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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 96/85

of 14 January 1985

imposing a definitive anti-dumping duty on imports of pentaerythritol
originating in Canada

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2176/84 of 23 July 1984 on protection against
dumped or subsidized imports from countries not
members of the European Economic Community⁽¹⁾,
and in particular Article 12 thereof,

Having regard to the proposal submitted by the
Commission after consultations within the Advisory
Committee as provided for under the above Regula-
tion,

Whereas :

A. Provisional action

- (1) The Commission, by Regulation (EEC) No
2681/84⁽²⁾, imposed a provisional anti-dumping
duty on imports of pentaerythritol originating in
Canada.

B. Subsequent procedure

- (2) Following the imposition of the provisional anti-
dumping duty the exporter concerned requested,
and was granted, an opportunity to be heard by
the Commission. The exporter also made a
written submission making known his views on
the duty in question.
- (3) The exporter requested to be informed of certain
facts and essential considerations on the basis of
which the Commission intended to recommend
definitive action, and this request was granted.

C. Dumping

- (4) No new evidence on dumping has been received
since the imposition of the provisional duty and
the Commission, therefore, considers its findings
on dumping as set out in Regulation (EEC) No
2681/84 to be definitive.
- (5) However, the exporter argued that it was
improper, when constructing the export prices, to
take account of a reasonable margin for overheads
and profit at Celanese AG, the Swiss subsidiary
which purchased the product concerned from its
parent company and which resold it to customers
in the Community. The exporter further argued
that, even if it was proper to take account of a
margin, it should not have been done without any
input of information from the exporter or its
subsidiary.

Since the export prices had to be constructed on
the basis of the prices at which the product
concerned was sold by Celanese AG to indepen-
dent buyers in the Community, it was considered
appropriate, in the light of Article 2 (8) of Regula-
tion (EEC) No 2176/84, to take account of a
margin for overheads and profit of Celanese AG
in order to arrive at a net ex-works export price
necessary for the calculation of the dumping
margin.

Furthermore, since the profits realized by Cella-
nese AG were profits made as a subsidiary of the
exporter concerned and in order to ensure that
the profit margin taken into consideration by the
Commission was not influenced by the relation-
ship between the exporter and its subsidiary, it
was considered inappropriate to rely on the
figures for profit available in the books of Cella-
nese AG, but to take account of a margin deter-
mined by the Commission in the light of the size
of the commissions paid by Celanese AG to its
agents.

- (6) Consequently the preliminary determinations are
confirmed.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 254, 22. 9. 1984, p. 5.

D. Injury

- (7) No fresh evidence regarding injury to the Community industry has been submitted.
- (8) However, the exporter argued that it was inappropriate to aggregate the imports of pentaerythritol originating in Canada with those originating in Spain and Sweden. In this respect it was underlined that the amount of the imports of the Canadian product into the Community had decreased and corresponded to a declining market share of the Canadian product in the Community.

The Commission found, however, that with regard to the development of imports of the Canadian product the alleged decline was not continuous between 1980 and 1983, since in 1981 and 1983 an increase of 19,2 % and 5,0 % respectively took place as compared with the previous year. Furthermore, even if imports had shown a continuous decline, that would not have been sufficient reason for not aggregating those imports with imports from Sweden and Spain since the market share held by the Canadian product in 1983 was still significant.

With regard to the question whether or not it was appropriate to aggregate in this case, it was found that all products under investigation competed with each other and with Community products in the Community market, as users of the product concerned purchased it irrespective of the country of origin.

- (9) The exporter alleged that imports other than those under investigation were also dumped and argued that, if aggregation is indispensable, those imports should also have been taken into account, particularly those originating in Brazil, Chile and Japan.

However, the Commission could not do so, since no anti-dumping complaints had been lodged by Community producers concerning imports of the product concerned originating in those countries and no anti-dumping proceedings had, therefore, been initiated. Furthermore, no prima-facie evidence was available to the Commission from which it could have been deduced that those products had been dumped in the Community and which would have caused it to open, on its own initiative, proceedings concerning the products originating in those countries.

- (10) The exporter further claimed that account should have been taken of the essentially differing interests of, on the one hand, a new exporter (in

Spain) and, on the other hand, established suppliers on the Community market, like the Canadian and Swedish suppliers.

With regard to this argument it should in the first place be underlined that what matters in an anti-dumping proceeding is not the differing interests of new and established producers, but the effect of imports at dumped prices on the Community market. As to the substance of this argument, the exporter seems to suggest that the anti-dumping proceeding should have been restricted to the Spanish exporter, who was the newcomer on the Community market and whom he claims to have been the cause of injury to the Community industry, and should not have been extended to exporters (including the Canadian supplier) with a traditional presence on the Community market, against whom the Community producers had not lodged a complaint before the newcomer entered the market. However, the fact that Community producers did not lodge an anti-dumping complaint at that time cannot be considered as sufficient grounds for preventing them from lodging a complaint at a later stage or as a justification for not taking protective measures against the established producers.

Furthermore, the fact that the Canadian exporter did not follow the price decrease initiated by the Spanish exporter on the Community market is irrelevant, since it is not considered essential in an anti-dumping proceeding to determine which exporter started causing injury to the Community industry if it is established that all exporters concerned contributed to the material injury suffered by the Community industry. In view of the volume of the product imported from Canada and the market share held by this product in the Community, it is established that the Canadian exporter also contributed in this case to the injury suffered by the Community industry.

- 11. The exporter also argued that account should have been taken of the beneficial effect of the closure of the plant of a former Community producer on the remaining Community producers.

The Commission found that the fact that a Community producer decided to close the plant, where the product concerned was manufactured, and not to set up a new plant, mainly because of the depressed market prices resulting from the dumping of products originating in third countries could indeed have enabled each of the remaining Community producers to increase their capacity utilization and market share.

However, even if such a result could be considered as beneficial for the Community industry as a whole, this does not constitute a ground for not taking action against dumping. Furthermore, the impact of the depressed market prices on the former Community producer's decision not to set up a new plant was not relied upon in Regulation (EEC) No 2681/84 for the determination of injury.

(12) In the Commission's view, therefore, the facts as finally determined show that the injury being caused by dumped imports of pentaerythritol originating in Spain, Canada and Sweden, taken in isolation from that caused by other factors, has to be considered as material.

