

ASSOCIATION OF THE
OVERSEAS COUNTRIES AND TERRITORIES

COMPILATION OF TEXTS

- IV -

1 January 1980 - 31 December 1980

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Decision 76/568/EEC, on which the association of the overseas countries and territories with the Community was based, expired on 29 February 1980. It has been kept in force until 31 December 1980 on the terms set out in the explanatory note on p. 7 of this Compilation.

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(*) See also section on Financial and Technical Co-operation, p. VII.

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I. BASIC TEXTS

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COUNCIL DECISION

of 5 February 1980

adjusting Decision 76/568/EEC on the association of the overseas countries and territories with the European Economic Community (*)

(80/161/EEC)
(OJ L 35/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community (*), as last amended by Decision 79/310/EEC (1), and in particular Article 56 thereof,

Having regard to the proposal from the Commission,

Whereas Decision 76/568/EEC provides for its adjustment where an overseas country or territory which has become independent accedes to the ACP-EEC Convention of Lomé, hereinafter referred to as 'the Convention';

Whereas Saint Lucia and the Republic of Kiribati, which appear in the list set out in Annex I to Decision 76/568/EEC, having become independent, have applied to accede to the Convention; whereas the ACP-EEC Council of Ministers has approved these applications; whereas these States having deposited their instruments of accession, thus acceded to the Convention on 28 June and 30 October 1979 respectively;

Whereas the various lists contained in Decision 76/568/EEC and the amounts specified in Article 30 thereof should therefore be adjusted in the light also of the amendments made as a result of former accessions to the Convention by the Agreement of 28 March 1977 (2) to the Internal Agreement on the financing and administration of Community aid (3) signed on 11 July 1975,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 76/568/EEC is hereby amended as follows:

1. The following shall be deleted from Article 23 (5) and 26 and from the list in Annex I: 'Saint Lucia' and 'Gilbert Islands'.

(1) OJ No L 176, 1. 7. 1976, p. 8.

(2) OJ No L 72, 23. 3. 1979, p. 33.

(3) OJ No L 287, 13. 10. 1978, p. 22.

(4) OJ No L 25, 30. 1. 1976, p. 168.

2. Article 30 shall be replaced by the following:

'Article 30

The following provisions shall apply with effect from 30 October 1979:

1. the overall amount of Community aid shall be reduced to 95-0645 million EUA;

2. this amount shall comprise:

- (a) 85-0645 million EUA from the European Development Fund (1975), hereinafter referred to as 'the Fund', allocated as follows:

- (i) for the purposes set out in Article 28, 65-0645 million EUA consisting of:

- 28-1375 million EUA in the form of grants,
- 23-915 million EUA in the form of special loans,
- 2-00 million EUA in the form of risk capital,
- 11-012 million EUA in the form of a reserve;

- (ii) 20 million EUA, likewise from the Fund, in the form of transfers to the countries and territories for the stabilization of export earnings;

- (b) for the purposes set out in Article 28, up to 10 million EUA in the form of loans from the Bank, made from its own resources on the terms and conditions provided for in its statute and supplemented, as a general rule, by a 3% interest rate subsidy, under the conditions laid down in Article 4 of Annex V.

The total cost of the interest rate subsidies shall be charged against the amount of the grants provided for in 2 (a) (i).

3. Following the accession of Saint Lucia and the Republic of Kiribati to the Convention, the amounts provided for in the form of grants,

(*) See Decision of ACP-EEC Council of Ministers, ACP Compilation Vol. V p. 13. See also pp. 31 and 79 of this Compilation or pp. 147 and 207 of ACP Compilation Vol. V. For instrument of accession and other related Decisions see ACP Comp. Vol. IV pp. 83, 84, 89 and 91.

special loans and a reserve, initially allocated in three equal parts among the French overseas territories and departments and the Netherlands and United Kingdom overseas countries and territories, shall be reduced in accordance with Decision 80/160/EEC.

4. (a) Of the portion allocated to the French overseas territories and departments:

— 770 million EUA shall be allocated to the French overseas departments,

— 500 000 EUA shall remain allocated as financial aid to the least-favoured overseas countries and territories, irrespective of the zones within which they fall;

(b) The sums allocated to the French overseas territories shall amount to 121 million EUA, consisting of:

— 101 million EUA taken from the portion allocated to the French overseas territories and departments,

— 200 million EUA pursuant to Decision 76/569/EEC.

Article 2

This Decision shall apply from 1 November 1979.

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

II - TRANSITIONAL MEASURES

.../...

EXPLANATORY NOTE

Like the ACP-EEC Convention of Lomé, Decision 76/568/EEC of 29 June 1976 concerning the association of the OCT with the EEC expired on 29 February 1980. Pending a new Decision governing relations between the Community and the OCT, and in order to avoid any break in continuity, a temporary arrangement was set up, consisting essentially of Decisions extending existing measures, viz.:

- Council Decision (80/162/EEC) of 5 February 1980 on the association of the OCT with the EEC;
 - Decision of the Representatives of the Governments of the Member States of the ECSC (801/63/ECSC) meeting within the Council of 5 February 1980, on the opening of tariff preferences for products within the province of that Community originating in the OCT;
 - Council Decision of 5 February 1980 on transitional measures to be applied by the Community for the financing of Commission delegations;
 - Council Regulation (EEC) No 435/80 of 18 February 1980 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the OCT;
 - Decision by the Board of Governors of the EIB, of 18 March 1980, to continue operations by the Bank financed from its own resources in the ACP States and the OCT after expiry of the First Convention of Lomé.
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COUNCIL DECISION

of 5 February 1980

on the association of the overseas countries and territories with the European Economic Community

(80/162/EEC)

(OJ L 35/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to maintain in force after 1 March 1980 the provisions applicable within the framework of Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community (1),

HAS DECIDED AS FOLLOWS:

Article 1

Article 54 of Decision 76/568/EEC shall be replaced by the following:

Article 54

This Decision shall remain applicable until the entry into force of new provisions implementing the principles set out in Articles 131 to 135 of the Treaty establishing the European Economic Community or until 31 December 1980, whichever is the earlier.

Article 2

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL

of 5 February 1980

on the opening of tariff preferences for products within the province of that Community originating in the overseas countries and territories associated with the Community

(80/163/ECSC)
(OJ L 35/80)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the provisions applicable within the framework of Decision 76/570/ECSC⁽¹⁾ should be maintained in force after 1 March 1980;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Article 6 of Decision 76/570/ECSC shall be replaced by the following:

'Article 6

This Decision shall apply until 31 December 1980.'

Article 2

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 5 February 1980.

The President
G. ZAMBERLETTI

⁽¹⁾ OJ No L 176, 1. 7. 1976, p. 99.

COUNCIL DECISION
OF 5 FEBRUARY 1980

on transitional measures to be applied by
the Community, in the context of the ACP-EEC Convention of Lomé,
for the financing of
Commission delegations

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Sole Article

The Commission is hereby authorized to finance, through cash advances from the EDF, the operating expenditure of its delegations in the ACP States and the OCT as from 1 March 1980. From that date, these advances will be regularized, upon entry into force of the second ACP-EEC Convention signed in Lomé on 31 October 1979, by being charged against the Community's budget, in accordance with the Community statement on Article 95 of the said Convention, which provides for such expenditure to be covered by that budget for a five-year period expiring on 1 March 1985.

Done at Brussels, 5.2.1980

For the Council

The President

G. ZAMBERLETTI

COUNCIL REGULATION (EEC) No 435/80

of 18 February 1980

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 (*)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 152/78⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

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

Whereas the second ACP—EEC Convention of Lomé, hereinafter referred to as 'the Convention', between the African, Caribbean and Pacific States, hereinafter referred to as 'the ACP States', and the European Economic Community was signed on 31 October 1979;

Whereas Article 2 (2) (a) of the Convention lays down that products originating in the ACP States:

- listed in Annex II to the Treaty when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community, notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) those products shall be imported free of customs duties for which Community provisions in force at

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1978, p. 1.

⁽³⁾ Opinion delivered on 15 February 1980 (not yet published in the Official Journal).

the time of import do not provide, apart from customs duties, for the application of any other measure relating to their import,

- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that applied to third countries benefiting from the most-favoured-nation clause for the same products;

Whereas it is laid down in Article 2 (2) (c) of the Convention that the arrangements referred to under paragraph (2) (a) shall enter into force at the same time as the Convention and shall remain applicable for its duration;

Whereas the Community has agreed to start applying autonomously the arrangements set out in Article 2 (2) (a) of the Convention, on trade in agricultural products and foodstuffs, as of 1 March 1980, that is to say before the Convention enters into force;

Whereas:

- Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽⁴⁾, as last amended by Regulation (EEC) No 2916/79⁽⁵⁾,
- Council Regulation (EEC) No 100/76 of 19 January 1976 on the common organization of the market in fishery products⁽⁶⁾, as last amended by Regulation (EEC) No 2903/78⁽⁷⁾,
- Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 590/79⁽⁹⁾,
- Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁰⁾, as last amended by Regulation (EEC) No 1547/79⁽¹¹⁾,

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁵⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽⁶⁾ OJ No L 20, 28. 1. 1976, p. 1.

⁽⁷⁾ OJ No L 347, 12. 12. 1978, p. 1.

⁽⁸⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁹⁾ OJ No L 78, 30. 3. 1979, p. 1.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽¹¹⁾ OJ No L 188, 26. 7. 1979, p. 1.

(*) See also pp. 35 and 38 of this Compilation.

.../...

- Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 113/80⁽²⁾,
- Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 1301/79⁽⁴⁾,
- Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽⁵⁾, as last amended by Regulation (EEC) No 2999/79⁽⁶⁾,
- Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽⁷⁾, as last amended by Regulation (EEC) No 1303/79⁽⁸⁾,
- Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽⁹⁾, as last amended by Regulation (EEC) No 1579/79⁽¹⁰⁾,
- Regulation (EEC) No 1059/69,
- Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the markets in flax and hemp⁽¹¹⁾, as last amended by Regulation (EEC) No 814/76⁽¹²⁾,
- Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽¹³⁾, as last amended by Regulation (EEC) No 235/79⁽¹⁴⁾,
- Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage⁽¹⁵⁾, as last amended by Regulation (EEC) No 1225/79⁽¹⁶⁾.

- Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seed⁽¹⁷⁾, as last amended by Regulation (EEC) No 2878/79⁽¹⁸⁾,
- Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty⁽¹⁹⁾, as last amended by Regulation (EEC) No 114/80⁽²⁰⁾, and
- Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽²¹⁾, as last amended by Regulation (EEC) No 114/80,

establish trade arrangements with third countries;

Whereas, for the purposes of this Regulation, the concept of import duties shall be that set out in Article 1 (2) (a) of Regulation (EEC) No 1430/79⁽²²⁾;

Whereas, on the one hand, these trade arrangements provide only for the application of customs duties on the import of a number of products; whereas, on the other hand, these arrangements involve the application of customs duties and import levies on beef and veal and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables, and oils and fats; whereas the obligations of the Community towards the ACP States under Article 2 (2) (a) of the Convention may be fulfilled by granting total or partial exemption from import duties for the products in question where they originate in the ACP States;

Whereas it should be specified that the advantages resulting from Article 2 (2) (a) of the Convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the ACP—EEC Convention of Loure, signed on 28 February 1975⁽²³⁾, hereinafter referred to as 'the 1975 Convention', application of which was extended by Regulation (EEC) No 434/80⁽²⁴⁾;

Whereas, upon entry into force of the Convention, Protocol 1 annexed thereto, will become applicable in respect of the rules of origin;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 16, 22. 1. 1980, p. 1.
⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽⁴⁾ OJ No L 162, 30. 6. 1979, p. 26.
⁽⁵⁾ OJ No L 73, 21. 1. 1977, p. 1.
⁽⁶⁾ OJ No L 341, 31. 12. 1979, p. 1.
⁽⁷⁾ OJ No L 54, 5. 3. 1979, p. 1.
⁽⁸⁾ OJ No L 162, 30. 6. 1979, p. 28.
⁽⁹⁾ OJ No L 93, 28. 4. 1970, p. 1.
⁽¹⁰⁾ OJ No L 189, 27. 7. 1979, p. 1.
⁽¹¹⁾ OJ No L 146, 4. 7. 1970, p. 1.
⁽¹²⁾ OJ No L 94, 9. 4. 1976, p. 4.
⁽¹³⁾ OJ No L 175, 4. 8. 1971, p. 1.
⁽¹⁴⁾ OJ No L 34, 9. 2. 1979, p. 4.
⁽¹⁵⁾ OJ No L 55, 2. 4. 1968, p. 1.
⁽¹⁶⁾ OJ No L 155, 22. 6. 1979, p. 10.

⁽¹⁷⁾ OJ No L 246, 5. 11. 1971, p. 1.
⁽¹⁸⁾ OJ No L 325, 21. 12. 1979, p. 1.
⁽¹⁹⁾ OJ No L 151, 30. 6. 1968, p. 16.
⁽²⁰⁾ OJ No L 16, 22. 1. 1980, p. 3.
⁽²¹⁾ OJ No L 142, 30. 5. 1978, p. 1.
⁽²²⁾ OJ No L 175, 12. 7. 1979, p. 1.
⁽²³⁾ OJ No L 25, 31. 1. 1976, p. 1.
⁽²⁴⁾ See page 1 of this Official Journal.

