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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 25/85

of 4 January 1985

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 3131/84⁽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 3 January 1985;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3131/84 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 5 January 1985.

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

Done at Brussels, 4 January 1985.

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 293, 10. 11. 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 4 January 1985 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	62,26
10.01 B II	Durum wheat	95,50 ⁽¹⁾ ⁽²⁾
10.02	Rye	68,16 ⁽⁶⁾
10.03	Barley	78,32
10.04	Oats	53,22
10.05 B	Maize, other than hybrid maize for sowing	63,80 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	72,54 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	101,57
11.01 B	Rye flour	109,84
11.02 A I a)	Durum wheat groats and meal	161,53
11.02 A I b)	Common wheat groats and meal	108,14

⁽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 26/85

of 4 January 1985

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
3 January 1985;

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 5 January
1985.

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

Done at Brussels, 4 January 1985.

For the Commission

Poul DALSAGER

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 4 January 1985 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 1	1st period 2	2nd period 3	3rd period 4
10.01 B I	Common wheat, and meslin	0	1,01	1,01	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	0,48	0,48	0,34
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	27,30	27,30	27,30
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	1,42	1,40	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1,80	1,80	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1,34	1,34	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 27/85

of 4 January 1985

laying down detailed rules for the application of Regulation (EEC) No 2262/84
laying down special measures in respect of olive oil

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2262/84 of 17 July 1984 laying down special measures
in respect of olive oil⁽¹⁾, and in particular Article 5
thereof,

Whereas, under Article 1 of Regulation (EEC) No
2262/84, each Member State producing more than a
minimal quantity of olive oil is to set up an agency for
the purpose of carrying out certain inspection work
and other duties in connection with the olive oil
production aid scheme; whereas the agency must be
in a position to carry out the tasks specified in that
Regulation; whereas each agency must therefore
possess the minimum powers required to discharge
these tasks;

Whereas, in order to guarantee correct and effective
application of the production aid scheme, Article 1 (3)
of Regulation (EEC) No 2262/84 specifies that the
agency shall be given full powers by the Member State
concerned to carry out its tasks; whereas to this end
each Member State concerned must confer on the
agency's inspectors powers to enter all premises and
land used by persons subject to inspection for their
professional activities, and to demand such informa-
tion and make such verifications as are necessary for
accomplishment of the agency's tasks;

Whereas the Member States concerned must take all
measures necessary to safeguard the rights of persons
subject to inspection whose interests may be affected
thereby;

Whereas the agency will carry out its work in the
framework of a work schedule and budget drawn up
by the Member State concerned acting on a proposal
from the agency and after consulting the Commis-
sion; whereas the minimum content of the schedule
and size of the budget, and also the procedure to be
followed for their establishment and possible adjust-
ment, should therefore be laid down;

Whereas, under Article 1 (4) of Regulation (EEC) No
2262/84, the Commission shall regularly monitor the
work of the agencies; whereas a procedure should

consequently be laid down by which the Commission
will be kept informed of the progress of this work;

Whereas the Community will for the first three
marketing years contribute to the actual expenditure of
the agencies; whereas procedures for this financing
operation should therefore be laid down and also
procedures for any verification work in connection
with it;

Whereas in view of the time required to set up the
inspection agencies in producer Member States special
arrangements should be made for the 1984/85 marke-
ting year;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In accordance with Article 1 (1) of Regulation
(EEC) No 2262/84 each producer Member State shall,
not later than 31 March 1985, set up an agency for the
purpose of carrying out the checks and duties specified
in that Regulation.

2. Member States whose production, calculated on
the basis of the average quantity eligible for produc-
tion aid during the last four marketing years, does not
exceed 3 000 tonnes, are not required to set up an
agency.

Article 2

1. Each agency shall be granted the legal powers
required in order to carry out its duties.

2. Each agency shall, within the framework of the
work schedule and budget referred to in Article 1 (4)
of Regulation (EEC) No 2262/84, be given autonomy
as regards the recruitment of staff and the planning of
its work, and all expenditure arising therefrom.