(13) The Commission has therefore confirmed the conclusions on injury reached in Regulation (EEC) No 2681/84.

E. Community interest

(14) In view of the particularly serious difficulties facing the Community industry the Council has come to the conclusion that it is in the Community's interest that action be taken.

(15) In these circumstances, protection of the Community's interests calls for the imposition of a definitive anti-dumping duty on imports of pentaerythritol originating in Canada. Although the exporter concerned expressed an interest in offering a price undertaking, no offer was made. Therefore, the question of whether or not a price undertaking, if it had been offered in this case, would have been accepted, could not be decided. However, when examining a possible undertaking from a Canadian exporter, account would have been taken of the fact that the new Canadian legislation does not provide for satisfactory conditions under which undertakings may be offered by exporters to suspend or terminate proceedings.

F. Definitive duty

(16) In view of the fact that no new evidence on dumping or injury has been made available since the imposition of the provisional anti-dumping duty, the definitive anti-dumping duty should in principle be the same as the amount of the provisional duty. However, since the action taken against the Spanish and Swedish exporters took the form of an undertaking to respect a minimum

price, it is appropriate to impose on the Canadian exporter a variable duty based on a minimum price. The economic effect in the three cases will be a price increase by the exporter, although the minimum price level will not be the same.

(17) Taking into account the Community producers' costs of production and a reasonable profit margin the Commission determined that the injury would be removed if the amount of the duty corresponded to the amount by which the free-at-Community-frontier price, before duty, to the first independent importer in the importing Member State is less than 1 062 ECU per tonne.

G. Collection of provisional duty

(18) The amounts secured by way of provisional anti-dumping duty should be collected,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of pentaerythritol originating in Canada, falling within subheading ex 29.04 C 1 of the Common Customs Tariff and corresponding to NIMEXE code 29.04-66.

2. The amount of the duty shall be equal to the amount by which the price per tonne net, free-at-Community-frontier, before duty, to the first independent importer is less than 1 062 ECU.

The free-at-Community-frontier price shall be net if the conditions of sale provide for payment within 30 days from the date of shipment; it shall be reduced or increased by 1 % for each increase or decrease of one month in the period for payment.

3. The provisions in force with regard to customs duties shall apply.

Article 2

The sums secured by way of provisional anti-dumping duty under Regulation (EEC) No 2681/84 shall be definitively collected.

Article 3

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, 14 January 1985.

For the Council

The President

F. PANDOLFI

COUNCIL REGULATION (EEC) No 97/85

of 14 January 1985

extending until 31 December 1985 the validity of Regulations (EEC) No 1/85, (EEC) No 2/85, (EEC) No 3/85, (EEC) No 4/85, (EEC) No 5/85, (EEC) No 6/85, (EEC) No 7/85 and (EEC) No 8/85 concerning fisheries

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 Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposals from the Commission,

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

Whereas the Council adopted on 19 December 1984 the following Regulations:

- Regulation (EEC) No 1/85 fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches, for 1985 and certain conditions under which they may be fished⁽³⁾,
- Regulation (EEC) No 2/85 allocating, for 1985, catch quotas in Greenland waters⁽⁴⁾,
- Regulation (EEC) No 3/85 allocating certain catch quotas between Member States for vessels fishing in the Norwegian economic zone and the fishery zone around Jan Mayen⁽⁵⁾,
- Regulation (EEC) No 4/85 laying down for 1985 certain measures for the conservation and management of fishery resources to vessels flying the flag of Norway⁽⁶⁾,
- Regulation (EEC) No 5/85 laying down for 1985 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands⁽⁷⁾,

— Regulation (EEC) No 6/85 allocating catch quotas between Member States for vessels fishing in Faroese waters⁽⁸⁾,

— Regulation (EEC) No 7/85 laying down for 1985 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Spain⁽⁹⁾,

— Regulation (EEC) No 8/85 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana⁽¹⁰⁾;

Whereas the Council had initially limited the term of validity of these Regulations to the period 1 to 20 January 1985; whereas these Regulations concern measures which, as a general rule, are intended to regulate fishing throughout all of 1985; whereas it is therefore necessary to extend their validity until 31 December 1985,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 9 of Regulation (EEC) No 1/85, in Article 5 of Regulation (EEC) No 2/85, in Article 3 of Regulation (EEC) No 3/85, in Article 9 of Regulation (EEC) No 4/85, in Article 9 of Regulation (EEC) No 5/85, in Article 3 of Regulation (EEC) No 6/85, in Article 16 of Regulation (EEC) No 7/85, in Article 18 of Regulation (EEC) No 8/85 the text of the second paragraph is hereby replaced by the following:

'It shall apply until 31 December 1985.'

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, 14 January 1985.

For the Council

The President

F. PANDOLFI

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No C 12, 14. 1. 1985.

⁽³⁾ OJ No L 1, 1. 1. 1985, p. 1.

⁽⁴⁾ OJ No L 1, 1. 1. 1985, p. 36.

⁽⁵⁾ OJ No L 1, 1. 1. 1985, p. 39.

⁽⁶⁾ OJ No L 1, 1. 1. 1985, p. 42.

⁽⁷⁾ OJ No L 1, 1. 1. 1985, p. 52.

⁽⁸⁾ OJ No L 1, 1. 1. 1985, p. 62.

⁽⁹⁾ OJ No L 1, 1. 1. 1985, p. 64.

⁽¹⁰⁾ OJ No L 1, 1. 1. 1985, p. 73.

COMMISSION REGULATION (EEC) No 98/85

of 15 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 organi-
zation 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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (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 coeffi-
cient;

Whereas these exchange rates being those recorded on
14 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 16 January
1985.

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

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESEN

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 15 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	59,25
10.01 B II	Durum wheat	105,42 ⁽¹⁾ ^(?)
10.02	Rye	66,55 ⁽⁶⁾
10.03	Barley	78,09
10.04	Oats	52,97
10.05 B	Maize, other than hybrid maize for sowing	64,03 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	29,10 ⁽⁴⁾
10.07 C	Grain sorghum	69,04 ⁽⁴⁾
10.07 D I	Triticale	(?)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	97,36
11.01 B	Rye flour	107,58
11.02 A I a)	Durum wheat groats and meal	176,90
11.02 A I b)	Common wheat groats and meal	103,59

⁽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 99/85

of 15 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
14 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 16 January
1985.