Whereas, furthermore, these advantages should be combined with certain conditions and limited to certain annual and multiannual quantities on a case-by-case basis;

Whereas there have traditionally been trade flows from the ACP States to the French overseas departments; whereas measures should therefore be introduced to encourage the importation of certain products originating in the ACP States into these French overseas departments to cover local consumption requirements, including consumption following processing; whereas provision should be made for altering the arrangements governing access to the markets in products originating in the ACP States referred to in Article 2 (2) of the Convention, particularly in the light of the said departments' economic development requirements;

Whereas it should be stipulated that the safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy are applicable; whereas pursuant to the transitional application of certain provisions of the 1975 Convention the provisions of Article 10 thereof apply and will be replaced by those of Article 12 (1) of the Convention when it enters into force; whereas these provisions are complementary to and are implemented in accordance with Council Regulation (EEC) No 157/76 of 20 January 1976 on the safeguard measures provided for in the ACP—EEC Convention of Lomé (1) and the Regulation which will replace it upon entry into force of the Convention;

Whereas the association of the Community with the overseas countries and territories, hereinafter referred to as 'the countries and territories', is governed by Decision 76/568/EEC (2), the period of validity of which was extended by Decision 80/162/EEC (3), in respect of the import arrangements for agricultural products and certain goods resulting from the processing of agricultural products and in respect of the rules of origin, and whose safeguard clauses apply as complementary measures; whereas upon the entry into force of a new Decision the provisions which it sets out will be applicable,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States listed in Annex I or in the countries and territories listed in Annex II.

(1) OJ No L 18, 27. 1. 1976, p. 1.

(2) OJ No L 176, 1. 7. 1976, p. 8.

(3) OJ No L 35, 12. 2. 1980, p. 26.

2. The rules of origin applicable to such of these products as are imported from the ACP States or the countries and territories shall be respectively those set out in Protocol 1 annexed to the 1975 Convention and those in Annex II to Decision 76/568/EEC. These provisions shall cease with effect from the entry into force of the similar rules contained in the Convention and in the Decision to be taken on the association of the countries and territories.

3. If there is a change in the status of the countries and territories listed in Annex II, the list of States, countries and territories referred to in Annexes I and II shall be adapted by the Council, acting by a qualified majority on a proposal from the Commission.

TITLE I

Beef and veal

Article 2

The products of the beef and veal sector referred to in Article 1 of Regulation (EEC) No 805/68 shall be imported free of customs duties.

Article 3

Where, in the course of a year, imports into the Community of products falling within subheadings 02.01 A II and 16.02 B III b) 1 aa) of the Common Customs Tariff originating in an ACP State or country or territory, exceed a quantity equivalent to imports into the Community during the year, between 1969 and 1974, in which Community imports of products of that origin were highest, plus an annual growth rate of 7 %, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 23.

In that event the Commission shall report to the Council which, acting by a qualified majority on a proposal from the Commission, shall determine the arrangements to be applied to the imports in question.

Article 4

1. Within the limits of the quantities referred to in Article 5, import duties, other than customs duties, applied to products originating in the ACP States referred to in Article 1 (a) of Regulation (EEC)

No 805/68 shall be reduced by an amount to be fixed quarterly by the Commission and corresponding to 90 % of the average import duties applicable during a reference period.

2. Paragraph 1 shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction referred to in the said paragraph has been collected by the exporting country.

Article 5

1. The reduction in import duties provided for in Article 4 shall be subject to a maximum, expressed in terms of boned or boneless meat, of 30 000 tonnes per calendar year, allocated as follows:

Botswana	18 916 tonnes,
Kenya	142 tonnes,
Madagascar	7 579 tonnes,
Swaziland	3 363 tonnes.

Depending on the dates of entry into force and expiry of this Regulation, the quantities shown above, expressed by calendar year, shall be calculated *pro rata temporis*.

2. However, if the ACP States referred to in paragraph 1 should so request during a given year, the total quantity may be broken down differently among those States for that or the following year, in accordance with the procedure laid down in Article 23.

TITLE II

Fishery products

Article 6

The fishery products referred to in Article 1 of Regulation (EEC) No 100/76 shall be imported free of customs duties.

TITLE III

Oils and fats

Article 7

The oil and fat products referred to in Article 1 (2) (a) and (b) of Regulation No 136/66/EEC shall be imported free of customs duties.

TITLE IV

Cereals

Article 8

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 1.81 ECU per tonne.

2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum falling within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 50 %.

TITLE V

Rice

Article 9

The levy applicable to imports of rice falling within subheading 10.06 B of the Common Customs Tariff shall be equal, per 100 kilograms of product, to the levy applicable to imports of rice from third countries, reduced as follows:

(a) in the case of paddy rice falling within subheading 10.06 B 1 a) of the Common Customs Tariff:

— by 50 %, and

— by 0.36 ECU;

(b) in the case of husked rice falling within subheading 10.06 B 1 b) of the Common Customs Tariff:

— by 50 %, and

— by 0.36 ECU;

(c) in the case of semi-milled rice falling within subheading 10.06 B II a) of the Common Customs Tariff:

— by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76 converted by reference to the conversion rate between milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation,

— by 50 % of the levy thus reduced, and

— by 0.54 ECU;

.../...

(d) in the case of wholly milled rice falling within subheading 10.06 B II b) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76,
- by 50 % of the levy thus reduced, and
- by 0.54 ECU;

(e) in the case of broken rice falling within subheading 10.06 B III of the Common Customs Tariff:

- by 50 %, and
- by 0.30 ECU.

Article 10

1. Article 9 shall apply only if the cif export price of a given quantity, increased by the levy applicable to imports of rice originating in the ACP States or in the countries and territories is, at the time of exportation, for that quantity, equal to or more than:

- in the case of husked rice, milled rice and broken rice, the threshold price less, respectively, 0.36, 0.54 and 0.30 ECU,
- in the case of paddy rice, the threshold price of husked rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the husked state to the paddy state, less 0.36 ECU,
- in the case of semi-milled rice, the threshold price of milled rice adjusted by reference to the conversion rate, processing costs and the value of the by-products to be taken for conversion from the round grain milled state to the round grain semi-milled state less 0.54 ECU.

2. In order to permit the necessary checks, the documents accompanying the products must show the cif price at which the product is sold and the date of export, together with all details regarding quality enabling the product to be defined. These documents must be stamped by the competent authorities of the exporting ACP States, countries or territories.

Article 11

1. Article 13 (2) of Regulation (EEC) No 1418/76 shall not apply to the levies to be charged on imports of rice originating in the ACP States or in the countries and territories.

2. As regards such imports, however, the levy applicable, on the day of export shall be applied, if the applicant so requests when applying for the licence referred to in Article 10 (1) of Regulation (EEC) No 1418/76, to an import to be effected during the period of validity of the licence.

Article 12

Where, in the course of a year, imports into the Community of rice originating in an ACP State or in a country or territory exceed a quantity equivalent to the average quantity of annual imports into the Community of the origin in question over the last three years for which statistics are available, plus 5 %, the provisions of Article 9 shall be totally or partially suspended in respect of products of the origin in question in accordance with the procedure laid down in Article 23.

In such a case, the Commission shall report to the Council, which, acting by a qualified majority on a proposal from the Commission, shall decide on the treatment to be applied to the imports concerned.

TITLE VI

Products processed from cereals and rice

Article 13

1. The levy applicable to imports of the products listed in Annex A to Regulation (EEC) No 2727/75 and of the products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76 shall be equal to the levy applicable to imports of those products from third countries reduced by the fixed component specified for each of the products in question.

2. The variable component of the levy shall be reduced:

- by 0.181 ECU¹ per 100 kilograms for products falling within subheading 07.06 A of the Common Customs Tariff, excluding arrowroot,
- 0.363 ECU per 100 kilograms for products falling within subheading 11.04 C of the Common Customs Tariff, excluding flour and meal of arrowroot,
- by 50 % for products falling within subheading 11.08 A V of the Common Customs Tariff, excluding arrowroot starch.

3. The variable component of the levy shall not be charged in respect of imports of: — flour and meal of arrowroot falling within subheading 11.04 C of the Common Customs Tariff,
- arrowroot falling within subheading 07.06 A of the Common Customs Tariff, — arrowroot starch falling within subheading 11.08 A V of the Common Customs Tariff.

TITLE VII

Fruit and vegetables

Article 14

1. The products listed below shall be imported free of customs duties:

C.C.T. heading No.	Description
07.01	Vegetables, fresh or chilled: E. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other
08.02	Citrus fruit, fresh or dried: D. Grapefruit E. Other
08.08	Berries, fresh: E. Papaws F. Other: ex II. Passion fruit
08.09	Other fruit, fresh

2. Subject to the special provisions laid down in paragraph 3, customs duties shall be reduced as follows for the products listed below:

C.C.T. heading No.	Description	Rate of reduction
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 January to 31 March	40 %

CCT heading No	Description
20.06 (cont.)	<ul style="list-style-type: none">ex aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mass:<ul style="list-style-type: none">— Grapefruit segments— Passion fruit— Guavasex bb) Other:<ul style="list-style-type: none">— Grapefruit segments— Passion fruit— Guavas <p>I) Mixtures of fruit:</p> <p>1. With a sugar content exceeding 9 % by weight:</p> <ul style="list-style-type: none">ex aa) Of an actual alcoholic strength by mass not exceeding 11.85 % mass:<ul style="list-style-type: none">— Mixtures of pineapples, papaws and passion fruitex bb) Other:<ul style="list-style-type: none">— Mixtures of pineapples, papaws and passion fruit <p>II. Not containing added spirit:</p> <p>a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg:</p> <ul style="list-style-type: none">2. Grapefruit segments5. Pineapples:<ul style="list-style-type: none">aa) With a sugar content exceeding 17 % by weight:ex 8. Other fruits:<ul style="list-style-type: none">— Passion fruit— Guavas9. Mixtures of fruit:<ul style="list-style-type: none">ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:<ul style="list-style-type: none">— Mixtures of pineapples, papaws and passion fruitex bb) Other:<ul style="list-style-type: none">— Mixtures of pineapples, papaws and passion fruit <p>b) Containing added sugar, in immediate packings of a net capacity not exceeding 1 kg:</p> <ul style="list-style-type: none">2. Grapefruit segments5. Pineapples:<ul style="list-style-type: none">aa) With a sugar content exceeding 19 % by weightex 8. Other fruits:<ul style="list-style-type: none">— Passion fruit— Guavas9. Mixtures of fruit:<ul style="list-style-type: none">ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits:<ul style="list-style-type: none">— Mixtures of pineapples, papaws and passion fruitex bb) Other:<ul style="list-style-type: none">— Mixtures of pineapples, papaws and passion fruit

CCT heading No	Description
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p>III. Other:</p> <p> b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p> ex 1. With an added sugar content exceeding 30 % by weight:</p> <p> — Pineapple</p> <p> — Passion fruit</p> <p> — Guavas</p> <p> — Mixtures of pineapples, papaws and passion fruit</p> <p>B. Of a specific gravity of 1.33 or less at 15 °C:</p> <p>II. Other:</p> <p> b) Of a value of 30 EUA or less per 100 kg net weight:</p> <p> 5. Pineapple juice:</p> <p> aa) With an added sugar content exceeding 30 % by weight</p> <p> 7. Other fruit and vegetable juices :</p> <p> ex aa) With an added sugar content exceeding 30 % by weight:</p> <p> — Passion fruit</p> <p> — Guavas</p> <p> 8. Mixtures:</p> <p> bb) Other:</p> <p> ex 11. With an added sugar content exceeding 30 % by weight:</p> <p> — Pineapple, papaws and passion fruit juice</p>

TITLE IX

Wine

Article 16

The products listed below shall be imported free of customs duties:

CCT heading No	Description
20.07	<p>Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit:</p> <p>A. Of a specific gravity exceeding 1.33 at 15 °C:</p> <p> I. Grape juice (including grape must):</p> <p> ex a) Of a value exceeding 22 EUA per 100 kg net weight:</p> <p> — With an added sugar content exceeding 30 % by weight</p> <p> b) Of a value not exceeding 22 EUA per 100 kg net weight:</p> <p> 1. With an added sugar content exceeding 30 % by weight</p>

.../...

CC1 heading No.	Description
20.07 <i>(cont'd)</i>	B. Of a specific gravity of 1.33 or less at 15 °C: I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice: a) Of a value exceeding 18 EUA per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight bb) Other: 11. With an added sugar content exceeding 30 % by weight b) Of a value of 18 EUA or less per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight bb) Other: 11. With an added sugar content exceeding 30 % by weight

TITLE X

Raw tobacco

Article 17

The tobacco products listed in Article 1 of Regulation (EEC) No 727/70 shall be imported free of customs duties.

Article 18

If serious disturbances occur as a result of a large increase in duty-free imports of products falling within heading No 24.01 of the Common Customs Tariff originating in the ACP States or in the countries and territories, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may, without prejudice to Article 26, take measures to counteract any deflection of trade.

