Danish krone, the German mark, the French franc, the Irish pound and the Dutch guilder were adjusted; whereas the special rates in force at the moment must be adjusted accordingly;

Whereas the special rates applicable from 1 July 1982 were fixed in Commission Regulation (EEC) No 1497/82 ⁽⁸⁾; whereas, in view of the recent monetary events, these special rates must be adjusted for the abovementioned countries; whereas there is no need, however, to adjust the special rates applicable from 1 July 1982 for the pound sterling, the Italian lira and the Greek drachma,

HAS ADOPTED THIS REGULATION:

Article 1

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 shall until 30 June 1982 be:

- (a) for the Belgian franc and the Luxembourg franc :
Bfrs/Lfrs 1 = 0.0222368 ECU;
- (b) for the Danish krone :
Dkr 1 = 0.121448 ECU;
- (c) for the German mark :
DM 1 = 0.428488 ECU;
- (d) for the French franc :
FF 1 = 0.151197 ECU;
- (e) for the pound sterling :
£ 1 = 1.71347 ECU;
- (f) for the Irish pound :
£ Irl 1 = 1.44715 ECU;
- (g) for the Italian lira :
Lit 100 = 0.0773372 ECU;
- (h) for the Dutch guilder :
Fl 1 = 0.387640 ECU;
- (i) for the Greek drachma :
Dr 1 = 0.0162693 ECU.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 359, 15. 12. 1981, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁶⁾ OJ No L 324, 29. 11. 1980, p. 63.

⁽⁷⁾ OJ No L 73, 17. 3. 1982, p. 7.

⁽⁸⁾ OJ No L 161, 12. 6. 1982, p. 7.

Article 2

From 1 July 1982, the special rate referred to in Article 1 shall be:

- (a) for the Belgian franc and the Luxembourg franc :
Bfrs/Lfrs 1 = 0.0222368 ECU;
- (b) for the Danish krone :
Dkr 1 = 0.121448 ECU;
- (c) for the German mark :
DM 1 = 0.428488 ECU;
- (d) for the French franc :
FF 1 = 0.151197 ECU;
- (e) for the pound sterling :
£ 1 = 1.73660 ECU;
- (f) for the Irish pound :
£ Irl 1 = 1.44715 ECU;
- (g) for the Italian lira :
Lit 100 = 0.0753976 ECU;

- (h) for the Dutch guilder :
Fl 1 = 0.387640 ECU;
- (i) for the Greek drachma :
Dr 1 = 0.0154179 ECU.

Article 3

Regulation (EEC) No 601/82 is repealed. Regulation (EEC) No 1497/82 is repealed with effect from 1 July 1982.

Article 4

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

Article 1 shall however apply at the request of interested parties from 14 June 1982.

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

Done at Brussels, 28 June 1982.

For the Commission

Poul DALSA GER

Member of the Commission

COMMISSION REGULATION (EEC) No 1663/82

of 28 June 1982

fixing 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 1451/82⁽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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1783/81⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and

from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3.02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 1956/81⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹³⁾, as last amended by Regulation (EEC) No 279/80⁽¹⁴⁾;

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 164, 14. 6. 1982, p. 1.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 291, 19. 11. 1979, p. 17.

(5) OJ No L 281, 1. 11. 1975, p. 65.

(6) OJ No L 176, 1. 7. 1981, p. 10.

(7) OJ No L 168, 25. 6. 1974, p. 7.

(8) OJ No L 202, 26. 7. 1978, p. 8.

(9) OJ No L 195, 26. 7. 1975, p. 25.

(10) OJ No L 247, 23. 9. 1975, p. 22.

(11) OJ No L 281, 1. 11. 1975, p. 57.

(12) OJ No L 198, 20. 7. 1981, p. 13.

(13) OJ No L 85, 31. 3. 1976, p. 2.

(14) OJ No L 31, 8. 2. 1980, p. 1.

Whereas Article 4 (2) of Regulation (EEC) No 2744/75 provides that the levy to be charged on the products listed in the Annex to that Regulation under subheading 07.06 A is limited, with effect from the date of entry into force of the Geneva Protocol (1967) annexed to the General Agreement on tariffs and trade to the amount resulting from application of the rate of duty bound within GATT;

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 the central rate,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas Regulation (EEC) No 1784/81 incorporated products within subheading 17.02 F II within the cereals sector; whereas the coefficients for calculating the levies on these products were defined in Regulation (EEC) No 1783/81,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1982.