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

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESEN

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 15 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	2,45	2,45	1,43
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	0,68	0,68	0,74
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	4,05	4,05	4,05
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	3,43	3,43	2,01

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	4,36	4,36	2,55	2,55
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	3,26	3,26	1,90	1,90
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 100/85

of 15 January 1985

amending Regulation (EEC) No 1624/76 concerning special arrangements for the payment of aid for skimmed-milk powder denatured or processed into compound feedingstuffs in the territory of another Member State

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Regulation (EEC) No 1624/76 is hereby amended as follows:

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 10 (3) thereof,

1. The following paragraph is added to Article 1:

'As regards skimmed-milk powder within the meaning of Article 2 (1) (e) and (f) of Regulation (EEC) No 986/68, the provisions of Article 1 (5) of Regulation (EEC) No 1725/79 shall apply.'

Whereas, pursuant to the third subparagraph of Article 3 (1) of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽³⁾, as last amended by Regulation (EEC) No 2128/84⁽⁴⁾, Commission Regulation (EEC) No 1624/76⁽⁵⁾, as last amended by Regulation (EEC) No 1102/83⁽⁶⁾, determines the conditions under which a consignor Member State is entitled to grant aid for skimmed-milk powder or buttermilk powder produced in its territory and intended to be denatured or used in the territory of another Member State of destination for the manufacture of compound feedingstuffs;

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

'(a) if the skimmed-milk powder, whether as such or incorporated in a mixture, satisfies the requirements specified in Article 1 of Regulation (EEC) No 1725/79 and has in the consignor Member State been the subject of the inspection relating thereto referred to in Article 10 of the said Regulation;'

3. In Article 2 (2), the final subparagraph is replaced by the following:

'In Section 106 there shall be entered:

- (a) for the skimmed-milk powder referred to in Article 2 (1) (c) or (d) of Regulation (EEC) No 986/68, the date on which customs export formalities were completed;

for the skimmed-milk powder referred to in Article 2 (1) (e) and (f) of Regulation (EEC) No 986/68, according to the circumstances:

- the latest permitted date for the submission of tenders in respect of the individual invitation to tender referred to in Article 13 of Regulation (EEC) No 3714/84, or
- the date on which the application referred to in Article 22 of the said Regulation was received;

- (b) the net weight of the skimmed-milk powder, where it is not exported in its natural state;

- (c) the fat content of the skimmed-milk powder.'

Whereas the scope of Regulation (EEC) No 1624/76 should be extended and certain of its provisions adapted so that the Member State of manufacture of partly skimmed milk powder may grant the aid provided for in Article 2 (1) (e) and (f) of Regulation (EEC) No 986/68, the rules for which were laid down by Commission Regulation (EEC) No 3714/84⁽⁷⁾, where this product is intended to be denatured or used for the manufacture of compound feedingstuffs in the territory of another Member State of destination;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 196, 26. 7. 1984, p. 6.

⁽⁵⁾ OJ No L 180, 6. 7. 1976, p. 9.

⁽⁶⁾ OJ No L 119, 6. 5. 1983, p. 13.

⁽⁷⁾ OJ No L 341, 29. 12. 1984, p. 65.

4. In Article 2 (5), the following is added to the first subparagraph :

'However, as regards the skimmed-milk powder referred to in Article 2 (1) (e) and (f) of Regulation (EEC) No 986/68, proof must be produced that the period for denaturing or processing is in accordance with the requirements of Article 8 (1) of Regu-

lation (EEC) No 3714/84. Where the period is exceeded, Article 20 of the said Regulation shall apply.'

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, 15 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

COMMISSION REGULATION (EEC) No 101/85

of 15 January 1985

amending Regulation (EEC) No 1725/79 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended in particular for feed for calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 1

Regulation (EEC) No 1725/79 is hereby amended as follows :

Having regard to the Treaty establishing the European Economic Community,

1. Article 1 is replaced by the following :

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 10 (3) thereof,

Article 1

1. Without prejudice to the provisions governing the special aids provided for under Article 2a (4) of Regulation (EEC) No 986/68, aids shall be granted for :

Whereas Commission Regulation (EEC) No 3714/84 ⁽³⁾, lays down the conditions for granting aid for partly skimmed milk powder for animal feed as referred to in Article 2 (1) (e) and (f) and (2) of Council Regulation (EEC) No 986/68 ⁽⁴⁾, as last amended by Regulation (EEC) No 2128/84 ⁽⁵⁾; whereas manufacturers of compound feedingstuffs who use partly skimmed milk powder may qualify for the aid provided for by Commission Regulation (EEC) No 1725/79 ⁽⁶⁾, as last amended by Regulation (EEC) No 797/84 ⁽⁷⁾; whereas the said Regulation should therefore be amended accordingly;

(a) skimmed-milk powder as referred to in Article 2 (1) (c), (d), (e) and (f) of Regulation (EEC) No 986/68 which has been either denatured in accordance with Article 2 or used in the manufacture of compound feedingstuffs under the conditions laid down in Article 4;

(b) skimmed milk as referred to in Article 2 (1) (d) and (2) of Regulation (EEC) No 986/68 used in the manufacture of compound feedingstuffs if the compound feedingstuffs meet the conditions laid down in Article 4.

For the purposes of the aids referred to in Article 2 (1) (c) and (d) of Regulation (EEC) No 986/68, "skimmed milk" and "skimmed-milk powder" shall, in the context of this Regulation also include buttermilk and buttermilk powder.

Whereas, in calculating the aid payable for skimmed-milk powder under Regulation (EEC) No 1725/79, account should be taken of any aid paid for milkfat under Regulation (EEC) No 3714/84; whereas a coefficient should therefore be fixed establishing the quantity of milk powder contained in the product;

2. Skimmed milk and skimmed-milk powder as referred to in Article 2 (1) (c) and (d) of Regulation (EEC) No 986/68 may qualify for aid only if when they are used in accordance with paragraph 1 :

(a) nothing has previously been added to them; and

(b) they have not qualified or are not capable of qualifying for an aid or a price reduction under other Community provisions.