TITLE XI

Goods to which Regulation (EEC) No 1059/69 applies

Article 19

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 1059/69 applies.
2. The variable component shall not be charged on imports of the goods listed below:

•••/•••

CCT heading No	Description
17.04	Sugar confectionery, not containing cocoa: C. White chocolate
18.06	Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
19.02	Malt extract; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B. Other: II. Other: a) Containing no milk fats or containing less than 1.5 % by weight of such fats: 4. Containing 45 % or more but less than 65 % by weight of starch
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products : D. Other, containing by weight of starch: ex II. 50 % or more, excluding ships' biscuits
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: B. Other: IV. Containing 50 % or more but less than 65 % by weight of starch: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): ex I. Containing no milk fats or containing less than 1.5 % by weight of such fats: --- Biscuits V. Containing 65 % or more by weight of starch: ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): --- Biscuits ex b) Other: --- Biscuits

TITLE XII

Other markets subject to common organization

Article 20

The products covered by Regulations (EEC) No 1308/70, (EEC) No 1696/71, (EEC) No 234/68, (EEC) No 2358/71, (EEC) No 827/68 and (EEC) No 1117/78, shall be imported free of customs duties.

.../...

TITLE XIII

Provisions relating to the French overseas departments

Article 21

1. Subject to the provisions of paragraphs 2 and 3, the levies shall not be applied to direct imports into the French overseas departments of the products listed below originating in the ACP States or in the countries and territories:

CCT heading No	Description
01.02	Live animals of the bovine species: A. Domestic species: II. Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: II. Of bovine animals:
10.05 B	Maize
10.06 B	Rice

2. If imports into the French overseas departments of maize originating in the ACP States or in the countries and territories have exceeded 25 000 tonnes in a year, and if such imports are causing or are likely to cause serious disturbances on those markets, the Commission shall, at the request of a Member State or on its own initiative, take the necessary measures.

Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may, acting by a qualified majority, amend or annul the measure in question.

3. This Article shall apply to products released for home use in the French overseas departments. Such products may not be re-exported. If necessary, measures to ensure this may be taken in accordance with the procedure laid down in Article 23.

- the variable components of levies, where the levies contain such components,
- in other cases, the levies,

applicable to imports from third countries into the Community as at present constituted.

However, during the period of application of accession compensatory amounts in trade between the Community as at present constituted and new Member States, measures to prevent deflections of trade shall be taken in accordance with the procedure laid down in Article 23, if this proves necessary.

Article 23

1. If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets.

2. In the case of beef and veal, these detailed rules shall relate in particular to:

.../...

TITLE XIV
General and final provisions

Article 22

The reductions provided for by this Regulation shall be calculated by reference to:

- (a) the basis for calculation and the reference period to be taken into consideration for fixing the amount by which the import duties are to be reduced;
- (b) the arrangements for fixing the corresponding amount to be collected by the exporting country;
- (c) the issue of import licences;
- (d) the forms of proof acceptable and checking procedures.

Article 24

On the basis of the economic development requirements of the French overseas departments, the Council, acting by a qualified majority on a proposal from the Commission, may alter the arrangements governing access to those departments' markets for the products covered by this Regulation.

Article 25

This Regulation shall be without prejudice to the operation of Article 72 of the Act concerning the conditions of accession of the Hellenic Republic and the adjustments to the Treaties.

Article 26

1. The safeguard clauses provided for in the Regulations on the common organization of the

agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy shall be applicable to the products covered by this Regulation.

2. As regards relations with the ACP States, the provisions of Regulation (EEC) No 157/76 shall apply as complementary measures, as shall the provisions which replace them upon entry into force of the Convention.

3. As regards the countries and territories, the provisions of Article 12 of Decision 76/568/EEC and of Annex III thereto shall apply as complementary measures, as shall the provisions which replace them as from the entry into force of the new Decision on the association of the countries and territories.

Article 27

This Regulation shall enter into force on 1 March 1980. It shall apply until 31 December 1980.

The Council, acting by a qualified majority on a proposal from the Commission, may decide to extend this Regulation beyond that date.

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

Done at Brussels, 18 February 1980.

For the Council
The President
G. MARCORA

ANNEX I

List of the ACP States referred to in Article 1

Bahamas	Malawi
Barbados	Mali
Benin	Mauritania
Botswana	Mauritius
Burundi	Niger
Cameroon	Nigeria
Cape Verde	Papua New Guinea
Central African Republic	Rwanda
Chad	Sao Tome and Principe
Comoros	Senegal
Congo	Seychelles
Dominica	Sierra Leone
Ethiopia	Solomon Islands
Equatorial Guinea	Somalia
Fiji	St Lucia
Gabon	St Vincent and the Grenadines (1)
Gambia	Sudan
Ghana	Surinam
Grenada	Swaziland
Guinea	Tanzania
Guinea-Bissau	Togo
Guyana	Tonga
Ivory Coast	Trinidad and Tobago
Jamaica	Tuvalu
Jibuti	Uganda
Kenya	Upper Volta
Kiribati	Western Samoa
Lesotho	Zaire
Liberia	Zambia
Madagascar	

(1) St Vincent and the Grenadines is included in Annex I on the assumption that it will have acceded to the 1975 Convention before 1 March 1982.

ANNEX II

List of the countries and territories referred to in Article I

(This list is without prejudice to the status of these countries and territories now or in the future.)

1. Overseas countries of the Kingdom of the Netherlands:
 - the Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).
 2. Overseas territories of the French Republic:
 - Mayotte,
 - New Caledonia and dependencies,
 - Wallis and Futuna Islands,
 - French Polynesia,
 - French Southern and Antarctic Territories.
 3. Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland:
 - Belize,
 - Brunei,
 - Associated States in the Caribbean (Antigua, St Kitts, Nevis and Anguilla),
 - Cayman Islands
 - Falkland Islands and dependencies,
 - British Virgin Islands,
 - Montserrat,
 - Pitcairn,
 - St Helena and dependencies,
 - British Antarctic Territory,
 - British Indian Ocean Territory.
 4. Anglo-French Condominium of the New Hebrides.
-

EUROPEAN INVESTMENT BANK

20 March 1980

BOARD OF GOVERNORS

CONTINUATION OF OPERATIONS BY THE BANK FINANCED FROM ITS OWN
RESOURCES IN THE ACP STATES AND THE OCT AFTER EXPIRY OF THE
FIRST CONVENTION OF LOMÉ

Decision of 18 March 1980 with effect from 1 March 1980

The BOARD OF GOVERNORS, acting unanimously on a proposal by the Board of Directors pursuant to Article 18(1), second paragraph, of the Statute,

DECIDES to authorize the Bank to continue to provide assistance for the financing of investment projects in the ACP States and the associated Overseas Countries and Territories, within the limit of non-s earmarked amounts out of the maximum of 400 MUA fixed by the Council of Governors on 9 December 1974 as part of the terms laid down in the 1st Lomé Convention on 28 February 1975 and in the Decision of 29 June 1976 on the Association of the OCT and the texts annexed thereto, in particular Article 9 of the Internal Financing Agreement of 11 July 1975, until such time as the new Lomé Convention between the European Community and the African, Caribbean and Pacific States and a new Decision on the associated Overseas Countries and Territories come into force.

.../...

III. IMPLEMENTING ACTS

A. ACCESSIONS

.../...

COUNCIL REGULATION (EEC) No 120/80

of 21 January 1980

on trade arrangements between Southern Rhodesia and the European Economic Community (*)
(OJ L 16/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Whereas Southern Rhodesia's return to legality will contribute greatly towards political and economic stability in that region of Africa; whereas it is the Community's duty to help achieve that objective;

Whereas trade arrangements should therefore be established on an autonomous and interim basis, similar to those applied in trade with the overseas countries and territories, which is at present governed by Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community (2) and by 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 (3),

HAS ADOPTED THIS REGULATION:

Article 1

1. Products originating in Southern Rhodesia shall be imported into the Community in accordance with

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

Done at Brussels, 21 January 1980.

the provisions of Article 2 of Decision 76/568/EEC or any corresponding provisions that may replace them.

2. Imports of the products referred to in Article 2 (2) of Decision 76/568/EEC shall be effected in accordance with Council Regulation (EEC) No 706/76 or with any Regulation that may replace it.

3. For the purposes of applying this Article, the concept of originating products and the methods of administrative cooperation related thereto shall be those defined in Annex II to Decision 76/568/EEC. However, for the purpose of determining the originating status of products from Southern Rhodesia, products wholly obtained or processed in the African, Caribbean and Pacific States or in the overseas countries and territories shall not be taken into account.

Article 2

Articles 3 to 7 and Article 12 of Decision 76/568/EEC or any corresponding provisions that may replace them shall apply.

Article 3

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

It shall apply until 31 December 1980.

For the Council

The President

G. MARCORA

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

(2) OJ No L 176, 1. 7. 1976, p. 8.

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

(*) See also p. 30 of this Compilation.

NB: Southern Rhodesia achieved independence on 18 April 1980 under the name of Zimbabwe, whereupon it requested accession to the Convention of Lomé. In this context see ACP Comp., Vol. V, pp. 17, 93, 94, 97, 148, 149 and 150.

COUNCIL

DECISION

OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL

of 21 January 1980

on the opening of tariff preferences for products within the province of that Community and originating in Southern Rhodesia (*)

(80/46/ECSC)

(OJ L 16/80)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas Southern Rhodesia should be granted tariff preferences identical to those granted under Decision 76/570/ECSC (1) to the overseas countries and territories associated with the European Economic Community;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Products within the province of the European Coal and Steel Community and originating in Southern Rhodesia shall be imported into the Community under the same conditions as those defined by Decision 76/570/ECSC.

Article 2

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

It shall apply until 31 December 1980.

Done at Brussels, 21 January 1980.

The President

G. MARCORA

(1) OJ No L 176 1. 7 1976, p. 99.

(*) See also p. 29 of this Compilation.

NB: Southern Rhodesia achieved independence on 18 April 1980 under the name of Zimbabwe, whereupon it requested accession to the Convention of Lomé. In this context see ACP Comp., Vol. V, pp. 17, 93, 94, 97, 148, 149 and 150.

COUNCIL REGULATION (EEC) No 279/80

of 5 February 1980

amending the list of countries and territories in Regulation (EEC) No 706/76 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 (*)

(OJ L 31/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 1059/69 of 28 May 1969 laying down trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3058/75⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

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

Whereas Regulation (EEC) No 706/76⁽⁴⁾ laid down 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;

Whereas Saint Lucia and the Gilbert Islands, which appear in the list of countries and territories set out in Annex I to that Regulation, have become independent;

Whereas these States acceded to the ACP-EEC Convention of Lomé⁽⁵⁾ on 28 June and 30 October 1979 and should consequently be counted among the ACP States referred to in Article 1 of Regulation (EEC) No 706/76; whereas the list in Annex I to that Regulation should, therefore, be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex I to Regulation (EEC) No 706/76, the words 'Saint Lucia' and 'Gilbert Islands' are deleted.

Article 2

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

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

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

⁽¹⁾ OJ No L 141, 12. 6. 1969, p. 1.

⁽²⁾ OJ No L 306, 26. 11. 1975, p. 3.

⁽³⁾ Opinion delivered on 18 January 1980 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 85, 31. 3. 1976, p. 2.

⁽⁵⁾ OJ No L 25, 30. 1. 1976, p. 2.

(*) See also pp. 3 and 79 of this Compilation and pp. 13 and 207 of ACP Compilation, Vol. V. For instrument of accession and other related documents, see ACP Compilation, Vol. IV, pp. 83, 84, 89 and 91.

III - IMPLEMENTING ACTS

B. TRADE

.../...

COMMISSION REGULATION (EEC) No 2118/80

of 30 July 1980

on measures concerning imports of rice and broken rice originating in the African, Caribbean and Pacific States or the overseas countries and territories (*)

(OJ L 206/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 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 the overseas countries and territories⁽¹⁾, and in particular Article 23 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture⁽²⁾, as last amended by Regulation (EEC) No 1366/80⁽³⁾, and in particular Article 4 (3) thereof, (**)

Whereas, with effect from the 1980/81 marketing year, a system of prices has been introduced common to the varieties of round grain and long grain rice; whereas the corrective amounts intended to cover the difference in value between the various varieties of long grain rice and the variety of round grain rice corresponding to the standard quality have been discontinued with effect from 1 September 1980;

Whereas correct application of Article 10 of Regulation (EEC) No 435/80 means that the cif export prices for the various qualities of rice must be rendered comparable to the standard quality in respect of which the threshold price is fixed before the adjustments provided for in that Article are made; whereas, to that end, it is necessary to apply the corrective amounts provided for in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁴⁾, as last amended by Regulation (EEC) No 2117/80⁽⁵⁾;

Whereas Article 10 of Regulation (EEC) No 435/80 provides that, in order to be eligible for a reduced levy on import into the Community, rice originating in the ACP States and in the overseas countries and territories must, after application of that levy to the cif

export price, reach a minimum level corresponding to the threshold price, less a certain amount; whereas, in order that the system may operate correctly, it is necessary, at the time when observance of the minimum level is being checked, to have rules sufficiently firm to ensure that the objective contained in the agreements binding the Community to the ACP States and to the overseas countries and territories may not be jeopardized by alterations in conversion rates;

Whereas this Regulation incorporates the provisions of Commission Regulation (EEC) No 2849/75⁽⁶⁾, as amended by Regulation (EEC) No 1606/80⁽⁷⁾; whereas the said Regulation should accordingly be repealed;

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

For the purposes of Article 10 of Regulation (EEC) No 435/80, the cif export price of a given lot of rice or broken rice, before being increased by the levy, shall be adjusted in accordance with the following rules:

1. If the cif export price relates to a product in sacks, that price shall be decreased by 7.25 ECU per tonne.
2. In the case of the Makalioka, Vary Lava, Surinam and Alicambo qualities, the cif export price shall be adjusted:
 - (a) as regards the Makalioka or Vary Lava quality by increasing it by:
 - 3.87 ECU per tonne of rice presented in the form of paddy rice,
 - 4.84 ECU per tonne of rice presented in the form of husked rice,
 - 6.54 ECU per tonne of rice presented in the form of semi-milled rice,
 - 7.01 ECU per tonne of rice presented in the form of wholly-milled rice;

(1) OJ No L 55, 28. 2. 1980, p. 4.