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

Done at Brussels, 28 June 1982.

For the Commission

Poul DALSA GER

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1982 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A	14.96 ⁽¹⁾	13.15 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	155.66	149.62
11.01 D ⁽²⁾	118.14	112.10
11.01 E I ⁽²⁾	181.52	175.48
11.01 E II ⁽²⁾	102.46	99.44
11.01 F ⁽²⁾	51.20	48.18
11.01 G ⁽²⁾	100.09	97.07
11.02 A II ⁽²⁾	118.45	112.41
11.02 A III ⁽²⁾	155.66	149.62
11.02 A IV ⁽²⁾	118.14	112.10
11.02 A V a) 1 ⁽²⁾	150.51	144.47
11.02 A V a) 2 ⁽²⁾	181.52	175.48
11.02 A V b) ⁽²⁾	102.46	99.44
11.02 A VI ⁽²⁾	51.20	48.18
11.02 A VII ⁽²⁾	100.09	97.07
11.02 B I a) 1 ⁽²⁾	136.01	132.99
11.02 B I a) 2 aa)	66.55	63.53
11.02 B I a) 2 bb) ⁽²⁾	115.12	112.10
11.02 B I b) 1 ⁽²⁾	136.01	132.99
11.02 B I b) 2 ⁽²⁾	115.12	112.10
11.02 B II a) ⁽²⁾	150.86	147.84
11.02 B II b) ⁽²⁾	86.08	83.06
11.02 B II c) ⁽²⁾	159.00	155.98
11.02 B II d) ⁽²⁾	155.29	152.27
11.02 C I ⁽²⁾	180.88	177.86
11.02 C II ⁽²⁾	102.94	99.92
11.02 C III ⁽²⁾	213.84	207.80
11.02 C IV ⁽²⁾	102.67	99.65
11.02 C V ⁽²⁾	159.00	155.98
11.02 C VI ⁽²⁾	155.29	152.27
11.02 D I ⁽²⁾	116.40	113.38
11.02 D II ⁽²⁾	66.72	63.70
11.02 D III ⁽²⁾	87.80	84.78
11.02 D IV ⁽²⁾	66.55	63.53
11.02 D V ⁽²⁾	102.46	99.44
11.02 D VI ⁽²⁾	100.09	97.07
11.02 E I a) 1 ⁽²⁾	87.80	84.78
11.02 E I a) 2 ⁽²⁾	66.55	63.53
11.02 E I b) 1 ⁽²⁾	172.28	166.24
11.02 E I b) 2 ⁽²⁾	130.60	124.56
11.02 E II a) ⁽²⁾	206.13	200.09
11.02 E II b) ⁽²⁾	118.45	112.41
11.02 E II c) ⁽²⁾	181.52	175.48
11.02 E II d) 1 ⁽²⁾	87.85	81.81
11.02 E II d) 2 ⁽²⁾	177.35	171.31
11.02 F I ⁽²⁾	206.13	200.09
11.02 F II ⁽²⁾	118.45	112.41
11.02 F III ⁽²⁾	155.66	149.62
11.02 F IV ⁽²⁾	118.14	112.10
11.02 F V ⁽²⁾	181.52	175.48

(ECU/tonne)

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F VI ⁽²⁾	51.20	48.18
11.02 F VII ⁽²⁾	100.09	97.07
11.02 G I	89.41	83.37
11.02 G II	79.16	73.12
11.04 C I	17.98	11.33 ⁽⁵⁾
11.04 C II a)	149.77	125.59 ⁽⁵⁾
11.04 C II b)	177.51	153.33 ⁽⁵⁾
11.07 A I a)	208.74	197.86
11.07 A I b)	158.72	147.84
11.07 A II a)	158.83 ⁽⁴⁾	147.95
11.07 A II b)	121.43	110.55
11.07 B	139.72 ⁽⁴⁾	128.84
11.08 A I	149.77	129.22
11.08 A II	67.66	36.83
11.08 A III	210.83	190.28
11.08 A IV	149.77	129.22
11.08 A V	149.77	64.61 ⁽⁵⁾
11.09	527.30	345.96
17.02 B II a) ⁽³⁾	265.27	168.55
17.02 B II b) ⁽³⁾	195.71	129.22
17.02 F II a)	273.29	176.57
17.02 F II b)	189.29	122.80
21.07 F II	195.71	129.22
23.02 A I a)	29.18	29.18
23.02 A I b)	93.37	93.37
23.02 A II a)	23.34	23.34
23.02 A II b)	93.37	93.37
23.03 A I	341.86	160.52

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes.