3. The number of staff on the agency's payroll, their
level of training and experience, the resources made
available to them and the manner in which the
agency's departments are organized shall be such as to
permit the duties referred to in Article 1 (2) of Regula-
tion (EEC) No 2262/84 to be carried out. More specifi-
cally, personnel responsible for control shall have the

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 11.

necessary technical knowledge and experience to enable them to carry out the checks specified in Council Regulation (EEC) No 2261/84⁽¹⁾ and Commission Regulation (EEC) No 3061/84⁽²⁾, in particular as regards the assessment of agronomic data, technical checks on mills and the scrutiny of stock records and accounts.

4. The official shall, for the purpose of carrying out the duties assigned to them pursuant to Regulation (EEC) No 2262/84, be given appropriate powers by the Member State concerned to obtain any information or evidence and carry out any checks which may be necessary in respect of producers, producers' organizations and associations thereof and approved mills, and in particular:

- (a) the authority to check books and other business records;
- (b) the authority to make copies of or take extracts from business records;
- (c) the right to request that information be given verbally, on the spot;
- (d) the right of access to any business premises or land covered by the control arrangements.

Member States shall take whatever measures are necessary to safeguard the rights vested by their national legal orders in those natural and legal persons who are subject to inspection.

Member States shall recognize the officials' findings as having conclusive force under their national legal orders.

Article 3

1. From the 1985/86 marketing year onwards the agency shall propose a work schedule and a budget estimate in respect of each marketing year. The work schedule shall, without prejudice to the conditions laid down in Regulations (EEC) No 2261/84 and (EEC) No 3061/84, be drawn up on the basis of the representativeness of the operators covered by the control arrangements. Priority shall, however, be given to any area of activity or region in which there is a major risk of irregularities.

2. The work schedule shall include:

- (a) a plan for the use of the data in the computerized files specified in Article 16 of Regulation (EEC) No 2261/84; such data shall include information arising from the register of olive cultivation;
- (b) an outline of the inspection work that the agency plans to carry out in respect of:

- producers' organizations,
- associations of producers' organizations, and
- approved mills,

together with a description of the way in which those checks are to be carried out;

- (c) a schedule of the work to be carried out by the agency with a view to determining yields of olives and olive oil;
- (d) a description of the investigations to be conducted as regards the destination of oil obtained by pressing olives and the by-products thereof, and statistical surveys of olive oil production, processing and consumption;
- (e) a list of any other work to be carried out at the request of the Member State or the Commission pursuant to the second and third subparagraph of Article 1 (2) of Regulation (EEC) No 2262/84;
- (f) details of the training which the agency intends to provide for its staff;
- (g) a list of the officials responsible for liaising with the Commission.

The agency shall, moreover, indicate the estimated number of man-days required in respect of each area of activity in the work schedule.

3. The agency's budget shall include the following headings, each of which must be dealt with in a sufficiently detailed manner:

- 1. List of posts;
- 2. Expenditure on staff;
- 3. Administrative expenditure;
- 4. Expenditure on individual projects;
- 5. Spending on investment;
- 6. Other expenditure;
- 7. Income from the Member State concerned;
- 8. Contribution by the Community, by virtue of the second subparagraph of Article 1 (5) of Regulation (EEC) No 2262/84;
- 9. Income pursuant to the first subparagraph of Article 1 (5) of Regulation (EEC) No 2262/84;
- 10. Other income.

4. The agency shall, for the purposes of drawing up the draft work schedule and budget estimate, take into account the frequency of checks required by Community legislation, the experience gained in previous marketing years and, without prejudice to the responsibilities of the Member State concerned, any observations or comments made by the Commission before it is drawn up.

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽²⁾ OJ No L 288, 1. 11. 1984, p. 52.

Article 4

1. Not later than 15 August each year, the agency shall submit its draft work schedule and budget estimate to the Member State concerned. The latter shall, on the basis of the draft, draw up the work schedule and budget estimate and shall submit them to the Commission not later than 15 September each year.

The Commission may, within 30 days, and without prejudice to the responsibilities of the Member State concerned, request that the latter introduce any change in the budget and the work schedule that the Commission considers available for the purposes of satisfactory operation of the production aid scheme.