(2) OJ No L 106, 29. 4. 1979, p. 27.

(3) OJ No L 140, 5. 6. 1980 (**).

(4) OJ No L 168, 27. 7. 1971, p. 28.

(5) See page 15 of this Official Journal.

(6) OJ No L 283, 1. 11. 1975, p. 48.

(7) OJ No L 160, 26. 6. 1980, p. 40.

(*) See p. 11 ff. of this Compilation.

(**) See Corrigendum published in OJ No L 224, 27. 8. 1980, p. 17.

(b) as regards the Surinam and Alicambo qualities, by decreasing it :

— as regards rice presented in the form of paddy rice, by :

- 10.64 ECU per tonne of rice of the Surinam quality,
- 20.31 ECU per tonne of rice of the Alicambo quality,

— as regards rice presented in the form of husked rice, by :

- 13.30 ECU per tonne of rice of the Surinam quality,
- 25.39 ECU per tonne of rice of the Alicambo quality,

— as regards rice presented in the form of semi-milled rice, by :

- 17.97 ECU per tonne of rice of the Surinam quality,
- 34.32 ECU per tonne of rice of the Alicambo quality,

— as regards rice presented in the form of wholly-milled rice, by :

- 19.27 ECU per tonne of rice of the Surinam quality,
- 36.79 ECU per tonne of rice of the Alicambo quality.

3. In the case of the qualities of rice originating in the ACP States and in the overseas countries and territories other than those listed in paragraph 2, the cif export price shall be adjusted :

(a) as regards round grain rice, by applying :

— in the case of husked rice, the corrective amount referred to in Annex I to Regulation (EEC) No 1613/71,

— in the case of rice presented in a form other than husked, the corrective amount referred to in Annex I to Regulation (EEC) No 1613/71, this amount having previously been multiplied by the coefficient of :

- 0.8000 for a paddy rice,
- 1.2121 for a semi-milled rice,
- 1.2903 for a wholly-milled rice ;

(b) as regards long grain rice :

— in the case of husked rice, by applying the corrective amount referred to in Annex II to Regulation (EEC) No 1613/71,

— in the case of rice presented in a form other than husked, by applying the corrective amount referred to in Annex II to Regulation (EEC) No 1613/71, this amount having previously been multiplied by the coefficient of :

- 0.8000 for a paddy rice,
- 1.3513 for a semi-milled rice,
- 1.4493 for a wholly-milled rice ;

(c) as regards broken rice, by applying the corrective amount referred to in Annex III to Regulation (EEC) No 1613/71.

Article 2

For the purposes of Article 10 of Regulation (EEC) No 435/80, the rate to be used for converting the cif export price into the national currency of the importing Member State shall be the spot rate for the sale of that currency ascertained on the currency market of the importing Member State on the day of export.

Where use is made of the advance fixing provision of Article 11 (2) of Regulation (EEC) No 435/80, the representative rate to be used for converting the levy into national currency shall be that valid on the day when the import licence application is lodged.

In cases where, between the day when the application was lodged and the day on which import customs formalities are completed, a change in the representative rate occurs that was not known on the day of advance fixing, the levy referred to in the preceding subparagraph shall, by way of derogation from the provisions of Article 4 of Council Regulation (EEC) No 1134/68⁽¹⁾, not be adjusted.

Article 3

Regulation (EEC) No 2849/75 is hereby repealed with effect from 1 September 1980.

Article 4

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

It shall apply with effect from 1 September 1980.

⁽¹⁾ OJ No L 188, 1. 8. 1968, p. 1.

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

Done at Brussels, 30 July 1980.

For the Commission

Finn GUNDELACH

Vice-President

COUNCIL REGULATION (EEC) No 3486/80

of 22 December 1980

extending the period of validity of Regulation (EEC) No 435/80 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 ()

(OJ L 365/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 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 (1), and in particular Article 27 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 435/80 is applicable only until 31 December 1980, the presumed date of entry into force of the Second ACP-EEC Convention of Lome and of the new Council Decision on the association of the overseas countries and territories with the EEC;

Whereas the Convention and the Decision will enter into force on that date; whereas it is therefore necessary to extend the period of application of Regulation (EEC) No 435/80 for the duration of the Convention and the Decision,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 27 of Regulation (EEC) No 435/80, '31 December 1980' shall be replaced by '28 February 1985'.

Article 2

This Regulation shall enter into force on 1 January 1981.

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

Done at Brussels, 22 December 1980.

For the Council

The President

J. SANTER

(1) OJ No L 55, 28.2.1980, p. 4

(*) See p. 11 of this Compilation.

COUNCIL

COUNCIL DECISION

of 18 February 1980

amending Decision 76/198/EEC on import arrangements for rum, arrack and tafia, falling within subheading 22.09 C.1 of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (*).

(80/251/EEC)

(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to maintain in force after 1 March 1980 the provisions applicable within the framework of Council Decision 76/198/EEC of 9 February 1976 on import arrangements for rum, arrack and tafia, falling within subheading 22.09 C.1 of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1);

Whereas, however, these provisions should be amended to take account of the amendments, effective from 1 March 1980, to the arrangements for imports into the Community of these same products originating in the ACP States,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 76/198/EEC shall be amended as follows:

1. In Article 1 (1), the words 'and at all events no later than 1 March 1980,' shall be deleted.
2. In Article 3 (2), the growth rate figure '13 %' shall be replaced by '18 %'.
3. Article 8 shall be replaced by the following:

'Article 8

This Decision shall apply until 31 December 1980.'

Article 2

This Decision shall enter into force on 1 March 1980.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 18 February 1980.

For the Council

The President

G. MARCORA

(1) OJ No L 37, 12. 2. 1976, p. 24.

(*) See also pp. 40 and 42 of this Compilation.

COUNCIL REGULATION (EEC) No 439/80

of 18 February 1980

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C 1 of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (March/June 1980) (*)
(OJ L 55/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

introduced; whereas the tariff quota for the period 1 March to 30 June 1980 should be fixed at 27 670 hectolitres of pure alcohol;

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Having regard to Council Decision 76/198/EEC of 9 February 1976 on import arrangements for rum, arrack and tafia, falling within subheading 22.09 C 1 of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1), as amended by Decision 80/251/EEC (2),

Whereas, taking into account actual trends on the markets for the products in question, the needs of the Member States and the economic prospects for the period under consideration, the percentage shares in the quota volume could be as follows:

Having regard to the proposal from the Commission,

Benelux	5.25 %
Denmark	0.02 %
Germany	94.55 %
France	0.02 %
Ireland	0.05 %
Italy	0.02 %
United Kingdom	0.09 %

Whereas Decision 76/198/EEC stipulates that rum, arrack and tafia shall be imported into the Community free of customs duties within the limits of a Community tariff quota; whereas the annual size of the quota for the period 1 July to 30 June is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, to which a growth rate of 18 % is to be applied, equal to the amount of imports during the best of the last three years for which statistics are available; whereas this rate may be modified in the light of certain criteria,

Whereas the development of imports into the Community of these products should be recorded and imports should accordingly be monitored;

Whereas Community statistics for the years 1976 to 1978 show that the highest volume of imports into the Community of the products in question originating in the said countries and territories, namely 70 349 hectolitres of pure alcohol, occurred in 1978; whereas, in the light of consumption and production within the Community and of the development of trade both within the Community and between the Community, the said countries and territories and the ACP States, the rate of growth for the quota period in question may be fixed at 18 %;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 March until 30 June 1980, rum, arrack and tafia, falling within subheading 22.09 C 1 of the Common Customs Tariff and originating in the countries and territories referred to in Article 1 of Decision 76/198/EEC, shall be imported free of customs duty into the Community within the limits of a Community tariff quota of 27 670 hectolitres of pure alcohol.

Whereas the first quota period should end on 30 June 1980 and a *pro rata temporis* reduction of the quota volume to four-twelfths should, therefore, be

1. OJ No L 37, 12.2.1976, p. 24.

2. See page 28 of this Official Journal.

(*) See also p. 39 of this Compilation.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those mentioned in Article 5 of Decision 76/198/EEC.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated amongst the Member States as follows:

	<i>(in hectolitres of pure alcohol)</i>
Benlux	1 453
Denmark	5
Germany	26 162
France	5
Ireland	15
Italy	5
United Kingdom	25

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the said countries and territories, entered for free circulation.

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

Done at Brussels, 18 February 1980.

Article 4

1. In accordance with Article 6 of Decision 76/198/EEC, the Community shall monitor imports of the products in question originating in the said countries and territories.

2. Member States shall forward to the Commission not later than the 15th day of each month statements of imports of the products in question effected during the preceding month; only products submitted to the customs authorities under cover of a declaration that they are to be made available for free circulation and accompanied by a movement certificate conforming to the rules referred to in Article 1 (2) shall be taken into consideration for this purpose.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

This Regulation shall enter into force on 1 March 1980.

For the Council

The President

G. MARCORA

COUNCIL REGULATION (EEC) No 1712/80

of 27 June 1980

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1980/81) (*)
(OJ No L 167/80)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to Council Decision 76/198/EEC of 9 February 1976 on import arrangements for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1), as amended by Decision 80/251/EEC (2),

Having regard to the proposal from the Commission,

Whereas Decision 76/198/EEC provides that rum, arrack and tafia shall be imported into the Community free of customs duties within the limits of a Community tariff quota; whereas the annual size of the quota is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, to which a growth rate of 18 % is to be applied, equal to the amount of imports during the best of the last three years for which statistics are available; whereas this rate may be modified in the light of certain criteria; whereas the quota period lasts from 1 July until 30 June of the following year; whereas the period of validity of the abovementioned Decision comes to an end on 31 December 1980; whereas, however, until the entry into force of a new Decision on this subject the Community intends to maintain its special commercial relations with the countries in question and to avoid disrupting the existing trade flows; whereas the present system should therefore be renewed for the period 1 July 1980 to 30 June 1981;

Whereas Community statistics for the years 1977 to 1979 show that the highest volume of imports into the Community of the products in question originating in the said countries and territories, namely 70 349 hectolitres of pure alcohol, occurred in 1978; whereas, in the light of consumption and production within the Community and of the development of trade both

within the Community and between the Community, the said countries and territories and the ACP States, the rate of growth for the quota period in question may be fixed at 18 %; whereas the Community tariff quota for the period 1 July 1980 to 30 June 1981 should therefore be fixed at 83 011 hectolitres of pure alcohol;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division amongst Member States;

Whereas, taking into account actual trends on the markets for the products in question, the needs of the Member States and the economic prospects for the period under consideration, the percentage shares in the quota volume may be laid down as follows:

Benelux	0-46
Denmark	0-13
Germany	99-00
France	0-07
Ireland	0-07
Italy	0-07
United Kingdom	0-20

Whereas the development of imports into the Community of these products should be recorded and imports should accordingly be monitored;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1980 to 30 June 1981 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the

(1) OJ No L 37, 12. 2. 1976, p. 24.

(2) OJ No L 55, 28. 2. 1980, p. 28.

(*) See also pages 39 and 40 of this Compilation.

.../...

countries and territories referred to in Article 1 of Decision 76/198/EEC shall be imported free of customs duty into the Community within the limits of a Community tariff quota of 83 011 hectolitres of pure alcohol.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those set out in Article 5 of Decision 76/198/EEC.

Article 2

The Community tariff quota referred to in Article 1 shall be allocated amongst the Member States as follows:

	<i>(hectolitres of pure alcohol)</i>
Benelux	382
Denmark	108
Germany	82 181
France	58
Ireland	58
Italy	58
United Kingdom	166

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question originating in the

said countries and territories entered at customs in declarations for free circulation.

Article 4

1. In accordance with Article 6 of Decision 76/198/EEC, the Community shall monitor imports of the products in question originating in the said countries and territories.

2. Member States shall forward to the Commission not later than the 15th day of each month statements of imports of the products in question effected during the preceding month; only products entered at customs in declarations for free circulation and accompanied by a movement certificate conforming to the rules referred to in Article 1 (2) shall be taken into consideration for this purpose.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

This Regulation shall enter into force on 1 July 1980.

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

Done at Brussels, 27 June 1980.