⁽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 1180/77 this levy is reduced by 5.44 ECU/tonne for products originating in Turkey.

⁽⁵⁾ 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.

COMMISSION REGULATION (EEC) No 1664/82
of 28 June 1982
fixing the import levies on compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) (No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as amended by Regulation (EEC) No 2560/77⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products

processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 706/76 of 30 March 1976 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'⁽⁵⁾; as last amended by Regulation (EEC) No 279/80⁽⁶⁾;

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 the central rate,
- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1982.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁶⁾ OJ No L 31, 8. 2. 1980, p. 1.

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

Done at Brussels, 28 June 1982.

For the Commission
Poul DALSAGER
Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1982 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	26.48	15.60
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	392.72	381.84
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	59.63	48.75
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	425.87	414.99
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	108.37	97.49
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	474.61	463.73

COMMISSION REGULATION (EEC) No 1665/82
of 28 June 1982
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1808/81⁽³⁾, as last amended by Regulation (EEC) No 1640/82⁽⁴⁾;

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 June 1982.

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

Done at Brussels, 28 June 1982.

For the Commission

Poul DALSAGER

Member of the Commission

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.
⁽³⁾ OJ No L 181, 2. 7. 1981, p. 24.
⁽⁴⁾ OJ No L 181, 25. 6. 1982, p. 51.

ANNEX

to the Commission Regulation of 28 June 1982 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	32.43 31.42 ⁽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 1666/82
of 28 June 1982
abolishing the countervailing charge on cucumbers originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1203/82⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1560/82 of 17 June 1982⁽³⁾ introduced a countervailing charge on cucumbers originating in Poland;

Whereas for this product originating in Poland there were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of cucumbers originating in Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1560/82 is hereby repealed.

Article 2

This Regulation shall enter into force on 29 June 1982.

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

Done at Brussels, 28 June 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 140, 20. 5. 1982, p. 36.
⁽³⁾ OJ No L 172, 18. 6. 1982, p. 24.

COMMISSION REGULATION (EEC) No 1667/82
of 28 June 1982
amending Regulation (EEC) No 1587/82 introducing a countervailing charge on
tomatoes originating in Albania

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1203/82⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Regulation (EEC) No 1587/82⁽³⁾ introduced a
countervailing charge on tomatoes originating in
Albania;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The amount '6.92 ECU' appearing in Article 1 of
Regulation (EEC) No 1587/82 is replaced by the
amount '29.38 ECU'.

Article 2

This Regulation shall enter into force on 29 June
1982.

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

Done at Brussels, 28 June 1982.

For the Commission
Poul DALSGER
Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 36.

⁽³⁾ OJ No L 178, 22. 6. 1982, p. 26.

COUNCIL REGULATION (EEC) No 1668/82
of 28 June 1982
amending Regulation (EEC) No 878/77 on the exchange rates to be applied in
agriculture

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽¹⁾, as last amended by Regulation (EEC)
No 2543/73⁽²⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the representative rates currently applicable
were fixed by Regulation (EEC) No 878/77⁽³⁾, as last
amended by Regulation (EEC) No 1207/82⁽⁴⁾;
whereas new representative rates closer to present
economic circumstances should be fixed for the
Danish krone, the Greek drachma and the Irish
pound; whereas on this occasion the manifest errors
appearing in earlier versions of Annexes III and VIII
should be corrected; whereas, moreover, for reasons
of clarity, all the representative rates should be
republished;

Whereas the rates must be adjusted with proper regard
to the effects on prices and the situation in the
Member States concerned; whereas, for that reason,
among others, provision should be made for the new

rates to enter into effect within a reasonable period,
normally linked to the beginning of the marketing
year or a change in prices, although immediate entry
into force in some cases should not be ruled out;

Whereas, in order to avoid differing treatment of inter-
dependent products, provision should be made for the
new rates to apply in the cereals and the eggs and
poultrymeat, ovalbumin and lactalbumin sectors with
effect from the same date;

Whereas the Monetary Committee will be consulted;
whereas, as this is an urgent matter, the measures envi-
saged should be adopted in accordance with the condi-
tions laid down in Article 3 (2) of Regulation No 129,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I to VIII to Regulation (EEC) No 878/77
shall be replaced by Annexes I to IX annexed to this
Regulation.