2. The agency's definitive work schedule and budget shall be adopted by the Member State concerned not later than 31 October each year and shall be forwarded to the Commission forthwith.

3. Subject to Commission approval and provided the overall amount entered in the budget does not increase as a result, the Member State may, with a view to making the checks more effective, amend the agency's work schedule and budget during the marketing year.

However, should an exceptional situation arise in which there is a risk of fraud seriously endangering proper operation of the production aid scheme, the agency shall inform the Member State in question and the Commission. In this case, the agency may modify its plan and the inspection work after having obtained the agreement of the Member State in question. That Member State shall inform the Commission without delay.

If, during a marketing year, the agency is asked by the Member State or the Commission to carry out specific investigations, the work schedule and the budget shall be amended accordingly. The procedure laid down in paragraphs 1 and 2 shall apply *mutatis mutandis* to the introduction of such amendments.

Article 5

1. In order that Commission officials may, as laid down in Article 1 (4) of Regulation (EEC) No 2262/84, monitor the work carried out by the agency, the agency shall, not later than the 15th day of each month, submit to the Member State concerned and the Commission the schedule of its management and control work for the following month. The agency shall, as soon as possible, also notify the Commission and the Member State concerned of any change in the implementation of the monthly work schedule.

2. The agency shall, not later than 30 days after the end of each quarter, submit to the Member State and

Commission a summary report on the work carried out by the agency, together with a financial statement showing the cash-flow situation and the expenditure incurred by the agency in respect of each budget chapter.

3. Representatives of the Commission, of the Member State concerned and of the agency shall at least quarterly to consider the work carried out by the agency and that which it intends to carry out in the future.

Article 6

1. The Member State concerned shall, not later than 31 May each year, transmit to the Commission the revenue and expenditure account for the preceding marketing year accompanied by a report from the governmental authority responsible for supervision of the agency.

2. Not later than three months after that date the Commission shall take a decision on the amount representing the agency's actual expenditure that is to be granted to the producer Member State in respect of the year in question. The said amount, less the advance payments referred to in paragraph 4 and in Article 7 (3), shall be paid once it is established that the agency has performed the work assigned to it.

3. For the purpose of scrutiny of the revenue and expenditure account, Commission officials shall be entitled to have access to the agencies' financial records and supporting documents.

4. The amount representing the agency's operating expenditure during a marketing year shall be agreed by the Commission and the Member State concerned on the basis of the agency's budget estimate. The Commission may, however, alter the monthly instalments in the light of the agency's rate of spending as calculated on the basis of the figures in the quarterly reports referred to in Article 5 (2).

Article 7

1. The draft work schedule and the budget estimate for 1984/85 shall be drawn up by the Member States concerned in accordance with Article 3 (2) and (3) and shall be forwarded to the Commission not later than 28 February 1985.

The draft work schedule shall include the agency's staff recruitment plan for the marketing year concerned.

The proposed activities of the agency, including inspection work, must be consonant with the recruitment plan and with the training programme scheduled.

Member States shall on the same occasion transmit to the Commission the proposed statute for the agency. This must include a staff recruitment procedure that provides sufficient guarantees that the aims set out in Article 2 (3) will be achieved.

Within 30 days the Commission may request the Member State, without prejudice to the responsibilities of the latter, to make any change in the budget or schedule which it considers appropriate and shall submit its comments, if any, on the statute.

2. The work schedule and budget for 1984/85 shall be adopted by the Member State concerned not later than 30 April 1985.

3. After receiving the 1984/85 draft work schedule and budget estimate the Commission may, on the basis of the latter and in order to facilitate the setting up of the agency, advance to the Member States the amount representing the cost of setting up the agency. The agency shall, after being formally set up, be entitled to receive the monthly advance payments in

respect of operating costs which are referred to in Article 6 (4).

Article 8

Until such time as the agency is in a position to perform all the other duties and checks assigned to it, producer Member States shall at least carry out the checks laid down in Regulation (EEC) No 2261/84, Commission Regulation (EEC) No 2711/84⁽¹⁾ and Regulation (EEC) No 3061/84 in accordance with existing procedures.

