

Official Journal

of the European Communities

ISSN 0378-6978

L 15

Volume 28

18 January 1985

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 116/85 of 17 January 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 117/85 of 17 January 1985 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 118/85 of 17 January 1985 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	5
Commission Regulation (EEC) No 119/85 of 17 January 1985 fixing additional amounts for eggs in shell	8
Commission Regulation (EEC) No 120/85 of 17 January 1985 fixing additional amounts for egg products	10
Commission Regulation (EEC) No 121/85 of 17 January 1985 fixing additional amounts for live and slaughtered poultry	12
Commission Regulation (EEC) No 122/85 of 17 January 1985 fixing additional amounts for poultrymeat products	14
★ Commission Regulation (EEC) No 123/85 of 12 December 1984 on the application of Article 85 (3) of the Treaty to certain categories of motor vehicle distribution and servicing agreements	16
Commission Regulation (EEC) No 124/85 of 17 January 1985 fixing the import levies on white sugar and raw sugar	25
Commission Regulation (EEC) No 125/85 of 16 January 1985 on the sale by special tendering procedure of boned beef and veal held by certain intervention agencies . .	27

(Continued overleaf)

Contents (continued)

Commission Regulation (EEC) No 126/85 of 16 January 1985 postponing the date for the take-over of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 2374/79	28
Commission Regulation (EEC) No 127/85 of 16 January 1985 amending certain selling prices of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 984/81	29
Commission Regulation (EEC) No 128/85 of 16 January 1985 on the sale at a price fixed in advance of certain boned beef held by certain intervention agencies . .	33
Commission Regulation (EEC) No 129/85 of 16 January 1985 on the sale at prices fixed at a standard rate in advance of certain beef from intervention stocks for processing in the Community and repealing Regulation (EEC) No 3305/84	39
★ Commission Regulation (EEC) No 130/85 of 17 January 1985 correcting Regulation (EEC) No 80/85 amending Regulation (EEC) No 2742/82 on protective measures applicable to imports of dried grapes	44
Commission Regulation (EEC) No 131/85 of 17 January 1985 suspending the advance fixing of export refunds in respect of certain milk products	45
Commission Regulation (EEC) No 132/85 of 17 January 1985 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	46
Commission Regulation (EEC) No 133/85 of 17 January 1985 fixing the export refunds on malt	50
Commission Regulation (EEC) No 134/85 of 17 January 1985 fixing the corrective amount applicable to the refund on cereals	52
Commission Regulation (EEC) No 135/85 of 17 January 1985 prolonging for the second time the temporary suspension of the advance fixing of the import levy for common wheat	54

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 116/85

of 17 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 16 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 18 January 1985.

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

Done at Brussels, 17 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 17 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	57,41
10.01 B II	Durum wheat	103,14 ⁽¹⁾ ⁽²⁾
10.02	Rye	64,99 ⁽⁶⁾
10.03	Barley	76,65
10.04	Oats	51,39
10.05 B	Maize, other than hybrid maize for sowing	61,11 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	27,23 ⁽⁴⁾
10.07 C	Grain sorghum	66,28 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	95,57
11.01 B	Rye flour	105,40
11.02 A I a)	Durum wheat groats and meal	174,44
11.02 A I b)	Common wheat groats and meal	101,66

⁽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 117/85

of 17 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
16 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 18 January
1985.

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

Done at Brussels, 17 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 17 January 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		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	0,55	0,55	2,86
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	2,26	2,26	2,26
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

CCT heading No	Description	(ECU/tonne)				
		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 118/85

of 17 January 1985

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 663/84⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 663/84 and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as last amended by Regulation (EEC) No 1112/84⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁸⁾, as last amended by Regulation (EEC) No 664/84⁽⁹⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹⁰⁾;

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978⁽¹¹⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general

rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 14 and 15 January 1985 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff and on products falling within subheadings 15.17 B I and 23.04 A II of the Common Customs Tariff must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

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

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 108, 25. 4. 1984, p. 4.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 73, 16. 3. 1984, p. 11.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 18 January 1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	56,00 ⁽¹⁾
15.07 A I b)	62,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	70,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Spain and Lebanon : 0,60 ECU/100 kg ;
- (b) Turkey : 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Algeria and Morocco : 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by those countries ; however, the repayment may not exceed the amount of the tax in force.
- (d) Tunisia : 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	13,64
07.03 A II	13,64
15.17 B I a)	31,00
15.17 B I b)	49,60
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 119/85
of 17 January 1985
fixing additional amounts for eggs in shell

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3643/81⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation No 54/65/EEC⁽⁵⁾, No 183/66/EEC⁽⁶⁾, No 765/67/EEC⁽⁷⁾, (EEC) No

59/70⁽⁸⁾ and (EEC) No 2164/72⁽⁹⁾, the levies on imports of poultry eggs in shell originating in and coming from Poland, South Africa, Australia, Romania or Bulgaria are not increased by an additional amount, in so far as concerns products imported in accordance with Article 4 (a) of Regulation No 163/67/EEC;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (a) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 18 January 1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 19. 12. 1981, p. 1.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No 59, 8. 4. 1965, p. 848/65.

⁽⁶⁾ OJ No 211, 19. 11. 1966, p. 3602/66.

⁽⁷⁾ OJ No 260, 27. 10. 1967, p. 24.

⁽⁸⁾ OJ No L 11, 16. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to certain products listed in Article 1 (1) (a) of Regulation
(EEC) No 2771/75

CCT heading No	Description	Additional amount	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : b) Other	ECU/100 kg	All imports (a)
		10,00	

(a) The additional amounts are not applied to products which are imported in accordance with Article 4 (a) of Regulation No 163/67/EEC.

COMMISSION REGULATION (EEC) No 120/85
of 17 January 1985
fixing additional amounts for egg products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2771/75 of 29 October 1975 on the common
organization of the market in eggs ⁽¹⁾, as last amended
by Regulation (EEC) No 3643/81 ⁽²⁾, and in particular
Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier
offer price (hereinafter called the 'offer price') falls
below the sluice-gate price, the levy applicable to that
product must be increased by an additional amount
equal to the difference between the sluice-gate price
and the offer price determined in accordance with
Article 1 of Commission Regulation No 163/67/EEC
of 26 June 1967 on fixing the additional amount for
imports of poultry-farming products from third coun-
tries ⁽³⁾, as last amended by Regulation (EEC) No
1527/73 ⁽⁴⁾;

Whereas the offer price must be determined for all
imports from all third countries; whereas, however, if
exports from one or more third countries are effected
at abnormally low prices, lower than prices ruling for
other third countries, a second offer price must be
determined for exports from these other countries;

Whereas, pursuant to Article 1 of Regulation (EEC)
No 990/69 ⁽⁵⁾, the levies on imports of eggs not in
shell and egg yolks originating in and coming from
Austria are not increased by an additional amount;

Whereas the regular review of the information serving
as a basis for the determination of average offer prices
for the products listed in Article 1 (1) (b) of Regulation
(EEC) No 2771/75 indicates that additional amounts
corresponding to the figures shown in the Annex
hereto should be fixed for the imports specified in that
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of
Regulation (EEC) No 2771/75 shall be as set out in
the Annex hereto for the products listed in Article 1
(1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 18 January
1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 19. 12. 1981, p. 1.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75

 $(\text{ECU}/100 \text{ kg})$

CCT heading No	Description	Additional amount	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs, not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid	120,00 30,00 10,00	Origin : Bulgaria or the German Democratic Republic (1) Origin : Czechoslovakia or the German Democratic Republic (1) All imports (2)

(¹) With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

(2) The additional amounts are not applied to products which are imported in accordance with Article 4 (a) of Regulation No 163/67/EEC.

COMMISSION REGULATION (EEC) No 121/85
of 17 January 1985
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and

geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2164/72⁽⁸⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 18 January 1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to live and slaughtered poultry and halves or quarters

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, gutted but not drawn, with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet but with hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '63 % ducks' IV. Turkeys : a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys' B. Poultry cuts (excluding offals) : II. Unboned (bone-in) : a) Halves or quarters : 1. Of fowls 2. Of ducks	20,00 20,00 20,00 17,00 17,00 17,00 10,00 10,00 20,00 17,00	Origin : Yugoslavia Origin : Yugoslavia Origin : Yugoslavia Origin : Hungary Origin : Hungary Origin : Hungary Origin : Hungary Origin : Hungary Origin : Yugoslavia Origin : Hungary

COMMISSION REGULATION (EEC) No 122/85
of 17 January 1985
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 18 January 1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : B. Poultry cuts (excluding offals) : II. Unboned (bone-in) : e) Legs and cuts of legs : 1. Of geese 2. Of turkeys aa) Drumsticks and cuts of drumsticks bb) Other	 30,00 30,00 30,00	 Origin : Israel Origin : United States of America or Hungary Origin : Hungary

COMMISSION REGULATION (EEC) No 123/85

of 12 December 1984

on the application of Article 85 (3) of the Treaty to certain categories of motor vehicle distribution and servicing agreements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 19/65/EEC of 2 March 1965 on the application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices ⁽¹⁾, as last amended by the Act of Accession of Greece,

Having published a draft of this Regulation ⁽²⁾,

Having consulted the Advisory Committee on Restrictive Practices and Dominant Positions,

Whereas :

undertakes to supply contract goods for resale only to the dealer, or only to a limited number of undertakings within the distribution network besides the dealer, within the contract territory.