Article 2

This Regulation shall enter into force on 29 June
1982.

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

Done at Brussels, 28 June 1982.

For the Council
The President
P. de KEERSMAEKER

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽³⁾ OJ No L 106, 29. 4. 1977, p. 27.

⁽⁴⁾ OJ No L 140, 20. 5. 1982, p. 51.

*ANNEX**ANNEX I***BELGIUM/LUXEMBOURG**

1 ECU = 42·9772 Belgian francs/Luxembourg francs.

This rate shall apply from 6 May 1982.

*ANNEX II***DENMARK**

1 ECU = 8·234 Danish krone.

This rate shall apply from 29 June 1982; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79.

*ANNEX III***FEDERAL REPUBLIC OF GERMANY**

1. 1 ECU = 2·57524 German marks.

This rate shall apply from:

- 20 May 1982 for the milk and milk products sector,
- 20 May 1982 for the beef and veal sector,
- 20 May 1982 for the sheepmeat and goatmeat sector,
- 1 July 1982 for the sugar and isoglucose sector,
- 1 August 1982 for the cereals, eggs and poultrymeat, ovalbumin and lactalbumin sectors,
- 1 November 1982 for the pigmeat sector,
- 16 December 1982 for the wine sector; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79,
- 1 January 1983 for the fishery products sector,
- 1 July 1984 for the seeds sector,
- the beginning of the 1982/83 marketing year for other products for which a marketing year has not yet started by 17 May 1982,
- 20 May 1982 in all other cases.

2. Until the dates given in point 1, the following rate shall apply:

1 ECU = 2·65660 German marks, except for the seeds sector, where the rate shall be:

1 ECU = 2·78341 German marks until 30 June 1982,

and

1 ECU = 2·65660 German marks from 1 July 1982 to 30 June 1984.

*ANNEX IV***FRANCE**

1 ECU = 6·19564 French francs.

This rate shall apply from 6 May 1982; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79.

*ANNEX V***GREECE**

1. 1 ECU = 66·5526 Greek drachmas.

This rate shall apply from :

- 1 September 1982 for dried grapes,
- 1 November 1982 for olive oil,
- 29 June 1982 in all other cases ; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79.

2. Until the dates given in point 1, the following rate shall apply :

1 ECU = 64·8597 drachmas.

*ANNEX VI***IRELAND**

- 1 ECU = 0·691011 Irish pound.

This rate shall apply from 29 June 1982 ; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79.

*ANNEX VII***ITALY**

1. 1 ECU = 1 289·00 Italian lire.

This rate shall apply from :

- 17 May 1982 for the milk and milk products sector,
- 17 May 1982 for the beef and veal sector,
- 17 May 1982 for the sheepmeat and goatmeat sector,
- 1 July 1982 for the sugar and isoglucose sector,
- 1 July 1982 for the seeds sector,
- 1 August 1982 for the cereals, eggs and poultrymeat, ovalbumin and lactalbumin sectors,
- 1 November 1982 for the pigmeat sector,
- 6 May 1982 for the wine sector ; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79,
- 1 January 1983 for the fishery products sector,
- the beginning of the 1982/83 marketing year for other products for which the marketing year has not started by 1 April 1982,
- 6 May 1982 in all other cases.

2. Until the dates given in point 1, the following rates shall apply :

- 1 ECU = 1 258·00 Italian lire in all cases where this rate entered into force before 6 May 1982, pursuant to Regulation (EEC) No 3398/81, in particular the milk and milk products, beef and veal, pigmeat, olive oil, wine and fishery products sectors,
 - 1 ECU = 1 227·00 Italian lire for the remaining sectors.
-

*ANNEX VIII***NETHERLANDS**

1. 1 ECU = 2.75563 Dutch guilders.