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

3. Skimmed milk or skimmed-milk powder as referred to in Article 2 (1) (c) and (d) of Regulation (EEC) No 986/68 previously incorporated in a mixture may, however, qualify for aid if the mixture has been used in the manufacture of compound feedingstuffs within the meaning of Article 4 (1) and if the mixture, when so used, contained no products other than :

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 341, 29. 12. 1984, p. 65.

⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁵⁾ OJ No L 196, 26. 7. 1984, p. 6.

⁽⁶⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁷⁾ OJ No L 86, 29. 3. 1984, p. 22.

- (a) skimmed-milk powder fulfilling the conditions laid down in paragraph 2 and, as the case may be ;
- (b) fats ;
- (c) vitamins ;
- (d) mineral salts ;
- (e) sucrose ;
- (f) anti-caking agents and/or free-flowing agents (maximum 0,3 %) ;
- (g) other liposoluble technical agents, including anti-oxidants and emulsifiers.

4. The maximum moisture content of the skimmed-milk powder shall be 5 %. This moisture content shall apply at the stage and under the conditions laid down in Article 10 (1).

In the case of a mixture within the meaning of paragraph 3, the moisture content shall be calculated on the basis of the non-fat content of the mixture.

As regards the quantity for which the moisture content exceeds 5 %, the aid shall be reduced by 1 % for each additional 0,2 % of moisture.

5. To calculate the aid payable and to ensure that the requirements of this Regulation as regards quantities are observed, the quantities of skimmed-milk powder as referred to in Article 2 (1) (e) and (f) of Regulation (EEC) No 986/68 and skimmed milk as referred to in Article 2 (2) of the said Regulation shall be multiplied by a coefficient of 0,9.

2. The introductory phrase in Article 4 (1) is replaced by the following :

'Compound feedingstuffs within the meaning of Article 2 (1) (d), (e) and (f) of Regulation (EEC) No 986/68 shall be products.'

3. Article 8 (3) (e) is replaced by the following :

'(e) date of delivery, quantities and fat content of the skimmed milk and skimmed-milk powder delivered as such or in the form of mixtures used in the manufacture of compound feedingstuffs, together with the name and address of the supplier ;'

4. Article 8 (3) (g) is replaced by the following :

'(g) date of sale, quantities and fat content of skimmed milk, skimmed-milk powder and compound feedingstuffs, together with the name and address of the consignee ;'

5. Article 10 (2) (a) is replaced by the following :

'(a) they shall provide for supervision of the enterprises concerned with particular regard to :

(aa) in respect of skimmed milk and skimmed-milk powder referred to in Article 2 (1) (c) and (d) of Regulation (EEC) No 986/68 :

- the composition of the skimmed milk and skimmed-milk powder used as such, with a view to ensuring compliance with the provisions of Article 1 (2) and (4) ;
- the composition of mixtures used, with a view to ensuring compliance with the provisions of Article 1 (3) and (4) ;
- the composition of compound feedingstuffs manufactured, with a view to ensuring compliance with Article 4.

Checks must establish that the following products in particular are not contained in the skimmed-milk powder used, whether as such or in the form of a mixture :

- lucerne meal or grass meal,
- crushed cereals,
- starch or puffed starch,
- crushed oilcake,
- fish meal,
- crushed oilcake and/or meal of dried and defatted rape seed,
- hay meal and/or straw meal,
- products of vegetable origin intended for animal feed, other than those listed in the preceding indents ;

(bb) in respect of skimmed milk and skimmed-milk powder as referred to in Article 2 (1) (e) and (f) and (2) of Regulation (EEC) No 986/68 :

- the composition of compound feedingstuffs manufactured, with a view to ensuring compliance with the provisions of Article 4.'

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, 15 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION REGULATION (EEC) No 102/85**of 15 January 1985****amending Regulation (EEC) No 1928/83 with regard to the final date for distribution of the aid to small-scale milk producers**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1206/84⁽²⁾, and in particular the third paragraph of Article 2a thereof,

Whereas, under the second indent of Article 1 (3) of Commission Regulation (EEC) No 1928/83⁽³⁾, as last amended by Regulation (EEC) No 1909/84⁽⁴⁾, the distribution of the amounts among small-scale milk producers must be carried out before 1 November 1984; whereas a number of Member States are finding difficulty in complying with the final date laid down

for distribution of the aid; whereas this date should accordingly be postponed,

HAS ADOPTED THIS REGULATION:

Article 1

In the second indent of Article 1 (3) of Regulation (EEC) No 1928/83, '1 November 1984' is hereby replaced by '1 February 1985'.

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 1 November 1984.

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

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 73.

⁽³⁾ OJ No L 191, 15. 7. 1983, p. 14.

⁽⁴⁾ OJ No L 179, 5. 7. 1984, p. 26.

COMMISSION REGULATION (EEC) No 103/85
of 15 January 1985
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1614/79 of 24 July 1979 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1037/84 ⁽²⁾, and in particular Article 2(5) thereof,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1614/79 was fixed by Regulation (EEC) No 2892/84 ⁽³⁾, as last amended by Regulation (EEC) No 3706/84 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2892/84

to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1614/79 is hereby fixed at 24,531 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 January 1985.

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

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 46.

⁽³⁾ OJ No L 273, 16. 10. 1984, p. 16.

⁽⁴⁾ OJ No L 341, 29. 12. 1984, p. 46.

COMMISSION REGULATION (EEC) No 104/85
of 15 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 92/85⁽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 16 January 1985.

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

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESEN

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 12, 15. 1. 1985, p. 12.

ANNEX

to the Commission Regulation of 15 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	45,30
	B. Raw sugar	41,44 ⁽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.

Information regarding the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the ACP States listed in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention on the guaranteed prices for cane sugar for the 1984/85 delivery period

The Agreement in the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the guaranteed prices for cane sugar for the 1984/85 delivery period, approved by Council Regulation (EEC) No 3113/84 ⁽¹⁾, was signed on 21 November 1984.