A list of definitions for the purpose of this Regulation is set out in Article 13.

(1) Under Article 1 (1) (a) of Regulation No 19/65/EEC the Commission is empowered to declare by means of a Regulation that Article 85 (3) of the Treaty applies to certain categories of agreements falling within Article 85 (1) to which only two undertakings are party and by which one party agrees with the other to supply only to that undertaking other certain goods for resale within a defined territory of the common market. In the light of experience since Commission Decision 75/73/EEC ⁽³⁾ and of the many motor vehicle distribution and servicing agreements which have been notified to the Commission pursuant to Articles 4 and 5 of Council Regulation No 17 ⁽⁴⁾, as last amended by Regulation (EEC) No 2821/71 ⁽⁵⁾, a category of agreements can be defined as satisfying the conditions laid down in Regulation No 19/65/EEC. They are agreements, for a definite or an indefinite period, by which the supplying party entrusts to the reselling party the task of promoting the distribution and servicing of certain products of the motor vehicle industry in a defined area and by which the supplier

(2) Notwithstanding that the obligations imposed by distribution and servicing agreements which are listed in Articles 1, 2 and 3 of this Regulation normally have as their object or effect the prevention, restriction or distortion of competition within the common market and are normally apt to affect trade between Member States, the prohibition in Article 85 (1) of the Treaty may nevertheless be declared inapplicable to these agreements by virtue of Article 85 (3), albeit only under certain restrictive conditions.

(3) The applicability of Article 85 (1) of the Treaty to distribution and servicing agreements in the motor vehicle industry stems in particular from the fact that restrictions on competition and the obligations connected with the distribution system listed in Articles 1 to 4 of this Regulation are regularly imposed in the same or similar form throughout the common market for the products supplied within the distribution system of a particular manufacturer. The motor vehicle manufacturers cover the whole common market or substantial parts of it by means of a cluster of agreements involving similar restrictions on competition and affect in this way not only distribution and servicing within Member States but also trade between them.

(4) The exclusive and selective distribution clauses can be regarded as indispensable measures of rationalization in the motor vehicle industry because motor vehicles are consumer durables which at both regular and irregular intervals require expert maintenance and repair, not always in the same place. Motor vehicle manufacturers cooperate with the selected dealers and repairers in order to provide specialized servicing for the product. On grounds of capacity and efficiency alone, such a form of

⁽¹⁾ OJ No 36, 6. 3. 1965, p. 533/65.

⁽²⁾ OJ No C 165, 24. 6. 1983, p. 2.

⁽³⁾ OJ No L 29, 3. 2. 1975, p. 1.

⁽⁴⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽⁵⁾ OJ L 285, 29. 12. 1971, p. 49.

cooperation cannot be extended to an unlimited number of dealers and repairers. The linking of servicing and distribution must be regarded as more efficient than a separation between a distribution organization for new vehicles on the one hand and a servicing organization which would also distribute spare parts on the other, particularly as, before a new vehicle is delivered to the final consumer, the undertaking within the distribution system must give it a technical inspection according to the manufacturer's specification.

- (5) However, obligatory recourse to the authorized network is not in all respects indispensable for efficient distribution. The exceptions to the block exemption provide that the supply of contract goods to resellers may not be prohibited where they:

— belong to the same distribution system (Article 3, point 10 (a)),

or

— purchase spare parts for their own use in effecting repairs or maintenance (Article 3, point 10 (b)).

Measures taken by a manufacturer or by undertakings within the distribution system with the object of protecting the selective distribution system are compatible with the exemption under this Regulation. This applies in particular to a dealer's obligation to sell vehicles to a final consumer using the services of an intermediary only where that consumer has authorized that intermediary to act as his agent (Article 3, point 11).

- (6) It should be possible to bar wholesalers not belonging to the distribution system from reselling parts originating from motor vehicle manufacturers. It may be supposed that the system of rapid availability of spare parts across the whole contract programme, including those with a low turnover, which is beneficial to the consumer, could not be maintained without obligatory recourse to the authorized network.
- (7) The ban on dealing in competing products and that on dealing in other vehicles at stated premises may in principle be exempted, because

they contribute to concentration by the undertakings in the distribution network of their efforts on the products supplied by the manufacturer or with his consent, and thus ensure distribution and servicing appropriate for the vehicles (Article 3, point 3). Such obligations provide an incentive for the dealer to develop sales and servicing of contract goods and thus promotes competition in the supply of those products as well as between those products and competing products.

- (8) However, bans on dealing in competing products cannot be regarded as indispensable in all circumstances to efficient distribution. Dealers must be free to obtain from third parties supplies of parts which match the quality of those offered by the manufacturer, for example where the parts are produced by a sub-contract manufacturer who also supplies the motor vehicle manufacturer, and to use and sell them. They must also keep their freedom to choose parts which are usable in motor vehicles within the contract programme and which not only match but exceed the quality standard. Such a limit on the ban on dealing in competing products takes account of the importance of vehicle safety and of the maintenance of effective competition (Article 3, point 4 and Article 4 (1), points 6 and 7).

- (9) The restrictions imposed on the dealer's activities outside the allotted area lead to more intensive distribution and servicing efforts in an easily supervised contract territory, to knowledge of the market based on closer contact with consumers, and to more demand-orientated supply (Article 3, points 8 and 9). However, demand for contract goods must remain flexible and should not be limited on a regional basis. Dealers must not be confined to satisfying the demand for contract goods within their contract territories, but must also be able to meet demand from persons and undertakings in other areas of the common market. Dealers' advertising in a medium which is directed to customers in the contract territory but also covers a wider area should not be prevented, because it does not run counter to the obligation to promote sales within the contract territory.

- (10) The obligations listed in Article 4 (1) are directly related to the obligations in Articles 1, 2 and 3, and influence their restrictive effect. These obligations, which might in individual cases be caught by the prohibition in Article 85 (1) of the Treaty, may also be exempted because of their direct relationship with one or more of the obligations exempted by Articles 1, 2 and 3 (Article 4 (2)).
- (11) According to Article 1 (2) (b) of Regulation No 19/65/EEC, conditions which must be satisfied if the declaration of inapplicability is to take effect must be specified.
- (12) Under Article 5 (1), points 1 (a) and (b) it is a condition of exemption that the undertaking should honour the minimum guarantee and provide the minimum free servicing and vehicle recall work laid down by the manufacturer, irrespective of where in the common market the vehicle was purchased. These provisions are intended to prevent the consumer's freedom to buy anywhere in the common market from being limited.
- (13) Article 5 (1), point 2 (a) is intended to allow the manufacturer to build up a coordinated distribution system, but without hindering the relationship of confidence between dealers and sub-dealers. Accordingly, if the supplier reserves the right to approve appointments of sub-dealers by the dealer, he must not be allowed to withhold approval arbitrarily.
- (14) Article 5 (1), point 2 (b) obliges the supplier not to impose on a dealer within the distribution system requirements, as defined in Article 4 (1), which are discriminatory or inequitable.
- (15) Article 5 (1), point 2 (c) is intended to counter the concentration of the dealer's demand on the supplier which might follow from cumulation of discounts. The purpose of this provision is to allow spare-parts suppliers which do not offer as wide a range of goods as the manufacturer to compete on equal terms.
- (16) Article 5 (1), point 2 (d) makes exemption subject to the conditions that the dealer must be able to purchase for customers in the common market volume-produced passenger cars with the specifications appropriate for their place of residence or where the vehicle is to be registered, in so far as the corresponding model is also supplied by the manufacturer through undertakings within the distribution system in that place (Article 13, point 10). This provision obviates the danger that the manufacturer and undertakings within the distribution network might make use of product differentiation as between parts of the common market to partition the market.
- (17) Article 5 (2) makes the exemption of the no-competition clause and of the ban on dealing in other makes of vehicle subject to further threshold conditions. This is to prevent the dealer from becoming economically over-dependent on the supplier because of such obligations, and abandoning the competitive activity which is nominally open to him, because to pursue it would be against the interests of the manufacturer or other undertakings within the distribution network.
- (18) Under Article 5 (2), point 1 (a), the dealer may, where there are exceptional reasons, oppose application of excessive obligations covered by Article 3, point 3 or 5.
- (19) The supplier may reserve the right to appoint further distribution and servicing undertakings in the contract territory or to alter the territory, but only if he can show that there are exceptional reasons for doing so (Article 5 (2), point 1 (b) and Article 5 (3)). This is, for example, the case where there would otherwise be reason to apprehend a serious deterioration in the distribution or servicing of contract goods.
- (20) Article 5 (2), points 2 and 3 lay down minimum requirements for exemption which concern the duration and termination of the distribution and servicing agreement; the combined effect of a no-competition clause or a ban on dealing in other makes of vehicle, the investments the dealer makes in order to improve the distribution and servicing of contract goods and a short-term agreement or one terminable at short notice is greatly to increase the dealer's dependence on the supplier.