Article 9

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

The provisions of Articles 4, 5 and 6 shall be applicable only to the work schedule programmes and budgets relative to the 1984/85, 1985/86 and 1986/87 marketing years.

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

Done at Brussels, 4 January 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 258, 27. 9. 1984, p. 12.

COMMISSION REGULATION (EEC) No 28/85

of 4 January 1985

allocating the Community quantitative export quotas for copper ash and residues and waste and scrap

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas ⁽¹⁾, and in particular Article 2 thereof,

Whereas Council Regulation (EEC) No 3629/84 of 19 December 1984 on export arrangements for certain types of non-ferrous metal waste and scrap ⁽²⁾ fixed Community quantitative export quotas for copper ash and residues and waste and scrap for 1985;

Whereas, in accordance with Article 3 of Regulation (EEC) No 3629/84, the quotas are to be allocated according to estimated needs and with regard to the export opportunities that already exist for the products in question;

Whereas it is necessary to provide for an adaptable and flexible method of administering the Community

reserve which would allow all exporters equal and continuous access to the quotas until they are used up;

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 shares allocated to that economic union may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The Community quantitative export quotas opened by Regulation (EEC) No 3629/84 for the period 1 January to 31 December 1985 shall be allocated among the Member States as follows, without prejudice to Article 4 hereof:

CCT heading No	Description	Quantity
ex 26.03	Ash and residues of copper and copper alloys	Germany 7 700 France 5 000 Italy 2 550 Benelux 1 150 United Kingdom 2 400 Denmark 700 Ireland — Greece 800 + Community reserve 5 700
74.01 D	Waste and scrap of copper and copper alloys	Germany 12 200 France 9 200 Italy 1 700 Benelux 4 340 United Kingdom 3 000 Denmark 580 Ireland 480 Greece 300 + Community reserve 5 200

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 335, 22. 12. 1984, p. 7.

Article 2

1. If 70 % or more of a Member State's initial share as specified in Article 1, or of that share minus the portion returned to the reserve where Article 4 is applied, has been used up, that Member State shall, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 70 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions imposed by paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 70 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares lower than those fixed in those paragraphs if there are grounds for believing that those fixed may not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 3

Supplementary shares drawn pursuant to Article 2 shall be valid until 31 December 1985.

Article 4

Member States shall return to the reserve, not later than 15 October 1985, the unused portion of their initial share which they estimate will not be utilized.

Member States shall, not later than 15 October 1985, notify the Commission of any quantities of the initial shares returned to the reserve.

Article 5

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 1

and 2 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 October 1985, of the amount still in reserve after amounts have been returned thereto pursuant to Article 4.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 6

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 2 are opened in such a way that exports may be charged without interruption against their accumulated shares in the Community tariff quota.

2. Member States shall ensure that exporters of the said goods established in their territory have free access to the shares allocated to them.

3. Member States shall charge exports of the said goods against their shares as and when such goods are presented to the customs authorities under cover of export authorizations or customs exports documents.

4. The extent to which a Member State has used up its share shall be determined on the basis of exports charged in accordance with paragraph 3.

Article 7

Member States shall supply the Commission with the information specified in Article 8 of Regulation (EEC) No 1023/70.

Article 8

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

It shall apply until 31 December 1985.

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

Done at Brussels, 4 January 1985.

For the Commission
Wilhelm HAERKAMP
Vice-President

COMMISSION REGULATION (EEC) No 29/85

of 4 January 1985

fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 1025/84 ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt ⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, under Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed

rules for the application of Regulation (EEC) No 2412/73 ⁽⁴⁾, as amended by Regulation (EEC) No 3480/80 ⁽⁵⁾, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during October, November and December 1984,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1985.