Information on the date of entry into force of the Third Additional Protocol to the Agreement between the European Economic Community and the State of Israel ⁽²⁾

Since notification of the completion of the procedures necessary for the entry into force of the Protocol was given during December 1984, the Protocol entered into force, pursuant to Article 4 thereof, on 1 January 1985.

⁽¹⁾ OJ No L 292, 9. 11. 1984, p. 1.

⁽²⁾ OJ No L 332, 20. 12. 1984, p. 2.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 5 December 1984

approving an amendment to the programme for the development of a system of agricultural advisory services in Greece pursuant to Council Regulation (EEC) No 2966/83

(Only the Greek text is authentic)

(85/21/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2966/83 of 19 October 1983 on the development of agricultural advisory services in Greece⁽¹⁾, as last amended by Regulation (EEC) No 1301/84⁽²⁾, and in particular Article 3 (4) thereof,

Whereas on 11 October 1984 the Greek Government forwarded an amendment to the programme for the development of a system of agricultural advisory services in Greece which was approved by Commission Decision 84/40/EEC of 13 January 1984⁽³⁾, in respect of the measures whose implementation is planned for 1984;

Whereas the proposed amendment is in keeping with the objectives and requirements of Regulation (EEC) No 2966/83 in that it allows the measures required for the development of agricultural advisory services to be implemented in 1984 and 1985;

Whereas Regulation (EEC) No 1301/84 extends the period allowed for implementing the common measure to two years;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

1. The amendment to the programme for the development of a system of agricultural advisory services in Greece which was forwarded by the Greek Government on 11 October 1984 is hereby approved.

2. The approval of the programme referred to in the preceding paragraph is hereby extended to those measures whose implementation is planned for 1985.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 293, 25. 10. 1983, p. 1.

⁽²⁾ OJ No L 125, 12. 5. 1984, p. 5.

⁽³⁾ OJ No L 23, 28. 1. 1984, p. 41.

COMMISSION DECISION

of 5 December 1984

concerning the approval of the programme drawn up pursuant to Council Regulation (EEC) No 619/84 extending the common measure on the acceleration of agricultural development in certain regions of Greece

(Only the Greek text is authentic)

(85/22/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1975/82 of 19 July 1982 on the acceleration of agricultural development in certain regions of Greece⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 619/84 of 5 March 1984 extending the common measure provided for in Regulation (EEC) No 1975/82 on the acceleration of agricultural development in certain regions of Greece⁽²⁾, and in particular Article 4 thereof,

Whereas on 4 September 1984 the Greek Government communicated the programme of work and other activities relating to the development of those rural areas of the country which are not concerned by Regulation (EEC) No 1975/82;

Whereas the said programme contains all those particulars, provisions and measures referred to in Article 2 of Regulation (EEC) No 1975/82 which apply to Regulation (EEC) No 619/84 and are necessary in order to achieve the aims of the said Regulation;

Whereas the EAGGF Committee has been consulted on the financial aspects;

Whereas, under Article 19 of Regulation (EEC) No 1975/82, which applies to the common measure provided for in Regulation (EEC) No 619/84, a procedure has to be established, by agreement with the Greek Government, for periodic reporting on the progress of the development measures;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

The programme of work and other activities relating to the development of the Greek rural areas not concerned by Regulation (EEC) No 1975/82, communicated by the Greek Government on 4 September 1984 in accordance with Regulation (EEC) No 619/84, is hereby approved.

Article 2

The Greek Government shall submit before 1 July every year a progress report on the programme referred to in Article 1.

The report shall state:

- the progress made during the previous calendar year as regards the measures provided for in the programme and set out in Article 1 of Regulation (EEC) No 619/84,
- the location of the irrigation work referred to in Article 1 of Regulation (EEC) No 619/84 and the area served by each individual project,
- expenditure incurred during the calendar year concerned accompanied by the proof referred to in Article 20 (1) of Regulation (EEC) No 1975/82, specifying the sources of finance used,
- in the event of failure to implement or complete the measures provided for in the programme, detailed explanations for such failure.

Article 3

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 214, 22. 7. 1982, p. 1.

⁽²⁾ OJ No L 68, 10. 3. 1984, p. 1.

COMMISSION DECISION

of 5 December 1984

approving a programme relating to marketing in the non-thoroughbred horse industry in Ireland pursuant to Council Regulation (EEC) No 355/77

(Only the English text is authentic)

(85/23/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 1932/84 ⁽²⁾, and in particular Article 5 thereof,

Whereas the Irish Government, on 3 January 1984, notified the programme relating to marketing in the non-thoroughbred horse industry;

Whereas the said programme concerns in particular the construction of training and marketing centres with a view to maintaining and extending the principal markets and to develop new markets; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the programme contains the details referred to in Article 3 of Regulation (EEC) No 355/77, showing that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the said sector; whereas the scheduled time for implementation of the programme does not exceed the limit laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The programme communicated by the Irish Government on 3 January 1984, relating to marketing in the non-thoroughbred horse industry pursuant to Regulation (EEC) No 355/77 is hereby approved.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 180, 7. 7. 1984, p. 1.

COMMISSION DECISION

of 5 December 1984

on the implementation of the reform of agricultural structure in the United Kingdom pursuant to Council Directives 72/159/EEC and 75/268/EEC

(Only the English text is authentic)

(85/24/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms ⁽¹⁾, as last amended by Directive 84/513/EEC ⁽²⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas ⁽³⁾, as last amended by Directive 82/786/EEC ⁽⁴⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 17 (4) of Directive 72/159/EEC, the Government of the United Kingdom has notified the following laws, regulations and administrative provisions :

- Statutory Instrument 1984, No 618 : The Agriculture and Horticulture Development (Amendment) Regulations 1984,
- Statutory Instrument 1984, No 619 : The Agriculture and Horticulture Grant (Variation) Scheme 1984,
- Statutory Instrument 1984, No 620 : The Farm and Horticulture Development (Amendment) Regulation 1984,
- Decision fixing the level of comparable earned income for 1984 ;

Whereas, under Article 18 (3) of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC, the Commission has to decide whether, having regard to the objectives of the said Directive and to the need for a proper connection between the various measures, such laws,

regulations and administrative provisions comply with the Directives and thus satisfy the conditions for financial contribution by the Community ;

Whereas the abovementioned laws, regulations and administrative provisions satisfy the conditions and objectives of Directives 72/159/EEC and 75/268/EEC ;

Whereas the EAGGF Committee has been consulted on the financial aspects ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

Article 1

The laws, regulations and administrative provisions for the implementation of Directives 72/159/EEC and 75/268/EEC in the United Kingdom, listed in the preamble hereto, satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC and Article 13 of Directive 75/268/EEC.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 285, 30. 10. 1984, p. 13.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 327, 24. 11. 1982, p. 19.