- (21) In accordance with Article 1 (2) (a) of Regulation No 19/65/EEC, restrictions or provisions which must not be contained in the agreements, if the declaration of inapplicability of Article 85 (1) by this Regulation is to take effect, are to be specified.
- (22) Agreements under which one motor vehicle manufacturer entrusts the distribution of its products to another must be excluded from the block exemption under this Regulation because of their far-reaching impact on competition (Article 6, point 1).
- (23) An obligation to apply minimum resale prices or maximum trade discounts precludes exemption under this Regulation (Article 6, point 2).
- (24) The exemption does not apply where the parties agree between themselves obligations concerning goods covered by this Regulation which would be acceptable in the combination of obligations which is exempted by Commission Regulations (EEC) No 1983/83 ⁽¹⁾ or (EEC) No 1984/83 ⁽²⁾ on the application of Article 85 (3) of the Treaty to categories of exclusive distribution agreements and exclusive purchasing agreements respectively, but which go beyond the scope of the obligations exempted by this Regulation (Article 6, point 3).
- (25) Distribution and servicing agreements can be exempted, subject to the conditions laid down in Articles 5 and 6, so long as the application of obligations covered by Articles 1 to 4 of this Regulation brings about an improvement in distribution and servicing to the benefit of the consumer and effective competition exists, not only between manufacturers' distribution systems but also to a certain extent within each system within the common market. As regards the categories of products set out in Article 1 of this Regulation, the conditions necessary for effective competition, including competition in trade between Member States, may be taken to exist at present, so that European consumers may be considered in general to take an equitable share in the benefit from the operation of such competition.
- (26) Articles 7, 8 and 9, concerning the retroactive effect of the exemption, are based on Articles 3 and 4 of Regulation No 19/65/EEC and Articles 4 to 7 of Regulation No 17. Article 10 embodies the Commission's powers under Article 7 of Regulation No 19/65/EEC to withdraw the benefit of its exemption or to alter its scope in individual cases, and lists several important examples of such cases.
- (27) In view of the extensive effect of this Regulation on the persons it concerns, it is appropriate that it should not enter into force until 1 July 1985. In accordance with Article 2 (1) of Regulation No 19/65/EEC, the exemption may be made applicable for a definite period. A period extending until 30 June 1995 is appropriate, because overall distribution schemes in the motor vehicle sector must be planned several years in advance.
- (28) Agreements which fulfil the conditions set out in this Regulation need not be notified.
- (29) This Regulation does not affect the application of Regulations (EEC) No 1983/83 or (EEC) No 1984/83 or of Commission Regulation (EEC) No 3604/82 of 23 December 1982 on the application of Article 85 (3) of the Treaty to categories of specialization agreements ⁽³⁾, or the right to request a Commission decision in an individual case pursuant to Council Regulation No 17. It is without prejudice to laws and administrative measures of the Member States by which the latter, having regard to particular circumstances, prohibit or declare unenforceable particular restrictive obligations contained in an agreement exempted under this Regulation; the foregoing cannot, however, affect the primacy of Community law,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 85 (3) of the Treaty it is hereby declared that subject to the conditions laid down in this Regulation Article 85 (1) shall not apply to agreements to which only two undertakings are party and in which one contracting party agrees to supply within a defined territory of the common market

- only to the other party, or
- only to the other party and to a specified number of other undertakings within the distribution system,

⁽¹⁾ OJ No L 173, 30. 6. 1983, p. 1.

⁽²⁾ OJ No L 173, 30. 6. 1983, p. 5.

⁽³⁾ OJ No L 376, 31. 12. 1982, p. 33.

for the purpose of resale certain motor vehicles intended for use on public roads and having three or more road wheels, together with spare parts therefor.

Article 2

The exemption under Article 85 (3) of the Treaty shall also apply where the obligation referred to in Article 1 is combined with an obligation on the supplier neither to sell contract goods to final consumers nor to provide them with servicing for contract goods in the contract territory.

Article 3

The exemption under Article 85 (3) of the Treaty shall also apply where the obligation referred to in Article 1 is combined with an obligation on the dealer :

1. not, without the supplier's consent, to modify contract goods or corresponding goods, unless such modification is the subject of a contract with a final consumer and concerns a particular motor vehicle within the contract programme purchased by that final consumer ;
2. not to manufacture products which compete with contract goods ;
3. neither to sell new motor vehicles which compete with contract goods nor to sell, at the premises used for the distribution of contract goods, new motor vehicles other than those offered for supply by the manufacturer ;
4. neither to sell spare parts which compete with contract goods and do not match the quality of contract goods nor to use them for repair or maintenance of contract goods or corresponding goods ;
5. not to conclude with third parties distribution or servicing agreements for goods which compete with contract goods ;
6. without the supplier's consent, neither to conclude distribution or servicing agreements with undertakings operating in the contract territory for contract goods or corresponding goods nor to alter or terminate such agreements ;
7. to impose upon undertakings with which the dealer has concluded agreements in accordance with point 6 obligations corresponding to those which the dealer has accepted in relation to the supplier and which are covered by Articles 1 to 4 and are in conformity with Articles 5 and 6 ;

8. outside the contract territory

- (a) not to maintain branches or depots for the distribution of contract goods or corresponding goods,
- (b) not to seek customers for contract goods or corresponding goods ;

9. not to entrust third parties with the distribution or servicing of contract goods or corresponding goods outside the contract territory ;

10. to supply to a reseller :

- (a) contract goods or corresponding goods only where the reseller is an undertaking within the distribution system, or
- (b) spare parts within the contract programme only where they are for the purposes of repair or maintenance of a motor vehicle by the reseller ;

11. to sell motor vehicles within the contract programme or corresponding goods to final consumers using the services of an intermediary only if that intermediary has prior written authority to purchase a specified motor vehicle and, as the case may be, to accept delivery thereof on their behalf ;

12. to observe the obligations referred to in points 1 and 6 to 11 for a maximum period of one year after termination or expiry of the agreement.

Article 4

1. Articles 1, 2 and 3 shall apply notwithstanding any obligation imposed on the dealer to :

(1) observe, for distribution and servicing, minimum standards which relate in particular to :

- (a) the equipment of the business premises and of the technical facilities for servicing ;
- (b) the specialized and technical training of staff ;
- (c) advertising ;
- (d) the collection, storage and delivery to customers of contract goods or corresponding goods and servicing relating to them ;
- (e) the repair and maintenance of contract goods and corresponding goods, particularly as concerns the safe and reliable functioning of motor vehicles ;

(2) order contract goods from the supplier only at certain times or within certain periods, provided that the interval between ordering dates does not exceed three months ;

- (3) endeavour to sell, within the contract territory and within a specified period, such minimum quantity of contract goods as may be determined by agreement between the parties or, in the absence of such agreement, by the supplier on the basis of estimates of the dealer's potential sales ;
- (4) keep in stock such quantity of contract goods as may be determined by agreement between the parties or, in the absence of such agreement, by the supplier on the basis of estimates of the dealer's potential sales of contract goods within the contract territory and within a specified period ;
- (5) keep such demonstration vehicles within the contract programme, or such number thereof, as may be determined by agreement between the parties or, in the absence of such agreement, by the supplier on the basis of estimates of the dealer's potential sales of motor vehicles within the contract programme ;
- (6) perform guarantee work, free servicing and vehicle recall work for contract goods and corresponding goods ;
- (7) use only spare parts within the contract programme or corresponding goods for guarantee work, free servicing and vehicle recall work in respect of contract goods or corresponding goods ;
- (8) inform customers, in a general manner, of the extent to which spare parts from other sources might be used for the repair or maintenance of contract goods or corresponding goods ;
- (9) inform customers whenever spare parts from other sources have been used for the repair or maintenance of contract goods or corresponding goods for which spare parts within the contract programme or corresponding goods, bearing a mark of the manufacturer, were also available.

2. The exemption under Article 85 (3) of the Treaty shall also apply where the obligation referred to in Article 1 is combined with obligations referred to in paragraph 1 above and such obligations fall in individual cases under the prohibition contained in Article 85 (1).

Article 5

1. Articles 1, 2 and 3 and Article 4 (2) shall apply provided that :

(1) the dealer undertakes

- (a) in respect of motor vehicles within the contract programme or corresponding thereto which have been supplied in the common market by another undertaking within the distribution

network, to honour guarantees and to perform free servicing and vehicle recall work to an extent which corresponds to the dealer's obligation covered by point 6 of Article 4 (1) but which need not exceed that imposed upon the undertaking within the distribution system or accepted by the manufacturer when supplying such motor vehicles ;

- (b) to impose upon the undertakings operating within the contract territory with which the dealer has concluded distribution and servicing agreements as provided for in point 6 of Article 3 an obligation to honour guarantees and to perform free servicing and vehicle recall work at least to the extent to which the dealer himself is so obliged ;

(2) the supplier

- (a) shall not without objectively valid reasons withhold consent to conclude, alter or terminate sub-agreements referred to in Article 3, point 6 ;
- (b) shall not apply, in relation to the dealer's obligations referred to in Article 4 (1), minimum requirements or criteria for estimates such that the dealer is subject to discrimination without objectively valid reasons or is treated inequitably ;
- (c) shall, in any scheme for aggregating quantities or values of goods obtained by the dealer from the supplier and from connected undertakings within a specified period for the purpose of calculating discounts, at least distinguish between supplies of
 - motor vehicles within the contract programme,
 - spare parts within the contract programme, for supplies of which the dealer is dependent on undertakings within the distribution network, and
 - other goods ;
- (d) shall also supply to the dealer, for the purpose of performance of a contract of sale concluded between the dealer and a final customer in the common market, any passenger car which corresponds to a model within the contract programme and which is marketed by the manufacturer or with the manufacturer's consent in the Member State in which the vehicle is to be registered.