For the Council

The President

A. SARTI

COMMISSION REGULATION (EEC) No 485/80
of 28 February 1980

amending Regulation (EEC) No 571/78 in respect of the issue of import licences
for products of the beef and veal sector originating in the African, Caribbean
and Pacific States or in the overseas countries and territories (*)

(OJ L 56/80)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
805/68 of 27 June 1968 on the common organization
of the market in beef and veal⁽¹⁾, as last amended by
Regulation (EEC) No 2916/79⁽²⁾, and in particular
Articles 15 (2) and 25 thereof,

Having regard to Council Regulation (EEC) No
435/80 of 18 February 1980 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⁽³⁾,
and in particular Article 23 thereof,

Whereas detailed rules should be laid down for the
issue of import licences for products of the beef and
veal sector to which the arrangements introduced by
Regulation (EEC) No 435/80 apply;

Whereas it is accordingly necessary to amend
Commission Regulation (EEC) No 571/78⁽⁴⁾, as last
amended by Regulation (EEC) No 301/80⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 7 of Regulation (EEC) No 571/78 is hereby
amended to read as follows:

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

Done at Brussels, 28 February 1980.

Article 2

1. An application for an import licence in
respect of products to be imported duty free
pursuant to Article 2 of Regulation (EEC) No
435/80 and qualifying, as appropriate, either for a
partial reduction of import duties other than
customs duties in accordance with Article 4 of the
said Regulation, or free of levies in accordance
with Article 21 of the said Regulation, and the
licence itself, shall contain:

(a) in section 12, one of the following endorse-
ments:

- "ACP-OCT product (Regulation (EEC) No
435/80)", (**)
- "AVS/OLT-varer (forordning (EØF) nr.
435/80)", (**)
- "AKP-ULG-Erzeugnis (Verordnung (EWG)
Nr. 435/80)", (**)
- "Produit ACP/PTOM (règlement (CEE) n°
435/80)", (**)
- "Prodotto ACP/PTOM (regolamento (CEE)
n. 435/80)", (**)
- "ACS-LGO-produkt (Verordnung (EEG) nr.
435/80)", (**)

(b) in section 14, the name of the State, country or
territory in which the product originated.

2. Every import licence so endorsed shall carry
with it an obligation to import under Regulation
(EEC) No 435/80 from the State, country or terri-
tory entered thereon.

Article 2

This Regulation shall enter into force on 1 March
1980.

For the Commission
Finn GUNDELACH
Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 329, 24. 12. 1979, p. 15.

⁽³⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽⁴⁾ OJ No L 78, 22. 3. 1978, p. 10.

⁽⁵⁾ OJ No L 32, 9. 2. 1980, p. 31.

(*) See also pages 45 and 48 of this Compilation.

(**) See Corrigendum published in OJ No L 65, 11.3.1980, p. 30.

COMMISSION REGULATION (EEC) No 486/80

of 28 February 1980

laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 435/80 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 (*)

(OJ No L 56/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 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 (1), and in particular Article 23 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 (2), as last amended by Regulation (EEC) No 2543/73 (3), and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 4 of Regulation (EEC) No 435/80 lays down that the duties on imports of beef and veal originating in the African, Caribbean and Pacific States are to be reduced, provided that a tax of a corresponding amount was levied when the goods were exported from the country of origin;

Whereas the amount of the import duties depends upon the level of the levy applicable, and that levy may be adjusted by monetary compensatory amounts; whereas, having regard to the monetary trends in the individual Member States, the amount of the reduction should be calculated separately for each Member State on the basis of the monetary compensatory amount applicable to imports into the Member State concerned;

Whereas the reduction consists of levy and monetary compensatory amount components; whereas, moreover, the fixing of the reduction in ECU may create problems, especially for the exporting country, as

regards the exchange rate to be used; whereas, consequently, the amount of the reduction should be fixed in national currency for each Member State of destination;

Whereas it appears useful to outline the manner in which the amount to be actually levied on imports is calculated;

Whereas the amount by which the import duties are reduced is fixed quarterly; whereas this amount may vary during transport to the Community; whereas at the time of export the exporting country, when calculating the export tax to be levied, can only base itself on the reduction in force; whereas the export tax must be compared to the reduction applicable at the time of export;

Whereas the amount representing import duties is that applicable on the day of acceptance of the entry of the goods for home use; whereas these duties are reduced by the reduction applicable on that date;

Whereas proof that the export tax provided for in Regulation (EEC) No 435/80 has been collected may be furnished by entering the relevant amount on the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the ACP-EEC Convention of Lomé signed on 28 February 1975 (4);

Whereas detailed rules for the application of the system of import licences for beef and veal products are laid down in Commission Regulation (EEC) No 193/75 (5), as last amended by Regulation (EEC) No 2971/79 (6), and in Commission Regulation (EEC) No 571/78 (7), as last amended by Regulation (EEC) No 485/80 (8); whereas, however, it is appropriate to prescribe special rules for licences granted under the present Regulation;

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

(1) OJ No L 55, 28. 2. 1980, p. 4.

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

(3) OJ No L 263, 19. 9. 1973, p. 1.

(4) OJ No L 25, 30. 1. 1976, p. 1.

(5) OJ No L 25, 31. 1. 1975, p. 10.

(6) OJ No L 336, 29. 12. 1979, p. 34.

(7) OJ No L 78, 22. 3. 1978, p. 10.

(8) See page 21 of this Official Journal.

(*) See also pages 44 and 48 of this Compilation.

HAS ADOPTED THIS REGULATION :

Article 1

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boned meat, fixed in Regulation (EEC) No 435/80.

2. For the purposes of this Regulation, 100 kilograms of boned meat shall be equivalent to 130 kilograms of unboned meat.

Article 2

1. Applications for import licences may be submitted only during the first 10 days of each month.

2. On the working day following the last working day of the period for the submission of applications, Member States shall inform the Commission by telex, in respect of each of the non-member countries concerned, of the total quantity covered by the applications referred to in paragraph 1.

3. The Commission shall decide in respect of each non-member country concerned to what extent applications can be accepted. If the quantities of products originating in a non-member country in respect of which licences are applied for exceed the quantity available from that non-member country, the Commission shall fix a single percentage for the reduction of the quantities applied for.

4. If the total quantity covered by applications relating to a non-member country is lower than that available from that non-member country, the Commission shall determine the amount of the balance remaining.

5. Licences shall be issued on the 21st day of each month. If that is not a working day in the Member State in which the applications were submitted, licences shall be issued on the first working day thereafter.

6. Import licences shall be valid for 90 days from the day of issue as specified in paragraph 5.

7. The application for a licence and the licence itself shall be drawn up in accordance with Article 7 of Regulation (EEC) No 571/78.

8. Subject to the provisions of Article 18 of Regulation (EEC) No 193/75, the security shall be released immediately in respect of any quantity for which no import licence has been issued.

Article 3

Importation under the arrangements for import duty reductions may take place only if the origin of the

products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the Convention of Lomé of 28 February 1975.

Article 4

1. The amount provided for in Article 4(1) of Regulation (EEC) No 435/80 for each product intended for importation into a Member State shall be equal to 90 % of the amount of the levy, adjusted as appropriate by the monetary compensatory amount valid for imports into that Member State during the week preceding that in which the quarter for which the reduction is calculated begins.

The reduction shall be fixed for each Member State in its national currency.

2. The reduction shall be deducted from the levy valid on the day on which the customs import formalities are completed in the Member State concerned, adjusted as appropriate by the monetary coefficient shown in Annex II to the relevant Commission Regulation fixing the monetary compensatory amounts and by the monetary compensatory amount valid in the Member State concerned on the same date.

Article 5

1. The import duties shall be reduced by the amount fixed in accordance with Article 4 only if :

(a) an export tax at least equal to that amount has been levied ;

(b) the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the Convention of Lomé of 28 February 1975 indicates :

— in box 7, the amount of the export tax levied per 100 kilograms,

— in box 8, the Common Customs Tariff subheading for the products in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. At the time of the completion of customs import formalities for the release of the goods for free circulation, the amount of the export tax levied per 100 kilograms shall be compared with the amount, fixed in accordance with Article 4 in respect of the importing Member State, which was applicable at the time when the EUR 1 certificate for the movement of goods was issued.

If the amount of the export tax levied is expressed in a currency other than that of the importing Member State, the exchange rate used shall be the most recent selling rate recorded on the most representative exchange market or markets of that Member State.

The export tax levied shall be considered as corresponding to the amount fixed in accordance with Article 4 when the comparison shows that the export tax expressed in the currency of the importing Member State is not lower than the said amount.

3. The amount by which the import duties shall be reduced shall be that applicable on the date on which the entry of the goods for release for free circulation is accepted.

4. The application of this Regulation may in no case result in the granting of an amount.

Article 6

In respect of quantities imported pursuant to Article 2 (4) of Regulation (EEC) No 193/75, the levies fixed in accordance with Articles 10 to 13 of Regulation (EEC) No 805/68 shall be charged in full.

Article 7

Regulation (EEC) No 3006/78 (1) is hereby repealed.

Article 8

This Regulation shall enter into force on 1 March 1980.

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

Done at Brussels, 28 February 1980.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 357, 21. 12. 1978, p. 44.

COMMISSION REGULATION (EEC) No 2377/80

of 4 September 1980

on special detailed rules for the application of the system of import and export licences in the beef and veal sector

(OJ No L 241/80)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 2916/79⁽²⁾, and in particular Articles 13 (4) (b), 14 (4), 15 (2), 16 (4), 18 (6) and 25 thereof,

Having regard to Council Regulation (EEC) No 2957/79 of 20 December 1979 opening a Community tariff quota for fresh, chilled or frozen high-quality beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽³⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EEC) No 435/80 of 18 February 1980 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⁽⁴⁾, and in particular Article 23 thereof,

Whereas special detailed rules for the application of the system of import and export licences in the beef and veal sector need to be adopted; whereas these rules either supplement or derogate from the provisions of Commission Regulation (EEC) No 193/75 of 17 January 1975 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁵⁾, as last amended by Regulation (EEC) No 1576/80⁽⁶⁾;

Whereas, under the first subparagraph of Article 15 (1) of Regulation (EEC) No 805/68, products subject to levies may not be imported into the Community except on presentation of an import licence; whereas experience has shown the need to monitor the foreseeable trend of trade in all products in the beef and veal

sector that are of special importance to the balance of this particularly sensitive market; whereas, therefore, with a view to the more efficient management of the market, import licences should also be required for products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff, and export licences should be required for all products for which import licences are required, and also for pure-bred bovine breeding animals falling within subheading 01.02 A I of the Common Customs Tariff;

Whereas the general arrangements for duty-free importation of products of the beef and veal sector originating in and coming from the African, Caribbean and Pacific States or overseas countries and territories are laid down in Regulation (EEC) No 435/80; whereas duty-free importation of certain of these products is subject to annual quotas; whereas to enable the quantities imported under these arrangements to be monitored, provision should be made for a special entry on the import licence in respect of the nature and origin of the products in question;

Whereas the application of special import arrangements for young male bovine animals for fattening and for frozen beef for processing requires strict surveillance of imports and effective checks as to their use and destination; whereas, when young male bovine animals are imported for fattening, the risk of deflection from such use or destination can be reduced if the import licence in such cases is made personal to applicants who are agricultural producers or their professional organizations;

Whereas it is necessary to incorporate in this Regulation provisions relative to special export arrangements provided for by Commission Regulation (EEC) No 2973/79⁽⁷⁾;

Whereas Member States shall periodically communicate to the Commission certain information concerning the import and export licences they issue in the beef and veal sector; whereas this task could be simplified if the nature and content of such returns should be precisely laid down and codes used;

(7) OJ No L 336, 29. 12. 1979, p. 44.

(1) OJ No L 148, 28. 6. 1968, p. 24.
(2) OJ No L 329, 24. 12. 1979, p. 15.
(3) OJ No L 336, 29. 12. 1979, p. 5.
(4) OJ No L 55, 28. 2. 1980, p. 4.
(5) OJ No L 25, 31. 1. 1975, p. 10.
(6) OJ No L 161, 26. 6. 1980, p. 15.

(*) See also pages 44 and 45 of this Compilation.

Whereas this Regulation incorporates provisions in Commission Regulations (EEC) No 2973/79 and (EEC) No 486/80 (1); whereas these provisions should be repealed;

Whereas Commission Regulation (EEC) No 571/78 (2), as last amended by Regulation (EEC) No 485/80 (3), has often been amended; whereas, therefore, in the interests of clarity and administrative efficiency it is advisable to consolidate the rules in question in a single text;

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

HAS ADOPTED THIS REGULATION:

TITLE I

General provisions

Article 1

This Regulation lays down special detailed rules for the application of the system of import and export licences in the beef and veal sector.

Article 2

1. A licence shall be required for the import into the Community and export therefrom of any of the products referred to in Article 1 (1) (a) of Regulation (EEC) No 805/68 and of any products falling within subheading 16.02 B III b) 1 bb) of the Common Customs Tariff.

2. A licence shall be required for the export from the Community of products falling within subheading 01.02 A I of the Common Customs Tariff.

TITLE II

Licences

Article 3

The following licences shall be applicable to beef and veal:

- (a) import licences with advance fixing of the levy or export licences with advance fixing of the refund as referred to in Article 15 of Regulation (EEC) No 805/68;
- (b) licences confirming entitlement to any of the special import or export arrangements introduced by Community legislation, as referred to in Title IV;

(1) OJ No L 56, 28. 2. 1980, p. 22.

(2) OJ No L 78, 22. 3. 1978, p. 10.

(3) OJ No L 56, 28. 2. 1980, p. 21.

- (c) other import or export licences as referred to in Regulation (EEC) No 805/68.