COMMISSION DECISION

of 5 December 1984

on the implementation of the reform of agricultural structures in France
pursuant to Council Directives 72/159/EEC and 75/268/EEC

(Only the French text is authentic)

(85/25/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms⁽¹⁾, as last
amended by Directive 84/513/EEC⁽²⁾, and in parti-
cular Article 18 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28
April 1975 on mountain and hill farming and farming
in certain less-favoured areas⁽³⁾, as last amended by
Directive 82/786/EEC⁽⁴⁾, and in particular Article 13
thereof,

Whereas the French Government forwarded, pursuant
to Article 17 (4) of Directive 72/159/EEC the
following provisions:

- Decree No 83/442 of 1 June 1983 on the
modernization of farms,
- Ministerial Order of 1 June 1983 on skill and
competence in agriculture,
- Ministerial Order of 1 June 1983 on the interest
rates on special modernization loans granted by
regional agricultural credit banks,
- Ministerial Order of 1 June 1983 on the amounts
of aids and ceilings,
- Ministerial Order of 1 June 1983 on the amounts
of the reduced interest loans,
- Circular DIAME/SSME/N.83 of 15 June 1983 on
the development plans,
- Circular DIAME/SSME/C.83 on investment aids
for the modernization of farms, development plans
and other aids, modernization aids,

— Circular DIAME/SSME/C.83 No 5016 of 10 June
1983 on the subsidies for livestock buildings —
pig farming,

— Circular DIAME No 5006 of 9 February 1982 on
investment aids for farms — situation of the
GAEC;

Whereas Article 18 (3) of Directive 72/159/EEC and
Article 13 of Directive 75/268/EEC require the
Commission to determine whether, having regard to
the abovementioned submission, the existing provi-
sions in France for the implementation of Directive
72/159/EEC and of Titles III and IV of Directive
75/268/EEC continue to satisfy the conditions for
financial contribution by the Community;

Whereas the abovementioned regulations and admi-
nistrative provisions meet the requirements of Direc-
tives 72/159/EEC and 75/268/EEC as well as the
requirements of Council Regulations (EEC) No
1945/81⁽⁵⁾ and (EEC) No 1946/81⁽⁶⁾ of 30 June 1981
restricting investment aids for pig and milk produc-
tion, with the exception of those provided for in
Circular DIAME No 5006 of 9 February 1982 for
multiplying the ceilings laid down in Regulations
(EEC) No 1945/81 and (EEC) No 1946/81, in so far as
this circular deals with joint farming ventures
established from a single farm;

Whereas, however, the preceding remark does not
justify a negative decision as regards the eligibility of
the various measures envisaged;

Whereas the EAGGF Committee has been consulted
on the financial aspects;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Structure,

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 285, 30. 10. 1984, p. 13.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 327, 24. 11. 1982, p. 19.

⁽⁵⁾ OJ No L 197, 20. 7. 1981, p. 31.

⁽⁶⁾ OJ No L 197, 20. 7. 1981, p. 32.

HAS ADOPTED THIS DECISION :

Article 1

Having regard to the regulations and administrative provisions set out in the recitals, the existing provisions for the implementation of Directive 72/159/EEC and Titles III and IV of Directive 75/268/EEC in France continue to satisfy the conditions for financial contribution by the Community to common measures within the meaning of Article 15 of Directive 72/159/EEC, with the exception of the provisions in Circular DIAME No 5006 of 9 February 1982 relating

to milk and pig production, in so far as this circular deals with the joint farming ventures established from a single farm.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION**of 5 December 1984****approving a specific programme for seeds in Greece pursuant to Council
Regulation (EEC) No 355/77****(Only the Greek text is authentic)****(85/26/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 355/77
of 15 February 1977 on common measures to improve
the conditions under which agricultural products are
processed and marketed ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1932/84 ⁽²⁾, and in particular Article 5
thereof,

Whereas the Greek Government, on 2 May 1984, noti-
fied the specific programme for seeds;

Whereas the said programme concerns the construc-
tion of processing and marketing facilities for seeds
and other propagating material with the aim of
adapting this sector to the increasing demand for high
quality seeds; whereas it therefore constitutes a
programme within the meaning of Article 2 of Regula-
tion (EEC) No 355/77;

Whereas the programme contains the details referred
to in Article 2 of Regulation (EEC) No 355/77,
showing that the objectives laid down in Article 1 of
the said Regulation can be achieved in respect of this
sector; whereas the scheduled time for implementa-

tion of the programme does not exceed the limit laid
down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The specific programme communicated by the Greek
Government on 2 May 1984 for seeds, pursuant to
Regulation (EEC) No 355/77, is hereby approved.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 180, 7. 7. 1984, p. 1.

COMMISSION DECISION

of 5 December 1984

approving a programme for the eggs and poultrymeat sector in England and Wales in accordance with Council Regulation (EEC) No 355/77

(Only the English text is authentic)

(85/27/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 1932/84 ⁽²⁾, and in particular Article 5 thereof,

Whereas, on 21 December 1983, the United Kingdom Government notified its specific programme for the eggs and poultrymeat sector in England and Wales ;

Whereas the said programme concerns :

- as regards poultrymeat : the investments needed to set up a modern, efficient and competitive poultrymeat processing industry,
- as regards eggs and egg products : the investments required, in particular, to rationalize and modernize this sector and to adapt it to Community health protection standards ;

whereas the said programme therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77 ;

Whereas approval of the programme will not affect the decisions to be taken under Article 14 of Regulation (EEC) No 355/77 in the matter of the Community financing of projects, especially those involving an increase in capacities for the grading and packaging of eggs or the slaughter of poultry ;

Whereas the programme provides enough of the details referred to in Article 3 of Regulation (EEC) No

355/77, demonstrating that the objectives of Article 1 of the said Regulation can be achieved in the sectors concerned ; whereas the period fixed for the execution of the programme does not exceed that laid down in Article 3 (1) (g) of the said Regulation ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

Article 1

The specific programme for the eggs and poultrymeat sector in England and Wales, notified by the United Kingdom Government on 21 December 1983 in accordance with Regulation (EEC) No 355/77, is hereby approved.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 180, 7. 7. 1984, p. 1.