2. In so far as the dealer has, in accordance with Article 5 (1), assumed obligations for the improvement of distribution and servicing structures, the exemption referred to in Article 3, points 3 and 5 shall apply to

the obligation not to sell new motor vehicles other than those within the contract programme or not to make such vehicles the subject of a distribution and servicing agreement, provided that

(1) the parties

- (a) agree that the supplier shall release the dealer from the obligations referred to in Article 3, points 3 and 5 where the dealer shows that there are objectively valid reasons for doing so ;
- (b) agree that the supplier reserves the right to conclude distribution and servicing agreements for contract goods with specified further undertakings operating within the contract territory or to alter the contract territory only where the supplier shows that there are objectively valid reasons for doing so ;

(2) the agreement is for a period of at least four years or, if for an indefinite period, the period of notice for regular termination of the agreement is at least one year for both parties, unless

- the supplier is obliged by law or by special agreement to pay appropriate compensation on termination of the agreement, or
- the dealer is a new entrant to the distribution system and the period of the agreement, or the period of notice for regular termination of the agreement, is the first agreed by that dealer.

(3) each party undertakes to give the other at least six months' prior notice of intention not to renew an agreement concluded for a definite period.

3. A party may only invoke particular objectively valid grounds within the meaning of this Article which have been exemplified in the agreement if such grounds are applied without discrimination to undertakings within the distribution system in comparable cases.

4. The conditions for exemption laid down in this Article shall not affect the right of a party to terminate the agreement for cause.

Article 6

Articles 1, 2 and 3 and Article 4 (2) shall not apply where :

- 1. both parties to the agreement or their connected undertakings are motor vehicle manufacturers ; or
- 2. the manufacturer, the supplier or another undertaking within the distribution system obliges the

dealer not to resell contract goods or corresponding goods below stated prices or not to exceed stated rates of trade discount ; or

- 3. the parties make agreements or engage in concerted practices concerning motor vehicles having three or more road wheels or spare parts therefor which are exempted from the prohibition in Article 85 (1) of the Treaty under Regulations (EEC) No 1983/83, or (EEC) No 1984/83 to an extent exceeding the scope of this Regulation.

Article 7

1. As regards agreements existing on 13 March 1962 and notified before 1 February 1963 and agreements, whether notified or not, falling under Article 4 (2), point 1 of Regulation No 17, the declaration of inapplicability of Article 85 (1) of the Treaty contained in this Regulation shall apply with retroactive effect from the time at which the conditions of this Regulation were fulfilled.

2. As regards all other agreements notified before this Regulation entered into force, the declaration of inapplicability of Article 85 (1) of the Treaty contained in this Regulation shall apply from the time at which the conditions of this Regulation were fulfilled, or from the date of notification, whichever is the later.

Article 8

If agreements existing on 13 March 1962 and notified before 1 February 1963 or agreements to which Article 4 (2), point 1 of Regulation No 17 applies and which were notified before 1 January 1967 are amended before 1 October 1985 so as to fulfil the conditions for application of this Regulation, and if the amendment is communicated to the Commission before 31 December 1985, the prohibition in Article 85 (1) of the Treaty shall not apply in respect of the period prior to the amendment. The communication shall take effect from the time of its receipt by the Commission. Where the communication is sent by registered post, it shall take effect from the date shown on the postmark of the place of posting.

Article 9

1. As regards agreements to which Article 85 of the Treaty applies as a result of the accession of the United Kingdom, Ireland and Denmark, Articles 7 and 8 shall apply except that the relevant dates shall be 1 January 1973 instead of 13 March 1962 and 1 July 1973 instead of 1 February 1963 and 1 January 1967.

2. As regards agreements to which Article 85 of the Treaty applies as a result of the accession of Greece, Articles 7 and 8 shall apply except that the relevant dates shall be 1 January 1981 instead of 13 March 1962 and 1 July 1981 instead of 1 February 1963 and 1 January 1967.

Article 10

The Commission may withdraw the benefit of the application of this Regulation, pursuant to Article 7 of Regulation No 19/65/EEC, where it finds that in an individual case an agreement which falls within the scope of this Regulation nevertheless has effects which are incompatible with the provisions of Article 85 (3) of the Treaty, and in particular:

1. where, in the common market or a substantial part thereof, contract goods or corresponding goods are not subject to competition from products considered by consumers as similar by reason of their characteristics, price and intended use;
2. where the manufacturer or an undertaking within the distribution system continuously or systematically, and by means not exempted by this Regulation, makes it difficult for final consumers or other undertakings within the distribution system to obtain contract goods or corresponding goods, or to obtain servicing for such goods, within the common market;
3. where, over a considerable period, prices or conditions of supply for contract goods or for corresponding goods are applied which differ substantially as between Member States, and such substantial differences are chiefly due to obligations exempted by this Regulation;
4. where, in agreements concerning the supply to the dealer of passenger cars which correspond to a model within the contract programme, prices or conditions which are not objectively justifiable are applied, with the object or the effect of partitioning the common market.

Article 11

The provisions of this Regulation shall also apply in so far as the obligations referred to in Articles 1 to 4 apply to undertakings which are connected with a party to an agreement.

Article 12

This Regulation shall apply *mutatis mutandis* to concerted practices of the types defined in Articles 1 to 4.

Article 13

For the purposes of this Regulation the following terms shall have the following meanings.

1. 'Distribution and servicing agreements' are framework agreements between two undertakings, for a definite or indefinite period, whereby the party supplying goods entrusts to the other the distribution and servicing of those goods.
2. 'Parties' are the undertakings which are party to an agreement within the meaning of Article 1: 'the supplier' being the undertaking which supplies the contract goods, and 'the dealer', the undertaking entrusted by the supplier with the distribution and servicing of contract goods.
3. The 'contract territory' is the defined territory of the common market to which the obligation of exclusive supply in the meaning of Article 1 applies.
4. 'Contract goods' are motor vehicles intended for use on public roads and having three or more road wheels, and spare parts therefor, which are the subject of an agreement within the meaning of Article 1.
5. The 'contract programme' refers to the totality of the contract goods.
6. 'Spare parts' are parts which are to be installed in or upon a motor vehicle so as to replace components of that vehicle. They are to be distinguished from other parts and accessories according to customary usage in the trade.
7. The 'manufacturer' is the undertaking
 - (a) which manufactures or procures the manufacture of the motor vehicles in the contract programme, or
 - (b) which is connected with an undertaking described at (a).
8. 'Connected undertakings' are:
 - (a) undertakings one of which directly or indirectly
 - holds more than half of the capital or business assets of the other, or
 - has the power to exercise more than half the voting rights in the other, or

- has the power to appoint more than half the members of the supervisory board, board of directors or bodies legally representing the other, or
 - has the right to manage the affairs of the other;
- (b) undertakings in relation to which a third undertaking is able directly or indirectly to exercise such rights or powers as are mentioned in (a) above.
9. 'Undertakings within the distribution system' are, besides the parties to the agreement, the manufacturer and undertakings which are entrusted by the manufacturer or with the manufacturer's consent with the distribution or servicing of contract goods or corresponding goods.
10. A 'passenger car which corresponds to a model within the contract programme' is a passenger car
- manufactured or assembled in volume by the manufacturer, and
 - identical as to body style, drive-line, chassis, and type of motor with a passenger car within the contract programme.
11. 'Corresponding goods', 'corresponding motor vehicles' and 'corresponding parts' are those which are similar in kind to those in the contract programme, are distributed by the manufacturer or with the manufacturer's consent, and are the subject of a distribution or servicing agreement with an undertaking within the distribution system.
12. 'Distribute' and 'sell' include other forms of supply such as leasing.

Article 14

This Regulation shall enter into force on 1 July 1985.

It shall remain in force until 30 June 1995.

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

Done at Brussels, 12 December 1984.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION REGULATION (EEC) No 124/85
of 17 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 104/85⁽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 18 January 1985.

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

Done at Brussels, 17 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 13, 16. 1. 1985, p. 17.

