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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2876/84
of 21 September 1984**

on the conclusion of an Agreement between the European Economic Community and the Government of the United States of America concerning fisheries off the coasts of the United States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas the Agreement between the European Economic Community and the Government of the United States of America concerning fisheries off the coasts of the United States, initialled on 27 June 1984, should be approved,

Whereas provision should be made for specific procedures for terminating the Agreement if as a result of special circumstances it is impossible for the Community to continue the Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Government of the United States of America concerning fisheries off the coasts of the United States, together with the Annex and the Agreed Minutes which form integral parts of the Agreement, are hereby approved on behalf of the Community.

⁽¹⁾ Opinion delivered on 13 September 1984 (not yet published in the Official Journal).

The text of the Agreement, the Annex and the Agreed Minutes are attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and the exchange of notes referred to in Article XIX of that Agreement.

The President of the Council shall give notification of the completion of the required internal procedures ⁽²⁾.

Article 3

1. The Council may decide to terminate the Agreement by a qualified majority on a proposal from the Commission. The Council shall adopt a decision within two months of submission of the Commission's proposal.

2. If the situation described in Agreed Minute No 7 arises, the Commission shall immediately submit a report to the Council and the Member States together with its opinion that the conditions laid down for termination of the Agreement are fulfilled. Within 10 days of submission of such an opinion to the Council any Member State may raise the question in the Council. The Council may decide by a qualified majority that the Agreement shall not be terminated. If no such decision is taken within a period of one month following submission of the opinion to the Council or if no Member State has raised the question in the Council within the aforementioned 10 days, the Commission shall terminate the Agreement.

3. The Commission shall, on behalf of the Community, give notice of any termination under Article XIX of the Agreement.

⁽²⁾ The date of entry into force of the Agreement will be published in the *Official Journal of the European Communities* by the General Secretariat of the Council.

Article 4

The owner or operator of a Member State vessel fishing or otherwise operating under the Agreement shall provide the appropriate authorities within the Community with such information as may be prescribed concerning the fish or fishery products harvested or otherwise obtained pursuant to the Agree-

ment. Detailed rules to this effect shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81 ⁽¹⁾.

Article 5

This Regulation shall enter into force on the 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, 21 September 1984.

For the Council

The President

A. DEASY

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

AGREEMENT

between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States

THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community'),

CONSIDERING their common concern for the rational management, conservation and achievement of optimum yield of fish stocks off the coasts of the United States;

RECOGNIZING that the United States has established by Presidential Proclamation of 10 March 1983 an exclusive economic zone within 200 nautical miles of its coasts within which the United States has sovereign rights to explore, exploit, conserve and manage all fish and that the United States also has such rights over the living resources of the continental shelf appertaining to the United States and anadromous species of fish of United States origin;

RECOGNIZING that the Community has been cooperating for the rational management and conservation of the living resources off the coasts of the United States and that Community fishermen traditionally have been cooperating in the development of these resources under the Agreement between the Government of the United States and the European Economic Community concerning fisheries off the coasts of the United States, signed 15 February 1977; and

DESIROUS of establishing reasonable terms and conditions pertaining to fisheries of mutual concern over which the United States has sovereign rights to explore, exploit, conserve and manage;

HAVE AGREED AS FOLLOWS:

Article I

The purpose of this Agreement is to promote effective conservation, rational management and the achievement of optimum yield in the fisheries of mutual interest off the coasts of the United States, to facilitate the rapid and full development of the United States fishing industry and to establish a common understanding of the principles and procedures under which fishing may be conducted by nationals and vessels of the Member States of the Community for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage.

and migrate to ocean waters while present in the United States exclusive economic zone and in areas beyond national fisheries jurisdictions recognized by the United States and all living resources of the continental shelf appertaining to the United States;

2. 'fish' means:

all finfish, molluscs, crustaceans, and other forms of marine animal and plant life, other than marine mammals, birds and highly migratory species;

3. 'fishery' means:

(a) one or more stocks of fish that can be treated as a unit for purposes of conservation and management and that are identified on the basis of geographical, scientific, technical, recreational and economic characteristics; and

(b) any fishing for such stocks;

Article II

As used in this Agreement, the term:

1. 'living resources over which the United States has sovereign rights to explore, exploit, conserve and manage' means:

all fish within the exclusive economic zone of the United States (except highly migratory species of tuna), all anadromous species of fish that spawn in the fresh or estuarine waters of the United States

4. 'exclusive economic zone' means:

a zone contiguous to the territorial sea of the United States, the seaward boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the breadth of the territorial sea of the United States is measured;

5. 'fishing' means :

- (a) the catching, taking or harvesting of fish ;
- (b) the attempted catching, taking or harvesting of fish ;
- (c) any other activity that can reasonably be expected to result in the catching, taking or harvesting of fish ;
- (d) any operations at sea, including processing, directly in support of, or in preparation for, any activity described in subparagraphs (a) through (c) above, provided that such term does not include other legitimate uses of the high seas, including any scientific research activity ;

6. 'fishing vessel' means :

any vessel, boat, ship, or other craft that is used for, equipped to be used for, or of a type that is normally used for :

- (a) fishing ; or
- (b) aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including preparation, supply, storage, refrigeration, transportation or processing ;

7. 'highly migratory species' means :

species of tuna which in the course of their life cycle, spawn and migrate over great distances in waters of the ocean ; and

8. 'marine mammal' means :

any mammal that is morphologically adapted to the marine environment, including sea otters and members of the orders Sirenia, Pinnipedia, and Cetacea, or primarily inhabits the marine environment such as polar bears.