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

Done at Brussels, 4 January 1985.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.
⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.
⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 84.

to the Commission Regulation of 4 January 1985 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

CCT heading No	Description	(ECU/tonne) Amounts to be deducted
ex 10.06	Rice : B. Other : I. Paddy rice ; husked rice : a) Paddy rice : 1. Round grain 2. Long grain b) Husked rice : 1. Round grain 2. Long grain II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain III. Broken rice	41,18 47,02 51,48 58,78 57,92 112,67 61,68 120,78 10,94

COMMISSION REGULATION (EEC) No 30/85

of 4 January 1985

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1030/77 of 17 May 1977 concluding the Interim
Agreement between the European Economic Commu-
nity and the Arab Republic of Egypt⁽¹⁾, and in
particular the second subparagraph of paragraph 3 of
the exchange of letters relating to Article 13 of the
Agreement,

Whereas the exchange of letters covered by Regulation
(EEC) No 1030/77 provides that the variable com-
ponent of the levy calculated in accordance with
Article 2 of Council Regulation (EEC) No 2744/75 of
29 October 1975 on the import and export system for
products processed from cereals and rice⁽²⁾, as last
amended by Regulation (EEC) No 1027/84⁽³⁾, is to be
reduced by an amount fixed by the Commission each
quarter; whereas this amount must be equal to 60 %
of the average of the levies in force during the three
months preceding the month during which the
amount is fixed;

Whereas the variable components applicable during
October, November and December 1984 to the
products falling within subheading 23.02 A of the
Common Customs Tariff are to be taken into
consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph
of paragraph 3 of the exchange of letters covered by
Regulation (EEC) No 1030/77 to be deducted from the
variable component applicable to bran and sharps
originating in Egypt shall be as shown in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 February
1985.

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

Done at Brussels, 4 January 1985.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 107, 19. 4. 1984, p. 15.

ANNEX

CCT heading No	ECU/tonne
23.02 A I a)	20,60
23.02 A I b)	40,03
23.02 A II a)	20,60
23.02 A II b)	40,03

COMMISSION REGULATION (EEC) No 31/85

of 4 January 1985

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1027/84⁽⁵⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within subheading 23.02 A II of the Common Customs Tariff during October, November and December 1984 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1985.

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

Done at Brussels, 4 January 1985.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

ANNEX

to the Commission Regulation of 4 January 1985 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

CCT heading No	ECU/tonne
23.02 A II a)	20,60
23.02 A II b)	40,03

COMMISSION REGULATION (EEC) No 32/85
of 4 January 1985
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 14/85⁽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 Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 January 1985.

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

Done at Brussels, 4 January 1985.

For the Commission

Poul DALSGER

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 2, 3. 1. 1985, p. 10.

ANNEX

to the Commission Regulation of 4 January 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	47,31
	B. Raw sugar	43,94 (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 33/85

of 4 January 1985

altering the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2260/84 ⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds ⁽³⁾, as last amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁷⁾, as last amended by Regulation (EEC) No 1474/84 ⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the export refunds on oil seeds were fixed by Regulation (EEC) No 3701/84 ⁽⁹⁾;

Whereas, for the period 19 to 25 December 1984, for certain currencies :

- for the current month, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 differs by more than one point from the percentage adopted for the previous fixing,
- for certain following months the difference referred to in Article 2 (2) of Regulation (EEC) No 1569/72 exceeds 0,5 % ; whereas this difference in the case of certain forward differential amounts differs by more than one point from the percentage adopted for the previous fixing ;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3701/84 to the information at present known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 ⁽¹⁰⁾, fixed in the Annex to Regulation (EEC) No 3701/84 are altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 January 1985.

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

Done at Brussels, 4 January 1985.

For the Commission

Poul DALSGER

Member of the Commission

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

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 1.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 341, 29. 12. 1984, p. 37.

⁽¹⁰⁾ OJ No L 75, 30. 3. 1971, p. 16.

