COMMISSION REGULATION (EEC) No 68/79
of 16 January 1979
fixing countervailing charges on seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds (1), as last amended by Regulation (EEC) No 1346/78 (2), and in particular Article 6 (5) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 2358/71 provides that where the free-at-frontier offer price, plus customs duties for a type of hybrid maize, coming from a non-member country, for sowing is lower than the corresponding reference price, a countervailing charge shall be levied on imports of the hybrid from that country, subject to obligations resulting from binding under GATT; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier price plus customs duties;

Whereas the reference prices for the 1978/79 marketing year for hybrid maize for sowing were fixed in Commission Regulation (EEC) No 1410/78 (3);

Whereas the free-at-frontier offer prices for each country of provenance are determined using all available relevant information; whereas such relevant information is defined in Article 1 (1), (2) and (3) of Commission Regulation (EEC) No 1665/72 (4); whereas Article 3 of the same Regulation provides that the free-at-frontier offer prices for each country of provenance shall be determined from the most favourable purchasing opportunities for the products in question calculated in accordance with Articles 1 and 2 of that Regulation; whereas information on offers which have no economic effect on the market because of the insignificant quantities for which they are made are to be disregarded for the purpose of calculating these prices;

Whereas under Article 2 of Regulation (EEC) No 1665/72 an adjustment must be made in the case of information on prices referring to a stage other than free-at-Community-frontier; whereas under Article 4 (2) of that Regulation the countervailing charge must be amended where a significant variation in the free-at-frontier offer price is recorded;

Whereas, as a result of the application of the aforementioned provisions to the information currently available to the Commission, the countervailing charge in respect of certain types of hybrid is to be fixed at the amounts indicated in the Annex to this Regulation; whereas the hybrid types are defined in Article 2 (1) (B) of Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed (5);

Whereas the Management Committee for Seeds has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charges on seeds are fixed as shown in the Annex hereto.

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, 16 January 1979.

For the Commission

Finn GUNDELACH

Vice-President

(1) OJ No L 246, 5. 11. 1971, p. 1.
(2) OJ No L 165, 22. 6. 1978, p. 1.
(3) OJ No L 170, 27. 6. 1978, p. 32.
(4) OJ No L 175, 2. 8. 1972, p. 49.
(5) OJ No 125, 11. 7. 1966, p. 2309/66.

ANNEX

Countervailing charge on hybrid maize for sowing

(AUA/100 kg)

CCT heading No	Description	Amount of countervailing charge (1)	Country of origin of goods
10.05	Maize :		
	ex A. Hybrid, for sowing :		
	— Three-cross hybrids	10·0	Hungary
		13·0	Romania

(1) The countervailing charge shall not exceed 4 % of the customs value.