- able scientific evidence, and social, economic and other relevant factors ;
- (b) the harvesting capacity of United States fishing vessels in respect of each fishery ;
- (c) the portion of the total allowable catch for a specific fishery to which access will be provided, on a periodic basis each year, to foreign fishing vessels, and ;
- (d) the allocation of such portion that may be made available to the Community.

3. The United States shall determine each year the measures necessary to prevent overfishing while achieving, on a continuing, basis, the optimum yield from each fishery in accordance with United States law.

Such measures may include *inter alia* :

- (a) designated areas where, and periods when, fishing shall be permitted, limited, or conducted only by specified types of fishing vessels or with specified types and quantities of fishing gear ;
- (b) limitations on the catch of fish based on area, species, size, number, weight, sex, incidental catch, total biomass or other factors ;
- (c) limitations on the number and types of fishing vessels that may engage in fishing and/or on the number of days each vessel or the total fleet may engage in a designated area for a specified fishery ;
- (d) requirements as to the types of gear that may, or may not, be employed ; and
- (e) requirements designed to facilitate enforcement of such conditions and restrictions, including the maintenance of appropriate position-fixing and identification equipment.

4. The Government of the United States shall notify the Community of the determinations provided for by this Article on a timely basis.

Article III

1. The Government of the United States is willing to allow access for fishing vessels of the Member States of the Community to harvest, in accordance with terms and conditions to be established in permits issued under Article VII, that portion of the total allowable catch for a specific fishery that will not be harvested by United States fishing vessels and is determined to be available to fishing vessels of Member States of the Community in accordance with United States law.

2. The Government of the United States shall determine each year, subject to such adjustments as may be necessitated by unforeseen circumstances affecting the stocks and in accordance with United States law :

- (a) the total allowable catch for each fishery based on optimum yield, taking into account the best avail-

Article IV

In determining the portion of the surplus that may be made available to the Community, and to other countries, the Government of the United States will decide on the basis of the factors identified in the Magnuson Fishery Conservation and Management Act, as amended, that is :

- (i) whether, and to what extent, such nation imposes tariff barriers or non-tariff barriers on the importation, or otherwise restricts the market access, of United States fish or fishery products ;
- (ii) whether, and to what extent, such nation is cooperating with the United States in the advancement of existing and new opportunities for fisheries trade, particularly through the purchase of fish or fishery products from United States processors or from United States fishermen ;

- (iii) whether, and to what extent, such nation and the fishing fleets of such nation have cooperated with the United States fishing regulations ;
- (iv) whether, and to what extent, such nation requires the fish harvested from the fishery conservation zone for its domestic consumption ;
- (v) whether, and to what extent, such nation otherwise contributes to, or fosters the growth of, a sound and economic United States fishing industry, including minimizing gear conflicts with fishing operations of United States fishermen, and transferring harvesting or processing technology which will benefit the United States fishing industry ;
- (vi) whether, and to what extent, the fishing vessels of such nation have traditionally engaged in fishing in such fishery ;
- (vii) whether, and to what extent, such nation is cooperating with the United States in, and making substantial contributions to, fishery research and the identification of fishery resources ; and
- (viii) such other matters as the Secretary of State, in cooperation with the Secretary, deems appropriate.

Article V

The Community shall cooperate with and assist the United States in the development of the United States fishing industry and the increase of United States fishery exports by taking such measures as facilitating the importation and sale of United States fishery products, providing information concerning technical and administrative requirements for access of United States fishery products into the Community, providing economic data, sharing expertise, facilitating the transfer of harvesting or processing technology to the United States fishing industry, facilitating appropriate joint venture and other arrangements, informing its industry of trade and joint venture opportunities with the United States, and taking other actions as may be appropriate.

Article VI

The Community shall take all necessary measures to ensure :

1. that nationals and vessels of the Member States of the Community refrain from fishing for living resources over which the United States has

sovereign rights to explore, exploit, conserve and manage except as authorized pursuant to this Agreement ;

2. that all such vessels so authorized comply with the provisions of permits issued pursuant to this Agreement and applicable laws of the United States ; and
3. that the total allocation referred to in Article III, paragraph 2 (d) of this Agreement is not exceeded for any fishery.

Article VII

The Community may submit an application to the Government of the United States for a permit for each fishing vessel of a Member State of the Community that wishes to engage in fishing in the exclusive economic zone pursuant to this Agreement. Such application shall be prepared and processed in accordance with the Annex, which constitutes an integral part of this Agreement. The Government of the United States may require the payment of fees for such permits and for fishing in the United States exclusive economic zone. The Community undertakes to keep the number of applications to the minimum required, in order to aid in the efficient administration of the permit programme.