This rate shall apply from :

- 20 May 1982 for the milk and milk products sector,
- 20 May 1982 for the beef and veal sector,
- 20 May 1982 for the sheepmeat and goatmeat sector,
- 1 July 1982 for the sugar and isoglucose sector,
- 1 August 1982 for the cereals, eggs and poultrymeat, ovalbumin and lactalbumin sectors,
- 1 November 1982 for the pigmeat sector,
- 16 December 1982 for the wine sector ; other dates may, however, be fixed for distillation operations and for the aids specified in Articles 14 and 14a of Regulation (EEC) No 337/79
- 1 January 1983 for the fishery products sector,
- 1 July 1984 for the seeds sector,
- the beginning of the 1982/83 marketing year for other products for which a marketing year has not yet started by 17 May 1982,
- 20 May 1982 in all other cases.

2. Until the dates given in point 1, the following rate shall apply :

1 ECU = 2.81318 Dutch guilders.

*ANNEX IX***UNITED KINGDOM**

1 ECU = 0.618655 pound sterling.

This rate shall apply from 20 May 1982.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 June 1982

terminating the anti-dumping proceeding concerning imports of certain refrigerators originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Soviet Union and Yugoslavia

(82/423/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal submitted by the Commission after consultations within the Advisory Committee set up under that Regulation,

Whereas in March 1981 the Commission received a complaint lodged by Conseil Européen de la Construction Electrodomestique (CECED) on behalf of the great majority of Community manufacturers of certain refrigerators; whereas the complaint contained evidence of the existence of dumping in respect of like products originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Soviet Union and Yugoslavia and of material injury resulting therefrom;

Whereas the said evidence was sufficient to justify initiating an investigation;

Whereas the Commission accordingly announced, by a notice published in the *Official Journal of the*

European Communities⁽²⁾, the initiation of a proceeding concerning imports of certain refrigerators originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Soviet Union and Yugoslavia and commenced an investigation of the matter at Community level;

Whereas the Commission officially so advised the exporters and importers known to be concerned;

Whereas the Commission has given the parties directly concerned the opportunity to make known their views in writing and to be heard orally;

Whereas the majority of the parties concerned have availed themselves of this opportunity;

Whereas, in order to make an assessment of the dumping margin and injury, the Commission sought and verified all information it deemed to be necessary and carried out investigations at the premises of the only Yugoslav producer and exporter cooperating in the enquiry, Gorenje (Valenje) and the following importers: in Belgium: Asogem NV and Artsel NV; in Denmark: Gorenje Skandinavien ApS; in the Federal Republic of Germany: IVG Bulka-Lehel GmbH; in France: Garelly SA, Générale Sidex SA and Sideme SA; in Greece: Gorenje Hellas Co. Ltd; in Ireland: Electro-Diesel Ireland Ltd; and in the United Kingdom: Astral Domestic Equipment Ltd, Curry's Ltd, Technical & Optical Equipment (London) Ltd and USC (Consumer Products) Ltd; whereas the Commission also carried out investigations at the premises of almost all the complainant EEC producers, including:

⁽¹⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽²⁾ OJ No C 162, 2. 7. 1981, p. 3.

in the Federal Republic of Germany: Bauknecht GmbH; in France: Thomson-Brandt SA; in Greece: Elinda SA; in Italy: Iberna Spa, Kelly Italia Spa, Merloni Elettrodomestici Spa, Pargest Spa, Philips Spa, Sital Casa Spa and Industrie Zanussi Spa; and in the United Kingdom: Electrolux Ltd, LEC Refrigeration Ltd and Thorn Domestic Appliances (Electrical) Ltd;

Whereas the Commission selected as the investigation period the year ended 30 June 1981;

Whereas, in order to establish whether the Yugoslav imports were dumped, the Commission used Yugoslav domestic prices to establish the normal value;

Whereas the Commission had to take into account the fact that Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the Soviet Union are not market economy countries;

Whereas, for that reason, the Commission had to base its calculations in respect of these countries on the normal value in a market economy country; whereas, in that connection, the complaint had cited the Yugoslav domestic market;

Whereas, in the course of the discussions with the exporters from Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the Soviet Union, the comparability of the Yugoslav market for refrigerators was contested because prices were said to be unrepresentative; whereas Turkey, Spain and Brazil were suggested as alternatives but were not considered reasonable because of differences in market situations; whereas in the light of the inspection carried out at the premises of the Yugoslav producer it would appear reasonable to use the Yugoslav domestic price as a comparable normal value since the manufacturing processes, technical standards and technology are similar to those used by the other exporters concerned;