ANNEX

to the Commission Regulation of 17 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 B. Raw sugar	45,30 41,10 ⁽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 125/85

of 16 January 1985

on the sale by special tendering procedure of boned beef and veal held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3) thereof,

Whereas the Danish, German, Irish and United Kingdom intervention agencies are holding stocks of boned intervention meat; whereas an extension of the period of storage for the meat should be avoided on account of the ensuing high costs; whereas, in consequence, it is advisable to make use of the periodic tendering procedure provided for by Commission Regulation (EEC) No 2326/79 ⁽²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of approximately:
 - 500 tonnes of boned beef and veal held by the Danish intervention agency and put into store before 1 June 1984,
 - 2 000 tonnes of boned beef and veal held by the German intervention agency and put into store before 1 January 1984,
 - 2 350 tonnes of boned beef and veal held by the Irish intervention agency and put into store before 1 December 1983,
 - 1 000 tonnes of boned beef and veal held by the United Kingdom intervention agency and put into store before 1 June 1984.
2. The sale shall take place by means of a tendering procedure, in accordance with Regulation (EEC) No 2326/79.
3. Only those tenders may be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 4 March 1985.

Article 2

This Regulation shall enter into force on 21 January 1985.

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

Done at Brussels, 16 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 266, 24. 10. 1979, p. 6.

COMMISSION REGULATION (EEC) No 126/85**of 16 January 1985****postponing the date for the take-over of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 2374/79**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2374/79 ⁽²⁾, as last amended by Regulation (EEC) No 1393/84 ⁽³⁾, fixes certain selling prices for beef and veal taken over by the intervention agencies before 31 January 1984; whereas the situation regarding these stocks is such that this date should be replaced by 31 March 1984;

Whereas it seems appropriate to derogate from the first sentence of the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79 ⁽⁴⁾, taking into account the administrative difficulties which the application of this rule raises in certain Member States;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 of Regulation (EEC) No 2374/79, '31 January 1984' is hereby replaced by '31 March 1984'.

Article 2

By way of derogation from the first sentence of the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, the purchase applications shall not name the coldstore or stores where the products applied for are stored.

Article 3

This Regulation shall enter into force on 21 January 1985.

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

Done at Brussels, 16 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 272, 30. 10. 1979, p. 16.

⁽³⁾ OJ No L 133, 19. 5. 1984, p. 27.

⁽⁴⁾ OJ No L 251, 5. 10. 1979, p. 12.

COMMISSION REGULATION (EEC) No 127/85**of 16 January 1985****amending certain selling prices of beef and veal offered for sale by the intervention agencies under Regulation (EEC) No 984/81**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3), thereof,

Whereas Commission Regulation (EEC) No 984/81 ⁽²⁾, as last amended by Regulation (EEC) No 3603/84 ⁽³⁾, fixes certain selling prices of beef and veal taken over by the intervention agencies before 1 April 1984;

Whereas it appears necessary to put on sale certain cuts of hindquarters held by the intervention agencies;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 984/81 is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 21 January 1985.

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

Done at Brussels, 16 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 99, 10. 4. 1981, p. 34.

⁽³⁾ OJ No L 333, 21. 12. 1984, p. 23.

BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE

Salgspris i ECU pr. 100 kg af produkterne ⁽¹⁾
 Verkaufspreise in ECU je 100 kg des Erzeugnisses ⁽¹⁾
 Τιμή πωλήσεως σε ECU ανά 100 kg προϊόντων ⁽¹⁾
 Selling price in ECU per 100 kg of product ⁽¹⁾
 Prix de vente en Écus par 100 kilogrammes de produits ⁽¹⁾
 Prezzi di vendita in ECU per 100 kg di prodotti ⁽¹⁾
 Verkoopprijzen in Ecu per 100 kg produkt ⁽¹⁾

BUNDESREPUBLIK DEUTSCHLAND

— <i>Vorderviertel, auf 8 Rippen geschnitten, stammend von:</i>	
Bullen A	155,000
Ochsen A	147,000
— <i>Hinterviertel, auf 5 Rippen geschnitten, stammend von:</i>	
Bullen A	243,000
— <i>Vorderviertel, auf 5 Rippen geschnitten, mit Dünnung am Vorderviertel eingeschlossen, stammend von:</i>	
Bullen A	145,000
Ochsen A	137,000
— <i>Hinterviertel, auf 8 Rippen geschnitten (Pistola), ohne Dünnung, stammend von:</i>	
Bullen A	253,000
Ochsen A	243,000

BELGIQUE/BELGIË

— <i>Quartiers avant, découpe droite à 8 côtes, provenant des:</i>	
— <i>Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:</i>	
Taureaux 55 % / Stieren 55 %	155,000
Bœufs 55 % / Ossen 55 %	155,000
— <i>Quartiers arrière, découpe droite à 5 côtes, provenant des:</i>	
— <i>Achtervoeten, recht afgesneden op 5 ribben, afkomstig van:</i>	
Taureaux 55 % / Stieren 55 %	243,000
Bœufs 55 % / Ossen 55 %	243,000
— <i>Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des:</i>	
— <i>Achtervoeten, afgesneden op 8 ribben (pistola), afkomstig van:</i>	
Taureaux 55 % / Stieren 55 %	253,000
Bœufs 55 % / Ossen 55 %	253,000

⁽¹⁾ Såfremt produkterne er oplagrede uden for den medlemsstat, hvor det interventionsorgan, der ligger inde med produkterne, er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽¹⁾ Στην περίπτωση που τα προϊόντα αποθεματοποιούνται εκτός του κράτους μέλους στο οποίο υπάγεται ο οργανισμός παρεμβάσεως που τα κατέχει, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

⁽¹⁾ Where the products are stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with Regulation (EEC) No 1805/77.

⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo d'intervento detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽¹⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

DANMARK

— <i>Forfjerdinger, udskåret med 5 ribben, idet slag og bryst bliver siddende på forfjerdinger, af:</i>	
Stude 1	133,000
Tyre P	139,000
Ungtyre 1	150,000
— <i>Bagfjerdinger, udskåret med 8 ribben, såkaldte »pistoler«, af:</i>	
Stude 1	248,000
Tyre P	259,000
Ungtyre 1	276,000
— <i>Bagfjerdinger, lige udskåret med 5 ribben af:</i>	
Stude 1	238,000
Tyre P	249,000
Ungtyre 1	265,000

ΕΛΛΑΔΑ

— <i>Εμπρόσθια τεταρτημόρια ευθείας τομής με 10 πλευρές, προερχόμενα από:</i>	
Μόσχους Β	165,000
Μόσχους Γ	165,000
— <i>Οπίσθια τέταρτα ευθείας τομής με 5 πλευρές, προερχόμενα από:</i>	
Μόσχους Β	260,000
Μόσχους Γ	260,000

FRANCE

— <i>Quartiers avant, découpe à 5 côtes, caparaçons faisant partie du quartier avant, provenant des:</i>	
Bœufs U, R et O	139,000
Jeunes bovins U, R et O	139,000
— <i>Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des:</i>	
Bœufs U et R	252,000
Bœufs O	235,000
Jeunes bovins U et R	252,000
Jeunes bovins O	235,000
— <i>Quartiers avant, découpe droite à 10 côtes, provenant des:</i>	
Bœufs U, R et O	151,000
Jeunes bovins U, R et O	151,000
— <i>Quartiers arrière, découpe à 3 côtes, provenant des:</i>	
Bœufs U et R	242,000
Bœufs O	226,000
Jeunes bovins U et R	242,000
Jeunes bovins O	226,000

IRELAND

— <i>Forequarters, straight cut at 10th rib, from:</i>	
Steers 1	155,000
Steers 2	155,000
— <i>Hindquarters, straight cut at third rib, from:</i>	
Steers 1	241,000
Steers 2	241,000
— <i>Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:</i>	
Steers 1	143,000
Steers 2	143,000
— <i>Hindquarters, 'pistola' cut at eighth rib, from:</i>	
Steers 1	251,000
Steers 2	251,000

ITALIA

— <i>Quarti anteriori, taglio a 5 costole, il pancettone fa parte del quarto anteriore, provenienti dai:</i>	
Vitelloni 1	130,000
Vitelloni 2	123,000
— <i>Quarti posteriori, taglio a 8 costole, detto pistola, provenienti dai:</i>	
Vitelloni 1	226,000
Vitelloni 2	215,000
— <i>Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti dai:</i>	
Vitelloni 1	130,000
Vitelloni 2	123,000
— <i>Quarti posteriori, taglio a 5 costole, detto pistola, provenienti dai:</i>	
Vitelloni 1	226,000
Vitelloni 2	215,000

NEDERLAND

— <i>Voorvoeten, afgesneden op 5 ribben, waarbij de flank, de platte ribben en de naborst aan de voorvoet vastzitten, afkomstig van:</i>	
Stieren, 1e kwaliteit	144,000
— <i>Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:</i>	
Stieren, 1e kwaliteit	155,000
— <i>Achtersvoeten, recht afgesneden op 5 ribben, afkomstig van:</i>	
Stieren, 1e kwaliteit	250,000

UNITED KINGDOM

A. Great Britain

— <i>Forequarters, straight cut at 10th rib, from:</i>	
Steers M	129,000
Steers H	129,000
— <i>Hindquarters, straight cut at third rib, from:</i>	
Steers M	261,000
Steers H	261,000
— <i>Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:</i>	
Steers M	119,000
Steers H	119,000
— <i>Hindquarters, 'pistola' cut at eighth rib, from:</i>	
Steers M	272,000
Steers H	272,000