Article VIII

The Community shall ensure that nationals and vessels of Member States of the Community refrain from harassing, hunting, capturing or killing, or attempting to harass, hunt, capture or kill, any marine mammal within the United States exclusive economic zone, except as may be otherwise provided by an international agreement respecting marine mammals to which the United States is a party, or in accordance with specific authorization for and controls on incidental taking of marine mammals established by the Government of the United States.

Article IX

The Community shall ensure that in the conduct of the fisheries under this Agreement :

1. the authorizing permit for each vessel of a Member State of the Community is prominently displayed in the wheel house of such vessel ;
2. appropriate position-fixing and identification equipment as determined by the Government of the United States, is installed and maintained in working order on each vessel ;

3. designated United States observers are permitted to board, upon request, any such fishing vessel, and shall be accorded the courtesies and accommodations provided to ship's officers while aboard such vessel, and owners, operators and crews of such vessel shall cooperate with observers in the conduct of their official duties, and, further, the Government of the United States shall be reimbursed for the costs incurred in the utilization of observers;
4. agents are appointed and maintained within the United States possessing the authority to receive and respond to any legal process issued in the United States with respect to an owner or operator of a vessel of a Member State of the Community for any cause arising out of the conduct of fishing activities for the living resources over which the United States has sovereign rights to explore, exploit, conserve and manage; and
5. all necessary measures are taken to minimize fishing gear conflicts and to ensure the prompt and adequate compensation of United States citizens for any loss, or damage to, their fishing vessels, fishing gear or catch, and resultant economic loss, that is caused by any fishing vessel of a Member State of the Community as determined by applicable United States procedures.

Article X

The Community shall take all appropriate measure to assist the United States in the enforcement of its laws pertaining to fishing in the exclusive economic zone and to ensure that each vessel of a Member State of the Community that engages in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage shall allow and assist the boarding and inspection of such vessel by any duly authorized enforcement officer of the United States and shall cooperate in such enforcement action as may be undertaken pursuant to the laws of the United States.

Article XI

1. The Government of the United States will impose appropriate penalties, in accordance with the laws of the United States, on vessels of Member States of the Community or their owners, operators, or crews that violate the requirements of this Agreement or of any permit issued hereunder.
2. Arrested vessels and their crews shall be promptly released, subject to such reasonable bond or other security as may be determined by the court.

3. In any case arising out of fishing activities under this Agreement, the penalty for violation of fishery regulations shall not include imprisonment except in the case of an enforcement related offenses such as assault on an enforcement officer or refusal to permit boarding and inspection.

4. In cases of seizure and arrest of a vessel of a Member State of the Community by the authorities of the Government of the United States, notification shall be given promptly through diplomatic channels informing the Community and the Member State concerned of the action taken and of any penalties subsequently imposed.

Article XII

1. The Government of the United States and the competent agencies of the Community shall cooperate in the conduct of scientific research required for the purpose of managing and conserving living resources over which the United States has sovereign rights to explore, exploit, conserve and manage, including the compilation of the best available scientific information for management and conservation of stocks of mutual interest.

2. The competent agencies of the two Parties shall cooperate in the development of a periodic research plan on stocks of mutual concern through correspondence or meetings as appropriate, and may modify it from time to time by agreement. The agreed research plans may include, but are not limited to, the exchange of information and scientists, regularly scheduled meetings between scientists to prepare research plans and review progress, and jointly conducted research projects.

3. The conduct of agreed research during regular commercial fishing operations on board a fishing vessel of a Member State of the Community in the United States exclusive economic zone shall not be deemed to change the character of the vessel's activities from fishing to scientific research. Therefore, it will still be necessary to obtain a permit for the vessel in accordance with Article VII.

4. The Community shall cooperate with the Government of the United States in the implementation of procedures for collecting and reporting biostatistical information and fisheries data including catch and effort statistics, in accordance with procedures which will be stipulated by the United States.

Article XIII

In the interest of conservation, restoration, enhancement and rational management of salmon stocks of United States origin as well as of Community origin, both Parties shall consult and cooperate under the Convention for the Conservation of Salmon in the North Atlantic Ocean.

Article XIV

1. The Government of the United States and the Community shall carry out periodic bilateral consultations regarding the implementation of this Agreement and the development of further cooperation in the field of fisheries of mutual concern, including co-operation within the framework of appropriate multi-lateral organizations for the collection and analysis of scientific data respecting such fisheries.

2. At the request of either Party any dispute concerning the interpretation or application of this Agreement shall be the subject of consultations between the Parties.

Article XV

The Government of the United States undertakes to authorize fishing vessels of Member States of the Community allowed to fish pursuant to this Agreement to enter ports in accordance with United States laws for the purpose of purchasing bait, supplies, or outfits, or effecting repairs, changing crews, or for such other purposes as may be authorized.

Article XVI

Should the Government of the United States indicate to the Community that nationals and vessels of the United States wish to engage in fishing in the

Community's fishing zone the Community shall, in accordance with the provisions of the common fisheries policy, allow such fishing on terms not more restrictive than those established in accordance with this Agreement.

Article XVII

Nothing contained in the present Agreement shall prejudice :

1. the views of either Party with respect to the existing territorial or other jurisdiction of the coastal State for all purposes other than the conservation and management of fisheries ; or
2. any other international rights and obligations of either Party.