Whereas the assessment of dumping for all seven countries was accordingly made by comparing weighted average Yugoslav domestic prices at an ex-factory level with export prices to the Community at the same level from each country in question during the investigation period;

Whereas, to take due account of the differences affecting price comparability, discounts and sales and service costs borne by the Yugoslav manufacturer were deducted from its domestic prices; whereas, for all the exporting countries concerned, account was also taken of differences in physical characteristics where appropriate, such as volume, freezing capacity and type of defrosting system, the allowance being based on the estimated production costs accounting for such differences; whereas allowances were also made for differ-

ences in conditions of payment and for transport and associated costs to the Community frontier; whereas allowances for differences in advertising and sales promotion costs and research and development costs claimed by the Yugoslav exporter were not allowed since the Commission considered that they were not directly related to the sales of the refrigerators in question; whereas the following claims were also not allowed because no adequate proof justifying them was given: allowances for design differences claimed by exporters from the German Democratic Republic and Poland, allowances for differences in packaging and differences in measurements claimed by exporters from the German Democratic Republic, allowances for differences in the market value of free-standing versus table-top refrigerators claimed by Hungarian exporters; whereas claims for differences in compressors used by Hungarian and Polish exporters were not taken into account either because it was considered that they did not represent a difference in the physical characteristics of the refrigerators concerned such as would be perceivable to the purchaser and influence his choice;

Whereas the comparisons showed the existence of dumping in respect of the imports considered in the investigation, the dumping margins being equal to the amount by which the normal values as established above exceeded the prices at which the goods were exported to the Community; whereas the margins varied, depending on the type and size of refrigerator and the exporting country, from 7.4 % to 74.2 % of the export prices free at Community frontier, duty unpaid;

Whereas, with regard to the injury caused to the Community industry, the evidence available to the Commission shows that imports into the Community of the refrigerators in question originating in the countries covered by the investigation rose from approximately 511 000 units in 1978 to 717 000 units in 1980; whereas imports into those Member States for which statistics are available for the first nine months of 1981 amounted to 498 043 units compared with 475 756 units imported into the same Member States during the whole of 1978;

Whereas in 1978 the market share held by such imports in the Community was 15.8 %, rising to 20.3 % in 1980 and it is estimated to have remained at approximately the same level in 1981; whereas virtually all of these imports during the investigation period have been made at dumped prices;

Whereas the resale prices in the Community of these refrigerators originating in the countries in question undercut those of like products produced by Community manufacturers by approximately 20 % on average;

Whereas the consequent impact on the Community industry, whose volume of production has fallen by 10 % from 3 559 000 units in 1978 to 3 236 000 units in 1980 and has remained constant at this level in 1981, is characterized by a reduction in the market share of Community producers and a depression of prices or the prevention of price increases which otherwise would have occurred, making it impossible to cover production costs or achieve a reasonable profit on the refrigerators in question; whereas all Community producers have experienced considerable increases in stocks of refrigerators held during the period under consideration;

Whereas most of the Community producers are consequently making losses or inadequate profits on sales of the refrigerators covered by the proceedings;

Whereas the Commission has considered whether injury has been caused by other factors such as competition between Community producers, changes in consumption patterns, overcapacity in the Community industry or imports from other countries; whereas the market share in the Community of the producers of one of the Member States has increased slightly during the investigation period but it has been established that this increase is insignificant in size and that selling prices have been in excess of those of the dumped imports; whereas consumption in the Community went up between 1978 and 1980 whilst production within the Community and imports from other non-EEC sources both went down during the same period; whereas, therefore, the substantial increase in dumped imports and the extremely low prices at which they have been offered for sale in the Community has led the Commission to determine that the dumped imports, taken in isolation, have caused material injury to the Community industry concerned;

Whereas the Commission, after having examined the Community producers' and importers' prices, costs and profitability and marketing conditions, has determined the import prices necessary to eliminate the injury caused;

Whereas the exporters and importers concerned were informed of the main findings of the preliminary investigation and commented on them; whereas undertakings were consequently offered concerning imports from Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Soviet Union and Yugoslavia with a view to preventing a recurrence of injury to Community producers;

Whereas the proposed price increases take account of the differences noted in the course of investigations in the prices charged by the various exporting countries; whereas these increases never exceed the average dumping margins and are generally below this level;

Whereas the Yugoslav exporter concerned requested the continuation of the investigation into injury; whereas, however, the Commission considers that both the dumping and injury investigation have been completed and that the aforementioned undertakings are acceptable; whereas, notwithstanding this fact, during the consultations within the Advisory Committee, one of the Member States objected to the termination of the proceedings by the acceptance of these undertakings,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of certain refrigerators originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania, the Soviet Union and Yugoslavia is hereby terminated on the basis of the acceptance of price undertakings offered to the Commission by the exporters concerned.