Article 4

Import licences shall be valid for the following periods:

- (a) import licences with advance fixing of the levy:
 - (i) for 30 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75 for products falling within subheading 02.01 A II a) of the Common Customs Tariff, originating in and coming from Argentina or Uruguay,
 - (ii) for 60 days from that date for products falling within subheading 02.01 A II b) of the Common Customs Tariff, originating in and coming from Argentina, Australia, New Zealand or Uruguay,
 - (iii) for 45 days from that date for products falling within subheading 02.01 A II b) of the Common Customs Tariff, originating in and coming from Romania;
- (b) import licences referred to in Article 3 (b) for 90 days from their actual day of issue;
- (c) other import licences for 90 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 5

Export licences shall be valid for the following periods:

- (a) export licences referred to in Article 3 (b) for 90 days from their actual day of issue but not beyond 31 December of the year of issue;
- (b) other export licences for 90 days from their day of issue within the meaning of Article 9 (1) of Regulation (EEC) No 193/75.

Article 6

1. The amount of security in respect of import licences with advance fixing of the levy shall be 10 ECU per 100 kilograms net.

2. The amount of security in respect of other import licences shall be:

- (a) 3 ECU per head for live animals;
- (b) 2 ECU per 100 kilograms net for other products.

3. The amount of security in respect of export licences referred to in Article 3 (b) and export licences with advance fixing of the refund shall be:

- (a) 15 ECU per head for live animals;
- (b) 10 ECU per 100 kilograms net for other products.

4. The amount of security in respect of other export licences shall be:

- (a) 3 ECU per head for live animals;
- (b) 2 ECU per 100 kilograms net for other products.

5. Where quantities applied for under special import or export arrangements are reduced, the security shall be released forthwith for any quantity for which the application is not granted.

6. Without prejudice to the conditions laid down in Article 17 (2) (b) of Regulation (EEC) No 193/75, the security given in respect of licences conferring entitlement to the special export arrangements referred to in Article 14 shall be released only on presentation of proof — as specified in Article 18 (5) of Regulation (EEC) No 193/75 — that the product has reached its destination.

TITLE III

Endorsements

Article 7

1. Where an application is made for an import licence with advance fixing of the levy, Sections 13 and 14 of the licence application and of the licence itself shall contain one of the following endorsements:

- (a) 'ARGENTINA' or 'URUGUAY', for products referred to in Article 4 (a) (i);
- (b) 'ARGENTINA' or 'AUSTRALIA' or 'NEW ZEALAND' or 'URUGUAY', for products referred to in Article 4 (a) (ii);
- (c) 'ROMANIA' for products referred to in Article 4 (a) (iii).

2. The licence shall carry with it an obligation to import from the country in question.

Article 8

1. When advance fixing of the refund for certain or all destinations is possible only in respect of part of the products falling within a subheading of the Common Customs Tariff, Section 12 of the licence application and of the licence itself shall give the description of the products eligible for advance fixing of the refund, and the subheading of the Common Customs Tariff entered in Section 8 shall be preceded by the expression 'ex'.

2. The licence shall be valid only for the products thus described.

3. Where the description of products according to the nomenclature used for refunds relates to products

covered by two subheadings of the Common Customs Tariff, the licence shall be issued for both the subheadings concerned.

TITLE IV

Licences under special arrangements

Article 9

1. In order to qualify for the special import arrangements referred to in Article 13 of Regulation (EEC) No 805/68:

- (a) the applicant shall be a natural or legal person who has been engaged professionally in the livestock and meat sector for at least 12 months prior to submitting the licence application;
- (b) the licence application shall relate to a quantity equal to or exceeding 50 animals;
- (c) the licence application and the licence shall relate to:

- either young male bovine animals of a weight per head not exceeding 300 kilograms, or
- young male bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case Sections 13 and 14 of the licence application and of the licence itself shall include the following entry:

'YUGOSLAVIA'

The licence shall carry with it an obligation to import from that country;

- (d) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, or to have carried out under his responsibility, in the Member State where the application is lodged and where the animals will be put into free circulation, the fattening referred to in Article 13 of Regulation (EEC) No 805/68. For the purposes of this requirement, Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'Licence valid in ...' (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...';

- (e) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements:

'Young male bovine animals intended for fattening',

'Ungyre bestemt til opfedning',

'Männliche zum Mästen bestimmte Jungrinder',

'Jeunes bovins mâles destinés à l'engraissement',

'Giovani bovini maschi destinati all'ingrasso',

'Jonge mannelijke runderen bestemd voor de mestering',

This endorsement shall be followed by:

— either one of the following endorsements:

'weight per head not exceeding 300 kg',

'højeste vægt pr. dyr 300 kg',

'Stückgewicht höchstens 300 kg',

'poids par tête, jusqu'à 300 kg',

'peso per capo, fino a 300 kg',

'gewicht per dier, ten hoogste 300 kg';

— or, where a rate of suspension of the levy is laid down separately for each category of animal specified in Article 13 (4) of Regulation (EEC) No 805/68, one of the following endorsements as appropriate:

'weight per head less than 80 kg' or 'weight per head 80 to less than 220 kg' or 'weight per head 220 to 300 kg',

'vægt pr. dyr under 80 kg' eller 'vægt pr. dyr fra 80 til under 220 kg' eller 'vægt pr. dyr 220 til 300 kg',

'Stückgewicht weniger als 80 kg' or 'Stückgewicht 80 bis weniger als 220 kg' or 'Stückgewicht 220 bis 300 kg',

'poids par tête inférieur à 80 kg' or 'poids par tête de 80 à moins de 220 kg' or 'poids par tête de 220 à 300 kg',

'peso per capo inferiore a 80 kg' or 'peso per capo da 80 a meno di 220 kg' or 'peso per capo da 220 a 300 kg',

'gewicht per dier minder dan 80 kg' or 'gewicht per dier 80 tot minder dan 220 kg' or 'gewicht per dier 220 tot en met 300 kg'.

The licence shall apply only to the product thus described;

(f) Section 20 of the licence shall contain one of the following endorsements:

'Levy reduced by ... %. Licence valid in respect of ... (quantity in figures and words) animals',

'Nedsættelse af importafgiften med ... %. Licens gyldig for ... dyr',

'Verminderung der Abschöpfung um ... v. H. Lizenz gültig für ... Tiere',

'Prélèvement réduit de ... %. Certificat valable pour ... animaux',

'Prelievo ridotto del ... %. Titolo valido per ... animali',

'Heffing verminderd met ... %. Certificaat geldig voor ... dieren'.

The percentage reduction in the levy to be shown in the endorsement shall be that valid for the quarter in which the application for a licence is lodged:

— either for young male bovine animals of a weight per head of from 220 to 300 kilograms being imported from Yugoslavia, or

— for other young male bovine animals being imported under the special import arrangements.

2. By way of derogation from Article 3 of Regulation (EEC) No 193/75, the rights arising from the import licences referred to in paragraph 1 applied for by and issued to agricultural producers or their professional organizations shall not be transferable.

Article 10

1. In order to qualify for the special import arrangements referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68:

(a) the applicant shall be a natural or legal person who has been engaged, in the manufacture of the preserved foods referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68 for at least 12 months prior to submitting the special licence application, and who is officially registered in a Member State;

(b) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application or applications are lodged; 100 kilograms of bone-in meat correspond to 77 kilograms of boned meat;

(c) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, in the Member State where the application is lodged and where the goods will be put into free circulation, in the establishment designated in his application the manufacture of the preserved foods referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68. For the purposes of this requirement, Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'Licence valid in ...' (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...';

- (d) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements:

'Meat intended for the manufacture of preserved food — system (a) — at ... (exact designation of the establishment where manufacture is to take place)',

'Kød bestemt til fremstilling af konserver — ordning (a) — i ...',

'Fleisch zur Herstellung von Konservern bestimmt — Regelung (a) — bei ...',

'Viandes destinées à la fabrication de conserves — régime (a) — auprès de ...',

'Carni destinate alla fabbricazione di conserve — regime (a) — presso ...',

'Vlees bestemd voor de vervaardiging van conserven — regeling (a) — door ...',

- (e) Section 20 of the licence shall contain one of the following endorsements:

'Levy suspended. Licence valid for ... (quantity in figures and words) kg',

'Importafgift suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificaat geldig voor ... kg'.

2. Where the applicant has lodged several licence applications, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be allocated to one or more of the licences applied for, provided that the quantity on each licence does not exceed that originally applied for.

Article 11

1. In order to qualify for the special import arrangement referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68:

- (a) the applicant shall be a natural or legal person who has been engaged in the manufacture of the products referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68 for at least 12 months prior to submitting the special licence application, and who is officially registered in a Member State;

- (b) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of bone-in meat and not more than 10 % of the

quantity fixed pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68 in respect of the arrangements in question for the quarter during which the application or applications are lodged; 100 kilograms of bone-in meat corresponds to 77 kilograms of boned meat;

- (c) when lodging an application for a licence the applicant shall undertake in writing to carry out himself, in the Member State where the application is lodged and where the goods will be put into free circulation, in the establishment designated in his application the processing of the products referred to in Article 14 (1) (b) of Regulation (EEC) No 805/68. For the purposes of this requirement Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'Licence valid in ... (issuing Member State),

'Licens gyldig i ...',

'Lizenz gültig in ...',

'Certificat valable en ...',

'Titolo valido in ...',

'Certificaat geldig in ...',

- (d) Section 12 of the licence application and of the licence itself shall also contain one of the following endorsements:

'Meat intended for processing — system (b) — at ... (exact designation of the establishment where the processing is to take place)',

'Kød bestemt til forarbejdning — ordning (b) — i ...',

'Zur Verarbeitung bestimmtes Fleisch — Regelung (b) — bei ...',

'Viandes destinées à la transformation — régime (b) — auprès de ...',

'Carni destinate alla trasformazione — regime (b) — presso ...',

'Vlees bestemd voor verwerking — regeling (b) — door ...',

- (e) Section 20 of the licence shall contain one of the following endorsements:

'Levy reduced by ... %. Licence valid for ... (quantity in figures and words) kg',

'Nedsættelse af importafgiften med ...%. Licens gyldig for ... kg',

'Verminderung der Abschöpfung um ... v.H. Lizenz gültig für ... kg',

'Prélèvement réduit de ...%. Certificat valable pour ... kg',

'Prelievo ridotto del ...%. Titolo valido per ... kg',

'Heffing verminderd met ...%. Certificaat geldig voor ... kg'.

The percentage reduction in the levy shall be that valid for the quarter in which the licence application is lodged.

2. Where the applicant has lodged several licence applications, and where the suspension of the levy is authorized only in respect of a part of the quantities applied for, he may, at the latest two working days prior to the actual issue of the licences, request that the quantities qualifying for the suspension of the levy be transferred to one or more of the licences applied for, provided that the quantity on each licence does not exceed that originally applied for.

Article 12

1. In order to qualify for the special import arrangements referred to in Article 1 (1) (d) of Regulation (EEC) No 2972/79 (1):

(a) the licence application or applications lodged by any one applicant shall relate to a total quantity corresponding to not less than five tonnes of meat by product weight and not more than 10 % of the quantity fixed pursuant to Article 7 of Regulation (EEC) No 2972/79 in respect of the arrangements in question for the quarter during which the application or applications are lodged.

(b) Section 12 of the licence application and of the licence itself shall contain one of the following endorsements:

'High-quality beef/veal (Regulation (EEC) No 2972/79),

'Oksekød af høj kvalitet (forordning (EØF) nr. 2972/79),

'Qualitätsrindfleisch (Verordnung (EWG) Nr. 2972/79),

'Viande bovine de haute qualité (règlement (CEE) n° 2972/79),

'Carni bovine di alta qualità (regolamento (CEE) n. 2972/79),

'Kwaliteitsrundvlees (Verordening (EEG) nr. 2972/79).

2. For the purposes of these special arrangements, where the quantities imported come within the terms of Article 2 (4) of Regulation (EEC) No 193/75, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 shall be charged on the quantities exceeding those indicated in the import licence.

For the purposes of the above subparagraph, Section 20 of the licence shall contain one of the following endorsements:

(1) OJ No L 336, 29. 12. 1979, p. 37.

'Levy suspended. Licence valid for ... (quantity in figures and words) kg,

'Importafgift suspenderet. Licens gyldig for ... kg',

'Aussetzung der Abschöpfung. Lizenz gültig für ... kg',

'Prélèvement suspendu. Certificat valable pour ... kg',

'Prelievo sospeso. Titolo valido per ... kg',

'Heffing geschorst. Certificat geldig voor ... kg'.

Article 13

1. Applications for import licences for products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 435/80 and qualifying, as appropriate, for either a reduction of import duties other than customs duties in accordance with Article 4 of the said Regulation or exemption from levies in accordance with Article 21 of the said Regulation and the licences themselves shall contain:

(a) in Section 12, one of the following endorsements:

'ACP/OCT product (Regulation (EEC) No 435/80),

'AVS/OLT-varer (forordning (EØF) nr. 435/80)',

'AKP/ULG-Erzeugnis (Verordnung (EWG) Nr. 435/80)',

'Produit ACP/PTOM (règlement (CEE) n° 435/80)',

'Prodotto ACP/PTOM (regolamento (CEE) n. 435/80)',

'ACS/LGO-product (Verordening (EEG) nr. 435/80) ;

(b) in Section 14, the name of the State, country or territory in which the product is to originate.