Article XVIII

The Agreement shall apply to the territories in which the Treaty establishing the Community applies, under the conditions of that Treaty, and to the United States, its territories and its possessions.

Article XIX

1. This Agreement, together with the Agreed Minutes which form an integral part thereof, shall enter into force on a date to be agreed upon by exchange of notes, following the completion of internal procedures of both Parties, and remain in force until 1 July 1989, unless extended by exchange of notes between the Parties. Notwithstanding the foregoing, either Party may terminate this Agreement after giving written notice of such termination to the other Party six months in advance.

2. At the request of either Party, this Agreement shall be subject to review by the two Parties two years after its entry into force.

In witness whereof, the undersigned, being duly authorized for this purpose, have signed this Agreement.

Done at Washington, . . . , in the English, Danish, Dutch, French, German, Greek and Italian languages, each of these texts being equally authentic.

*For the Government of
the United States of America*

*For the Council
of the European Communities*

*ANNEX***APPLICATION AND PERMIT PROCEDURES**

The following procedures shall govern the application for and issuance of annual permits authorizing vessels of the Member States of the Community to engage in fishing for living resources over which the United States has sovereign rights to explore, exploit, conserve and manage :

1. The Community may submit an application to the competent authorities of the United States for each fishing vessel of a Member State of the Community that wishes to engage in fishing pursuant to this Agreement. Such application shall be made on forms provided by the Government of the United States for that purpose.
 2. Any such application shall specify :
 - (a) the name and official number or other identification of each fishing vessel for which a permit is sought, together with the name and address of the owner and operator thereof ;
 - (b) the tonnage, capacity, speed, processing equipment, type and quantity of fishing gear, and such other information relating to the fishing characteristics of the vessel as may be requested ;
 - (c) a specification of each fishery in which each vessel wishes to fish ;
 - (d) the amount of fish or tonnage of catch by species contemplated for each vessel during the time such permit is in force ;
 - (e) the ocean area in which, and the season or period during which, such fishing would be conducted ; and
 - (f) such other relevant information as may be requested, including desired transshipping areas.
 3. The Government of the United States shall review each application, shall determine what conditions and restrictions may be needed, and what fee will be required, and shall inform the Community of such determinations. The Government of the United States reserves the right not to approve applications. If permit applications are disapproved, the United States authorities will inform the Community of the reasons for such disapproval.
 4. The Community shall thereupon notify the Government of the United States of its acceptance or rejection of such conditions and restrictions and, in the case of a rejection, of its objections thereto.
 5. Upon acceptance of the conditions and restrictions by the Community and the payment of any fees, the Government of the United States shall approve the application and issue a permit for each fishing vessel of a Member State of the Community which fishing vessel shall thereupon be authorized to fish in accordance with this Agreement and the terms and conditions set forth in the permit. Such permits shall be issued for a specific vessel and shall not be transferred.
 6. In the event the Community notifies the Government of the United States of its objections to specific conditions and restrictions, the two sides may consult with respect thereto and the Community may thereupon submit a revised application.
 7. The procedures in this Annex may be amended by agreement through an exchange of notes between the two Parties.
-

AGREED MINUTES

1. The representative of the Government of the United States declared that the Agreement reflects United States domestic law and policy. The representative of the Community drew attention to Community laws and policies, in particular the common fisheries and commercial policies, and declared that the application of the Agreement by the Community would need to respect those laws and policies.
 2. The representatives of the two Parties noted that the Agreement is a framework Agreement containing no specific fisheries arrangements and, with particular reference to Articles IV, V and XVI, no concrete commitments by either Party. Instead, the Agreement establishes the terms and conditions under which allocations can be made if surpluses exist, and it illustrates the kinds of assistance that may be sought in exchange for allocations.
 3. The representatives of the two Parties acknowledged the level of cooperation in the past in fisheries relations, including fisheries joint ventures, fisheries processing, fisheries trade and fisheries allocations, and the advantages to the industries concerned of providing stability of cooperation in such areas; the Parties looked forward to continued and improved cooperation for their mutual benefit over the life of the Agreement.
 4. With respect to Article I and Article II, point 1, of the Agreement, the representatives of the two Parties took note of the provisions of the Convention for the Conservation of Salmon in the North Atlantic Ocean, in particular Articles 1 and 2, and reaffirmed the commitments of both Parties under that Convention. The representative of the Government of the United States expressed his understanding that, if necessary, Article XIV of the Agreement would provide *inter alia* for consultations between the Parties with respect to anadromous species.
 5. The representative of the Government of the United States declared that, in making allocations under the Agreement of 1977, the United States has, since the enactment of the American Fisheries Promotion Act of 1980, carried out the kind of evaluation prescribed in Article IV of the present Agreement. The United States has undertaken, in the case of any reduction in allocations, to inform the Community of the reasons for such a reduction.
 6. The representatives of the two Parties agreed that the volume of the catches available to the Community in the United States exclusive economic zone shall be distributed by the Community consistently with the amounts designated in accordance with United States law by the United States pursuant to Article IV of the Agreement, the objectives of the Agreement, and existing practices.
 7. The representative of the Government of the United States took note of a declaration by the representative of the Community that the matters referred to in Article IV, point (viii), of the Agreement should be confined to the fisheries sector, and that the Community would terminate the Agreement under Article XIX in case of any other matters being taken into account by the United States authorities to the disadvantage of the Community or in case the use of Articles IV or V of the Agreement significantly affects the common fisheries or the common commercial policies.
 8. The representative of the Government of the United States noted the statement of the representative of the Community that the willingness of the Community to assist in the development of the United States fishing industry under Article V of the Agreement would take into account the level of United States allocations under Article III.
 9. The representative of the Community stated that, with reference to Article XVI of the Agreement, the Community's fishing zone includes all the fishery conservation zones or their equivalent of the Member States of the Community to which the relevant rules of the Treaty establishing the Community apply and under the conditions of that Treaty.
 10. The representatives of the two Parties agreed that owners or operators of vessels of Member States of the Community shall provide authorities of the Community with such information as may be required on the amounts of fish harvested or transferred pursuant to this Agreement.
 11. The representatives of the two Parties agreed that nothing in the Agreement shall affect or prejudice in any manner the views of either Party with respect to any questions relating to the law of the sea.
-