COMMISSION DECISION**of 5 December 1984****on the implementation of the reform of agricultural structures in Italy (Region of Marche) pursuant to Council Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and 75/268/EEC****(Only the Italian text is authentic)****(85/28/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾, as last amended by Directive 84/513/EEC⁽²⁾, and in particular Article 18 (3) thereof,

Having regard to Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement⁽³⁾, as last amended by Directive 84/513/EEC, and in particular Article 9 (3) thereof,

Having regard to Council Directive 72/161/EEC of 17 April 1972 concerning the provision of socio-economic guidance for and the acquisition of occupational skills by persons engaged in agriculture⁽⁴⁾, as last amended by Directive 84/513/EEC, and in particular Article 11 (3) thereof,

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas⁽⁵⁾, as last amended by Directive 82/786/EEC⁽⁶⁾, and in particular Article 13 thereof,

Whereas the Government of Italy notified Law No 42 of the Region of Marche of 28 October 1977 laying down provisions for the implementation of Community Directives on the modernization of farms and the Law of 1 June 1984 amending and completing Law No 42 of 28 October 1977;

Whereas, pursuant to Article 18 (3) of Directive 72/159/EEC, Article 9 (3) of Directive 72/160/EEC, Article 11 (3) of Directive 72/161/EEC and Article 13 of Directive 75/268/EEC, the Commission has to decide whether, on the basis of the notified provisions' compatibility with the abovementioned Directives and having regard to the objectives of these Directives and to the need for a proper connection between the existing Italian measures implementing the above-

mentioned Directives, the conditions for a financial contribution by the Community are fulfilled;

Whereas Law No 42 of 28 October 1977 of the Region of Marche, having regard to the Law of 1 June 1984, satisfies the conditions and meets the objectives of the abovementioned Directives;

Whereas the application of Law No 42 before 1 June 1984, and in particular Article 48 thereof was, in practice, in accordance with the abovementioned Directives;

Whereas the EAGGF Committee has been consulted on the financial aspects;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

Law No 42 of the Region of Marche of 28 October 1977 laying down provisions for the implementation of Community Directives on the modernization of farms and the Law of 1 June 1984 amending Law No 42 of 28 October 1977, having regard to the existing Italian provisions implementing Directives 72/159/EEC, 72/160/EEC, 72/161/EEC and 75/268/EEC, satisfy the conditions for a financial contribution by the Community to the common measures referred to in these Directives.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 285, 30. 10. 1984, p. 13.

⁽³⁾ OJ No L 96, 23. 4. 1972, p. 9.

⁽⁴⁾ OJ No L 96, 23. 4. 1972, p. 15.

⁽⁵⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 327, 24. 11. 1982, p. 19.

COMMISSION DECISION

of 5 December 1984

on the implementation of the reform of agricultural structures in Belgium
pursuant to Council Directive 72/159/EEC

(Only the Dutch and French texts are authentic)

(85/29/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms ⁽¹⁾, as last
amended by Directive 84/513/EEC ⁽²⁾, and in parti-
cular Article 18 (3) thereof,

Whereas, pursuant to Article 17 (4) of Directive
72/159/EEC, the Belgian Government has notified the
following laws, regulations and administrative provi-
sions :

- Royal Decree of 11 April 1983 amending Royal
Decree of 21 June 1974 on the modernization of
farms,
- Royal Decree No 84/1065 of 4 May 1984
amending Royal Decree of 21 June 1974 on the
modernization of farms,
- Royal Decree No 84/1169 of 4 May 1984
amending Royal Decree of 21 June 1974 on the
modernization of farms,
- Royal Decree of 4 May 1984 amending Royal
Decree of 29 July 1980 on the modernization of
farms situated in less-favoured areas,
- Royal Decree of 21 June 1984 amending Royal
Decree of 21 June 1974 on the modernization of
farms,
- Royal Decree of 24 March 1983 and Royal Decree
of 6 June 1984 amending Royal Decree of 4
October 1976 on the granting of subsidies for the
keeping of management accounts and the co-
operation of agents, agricultural and horticultural
associations and recognized institutions in the
promotion of rational methods of management of
agricultural and horticultural enterprises,
- Ministerial Decree of 22 May 1984 on the
modernization of farms;

Whereas, under Article 18 (3) of Directive
72/159/EEC, the Commission has to decide whether,

having regard to the objectives of the said Directive
and to the need for a proper connection between the
various measures, such laws, regulations and adminis-
trative provisions comply with the Directive and thus
satisfy the conditions for financial contribution by the
Community ;

Whereas the abovementioned laws, regulations and
administrative provisions satisfy the conditions and
objectives of Directive 72/159/EEC ;

Whereas the EAGGF Committee has been consulted
on the financial aspects ;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

Article 1

The laws, regulations and administrative provisions for
the implementation of Directive 72/159/EEC in
Belgium, listed in the preamble hereto, satisfy the
conditions for financial contribution by the Commu-
nity to common measures within the meaning of
Article 15 of Directive 72/159/EEC.

Article 2

This Decision is addressed to the Kingdom of
Belgium.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 285, 30. 10. 1984, p. 13.