ANNEX

to the Commission Regulation of 4 January 1985 altering the export refunds on colza
and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross refunds (ECU)	9,250	9,770	10,290	10,810	10,810	10,810
2. Final refunds						
Seeds harvested and exported from :						
— Federal Republic of Germany (DM)	24,82	26,06	27,34	28,83	28,83	29,61
— Netherlands (Fl)	27,97	29,37	30,76	32,43	32,43	33,22
— BLEU (Bfrs/Lfrs)	429,31	453,44	477,58	500,12	500,12	488,22
— France (FF)	53,90	57,47	60,43	62,87	62,87	62,88
— Denmark (Dkr)	77,84	82,21	86,59	90,97	90,97	90,12
— Ireland (£ Irl)	6,939	7,329	7,712	8,029	8,029	7,493
— United Kingdom (£)	4,878	5,199	5,521	5,843	5,843	5,843
— Italy (Lit)	13 246	13 986	14 424	14 873	14 873	13 939
— Greece (Dr)	649,77	696,84	743,92	790,99	790,99	790,99

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 December 1984

amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids

(85/10/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas total harmonization of the ranges of nominal volumes for products in the wine sector now appears necessary for all the products concerned since the adoption of Council Directive 75/106/EEC ⁽⁴⁾, as amended by Directive 79/1005/EEC ⁽⁵⁾;

Whereas the deadline laid down in Directive 75/106/EEC for the use of certain volumes does not leave some Member States sufficient time to dispose of returnable bottles still in circulation on their markets; whereas the premature replacement of non-standard bottles would have serious economic consequences;

whereas the States concerned should therefore be permitted to authorize the use of the volumes in question on their markets for a limited period;

Whereas since the adoption of Directive 75/106/EEC, the trend in consumption habits has shown that it is necessary to add large volumes to the range of capacities for still wines;

Whereas Directive 75/106/EEC should be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Article 5 of Directive 75/106/EEC is hereby replaced by the following:

Article 5

1. Member States may not refuse, prohibit or restrict the placing on the market of prepackages which satisfy the requirements of this Directive on grounds related to the determination of their volumes, the methods by which they have been checked or the nominal volumes where these are set out in Annex III, column I.

2. Member States which on 31 December 1973 allowed the nominal volumes listed in Annex III, column II, shall continue to allow them up to 31 December 1988, or in the case of the volume 0,73 litre up to 31 December 1985.

⁽¹⁾ OJ No C 291, 27. 10. 1983, p. 11.

⁽²⁾ OJ No C 104, 16. 4. 1984, p. 141.

⁽³⁾ OJ No C 57, 29. 2. 1984, p. 13.

⁽⁴⁾ OJ No L 42, 15. 2. 1975, p. 1.

⁽⁵⁾ OJ No L 308, 4. 12. 1979, p. 25.

3. (a) Prepackages containing the products listed in Annex III, section 1 (a) and (b) may only be marketed after 31 December 1983 if they have the nominal volumes set out in Annex III, columns I and II. The volume 0,73 litre shall be deleted from column II with effect from 1 January 1986.
- (b) Prepackages containing the products listed in Annex III, section 1 (a) and (b) may only be marketed after 31 December 1988 if they have the nominal volumes set out in Annex III, column I.
- (c) Without prejudice to subparagraph (a) above, the products listed in Annex III (1) (a), when contained in returnable packages, may be marketed in the following volumes :
- 0,24 litre — 0,73 litre — 0,99 litre in France up to 31 December 1988,
 - 0,46 litre — 0,64 litre — 0,68 litre in Greece up to 31 December 1988,
 - 0,19 litre — 0,36 litre — 0,475 litre — 0,72 litre — 0,95 litre — 1,75 litres — 1,88 litres in Italy up to 31 December 1985.
4. This Directive shall be no impediment to national laws governing on environmental grounds the use of packaging with regard to its recycling.'

Article 2

1. The following figures are added to Annex III, column I(1)(a) of Directive 75/106/EEC: '6, 9 and 10'.
2. The following line is added at the end of the range of volumes in Annex III, column I(1)(a) of Directive 75/106/EEC:
'0,187 (for consumption on board aircraft and ships only)'.

Article 3

Member States shall bring the laws, regulations and administrative provisions needed to comply with this Directive into force within 12 months of its notification⁽¹⁾. They shall forthwith inform the Commission thereof.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 18 December 1984.

For the Council

The President

J. BRUTON

⁽¹⁾ This Directive was notified to the Member States on 20 December 1984

SUB-CONTRACTING TERMINOLOGY

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This publication is an extract from the Seventeenth General Report on the Activities of the European Communities (1983).

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