COMMISSION REGULATION (EEC) No 2877/84**of 12 October 1984****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2221/84⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally, levies should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC)

No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 11 October 1984;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2221/84 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 October 1984.

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 205, 1. 8. 1984, p. 1.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 12 October 1984 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	62,85
10.01 B II	Durum wheat	108,75 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	67,98 ⁽⁶⁾
10.03	Barley	62,67
10.04	Oats	43,08
10.05 B	Maize, other than hybrid maize for sowing	56,31 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	87,07 ⁽⁴⁾
10.07 D I	Triticale	(⁷)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	101,55
11.01 B	Rye flour	108,74
11.02 A I a)	Durum wheat groats and meal	182,91
11.02 A I b)	Common wheat groats and meal	109,05

(¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

(³) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

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

(⁵) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

(⁷) The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 2878/84

of 12 October 1984

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy⁽³⁾, as last amended by Regulation (EEC)
No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2222/84⁽⁵⁾ and subsequent amending Regulations;

Whereas, if the levy system is to operate normally,
levies should be calculated on the following basis:

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC)
No 974/71⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84⁽⁷⁾,

- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent, and the aforesaid coeffi-
cient;

Whereas these exchange rates being those recorded on
11 October 1984;

Whereas, on the basis of today's cif prices and cif
forward delivery prices, the premiums at present in
force, which are to be added to the levies, should be
altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation
(EEC) No 2727/75 to be added to the import levies
fixed in advance in respect of cereals and malt shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 October
1984.

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 205, 1. 8. 1984, p. 4.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 12 October 1984 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	2,01	2,01	2,01
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2879/84
of 12 October 1984
temporarily suspending intervention buying in of beef in Denmark

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 868/84
of 31 March 1984 fixing the guide price and the inter-
vention price for adult bovine animals for the 1984/85
marketing year ⁽²⁾, and in particular Article 3 (2) and
(4) (b),

Whereas the situation of the market in Denmark is
such that the application of the abovementioned rules
is required;

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

Article 1

In application of Article 3 (2) of Regulation (EEC) No
868/84, intervention buying in shall be suspended
from 15 October 1984 in the following Member State
for the following class:

in Denmark: category C, Class R3.

Article 2

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

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 30.

COMMISSION REGULATION (EEC) No 2880/84
of 12 October 1984

**amending Regulation (EEC) No 1618/81 fixing the basic products which do not
 qualify for advance payment of export refunds**

THE COMMISSION OF THE EUROPEAN
 COMMUNITIES,

Having regard to the Treaty establishing the European
 Economic Community,

Having regard to Council Regulation (EEC) No
 2727/75 of 29 October 1975 on the common organi-
 zation of the market in cereals⁽¹⁾, as last amended by
 Regulation (EEC) No 1018/84⁽²⁾, and in particular
 Article 16 (6) thereof, and to the corresponding provi-
 sions of the other Regulations on the common organi-
 zation of the markets in agricultural products,

Having regard to Council Regulation (EEC) No 565/80
 of 4 March 1980 on the advance payment of export
 refunds in respect of agricultural products⁽³⁾, as
 amended by Regulation (EEC) No 2026/83⁽⁴⁾,

Whereas Article 4 (2) of Regulation (EEC) No 565/80
 applies to processed products and goods obtained from
 basic products, provided that inward processing
 arrangements are not prohibited for comparable
 products;

Whereas, following the adoption of Council Regula-
 tion (EEC) No 866/84 of 31 March 1984 laying down
 special measures concerning the exclusion of milk
 products from inward processing arrangements and
 from certain usual forms of handling⁽⁵⁾, as amended
 by Regulation (EEC) No 1686/84⁽⁶⁾, the list of
 products which do not qualify under the system of
 advance payment of export refunds should be adapted
 and it is therefore necessary to amend Commission
 Regulation (EEC) No 1618/81⁽⁷⁾,