B. Northern Ireland

— <i>Forequarters, straight cut at 10th rib, from:</i>	
Steers L/M	129,000
Steers L/H	129,000
Steers T	129,000
— <i>Hindquarters, straight cut at third rib, from:</i>	
Steers L/M	261,000
Steers L/H	261,000
Steers T	261,000
— <i>Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:</i>	
Steers L/M	119,000
Steers L/H	119,000
Steers T	119,000
— <i>Hindquarters, 'pistola' cut at eighth rib, from:</i>	
Steers L/M	272,000
Steers L/H	272,000
Steers T	272,000

COMMISSION REGULATION (EEC) No 128/85

of 16 January 1985

on the sale at a price fixed in advance of certain boned beef held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3) thereof,

Whereas the possibility of permanent intervention in beef and veal has led to the build-up of considerable stocks in the Community; whereas some of the intervention purchases have been stored in the form of boned meat in order to improve the intervention system in accordance with Commission Regulation (EEC) No 2226/78 ⁽²⁾, as last amended by Regulation (EEC) No 3076/84 ⁽³⁾;

Whereas Article 2 (1) of Council Regulation (EEC) No 98/69 ⁽⁴⁾, as amended by Regulation (EEC) No 429/77 ⁽⁵⁾, provides that the selling prices of frozen beef and veal bought in by the intervention agencies may be fixed in advance; whereas it is appropriate to make use of this system of selling;

Whereas it is important to comply with the provisions of Commission Regulation (EEC) No 2173/79 ⁽⁶⁾ with regard to selling at a price fixed in advance;

Whereas Council Regulation (EEC) No 1055/77 ⁽⁷⁾ provides that, in the case of products held by an intervention agency and stored outside the territory of the Member State within whose jurisdiction that agency falls, a selling price different from that for products stored on that territory may be fixed; whereas Commission Regulation (EEC) No 1805/77 ⁽⁸⁾ laid down the method of calculating the selling prices for those products; whereas, in order to avoid any confusion, it should be made clear that the prices fixed by this Regulation do not apply as they stand to those products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 21 January to 1 March 1985 the sale shall take place of approximately 69 tonnes of boned beef held by the German intervention agency and put into store before 1 January 1983.

The qualities and prices of this meat are given in Annex I.

2. During the period 21 January to 1 March 1985 the sale shall take place of approximately:

- 2 000 tonnes of boned beef held by the Danish intervention agency and put into store before 1 June 1984,
- 2 000 tonnes of boned beef held by the German intervention agency and put into store before 1 January 1984,
- 2 315 tonnes of boned beef and veal held by the Irish intervention agency and put into store before 1 December 1983,
- 1 000 tonnes of boned beef held by the United Kingdom intervention agency and put into store before 1 June 1984.

The qualities and prices of this meat are given in Annex II.

3. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been in storage longest.

4. Sales shall take place in accordance with the provisions of Regulation (EEC) No 2173/79, and in particular Articles 2 to 5 thereof.

5. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex III.

Article 2

This Regulation shall enter into force on 21 January 1985.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽³⁾ OJ No L 289, 6. 11. 1984, p. 5.

⁽⁴⁾ OJ No L 14, 21. 1. 1969, p. 2.

⁽⁵⁾ OJ No L 61, 5. 3. 1977, p. 18.

⁽⁶⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁷⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁸⁾ OJ No L 198, 5. 8. 1977, p. 19.

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

Done at Brussels, 16 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

*BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I —
BIJLAGE I*

Salgspriser i ECU/ton ⁽¹⁾ ⁽²⁾ — Verkaufspreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Τιμές πώλησεως εκφραζόμενες σε ECU ανά τόνο ⁽¹⁾ ⁽²⁾ — Selling prices expressed in ECU per tonne ⁽¹⁾ ⁽²⁾ — Prix de vente exprimés en Écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi di vendita espressi in ECU per tonnellata ⁽¹⁾ ⁽²⁾ — Verkoopprijzen uitgedrukt in Ecu per ton ⁽¹⁾ ⁽²⁾

BUNDESREPUBLIK DEUTSCHLAND

Bullen A

Ochsen A

Unterschalen

—

3 850

Kniekehlfleisch

—

2 850

- ⁽¹⁾ I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.
- ⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.
- ⁽¹⁾ Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.
- ⁽¹⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.
- ⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.
- ⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.
- ⁽¹⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.
- ⁽²⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- ⁽²⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- ⁽²⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- ⁽²⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- ⁽²⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.
- ⁽²⁾ Il prezzo si intende netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.
- ⁽²⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

*BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II*

Salgspriser i ECU/ton ⁽¹⁾ ⁽²⁾ — Verkaufspreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Τιμές
πωλήσεως εκφραζόμενες σε ECU ανά τόνο ⁽¹⁾ ⁽²⁾ — Selling prices expressed in ECU per
tonne ⁽¹⁾ ⁽²⁾ — Prix de vente exprimés en Écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi di vendita espressi in
ECU per tonnellata ⁽¹⁾ ⁽²⁾ — Verkoopprijzen uitgedrukt in Ecu per ton ⁽¹⁾ ⁽²⁾

1. DANMARK	<i>Ungtyre 1. kvalitet Tyre under 2 år</i>	<i>Stude 1. kvalitet</i>
Mørbrad med bimørbrad	10 105	9 600
Filet med entrecôte og tyndsteg	6 085	5 775
Inderlår med kappe	4 955	4 700
Tykstegsfilet med kappe	3 900	3 700
Klump med kappe	3 900	3 700
Yderlår med lårtunge	4 150	3 940
Skank og muskel sammenhængende	2 550	2 425
Øvrigt kød af forfjerdinger	2 725	2 640
Bryst og slag	2 100	1 875
2. BUNDESREPUBLIK DEUTSCHLAND	<i>Bullen A</i>	<i>Ochsen A</i>
Filet	11 410	10 885
Roastbeef	6 650	6 500
Oberschalen	4 500	4 400
Unterschalen	4 400	—
Kugeln	4 055	4 025
Hüften	4 030	4 000
Kniekehlfleisch	3 400	—
Dünnung	2 195	2 135
3. IRELAND		<i>Steers 1, 2</i>
Fillets		10 640
Striploins		7 170
Insides		4 240
Outsides		3 980
Knuckles		3 760
Rumps		4 340
Cube rolls		5 745
Forequarters (excluding cube rolls)		2 730
Plates and flanks		2 045
Thin flanks		2 045
Briskets		2 610
Plates		2 045
Shins and shanks		2 470
Shins		2 470
Shanks		2 470
4. UNITED KINGDOM		<i>Steers</i>
Fillets		10 195
Striploins		6 850
Topsides		4 490
Silversides		4 150
Thick flanks		3 585
Rumps		4 300
Foreribs		4 175
Thin flanks		2 090
Flanks (plate)		2 090
Shins and shanks		2 710
Ponies		2 985
Pony parts		2 405
Clod and sticking		2 585
Brisket		2 515
Hindquarter skirt		2 095

- (¹) I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.
- (¹) Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.
- (¹) Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.
- (¹) In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.
- (¹) Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.
- (¹) Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.
- (¹) Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.
- (²) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- (²) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- (²) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- (²) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- (²) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.
- (²) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.
- (²) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.
-

*BILAG III — ANHANG III — ΠΑΡΑΡΤΗΜΑ ΙΙΙ — ANNEX III — ANNEXE III —
ALLEGATO III — BIJLAGE III*

Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus

- DANMARK :** Direktoratet for markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tel. (01) 92 70 00, telex 151 37 DK
- BUNDESREPUBLIK
DEUTSCHLAND :** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 9) 1 56 40 App. 7 72/7 73, Telex : 411 156
- IRELAND :** Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118
- UNITED KINGDOM :** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302
-

COMMISSION REGULATION (EEC) No 129/85

of 16 January 1985

on the sale at prices fixed at a standard rate in advance of certain beef from intervention stocks for processing in the Community and repealing Regulation (EEC) No 3305/84

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3) thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽²⁾, as last amended by Regulation (EEC) No 855/84 ⁽³⁾,

Whereas the application of intervention measures in respect of beef has created large stocks in certain Member States ;

Whereas, in the present market situation, there are outlets for such meat for processing in the Community ;

Whereas such sales should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽⁴⁾, should also be governed by the rules laid down by Commission Regulation (EEC) No 1687/76 ⁽⁵⁾, as last amended by Regulation (EEC) No 3605/84 ⁽⁶⁾, and by those laid down by Commission Regulation (EEC) No 2182/77 ⁽⁷⁾, as last amended by Regulation (EEC) No 1560/84 ⁽⁸⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put ;

Whereas Council Regulation (EEC) No 1055/77 ⁽⁹⁾ provides that, in the case of products stored by an intervention agency outside the territory of the Member State within whose jurisdiction it falls, a different selling price from that for products stored on that territory may be fixed ; whereas Commission Regulation (EEC) No 1805/77 ⁽¹⁰⁾ fixed the method for calculating the selling prices for such products ; whereas, to avoid all confusion, it should be expressly

stated that the prices fixed by this Regulation are subject to adjustment in the case of those products ;

Whereas it seems appropriate to waive the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79 taking into account the administrative difficulties which the application of this rule raises in certain Member States ;

Whereas Commission Regulation (EEC) No 3305/84 ⁽¹¹⁾ should be repealed ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. During the period 21 January to 1 March 1985, the following approximate quantities of beef products shall be put up for sale for processing within the Community :

- 300 tonnes of bone-in beef held by the Belgian intervention agency and bought in before 1 January 1984,
- 1 130 tonnes of bone-in beef held by the German intervention agency and bought in before 1 September 1983,
- 500 tonnes of bone-in beef held by the French intervention agency and bought in before 1 January 1984,
- 5 000 tonnes of bone-in beef held by the Italian intervention agency and bought in before 1 October 1983,
- 520 tonnes of boned beef held by the Danish intervention agency and bought in before 1 June 1984,
- 2 500 tonnes of boned beef held by the Irish intervention agency and bought in before 1 December 1983,
- 1 250 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 June 1984.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁴⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁵⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁶⁾ OJ No L 333, 21. 12. 1984, p. 28.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ No L 150, 6. 6. 1984, p. 11.