COMMISSION DECISION**of 5 December 1984****on the implementation of the reform of agricultural structures in Denmark
pursuant to Council Directive 72/159/EEC****(Only the Danish text is authentic)****(85/30/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms ⁽¹⁾, as last
amended by Directive 84/513/EEC ⁽²⁾, and in parti-
cular Article 18 (3) thereof,

Whereas on 6 August 1984 the Danish Government,
pursuant to Article 17 (4) of Directive 72/159/EEC,
communicated Proclamation No 198 of the Ministry
of Agriculture of 11 May 1984 amending the procla-
mation concerning the aid for farm modernization ;

Whereas Article 18 (3) of Directive 72/159/EEC
requires the Commission to determine whether,
having regard to the abovementioned submission, the
existing provisions for the implementation in
Denmark of Directive 72/159/EEC continue to satisfy
the conditions for financial contribution by the
Community to common measures within the meaning
of Article 15 of Directive 72/159/EEC ;

Whereas the abovementioned Proclamation satisfies
the conditions of Directive 72/159/EEC ;

Whereas the EAGGF Committee has been consulted
on the financial aspects ;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

Article 1

The existing Danish provisions implementing Direc-
tive 72/159/EEC, as now applicable in the light of
Proclamation No 198 of the Ministry of Agriculture of
11 May 1984, as notified on 6 August 1984 by the
Danish Government, continue to satisfy the conditions
for financial contribution by the Community to
common measures within the meaning of Article 15
of Directive 72/159/EEC.

Article 2

This Decision is addressed to the Kingdom of
Denmark.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 285, 30. 10. 1984, p. 13.

COMMISSION DECISION

of 5 December 1984

**prolonging the approval of certain programmes under Council Regulation (EEC)
No 355/77**

(85/31/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 355/77
of 15 February 1977 on common measures to improve
the conditions under which agricultural products are
processed and marketed ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1932/84 ⁽²⁾, and in particular Article 5
thereof,

Whereas Article 24 (4) of Regulation (EEC) No 355/77,
as set out in Article 1 (3) of Regulation (EEC) No
3073/82 ⁽³⁾, limited the effect of Regulation (EEC) No
355/77 to projects submitted before 1 May 1984;
whereas approval of the programmes listed in the
Annex to this Decision, which provide for a period for
their implementation extending beyond the date
referred to above, therefore had to be restricted to
applications submitted before that date;

Whereas Article 24 (4) of Regulation (EEC) No 355/77,
as set out in Article 1 (15) of Regulation (EEC) No
1932/84, extended the effect of Regulation (EEC) No
355/77 to projects submitted until 30 April 1984;
whereas approval of the programmes listed in the
Annex can therefore be extended for the entire period
provided for in the programmes for their implementa-
tion;

Whereas the period provided for in the programmes
for their implementation is compatible with the period

indicated in Article 3 (1) (g) of Regulation (EEC) No
355/77;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

Approval of the programmes listed in the Annex to
this Decision is hereby extended to projects submitted
after 30 April 1984 and for the period provided for in
each programme.

Article 2

This Decision is addressed to Belgium, Denmark, the
Federal Republic of Germany, Greece, Ireland, Italy,
the Netherlands and the United Kingdom.

Done at Brussels, 5 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 180, 7. 7. 1984, p. 1.

⁽³⁾ OJ No L 325, 20. 11. 1982, p. 1.

ANNEX

List of programmes the approval of which is prolonged pursuant to Article 1 of this Decision

Programme		Commission Decision approving the programme		Duration provided for in the programme
<i>Federal Republic of Germany</i>				
DE/008/BW Add.	Fruit juice	83/287/EEC	26. 5. 1983	1983-1987
DE/009/BW Add.	Wine	84/287/EEC	10. 5. 1984	1983-1987
DE/020/BW Add.	Cereals marketing	83/279/EEC	25. 5. 1983	1983-1987
DE/040/BS Add.	Seeds	83/603/EEC	29. 11. 1983	1983-1985
DE/044/BAY	Breeding stock and artificial insemination	83/278/EEC	25. 5. 1983	1982-1987
DE/045/BAY	Fruit juice	83/283/EEC	26. 5. 1983	1982-1985
DE/047/RP	Processing of by-products into animal feed and marketing	83/598/EEC	29. 11. 1983	1982-1985
<i>Italy</i>				
IT/012	Poultry products (Lombardy)	84/154/EEC	5. 3. 1984	1983-1986
IT/014	Seeds	84/147/EEC	5. 3. 1984	1983-1986
IT/015	Feed grains (Umbria)	84/152/EEC	5. 3. 1984	1983-1987
IT/016	Feed grains (Marche)	84/152/EEC	5. 3. 1984	1983-1987
IT/017	Feed grains (Sardinia)	84/152/EEC	5. 3. 1984	1982-1985
IT/018	Feed grains (Tuscany)	84/152/EEC	5. 3. 1984	1982-1986
IT/019	Durum wheat (Sicily)	84/149/EEC	5. 3. 1984	1983-1988
IT/020	Floricultural products (Apulia)	84/148/EEC	5. 3. 1984	1983-1987
IT/021	Feed grains (Emilia-Romagna)	84/150/EEC	5. 3. 1984	1983-1986
IT/013	Marketing of agricultural produce	83/602/EEC	29. 11. 1983	1983-1985
<i>Netherlands</i>				
NL/001 Add.	Fruit and vegetables (auctions)	83/618/EEC	30. 11. 1983	1983-1987
NL/007 Add.	Pigs	83/599/EEC	29. 11. 1983	1983-1987
NL/014	Drinking milk	83/620/EEC	30. 11. 1983	1983-1987
NL/015	Seeds	83/619/EEC	30. 11. 1983	1983-1987
<i>Belgium</i>				
BE/012 Add.	Grain storage and production of compound feedingstuffs	84/286/EEC	10. 5. 1984	1983-1985
BE/013	Fruit and vegetables (wholesale trade)	83/274/EEC	25. 5. 1983	1982-1986
<i>Denmark</i>				
DK/012	Products processed from fruit and vegetables	84/146/EEC	5. 3. 1984	1983-1985
<i>Ireland</i>				
IR/008 Add.	Horticulture	83/601/EEC	29. 11. 1983	1983-1986
IR/009	Sheep	83/600/EEC	29. 11. 1983	1982-1985
<i>United Kingdom</i>				
UK/014	Livestock (auction)	83/608/EEC	29. 11. 1983	1983-1987
<i>Greece</i>				
GR/001 Add.	Olive products and oilseeds	84/300/EEC	11. 5. 1984	1983-1987
GR/002 Add.	Cereals	84/288/EEC	10. 5. 1984	1984-1988
GR/005 Add.	Livestock products	83/606/EEC	29. 11. 1983	1983-1987

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