Whereas the measures provided for in this Regulation
 are in accordance with the opinion of all the relevant
 management committees,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1618/81 is hereby
 replaced by the following:

Article 1

The basic products which do not qualify under the
 arrangements referred to in Article 4 of Regulation
 (EEC) No 565/80 shall be:

- (a) those referred to in Article 1 of Council Regu-
 lation (EEC) No 804/68⁽¹⁾, provided that they
 are intended for the manufacture of the
 products referred to in that Article or goods
 listed in the Annex to that Regulation;
- (b) those listed in the Annex, provided that they
 are intended for use in the processing of
 products mentioned:
 - in Annex A to Regulation (EEC) No
 2727/75, excluding products falling within
 subheading 23.07 B of the Common
 Customs Tariff,
 - in Article 1 (1) (c) of Council Regulation
 (EEC) No 1418/76⁽²⁾.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 166, 11. 6. 1976, p. 1.

Article 2

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

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 11.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 90, 1. 4. 1984, p. 27.

⁽⁶⁾ OJ No L 159, 15. 6. 1984, p. 50.

⁽⁷⁾ OJ No L 160, 18. 6. 1981, p. 17.

COMMISSION REGULATION (EEC) No 2881/84

of 12 October 1984

amending Regulation (EEC) No 896/84 laying down additional provisions
concerning the grant of export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European
Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Article 17 (4) thereof,

Article 1 of Regulation (EEC) No 896/84 is hereby
replaced by the following :

Article 1

Having regard to Council Regulation (EEC) No 876/68
of 28 June 1968 laying down general rules for grant-
ing export refunds on milk and milk products and
criteria for fixing the amount of such refunds ⁽³⁾, as last
amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, and in
particular Article 6 (3) thereof,

1. Where, at the beginning of a new milk year,
two refund amounts are fixed for the same product
and destination, the granting of the higher refund
is conditional :

Whereas, pursuant to Commission Regulation (EEC)
No 896/84 ⁽⁵⁾, as amended by Regulation (EEC) No
1161/84 ⁽⁶⁾, two refund amounts may, at the beginning
of a new milk year, be fixed for the same product and
destination in order to take the price levels before and
after the beginning of the new milk year into account ;
whereas the granting of the higher refund is condi-
tional on the production of evidence that the product
was produced during the period in which the higher
of the two prices obtained ;

— in cases where the intervention prices applic-
able as from the beginning of the new milk
year have a positive effect on market prices for
the product, on the production of evidence that
the product exported was produced in the new
milk year,

— in cases where the intervenon prices applic-
able as from the beginning of the new milk
year have a negative effect on market prices for
the product, on the production of evidence that
the product exported was produced before the
beginning of the new milk year.

Whereas the two refund amounts may be cancelled
one after another in the course of a new milk year ;
whereas in cases where the refund was fixed in
advance by the operator at a time when two refund
amounts were applicable, the requirement whereby he
should produce the evidence referred to above should,
where such evidence relates to the fact that the goods
were produced during the new milk year, be waived as
from the replacement of the two refund amounts by a
single amount ;

2. The evidence referred to in the first indent of
paragraph 1 need not be produced, in the case of
an operator who applied for an export licence with
advance fixing of the refund, where the customs
export formalities referred to in Article 22 (1) (b) of
Commission Regulation (EEC) No 3183/80 ⁽⁷⁾ are
completed on or after the day on which the two
refund amounts are replaced by a single amount.

Whereas Article 1 of Regulation (EEC) No 896/84
should be redrafted to make its meaning clearer ;

3. In the case of products falling within sub-
headings 04.03 B or ex 23.07 B of the Common
Customs Tariff, evidence of the following may be
required in addition to or instead of the evidence
referred to in paragraph 1 :

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

— that the butter or cream used as the raw
material for the manufacture of products falling
within subheading 04.03 B,

— that skimmed milk or skimmed-milk powder
incorporated in products falling within sub-
heading ex 23.07 B,

were manufactured during the period in question.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 112, 28. 4. 1984, p. 12.

4. Member States shall adopt the necessary measures concerning the supporting documents which may be used as proof as referred to in paragraphs 1 and 3, and the relevant control measures.

(¹) OJ No L 338, 13. 12. 1980, p. 1.

Article 2

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

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSÄGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2882/84

of 12 October 1984

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 17 to 23 September 1984

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1063/84 of 16 April 1984 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom during the 1984/85 marketing year ⁽¹⁾, and in particular Article 5 thereof,

Whereas, under Article 3 of Regulation (EEC) No 1063/84, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Commission Regulation (EEC) No 1355/84 of 16 May 1984 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom during the 1984/85 marketing year ⁽²⁾, as amended by Regulation (EEC) No 2018/84 ⁽³⁾, the amounts to be charged on departure from the territory of the United Kingdom of the

products listed in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 17 to 23 September 1984 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1063/84, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1355/84 which left the territory of the United Kingdom during the week 17 to 23 September 1984 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 17 September 1984.

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 105, 18. 4. 1984, p. 1.

⁽²⁾ OJ No L 131, 17. 5. 1984, p. 19.