Done at Luxembourg, 21 June 1982.

For the Council

The President

L. TINDEMANS

COUNCIL DECISION

of 21 June 1982

authorizing the Italian Republic to derogate until 31 December 1982 from the value added tax arrangements in the context of aid to earthquake victims in southern Italy

(82/424/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 99 thereof,

Having regard to the proposal from the Commission,

Whereas the Italian Government has requested an extension of the temporary derogation from the value added tax arrangements fixed by the sixth Directive 77/388/EEC⁽¹⁾; whereas this derogation was authorized until 31 December 1981 by Decision 81/890/EEC⁽²⁾;

Whereas this extension is necessary in view of the special situation of the disaster areas; whereas the list of transactions eligible for exemption and the arrangements for exemption should however, be adjusted;

Whereas, pursuant to Article 2 of Decision 81/890/EEC, the Italian Republic has taken such administrative measures as were necessary to determine the Community's own resources in respect of the said operations; whereas these provisions should be maintained for the transactions referred to in this Decision,

HAS ADOPTED THIS DECISION:

Article 1

By way of derogation from Directive 77/388/EEC, the Italian Republic is hereby authorized, until 31

December 1982, to exempt, with refund of the tax paid at the preceding stage, the transactions listed, together with the arrangements for exempting them, in the Annex hereto.

Article 2

The Italian Republic shall adopt such provisions as are necessary to ensure that taxable persons furnish the information required for determining the Community's own resources in respect of the transactions referred to in Article 1 and shall ensure that the text of those provisions is transmitted to the Commission.

Article 3

This Decision is addressed to the Italian Republic.

Done at Luxembourg, 21 June 1982.

For the Council

The President

L. TINDEMANS

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽²⁾ OJ No L 322, 11. 11. 1981, p. 40.

*ANNEX***List of exempt transactions and exemption arrangements**

Without prejudice to requirements in connection with invoicing and registration, exemption with refund of the tax paid at the preceding stage shall apply to the following transactions :

- (a) the supply of prefabricated buildings, intended for residential or other purposes, including their assembly if necessary, in the Basilicata and Campania regions, and the supply of goods and services, whether or not under a contract for work and labour, for the provision of related infrastructure. The taxable person shall, at the request of the inspectorate of the financial administration, supply proof, in the form of a certificate from the municipality, that the said buildings have in fact been erected ;
- (b) the supply of goods and services, whether or not under a contract for work and labour, for rebuilding or repairing buildings intended for residential or other purposes and equipment destroyed or damaged by the earthquake in the regions mentioned in subparagraph (a). The actual destruction or damage must be duly attested by the municipality in whose area the buildings or installations are situated or by the civil engineering department or the technical department of the tax office responsible for the territory in question ;
- (c) the supply of goods and services to farms to re-stock and restore livestock and deadstock destroyed or damaged by the earthquake in the regions mentioned in subparagraph (a). The actual destruction or damage must be duly attested by the municipality in whose area the farm is situated and by the appropriate regional body ;
- (d) supplies by firms engaged in the construction of buildings or parts of buildings intended for residential or other purposes, situated in the regions mentioned in subparagraph (a), and the supply of services under a contract for work or labour connected with the construction of those buildings ;
- (e) the supply of goods and services, including professional services, associated with work in progress on the repair, construction or reconstruction of public facilities and amenities and on demolition and the removal of debris.

The exemptions referred to in (a) to (e) shall apply to the supply of goods and services to earthquake victims, duly recognized as such in certificates issued by the appropriate municipality, to public bodies and trade union, religious and philanthropic organizations, and to information agencies, provided that the goods and services in question are distributed free of charge to the earthquake victims as attested by a certificate issued by the municipality.

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