2. The licence shall carry with it an obligation to import from the State, country or territory in question.

3. For the purposes of these special arrangements where the quantities imported come within the terms of Article 2 (4) of Regulation (EEC) No 193/75, the levy fixed in accordance with Article 12 of Regulation (EEC) No 805/68 shall be charged on the quantities exceeding those indicated in the import licence.

Article 14

1. Applications for export licences for the products referred to in Article 1 of Regulation (EEC) No 2973/79 may be lodged only in a Member State where the health requirements of the importing country can be met.

2. Section 13 of the licence application and of the licence itself shall contain the endorsement 'USA'. The licence shall carry with it the obligation to export from the Member State of issue to that country.

3. Notwithstanding Article 2 (4) of Regulation (EEC) No 193/75, the exported quantities shall not exceed the quantities indicated in the licence.

4. Section 18 of the licence shall contain one of the following endorsements :

'Fresh, chilled or frozen beef — Agreement between the EEC and the USA. Valid only in ... (Member State of issue). Quantity to be exported may not exceed ... (quantity in figures and words) kg ;

'Fersk, kolet eller frosset oksekød — Aftale mellem EØF og USA. Kun gyldig i ... Mængden, der skal udfores, må ikke overstige ... kg'.

Article 15

1. Applications for licences under special arrangements may be lodged only as follows :

- (a) applications under Articles 9 to 12 during the first 10 days of each quarter. When the total quantity for which applications have been lodged during this period is less than the quantity laid down for the quarter in question, it may be decided that further applications may be lodged during one or more periods within that quarter. In that case new dates shall be fixed for the communication referred to in paragraph 4 (a) and for the issue of licences referred to in paragraph 5 (a);
- (b) applications under Article 13, during the first 10 days of each month;
- (c) applications under Article 14 may be lodged at any time.

2. Applications for licences under special arrangements shall be considered only if :

- (a) the special arrangements indicated therein are applicable on the day designated for the actual issue of the licences, and
- (b) in the case of special arrangements under Articles 9 to 12 the applicant declares in writing that in respect of the current quarter he has not lodged and will not lodge any application under the same special arrangements in any Member State other than that where his present application is lodged; if an applicant lodges applications in respect of the same special arrangements in two or more Member States, no such application shall be considered.

3. For each set of the special arrangements referred to in Articles 10 to 12 all applications from any one applicant shall be regarded as a single application. In the case of applications under the special arrangements referred to in Article 9, all applications from one applicant which relate to the same category of weight and the same rate of reduction of the levy shall be regarded as a single application.

4. Member States shall communicate to the Commission information about the applications lodged as follows :

- (a) in respect of applications lodged under Article 9, on the 18th day of each quarter the quantities for which licences have been requested, and on the 20th day a list of applicants, in the applications lodged during the period referred to in paragraph 1 (a), giving separate details on the applications made in respect of each of the categories referred to in Article 9 (1) (c), where appropriate, the categories of liveweight;
- (b) in respect of applications lodged under Articles 10 to 12, on the 18th day of each quarter, a list of applicants and the quantities for which licences have been requested during the period referred to in paragraph 1 (a), specifying the import arrangements concerned;
- (c) in respect of applications lodged under Article 13, on the second working day following the last day of the period for the submission of applications the total quantity for which applications referred to in paragraph 1 (b) have been lodged for each of the third countries concerned;
- (d) in respect of applications lodged under Article 14, on the third working day of each month, a list of applicants and the quantities of products for which applications referred to in paragraph 1 (c) have been lodged during the previous month.

All communications, including nil returns, shall be made by telex and shall be sent before 4 p.m. on the stipulated working day.

5. Licences under special arrangements shall, subject to the Commission having decided that applications be accepted, be issued as follows :

- (a) licences under Articles 9 to 12 on the 30th day of each quarter;
- (b) licences under Article 13, on the 21st day of each month;
- (c) licences under Article 14, on the 15th day of each month.

6. (a) The quantities applied for under Articles 9 to 12 may be reduced by a fixed percentage :
- (b) (i) The Commission shall decide in respect of each third country concerned to what extent applications under Article 13 can be accepted. If the quantities of products originating in a third country in respect of which licences are requested exceed the quantity available for that country, the Commission shall reduce the quantities requested by a fixed percentage.
- (ii) If the total quantity requested by applications relating to a third country is lower than that available for that country, the Commission shall determine the amount of the balance remaining.
- (c) The Commission will decide to what extent applications under Article 14 will be accepted. If the quantities for which licences are requested exceed the quantities available, the Commission shall reduce the amounts requested by a fixed percentage.

TITLE V

Returns

Article 16

Before the fifth day of each month the Member States shall communicate to the Commission by telex, in accordance with Annex I and using the codes indicated, the quantity of products for which import or export licences were issued during the previous calendar month. Additional information may be asked for by the Commission.

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

Done at Brussels, 4 September 1980.

TITLE VI

Final provisions

Article 17

1. Regulation (EEC) No 571/78 is hereby repealed.
2. In all Community instruments in which reference is made to Regulation (EEC) No 571/78 or to Articles of that Regulation, such references shall be treated as references to this Regulation or to the corresponding Articles thereof. A table of equivalence in respect of those Articles is given in Annex II.

Article 18

1. Articles 2 and 7 of Regulation (EEC) No 2973/79 are hereby repealed.
2. Articles 2 and 6 of Regulation (EEC) No 486/80 are hereby repealed.

Article 19

This Regulation shall enter into force on 1 October 1980.

It shall be applicable to all licences applied for from 1 October 1980. Regulation (EEC) No 571/78 shall remain applicable to licences applied for before 1 October 1980.

The export of products falling within subheading 01.02 A I of the Common Customs Tariff covered by a certificate of advance fixing of the refund applied for before 1 October 1980 shall not be subject to the presentation of an export licence.

For the Commission

Finn GUNDELACH

Vice-President

ANNEX I

LICENCE RETURNS

(Where a code is indicated it should be used)

SECTION I: IMPORT LICENCES

Member State:

Application of Article 16 of Regulation (EEC) No 2377/80

Quantities of products for which import licences have been issued

From:

To:

1. ACP/OCT products

(Under Regulation (EEC) No 435/80 (1))

(expressed in tonnes of boned meat)

CCT heading No	Code	From			
		Madagascar	Botswana	Swaziland	Kenya
02.01 A II a)	110	370	391	393	346
02.01 A II b)	120				

2. With advance fixing of the levy

(Referred to in Article 16 (2) of Regulation (EEC) No 805/68 (1))

(tonnes)

CCT heading No	Code	From				
		Argentina	Uruguay	Australia	New Zealand	Romania
02.01 A II a)	210	528	524	800	804	066
02.01 A II b)	220					

3. Other

(Under

(a) *GATT* quota for frozen beef and veal falling within subheading 02.01 A II b) of the Common Customs Tariff

(b) *Young bovine animals* for fattening referred to in Article 13 of Regulation (EEC) No 805/68.

(c) *Article 14 (1)(a)* of Regulation (EEC) No 805/68 being beef imports intended for the manufacture of preserves

(d) *Article 14 (1)(b)* of Regulation (EEC) No 805/68 being beef imports intended for the manufacture of other products.

(e) *USA beef* referred to in Article 1 (1)(d) of Regulation (EEC) No 2972/79.

(f) *Other* licences not covered by paragraphs 1 and 2 or 3 (a) to (e) above (1)).

(1) Does not form part of the return.

(tonnes)

CCT heading No		GATT	Young bovine	Article 14 (I) (a)	Article 14 (I) (b)	US beef	Others
	Code	301	302	303	304	305	306
01.02 A II (heads)	310	—	—	—	—	—	—
02.01 A II a) 1	311						
A II a) 2	312						
A II a) 3	313		—				
A II a) 4 aa)	314						
A II a) 4 bb)	315						
02.01 A II b) 1	316						
A II b) 2	317						
A II b) 3	318		—				
A II b) 4 aa)	319						
A II b) 4 bb)	320						
02.06 C I a) 1	321		—				
C I a) 2	322						
16.02 B III b) 1 aa)	323		—				
b) 1 bb)	324						

.../...

SECTION II : EXPORT LICENCES

Member State :

Application of Article 16 of Regulation (EEC) No 2377/80

Quantities of products for which export licences have been issued

From :

To :

1. With advance fixing of the refund

(Referred to in Article 18 (4) of Regulation (EEC) No 805/68 ; excluding licences referred to in Article 2 of Regulation (EEC) No 2973/79 (1))

(tonnes)

CCT heading No	Code	Destination
		(1)
01.02 A II (heads)	410	
02.01 A II a) 1	411	
A II a) 2	412	
A II a) 3	413	
A II a) 4 aa)	414	
A II a) 4 bb)	415	
02.01 A II b) 1	416	
A II b) 2	417	
A II b) 3	418	
A II b) 4 aa)	419	
A II b) 4 bb)	420	
02.06 C I a) 1	421	
C I a) 2	422	
16.02 B III b) 1 aa)	423	
b) 1 bb)	424	

2. Special exports to the USA

(Referred to in Article 2 of Regulation (EEC) No 2973/79 (1))

(tonnes)

CCT heading No	Code	With advance fixed refunds		Without advance fixed refunds	
		000	002	000	002
02.01 A II a) 1	510				
A II a) 2	512				
A II a) 3	513				
A II a) 4 aa)	514				
A II a) 4 bb)	515				
02.01 A II b) 1	516				
A II b) 2	517				
A II b) 3	518				
A II b) 4 aa)	519				
A II b) 4 bb)	520				

3. Other

(Not covered by paragraphs 1 and 2 above (1))

(*tonnes*)

CCT heading No	Destination	
	Code	(1)
01.02 A II (heads)	610	
02.01 A II a) 1	611	
A II a) 2	612	
A II a) 3	613	
A II a) 4 aa)	614	
A II a) 4 bb)	615	
02.01 A II b) 1	616	
A II b) 2	617	
A II b) 3	618	
A II b) 4 aa)	619	
A II b) 4 bb)	620	
02.06 C I a) 1	621	
C I a) 2	622	
1/ 02 B III b) 1 aa)	623	
b) 1 bb)	624	

(1) Does not form part of the return.

(2) Destination code as in the Annex to Regulation (EEC) No 2566/79 (OJ No L 294, 21. 11. 1979, p. 5) except that where no code equivalent for the destination is indicated the destination should be shown uncodcd.

ANNEX II

TABLE OF EQUIVALENCE

This Regulation	Regulation (EEC) No 571/78	Regulation (EEC) No 2973/79	Regulation (EEC) No 486/80
Article 1	—	—	—
Article 2 (1)	Article 1	—	—
Article 2 (2)	—	—	—
Article 3	—	—	—
Article 4 (a)	Article 2 (2)	—	—
Article 4 (b)	Article 2 (1) (b)	—	Article 2 (6)
Article 4 (c)	Article 2 (1) (a)	—	—
Article 5 (a)	—	Article 2 (6)	—
Article 5 (b)	Article 3 (1)	—	—
Article 6 (1)	Article 4 (2)	—	—
Article 6 (2)	Article 4 (1)	—	—
Article 6 (3)	Article 4 (4) and (5)	Article 7 (1)	—
Article 6 (4)	Article 4 (3)	—	—
Article 6 (5)	Article 11 (6)	Article 2 (7)	Article 2 (8)
Article 6 (6)	—	Article 7 (2)	—
Article 7	Article 6	—	—
Article 8 (1)	Article 5 (2) first subparagraph	—	—
Article 8 (2)	Article 5 (2) second subparagraph	—	—
Article 8 (3)	Article 5 (3)	—	—
Article 9 (1) (a)	Article 11 (1) (b) first indent and (1) (d)	—	—
Article 9 (1) (b)	Article 8 (a)	—	—
Article 9 (1) (c)	—	—	—
Article 9 (1) (d)	Article 11 (9) (a) and (10)	—	—
Article 9 (1) (e)	Article 8 (b)	—	—
Article 9 (1) (f)	Article 8 (c)	—	—
Article 9 (2)	Article 11 (8)	—	—
Article 10 (1) (a)	Article 11 (1) (b) second indent and (1) (d)	—	—
Article 10 (1) (b)	Article 9 (1) (a)	—	—
Article 10 (1) (c)	Article 11 (9) (b) and (10)	—	—
Article 10 (1) (d)	Article 9 (1) (b)	—	—
Article 10 (1) (e)	Article 9 (1) (c)	—	—
Article 10 (2)	Article 9 (2)	—	—
Article 11 (1) (a)	Article 11 (1) (b) second indent and (1) (d)	—	—
Article 11 (1) (b)	Article 10 (1) (a)	—	—
Article 11 (1) (c)	Article 11 (9) (b) and (10)	—	—
Article 11 (1) (d)	Article 10 (1) (b)	—	—
Article 11 (1) (e)	Article 10 (1) (c)	—	—
Article 11 (2)	Article 10 (2)	—	—
Article 12	Article 10 (a)	—	—
Article 13 (1) and (2)	Article 7	—	—
Article 13 (3)	—	—	Article 6
Article 14 (1)	—	Article 2 (1)	—
Article 14 (2)	—	Article 2 (2)	—
Article 14 (3)	—	Article 2 (8)	—
Article 14 (4)	—	Article 2 (9)	—
Article 15 (1) (a)	Article 11 (1) first sentence and (7)	—	—
Article 15 (1) (b)	—	—	—
Article 15 (1) (c)	—	—	Article 2 (1)
Article 15 (2) (a)	Article 11 (1) (a)	—	—

Article 15 (2) (b)	Article 11 (1) (c)	—	—
Article 15 (3)	Article 11 (5)	—	—
Article 15 (4) (a)	Article 11 (2)	—	—
Article 15 (4) (b)	Article 11 (2)	—	—
Article 15 (4) (c)	—	—	—
Article 15 (4) (d)	—	Article 2 (3)	Article 2 (2)
Article 15 (5) (a)	Article 11 (3)	—	—
Article 15 (5) (b)	—	—	Article 2 (5)
Article 15 (5) (c)	—	Article 2 (5)	—
Article 15 (6) (a)	Article 11 (4)	—	—
Article 15 (6) (b) (i)	—	—	Article 2 (3)
Article 15 (6) (b) (ii)	—	—	Article 2 (4)
Article 15 (6) (c)	—	Article 2 (4)	—
Article 16 (1)	Article 13	—	—

III. IMPLEMENTING ACTS

C. STABEX

.../...