⁽³⁾ OJ No L 187, 14. 7. 1984, p. 46.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 17 to 23 September 1984

(ECU/100 kg net weight)

CCT heading No	Description	Amount
1	2	3
ex 02.01 A II a) and ex 02.01 A II b)	Meat of adult bovine animals, fresh, chilled or frozen : 1. Carcases, half-carcases or 'compensated' quarters 2. Separated or unseparated forequarters 3. Separated or unseparated hindquarters 4. Other : aa) Unboned (bone-in) bb) Boned or boneless	 26,26474 21,01179 31,51769 21,01179 35,98269
ex 02.06 C I a)	Meat salted, in brine, dried or smoked, of adult bovine animals : 1. Unboned (bone-in) 2. Boned or boneless	 21,01179 29,94180
ex 16.02 B III b) 1	Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals : aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal : 11. Containing 80 % or more by weight of beef meat excluding offals and fat 22. Other	 29,94180 21,01179

COMMISSION REGULATION (EEC) No 2883/84**of 12 October 1984****fixing the amounts of the production levies in the sugar sector for the 1983/84 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular Article 28 (7) thereof,

Whereas Article 7 (1) of Commission Regulation (EEC) No 1443/82 of 8 June 1982 laying down detailed rules for the application of the quota system in the sugar sector⁽³⁾, as last amended by Regulation (EEC) No 2682/84⁽⁴⁾, provides that the basic production levy and the B levy on sugar and isoglucose shall be fixed before 15 October in respect of the preceding marketing year;

Whereas Council Regulation (EEC) No 1587/83⁽⁵⁾ increased, for the 1983/84 marketing year, the maximum amount referred to in the first indent of the second subparagraph of Article 28 (4) of Regulation (EEC) No 1785/81 to 37,5 % of the intervention price for white sugar;

Whereas the estimated total loss recorded in accordance with Article 28 (1) and (2) of Regulation (EEC) No 1785/81 necessitates the retention, in respect of the amounts of the production levies applicable for the 1983/84 marketing year, of the maximum amounts

referred to in Article 28 of the said Regulation adjusted, where applicable, by Regulation (EEC) No 1587/83;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the production levies in the sugar sector for the 1983/84 marketing year are hereby fixed as follows:

- (a) 1,0694 ECU per 100 kilograms of white sugar as the basic production levy on A sugar and B sugar;
- (b) 20,0513 ECU per 100 kilograms of white sugar as the B levy on B sugar;
- (c) 0,4386 ECU per 100 kilograms of dry matter as the basic production levy on A isoglucose and B isoglucose;
- (d) 8,2590 ECU per 100 kilograms of dry matter as the B levy on B isoglucose.

Article 2

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

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 254, 22. 9. 1984, p. 9.

⁽⁵⁾ OJ No L 163, 22. 6. 1983, p. 35.

COMMISSION REGULATION (EEC) No 2884/84**of 12 October 1984****re-establishing the levying of customs duties on dioctyl phthalates, falling within subheading 29.15 C ex III and originating in Romania, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3569/83 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3569/83 of 16 December 1983 applying generalized tariff preferences for 1984 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 1 of that Regulation, duties on the products listed in Annex B, originating in each of the countries or territories listed in Annex C, shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 12 of that Regulation;

Whereas, as provided for in Article 12 of that Regulation, where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas, for this purpose, the reference base to be considered shall be, as a general rule, 150 % of the highest maximum amount valid for 1980;

Whereas, in the case of dioctyl phthalates falling within subheading 29.15 C ex III, the reference base is fixed at 321 000 ECU; whereas, on 11 October 1984,

imports of these products into the Community, originating in Romania, reached that reference base after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties in respect of the products in question must be re-established against Romania,

HAS ADOPTED THIS REGULATION:

Article 1

As from 16 October 1984, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3569/83, shall be re-established on imports into the Community of the following products originating in Romania:

CCT heading No	Description
29.15 C ex III (NIMEXE code 29.15-63)	Dioctyl phthalates

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, 12 October 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 362, 24. 12. 1983, p. 1.

COMMISSION REGULATION (EEC) No 2885/84**of 12 October 1984****concerning the stopping of fishing for northern deepwater prawns by vessels flying the flag of France**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as amended by Regulation (EEC) No 1729/83 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 320/84 of 31 January 1984 fixing, for certain fish stocks and groups of fish stocks occurring in the Community's fishing zone, provisional total allowable catches for 1984, the provisional share of these catches available to the Community, the allocation of that share between the Member States and the conditions under which the total allowable catches may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2666/84 ⁽⁴⁾, provides for northern deepwater prawns quotas for 1984;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of northern deepwater

prawns in the waters of NAFO division 1, by vessels flying the flag of France or registered in France, have reached the quota allocated for 1984,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of northern deepwater prawns in the waters of NAFO division 1, by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1984.

Fishing for northern deepwater prawns in the waters of NAFO division 1, by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transshipment and the landing of fish from such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 12 October 1984.

For the Commission

Giorgios CONTOGEORGIS

Member of the Commission

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.

⁽³⁾ OJ No L 37, 8. 2. 1984, p. 1.

⁽⁴⁾ OJ No L 253, 21. 9. 1984, p. 5.