⁽⁹⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽¹⁰⁾ OJ No L 198, 5. 8. 1977, p. 19.

⁽¹¹⁾ OJ No L 308, 27. 11. 1984, p. 22.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The prices, quality and quantities of this meat are set out in Annex I hereto.

4. The sales shall be conducted in accordance with Regulation (EEC) No 2173/79 together with Regulations (EEC) No 1687/76, (EEC) No 2182/77 and this Regulation.

5. Notwithstanding the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, purchase applications shall not name the coldstore or stores where the products applied for are stored.

6. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the addresses listed in Annex II hereto.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, applications to purchase :

(a) shall be valid only if presented by a natural or legal person who for at least 12 months has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;

(b) must be accompanied by :

— a written undertaking by the applicant to process the meat purchased within the period referred to in Article 5 (1) of Regulation (EEC) No 2182/77,

— a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the

agent shall submit the applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

The security provided for in Article 4 (1) of Regulation (EEC) No 2182/77 shall be :

— 30 ECU per 100 kilograms for unboned fore-quarters intended for the manufacture of the products specified in Article 1 (1) (a) of Regulation (EEC) No 2182/77,

— 15 ECU per 100 kilograms for unboned fore-quarters intended for the manufacture of the products specified in Article 1 (1) (b) of Regulation (EEC) No 2182/77,

— 65 ECU per 100 kilograms for boned meats intended for the manufacture of the products specified in Article 1 (1) (a) of Regulation (EEC) No 2182/77,

— 50 ECU per 100 kilograms for boned meats intended for the manufacture of the products specified in Article 1 (1) (b) of Regulation (EEC) No 2182/77.

Article 4

Regulation (EEC) No 3305/84 is hereby repealed.

Article 5

This Regulation shall enter into force on 21 January 1985.

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

Done at Brussels, 16 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I

Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat	Produkte Erzeugnisse Προϊόντα Products Produits Prodotti Produkten	Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton)	Salgspris (ECU/100 kg) (¹) Verkaufspreise (ECU/100 kg) (¹) Τιμή πώλησεως (ECU/100 kg) (¹) Selling prices (ECU/100 kg) (¹) Prix de vente (Écus/100 kg) (¹) Prezzi di vendita (ECU/100 kg) (¹) Verkoopprijzen (Ecu/100 kg) (¹)
--	--	--	--

a) Ikke-udbenet kød — Fleisch mit Knochen — Κρέας μη αποστεωμένο — Unboned beef — Viande avec os — Carni con osso — Vlees met been

			A	B
Belgique/België	— <i>Quartiers avant, découpe droite à 8 côtes, provenant des :</i> — <i>Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :</i> Taureaux 55 % / Stieren 55 % Bœufs 55 % / Ossen 55 %	99 192	150,00 150,00	160,00 160,00
Bundesrepublik Deutschland	— <i>Vorderviertel, auf 5 Rippen geschnitten, mit Dünung am Vorderviertel eingeschlossen, stammend von :</i> Bullen A	1 126	165,00	175,00
France	— <i>Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des :</i> Bœufs U, R, O	500	135,00	145,00
Italia	— <i>Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti dai :</i> Vitelloni 1 Vitelloni 2 — <i>Quarti anteriori, taglio a 5 costole, il pancettone fa parte del quarto anteriore, provenienti dai :</i> Vitelloni 1 Vitelloni 2	3 909 10 1 070 11	125,00 118,00 120,00 113,00	135,00 128,00 130,00 123,00

b) Udbenet kød (²) — Fleisch ohne Knochen (²) — Αποστεωμένο κρέας (²) — Boned beef (²) — Viande désossée (²) — Carni senza osso (²) — Vlees zonder been (²)

Danmark	— <i>Ungtyre, 1. kvalitet, Tyre under 2 år :</i> Bryst og slag Øvrigt kød forfjerdinger — <i>Af Stude, 1. kvalitet :</i> Bryst og slag	400 100 15	170,00 235,00 155,00	180,00 245,00 165,00
Ireland	— <i>From steers 1 and 2 :</i> Forequarters (excluding cube rolls) Plates and flanks Flanks Shins and shanks Shins Shanks Plate Brisket	1 250 650 100 100 50 50 100 200	248,00 185,00 180,00 220,00 220,00 220,00 180,00 220,00	258,00 195,00 190,00 230,00 230,00 230,00 190,00 230,00
United Kingdom	— <i>From steers :</i> Thin flanks Flanks (plate) Briskets Ponies Pony parts Clod and sticking Striploin flankedge	150 150 100 442 30 375 3	185,00 180,00 190,00 259,00 225,00 240,00 135,00	195,00 190,00 200,00 269,00 235,00 250,00 145,00

- (1) I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.
- (1) Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.
- (1) Σε περίπτωση που η αποθεματοποίηση των προϊόντων αυτών πραγματοποιείται εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.
- (1) In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.
- (1) Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.
- (1) Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono riuocati in conformità del disposto del regolamento (CEE) n. 1805/77.
- (1) Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.
- (2) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- (2) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- (2) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- (2) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- (2) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.
- (2) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.
- (2) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.
- A. Finder anvendelse på kød bestemt til konserverfremstilling i henhold til artikel 1, stk. 1, litra a), i forordning (EØF) nr. 2182/77.
- A. Anwendbar für zur Herstellung von Konserven gemäß Artikel 1 Absatz 1 Buchstabe a) der Verordnung (EWG) Nr. 2182/77 bestimmtes Fleisch.
- A. Εφαρμόζεται στα κρέατα που προορίζονται για την παρασκευή κονσερβών όπως καθορίζονται στο άρθρο 1 παράγραφος 1 στοιχείο α) του κανονισμού (ΕΟΚ) αριθ. 2182/77.
- A. Applicable to meat intended for the manufacture of preserves as specified in Article 1 (1) (a) of Regulation (EEC) No 2182/77.
- A. Applicables aux viandes destinées à la fabrication des conserves visées à l'article 1^{er} paragraphe 1 point a) du règlement (CEE) n° 2182/77.
- A. Applicabili alle carni destinate alla fabbricazione delle conserve di cui all'articolo 1, paragrafo 1, lettera a), del regolamento (CEE) n. 2182/77.
- A. Van toepassing op vlees dat is bestemd voor de vervaardiging van de in artikel 1, lid 1, sub a), van Verordening (EEG) nr. 2182/77 bedoelde conserven.
- B. Finder anvendelse på kød bestemt til fremstilling af produkter i henhold til artikel 1, stk. 1, litra b), i forordning (EØF) nr. 2182/77.
- B. Anwendbar für zur Herstellung von Erzeugnissen gemäß Artikel 1 Absatz 1 Buchstabe b) der Verordnung (EWG) Nr. 2182/77 bestimmtes Fleisch.
- B. Εφαρμόζεται στα κρέατα που προορίζονται για την παρασκευή προϊόντων όπως καθορίζονται στο άρθρο 1 παράγραφος 1 στοιχείο β) του κανονισμού (ΕΟΚ) αριθ. 2182/77.
- B. Applicable to meat intended for the manufacture of products as specified in Article 1 (1) (b) of Regulation (EEC) No 2182/77.
- B. Applicables aux viandes destinées à la fabrication des produits visés à l'article 1^{er} paragraphe 1 point b) du règlement (CEE) n° 2182/77.
- B. Applicabili alle carni destinate alla fabbricazione dei prodotti di cui all'articolo 1, paragrafo 1, lettera b), del regolamento (CEE) n. 2182/77.
- B. Van toepassing op vlees dat is bestemd voor de vervaardiging van de in artikel 1, lid 1, sub b), van Verordening (EEG) nr. 2182/77 bedoelde produkten.

*BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II*

Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus

BELGIQUE/BELGIË : Office belge de l'économie et Belgische Dienst voor Bedrijfs-
de l'agriculture leven en Landbouw
rue de Trèves 82 Trierstraat 82
1040 Bruxelles 1040 Brussel
Tél. 02/230 17 40, télex 240 76 OBEA BRU B

**BUNDESREPUBLIK
DEUTSCHLAND :** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 11) 1 56 40 App. 772/702, Telex : 04 11 56

FRANCE : OFIVAL
Tour Montparnasse
33, avenue du Maine
75755 Paris Cedex 15
Tél. 538 84 00, télex 26 06 43

IRELAND : Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

ITALIA : Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Roma, via Palestro 81
Tel. 49 57 283 — 49 59 261
Telex 61 30 03

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302

DANMARK : Direktoratet for markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tel. (01) 92 70 00, telex 151 37 DK

COMMISSION REGULATION (EEC) No 130/85**of 17 January 1985****correcting Regulation (EEC) No 80/85 amending Regulation (EEC) No 2742/82
on protective measures applicable to imports of dried grapes**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 516/77
of 14 March 1977 on the common organization of the
market in products processed from fruit and vegeta-
bles⁽¹⁾, as last amended by Regulation (EEC) No
988/84⁽²⁾, and in particular Article 14 (2) 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,

Whereas Commission Regulation (EEC) No 80/85⁽⁵⁾
amended Regulation (EEC) No 2742/82⁽⁶⁾ on protec-
tive measures applicable to imports of dried grapes ;

Whereas verification has shown the existence of an
error in the text of the said Regulation ; whereas it is
therefore necessary that the Regulation in question be
corrected,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 2 (3) of Regulation (EEC) No 80/85, '14
January 1985' is hereby replaced by '14 April 1985'.

Article 2

This Regulation shall enter into force on 18 January
1985.

It shall apply with effect from 14 January 1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 11.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 11, 12. 1. 1985, p. 6.

⁽⁶⁾ OJ No L 290, 14. 10. 1982, p. 28.

COMMISSION REGULATION (EEC) No 131/85

of 17 January 1985

suspending the advance fixing of export refunds in respect of certain milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first subparagraph of Article 5 (4) thereof,

Whereas Commission Regulation (EEC) No 3714/84 of 21 December 1984 laying down detailed rules for the granting of aid for the use of partly skimmed milk and partly skimmed milk powder in feedingstuffs⁽⁵⁾ introduced aid for milk powder with a fat content of between 9 and 11 % and which has been denatured or incorporated in feedingstuffs; whereas the recovery of aid gives rise to difficulties where these products are exported to third countries;

Whereas Article 8 (1) of Commission Regulation (EEC) No 2729/81 of 14 September 1981 laying down

special rules implementing the system of import and export licences and the advance fixing of refunds in respect of milk and milk products⁽⁶⁾, as last amended by Regulation (EEC) No 3512/83⁽⁷⁾, lays down that refunds shall be fixed in advance at the request of operators, particularly in respect of products falling within subheading 23.07 B; whereas, to avoid speculative advance fixing operations, the possibility of fixing refunds in advance should be suspended in respect of these products until such time as a new system is implemented;

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

HAS ADOPTED THIS REGULATION:

Article 1

The advance fixing of export refunds in respect of the products referred to in Article 1 (g) of Regulation (EEC) No 804/68 is hereby suspended.

Article 2

This Regulation shall enter into force on 18 January 1985.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 341, 29. 12. 1984, p. 65.

⁽⁶⁾ OJ No L 272, 26. 9. 1981, p. 19.

⁽⁷⁾ OJ No L 351, 14. 12. 1983, p. 11.

COMMISSION REGULATION (EEC) No 132/85

of 17 January 1985

fixing the export refunds 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 the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, if the refund system is to operate normally, refunds 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 over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

ANNEX

to the Commission Regulation of 17 January 1985 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne) Refund
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 0
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 10,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	30,00 37,00 — —
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing for exports to : — Niger (1) — other third countries	— 20,00 —
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	25,00 25,00 22,00 21,00 20,00 18,00

(ECU/tonne)		
CCT heading No	Description	Refund
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	25,00 25,00 25,00 25,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 ⁽³⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	109,00 103,00 92,00 87,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	25,00

⁽¹⁾ For exports to be made on the basis of a contract awarded following an invitation to tender for the supply of cereals in the context of an emergency aid operation under the Lomé Convention.

⁽²⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.

⁽³⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as amended by Regulation (EEC) No 3634/83 (OJ No L 360, 23. 12. 1983).

COMMISSION REGULATION (EEC) No 133/85

of 17 January 1985

fixing the export refunds on 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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas 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⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products

processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination;

Whereas, if the refund system is to operate normally, refunds 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

ANNEX

to the Commission Regulation of 17 January 1985 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	13,30
11.07 A II b)	70,17
11.07 B	81,78

COMMISSION REGULATION (EEC) No 134/85

of 17 January 1985

fixing the corrective amount applicable to the refund on cereals

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⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas 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⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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⁽⁷⁾, as last amended by Regulation (EEC) No 855/84⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 January 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 17 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

ANNEX

to the Commission Regulation of 17 January 1985 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7
10.01 B I	Common wheat, and meslin : Other, for exports to : — China — other third countries	0 0	+ 6,00 0	+ 6,00 0	+ 6,00 0	+ 6,00 0	+ 6,00 —	0 —
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	0	— 5,00	—	—
10.04	Oats	0	0	0	0	0	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0	0	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	0	— 10,00
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

N. B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as amended by Regulation (EEC) No 3634/83 (OJ No L 360, 23. 12. 1983).

COMMISSION REGULATION (EEC) No 135/85**of 17 January 1985****prolonging for the second time the temporary suspension of the advance fixing
of the import levy for common wheat**

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 1451/82 ⁽²⁾, and in particular the
first subparagraph of Article 15 (7) thereof,

Whereas Article 15 (7) of Regulation (EEC) No
2727/75 provides that the provisions concerning
advance fixing of the levy may be suspended if the
market situation shows that the application of such
provisions will or is likely to cause difficulties ;

Whereas Commission Regulation (EEC) No 22/85 of 3
January 1985 ⁽³⁾, as amended by Regulation (EEC) No
68/85 ⁽⁴⁾, temporarily suspended advance fixing of the
import levy for common wheat ; whereas the reasons

which led to that suspension still exist ; whereas it is
important, therefore, to continue that measure for a
limited period, which will make it possible to monitor
the situation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 of Regulation (EEC) No 22/85, '17
January 1985' is hereby replaced by '24 January 1985'.

Article 2

This Regulation shall enter into force on 18 January
1985.

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

Done at Brussels, 17 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 164, 14. 6. 1982, p. 1.

⁽³⁾ OJ No L 3, 4. 1. 1985, p. 17.

⁽⁴⁾ OJ No L 10, 11. 1. 1985, p. 15.

COMMUNITY LAW

Offprint from the Seventeenth General Report on the Activities of the European Communities (1983)

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

The text has in no way been modified: references to 'this Report' should therefore be construed as references to the Seventeenth General Report. Nor has the text been brought up to date since that Report was published.

Contents:

Section 1: general matters;

Section 2: interpretation and application of the substantive rules of Community law;

Section 3: information on the development of Community law.

Published in: Danish, Dutch, English, French, German, Greek and Italian.

ISBN 92-825-4238-6

Publication No CB-38-83-831-EN-C

Price (excluding VAT) in Luxembourg: ECU 2,73 Bfrs 125 £ Irl 2,00 £ 1,60 US \$ 2,50.

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg

EUROPA TRANSPORT
OBSERVATION OF TRANSPORT MARKETS
ANNUAL REPORT — 1982

The annual report of the European Commission's observation of the transport markets system, published under the umbrella title of 'Europa Transport' contains a comprehensive review of recent developments in the international intra-Community goods transport market. The presentation of the publication is by mode of transport and there are individual chapters on the three modes which are covered by the system, i.e. road, rail and inland waterways. There is also a general market appraisal of international transport developments within the Community and its short-term prospects, and a chapter on regional traffic flows.

1984. 76 pages.

Published in: Danish, Dutch, English, French, German, Greek and Italian.

ISBN 92-825-4204-1

Catalogue No CB-38-83-766-EN-C

Price (excluding VAT) in Luxembourg: 4,91 ECU Bfrs 225 £ Irl 3,60 £ 2,90 US \$ 4,50.

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg

Guide to the provisions applying to the international carriage of passengers by road by means of occasional coach and bus services

This practical guide for transport firms is intended to bring about an improvement in the understanding and application of the provisions governing most of the occasional international coach and bus services in Western Europe.

The guide — which contains practical examples — makes a comparative analysis of the rules to which these services are subject under Community rules and the rules established by the Agreement on the International Carriage of Passengers by Road by means of Occasional Coach and Bus Services (ASOR).

1984 — 42 pp. — 21,0 × 29,7 cm.

Published in: Danish, Dutch, English, French, German, Greek and Italian.

ISBN 92-825-4444-3,

Catalogue No CB-40-84-173-EN-C

Price (excluding VAT) in Luxembourg: 3,95 ECU Bfrs 180 £ Irl 2,90 £ 2,40; US \$ 3,50

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg

NOTICE

The indexes of the *Official Journal of the European Communities* have been produced since 1 January 1984 on the basis of the *Eurovoc Thesaurus*. The *Eurovoc Thesaurus* contains a list of standardized terms covering the various fields of Community language in a controlled vocabulary.

Interested readers may order these thesauri in the form of annexes to the indexes of the Official Journal (alphabetical and subject-oriented) from the Office for Official Publications of the European Communities, Sales Department, L-2985 Luxembourg.

Subscribers to the Official Journal will receive them free of charge.