COUNCIL REGULATION (EEC) No 1638/80
of 24 June 1980

on the system for guaranteeing the stabilization of earnings from certain commodities exported by the ACP States and the overseas countries and territories associated with the Community

(OJ L 163/80) (*)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof,

Having regard to the recommendation from the Commission,

Whereas Decision No 1/80 of the ACP-EEC Council of Ministers of 18 January 1980 stipulates that the provisions concerning the system for the stabilization of export earnings contained in Title II, Chapter 1 of the ACP-EEC Convention of Lomé signed on 28 February 1975 shall remain applicable after 1 March 1980 or until 31 December 1980, whichever is the earlier;

Whereas Decision 80/162/EEC (1) maintains in force after 1 March 1980 or until 31 December 1980, whichever is the earlier, the provisions applicable under Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community (2);

Whereas Article 25 of the second ACP-EEC Convention signed in Lomé on 31 October 1979 establishes a list of products covered by the system for the stabilization of export earnings provided for in Title II, Chapter 1 thereof;

Whereas it is necessary to adapt accordingly the notification system provided for in Regulation (EEC) No 2478/77 (3) so as to allow the Commission to obtain the necessary data as from 1 January 1980 with a view to the implementation of this stabilization system; whereas the said Regulation should be repealed to that end;

Whereas this stabilization system should be extended to cover the overseas countries and territories associated with the European Economic Community,

Article 1

With effect from 1 February 1980, Member States shall forward to the Commission before the end of each month a statement of all the products listed in Annex I imported during the previous month:

- from the ACP States listed in Annex II,
- from the countries and territories listed in Annex III.

Article 2

The statement referred to in Article 1 shall give details of all products:

- which are put into free circulation in the Member State concerned,
- which are brought under the inward processing arrangements in that State for subsequent re-exportation in the form of compensating products.

Article 3

The statement referred to in Article 1 shall show the country of origin of the products, according to the common geographical code in force, the quantities imported and the cif values of these imports in the national currencies of the Member States or in European units of account.

Article 4

Regulation (EEC) No 2478/77 is hereby repealed.

Article 5

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

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

Done at Luxembourg, 24 June 1980.

For the Council
The President
S. FORMICA

(1) OJ No L 35, 12. 2. 1980, p. 26.

(2) OJ No L 176, 1. 7. 1976, p. 8.

(3) OJ No L 287, 11. 11. 1977, p. 1.

(*) See also p. 69 of this Compilation.

ANNEX I

Products referred to in Article 1

	NIMEXE code
1. Groundnuts, shelled or not	12.01-31 to 12.01-35
2. Groundnut oil	15.07-74 and 15.07-87
3. Cocoa beans	18.01-00
4. Cocoa paste	18.03-10 to 18.03-30
5. Cocoa butter	18.04-00
6. Raw or roasted coffee	09.01-11 to 09.01-17
7. Extracts, essences or concentrates of coffee	21.02-11 to 21.02-15
8. Cotton, not carded or combed	55.01-10 to 55.01-90
9. Cotton linters	55.02-10 to 55.02-90
10. Coconuts	08.01-71 to 08.01-75
11. Copra	12.01-42
12. Coconut oil	15.07-29, 15.07-77 and 15.07-92
13. Palm oil	15.07-19, 15.07-61 and 15.07-63
14. Palm nut and kernel oil	15.07-31, 15.07-78 and 15.07-93
15. Palm nuts and kernels	12.01-44
16. Raw hides and skins	41.01-11 to 41.01-95
17. Bovine cattle leather	41.02-05 to 41.02-98
18. Sheep and lamb skin leather	41.03-10 to 41.03-99
19. Goat and kid skin leather	41.04-10 to 41.04-99
20. Wood in the rough	44.03-20 to 44.03-99
21. Wood roughly squared or half-squared, but not further manufactured	44.04-20 to 44.04-98
22. Wood sawn lengthwise, but not further prepared	44.05-10 to 44.05-79
23. Fresh bananas	08.01-31
24. Tea	09.02-10 to 09.02-90
25. Raw sisal	57.04-10
26. Vanilla	09.05-00
27. Cloves — whole fruit, cloves and stems	09.07-00
28. Sheep's or lambs' wool, not carded or combed	53.01-10 to 53.01-40
29. Fine animal hair of Angora goats — mohair	53.02-95
30. Gum arabic	13.02-91
31. Pyrethrum — flowers, leaves, stems, peel and roots; saps and extracts from pyrethrum	12.07-10 and 13.03-15
32. Essential oils, not terpenes, of cloves, of niaouli and of ylang-ylang	33.01-23
33. Sesame seed	12.01-68
34. Cashew nuts and kernels	08.01-77
35. Pepper	09.04-11 and 09.04-70
36. Shrimps and prawns	03.03-43
37. Squid	03.03-68
38. Cotton seeds	ex 12.01-98
39. Oil-cake	23.04-01 to 23.04-99
40. Rubber	40.01-20 to 40.01-60
41. Peas	07.01-41 to 07.01-43, 07.05-11, 07.05-19 and 07.05-61
42. Beans	07.01-45 to 07.01-47, 07.05-25 and 07.05-65
43. Lentils	07.05-30 and 07.05-70
44. Iron ore (ores, concentrates, and roasted iron pyrites)	26.01-12 to 26.01-18

ANNEX II

ACP States referred to in Article 1

1. *African States*

Mauritania, Mali, Upper Volta, Niger, Senegal, Ivory Coast, Togo, Benin, Cameroon, Chad, Central Africa, Gabon, Congo, Rwanda, Burundi, Somalia, Zaire, Kenya, Uganda, Tanzania, Botswana, Lesotho, Swaziland, Gambia, Ghana, Malawi, Nigeria, Sierra Leone, Zambia, Ethiopia, Guinea, Equatorial Guinea, Guinea Bissau, Liberia, Sudan, Cape Verde, Sao Tome and Principe, Jibuti.

2. *Caribbean States*

Barbados, Guyana, Jamaica, Bahamas, Grenada, Trinidad and Tobago, Surinam, Dominica, St Lucia, St Vincent.

3. *Pacific States*

Fiji, Western Samos, Tonga, Papua New Guinea, Tuvalu, Kiribati, Solomon Islands.

4. *Indian Ocean States*

Madagascar, Mauritius, the Comoros, Seychelles.

ANNEX III

Countries and territories referred to in Article 1

1. *Overseas countries of the Kingdom of the Netherlands*

- Netherlands Antilles (Aruba, Bonaire, Curaçao, St Martin, Saba, St Eustatius).

2. *Overseas territories of the French Republic*

- New Caledonia and dependencies,
- Wallis and Futuna Islands,
- French Polynesia,
- French Southern and Antarctic Territories.

3. *Territorial collectivity of the French Republic*

- Mayotte.

4. *Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland*

- Belize,
- Associated States in the Caribbean (Anguilla, Antigua, St Kitts-Nevis),
- Cayman Islands,
- Falkland Islands and dependencies,
- Turks and Caicos Islands,
- British Virgin Islands,
- Montserrat,
- Pitcairn,
- St Helena and dependencies,
- British Antarctic territory,
- British Indian Ocean territory.

5. *Country having special relations with the United Kingdom of Great Britain and Northern Ireland*

- Brunei.

6. *Anglo-French Condominium of the New Hebrides*

COUNCIL DECISION
OF 16 December 1980

on the implementation
of Article 20(5)
of Decision 76/568/EEC on
the association of the overseas countries and territories
with the European Economic Community(*)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Council Decision 76/568/EEC of 29 June 1976 on
the association of the overseas countries and territories with
the European Economic Community ⁽¹⁾, as extended by Decision
80/162/EEC ⁽²⁾, and in particular Article 20 thereof,

⁽¹⁾ OJ No L 176, 1.7.1976, p. 8

⁽²⁾ OJ No L 35, 12.2.1980, p. 26

(*) See also p. 65 of this Compilation.

Whereas Article 20(5) must be implemented before the Decision expires;

Whereas the amounts referred to in Article 20(5) cannot yet be known,

HAS DECIDED AS FOLLOWS:

Article 1

If, after termination of operations relating to the final year of application of the system of stabilization of export earnings set up by Decision 76/568/EEC, there is a remaining balance from the total funding mentioned in Article 20(1) of the Decision, half of this remaining balance shall be allocated to the first annual instalment of the appropriation provided for under the system of stabilization of export earnings under the future Decision on the association of the overseas countries and territories with the European Economic Community and the other half used to finance projects and action programmes.

.../...

Article 2

If, during the period mentioned in Article 23(2) of Decision 76/568/EEC, payments are made by the competent authorities of the overseas countries and territories under the reconstitution of the resources made available to the system by the Community, the amounts thus repaid shall be added to the amount made available to the system of stabilization of export earnings under the future Decision on the association of the overseas countries and territories with the European Economic Community.

Done at Brussels, 16 December 1980

For the Council

The President

Colette FLESCH

.../...

III. IMPLEMENTING ACTS

D. SUGAR

.../...

COUNCIL REGULATION (EEC) No 3186/80
of 4 December 1980

fixing the guaranteed prices applicable for cane sugar originating in the overseas countries and territories (OCT) for 1980/81
(OJ L 332/80)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the recommendation from the Commission,

Whereas, in accordance with the terms of Annex XXI to the Final Act of the ACP-EEC Convention of Lomé⁽¹⁾, the Community guarantees, for cane sugar originating in the overseas countries and territories mentioned in the said Annex, the same treatment as provided for in Protocol 3 on ACP sugar annexed to the said Convention;

Whereas Council Decision 76/568/EEC of 29 June 1976 on the association of the overseas countries and territories with the European Economic Community⁽²⁾, as last amended by Decision 80/162/EEC⁽³⁾ embodies the application of this principle; whereas in accordance with Article 4 (4) of Annex IV to that Decision the guaranteed prices are fixed annually;

Whereas the guaranteed prices valid for 1980/81 for cane sugar originating in the ACP States have been fixed by Agreements in the form of exchanges of

letters with the relevant ACP States; whereas it is now necessary for the Council to fix the same guaranteed prices for cane sugar originating in the overseas countries and territories concerned,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 July 1980 to 30 June 1981, the guaranteed prices referred to in Article 4 (4) of Annex IV to Decision 76/568/EEC shall be as follows:

- (a) for raw sugar, 35.89 ECU per 100 kilograms;
- (b) for white sugar, 44.48 ECU per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, and cif European ports of the Community.

Article 2

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

It shall apply with effect from 1 July 1980.

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

Done at Brussels, 4 December 1980.

For the Council
The President
J. BARTHEL

⁽¹⁾ OJ No L 25, 30. 1. 1976, p. 1.
⁽²⁾ OJ No L 176, 1. 7. 1976, p. 8.
⁽³⁾ OJ No L 35, 12. 2. 1980, p. 26.

III. IMPLEMENTING ACTS

E. FINANCIAL AND TECHNICAL CO-OPERATION

.../...

3b (a) The amount stated in paragraph 3a (a) for the ACP States shall be allocated as follows :

- 2 149-8505 million EUA in the form of grants,
- 445-585 million EUA in the form of special loans,
- 99-000 million EUA in the form of risk capital,
- 380-000 million EUA in the form of transfers pursuant to Title II of the Convention.

(b) The amount stated in paragraph 3a (b) for the overseas countries and territories and the French overseas departments shall be allocated as follows :

- 28-1375 million EUA in the form of grants,
- 23-915 million EUA in the form of special loans,
- 2-000 million EUA in the form of risk capital,

— 11-0120 million EUA in the form of a reserve,

— 20-000 million EUA in the form of transfers for the countries and territories, pursuant to those provisions concerning the system for stabilizing export earnings.

(1) OJ No L 46, 18. 2. 1977, p. 15.

(2) OJ No L 46, 18. 2. 1977, p. 17.

(3) OJ No L 147, 3. 6. 1978, p. 37.

(4) OJ No L 72, 23. 3. 1979, p. 31.

Article 2

This Decision shall apply from 1 November 1979.

Done at Brussels, 5 February 1980.

For the Council

The President

G. ZAMBERLETTI

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GENERAL SECRETARIAT
OF THE COUNCIL OF THE EUROPEAN COMMUNITIES