COMMISSION REGULATION (EEC) No 2886/84
of 12 October 1984
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 2344/84 ⁽³⁾, as last
amended by Regulation (EEC) No 2725/84 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2344/84 to the
prices known to the Commission that the levies at

present in force should be altered to the amounts set
out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies referred to in Article 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 16 October
1984.

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 217, 14. 8. 1984, p. 21.

⁽⁴⁾ OJ No L 259, 28. 9. 1984, p. 27.

ANNEX

to the Commission Regulation of 12 October 1984 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	24,55
04.01 A I b)	0120	22,14
04.01 A II a) 1	0130	22,14
04.01 A II a) 2	0140	26,76
04.01 A II b) 1	0150	20,93
04.01 A II b) 2	0160	25,55
04.01 B I	0200	50,44
04.01 B II	0300	106,70
04.01 B III	0400	164,90
04.02 A I	0500	17,00
04.02 A II a) 1	0620	114,91
04.02 A II a) 2	0720	146,54
04.02 A II a) 3	0820	148,96
04.02 A II a) 4	0920	219,81
04.02 A II b) 1	1020	107,66
04.02 A II b) 2	1120	139,29
04.02 A II b) 3	1220	141,71
04.02 A II b) 4	1320	212,56
04.02 A III a) 1	1420	26,59
04.02 A III a) 2	1520	35,90
04.02 A III b) 1	1620	106,70
04.02 A III b) 2	1720	164,90
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,0766 ⁽⁴⁾
04.02 B I b) 1 bb)	2320	per kg 1,3929 ⁽⁴⁾
04.02 B I b) 1 cc)	2420	per kg 2,1256 ⁽⁴⁾
04.02 B I b) 2 aa)	2520	per kg 1,0766 ⁽⁵⁾
04.02 B I b) 2 bb)	2620	per kg 1,3929 ⁽⁵⁾
04.02 B I b) 2 cc)	2720	per kg 2,1256 ⁽⁵⁾
04.02 B II a)	2820	50,55
04.02 B II b) 1	2910	per kg 1,0670 ⁽⁵⁾
04.02 B II b) 2	3010	per kg 1,6490 ⁽⁵⁾
04.03 A	3110	194,00
04.03 B	3210	236,68
04.04 A	3300	205,34 ⁽⁶⁾
04.04 B	3900	205,13 ⁽⁷⁾
04.04 C	4000	157,69 ⁽⁸⁾
04.04 D I a)	4410	162,29 ⁽⁹⁾
04.04 D I b)	4510	164,02 ⁽⁹⁾
04.04 D II	4610	260,74
04.04 E I a)	4710	205,13
04.04 E I b) 1	4800	179,92 ⁽¹⁰⁾

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

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	175,62 ⁽¹⁾
04.04 E I c) 1	5210	131,72
04.04 E I c) 2	5250	272,34
04.04 E II a)	5310	205,13
04.04 E II b)	5410	272,34
17.02 A II	5500	40,31 ⁽¹²⁾
21.07 F I	5600	40,31
23.07 B I a) 3	5700	83,17
23.07 B I a) 4	5800	107,93
23.07 B I b) 3	5900	100,03
23.07 B I c) 3	6000	80,05
23.07 B II	6100	107,93

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) 7,25 ECU ; and
 - (c) 22,06 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
 - (b) 22,06 ECU.
- (⁶) The levy is limited to :
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy is limited to 12,09 ECU per 100 kg net weight :
- for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to :
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria, for products listed under (s) of that Annex imported from Finland and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 12,09 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
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COMMISSION REGULATION (EEC) No 2887/84
of 12 October 1984
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1854/84⁽³⁾,
as last amended by Regulation (EEC) No 2869/84⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1854/84 to the
information known to the Commission that the levies

at present in force should be altered to the amounts
set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 13 October
1984.

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.
⁽³⁾ OJ No L 172, 30. 6. 1984, p. 53.
⁽⁴⁾ OJ No L 271, 12. 10. 1984, p. 13.

ANNEX

**to the Commission Regulation of 12 October 1984 fixing the import levies on white sugar
and raw sugar**

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	41,85
	B. Raw sugar	40,04 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 2888/84**of 12 October 1984****temporarily suspending the advance fixing of export refunds for certain beef and veal sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece ⁽²⁾,

Having regard to Council Regulation (EEC) No 885/68 of 28 June 1968 laying down general rules for granting export refunds on beef and veal and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, and in particular the second subparagraph of Article 5 ⁽⁴⁾ thereof,

Whereas consideration of the situation on the market in beef and veal reveals, in particular following currency fluctuations, the existence of a number of problems arising from the application of the provisions concerning the advance fixing of the refund;

whereas applications are, for speculative purposes, being submitted for the advance fixing of the refund for certain products as a result; whereas the advance fixing of refunds should therefore be suspended, with no action being taken on applications already lodged but not yet dealt with,

HAS ADOPTED THIS REGULATION:

Article 1

The advance fixing of export refunds for products falling within subheading 02.01 A II a) of the Common Customs Tariff is hereby suspended from 15 to 17 October 1984.

Article 2

This Regulation shall enter into force on 13 October 1984.

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

Done at Brussels, 12 October 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

