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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 485/85**of 26 February 1985****concerning the application of Decision No 2/85 of the ACP-EEC Council of Ministers on transitional measures valid from 1 March 1985**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 113 and 235 thereof,

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

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

Whereas the second ACP-EEC Convention, signed at Lomé on 31 October 1979, expires on 28 February 1985;

Whereas the third ACP-EEC Convention, signed at Lomé on 8 December 1984, cannot enter into force on that date;

Whereas the Committee of Ambassadors established by the second ACP-EEC Convention has adopted, under the powers delegated to it by Decision No 7/84 of the ACP-EEC Council of Ministers and pursuant to Article 188 (3) of the said Convention, the transitional

measures valid from 1 March 1985 until the third ACP-EEC Convention enters into force;

Whereas the measures required to implement that Decision should be taken,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/85 of the ACP-EEC Council of Ministers, annexed to this Regulation, shall apply in the Community with effect from 1 March 1985 until the entry into force of the third ACP-EEC Convention and no later than 28 February 1986, without prejudice to more favourable autonomous provisions to be adopted by the Community in respect of imports of ACP products.

Article 2

This Regulation shall enter into force on 1 March 1985.

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

Done at Brussels, 26 February 1985.

For the Council

The President

F. PANDOLFI

⁽¹⁾ OJ No C 42, 14. 2. 1985, p. 4.

⁽²⁾ Opinion delivered on 15 February 1985 (not yet published in the Official Journal).

DECISION No 2/85 OF THE ACP-EEC COUNCIL OF MINISTERS

of 22 February 1985

on transitional measures valid from 1 March 1985

THE ACP-EEC COMMITTEE OF AMBASSADORS,

Chapter 1 of Title III must be submitted not later than 31 October 1985;

Having regard to the second ACP-EEC Convention signed at Lomé on 31 October 1979, and in particular Article 188 (3) thereof,

Having regard to Decision No 7/84 of the ACP-EEC Council of Ministers of 19 December 1984 delegating powers to the ACP-EEC Committee of Ambassadors in connection with the adoption of transitional measures upon expiry of the second ACP-EEC Convention,

Having regard to the Agreement on products within the province of the European Coal and Steel Community signed in Lomé on 31 October 1979,

Whereas appropriate transitional measures, to apply until the entry into force of the third ACP-EEC Convention, signed in Lomé on 8 December 1984, should be adopted to maintain in force the relevant provisions of the second ACP-EEC Convention,

HAS DECIDED AS FOLLOWS:

Article 1

The following provisions and the acts adopted pursuant thereto shall remain applicable after 28 February 1985 until the entry into force of new provisions relating to the same areas, and until 28 February 1986 at the latest, unless an extension is decided by common accord:

1. As regards the second ACP-EEC Convention:

- (a) subject to Article 4 of this Decision, the provisions on trade cooperation in Title I and Protocol 1;
- (b) subject to the second paragraph of Article 8 of this Decision, the provisions on the export earnings stabilization system in Chapter 1 of Title II;
- (c) the provisions on mineral products in Title III; however, requests for financial aid pursuant to

(d) the provisions on investment in Title IV;

(e) the provisions on industrial cooperation in Title V;

(f) the provisions on agricultural cooperation in Title VI;

(g) the provisions on financial and technical cooperation in Title VII;

(h) the provisions on the least developed, landlocked and island ACP States in Title VIII;

(i) the provisions relating to payments and capital movements, establishment and services in Title IX;

(j) the general and final provisions in Articles 179, 180, 184, 185, 186, 188 (3), 189, 190, 191 and in Protocol 3.

2. The Agreement on products within the province of the European Coal and Steel Community signed at Lomé on 31 October 1979.

Article 2

From 1 March 1985 until the entry into force of the new provisions on the same subject and not later than 28 February 1986, unless an extension is decided by common accord, the provisions on trade cooperation in Chapters 1 and 2 of Title I, of the second ACP-EEC Convention and those of Protocol 1 annexed to that Convention shall apply between the Community and any new ACP State signatory to the third ACP-EEC Lomé Convention.

Article 3

The provisions on institutions in Articles 22, 23, 24 and 25 of the third ACP-EEC Convention signed on 8 December 1984, those in Part Four of the said

Convention, in Protocol 2 annexed thereto, the provisions in Article 284 of that Convention concerning the procedure to be followed when a State accedes to the Community and the provisions in Annexes I and IX of the Final Act of that Convention shall be applicable in advance from 1 March 1985, except for the third paragraph of Annex IX and the joint declaration on Article 2 of Protocol 2 contained in Annex XXXI.

Article 4

The provisions concerning the procedure for derogating from the rules of origin, contained in Article 30 of Protocol 1 to the third ACP-EEC Convention, shall be applied in advance as from 1 March 1985.

However, requests that have at present already been lodged shall be examined in accordance with the procedures of the second Convention.

Article 5

The Committee on Industrial Cooperation is hereby authorized to exercise the powers necessary to ensure the continued operation of the Centre for the Development of Industry until the entry into force of the third ACP-EEC Convention and to prepare the entry into force of the new provisions, and in particular to set up the Governing Board provided for in Article 73 of that Convention.

Article 6

Under the authority of the Committee of Ambassadors the Subcommittee on Cooperation for Agricultural and Rural Development shall exercise the powers necessary to ensure the continued operation of the Technical Centre for Agricultural and Rural Cooperation until the entry into force of the third ACP-EEC Convention and to prepare for the introduction of new provisions, and in particular to set up the Advisory Committee provided for in Article 37 (6) thereof.

Article 7

Article 47 of the third ACP-EEC Convention relating to the Agricultural Commodities Committee shall apply from 1 March 1985.

Article 8

The export earnings stabilization system under the

second ACP-EEC Convention shall continue to be implemented as provided for in that Convention.

Article 35 of the said Convention shall continue to apply, except for the duration of validity, which shall be extended until the third ACP-EEC Convention enters into force.

The new provisions in Article 160 of the third ACP-EEC Convention, on the method of calculating the transfer bases in ECU, shall be applied in advance for the 1984 year of application.

Article 9

Financial and technical cooperation and the system providing aid for mining projects and programmes under the second ACP-EEC Convention shall continue to be implemented as provided for in that Convention.

In accordance with Article 137 (3) (c) and by way of derogation from Article 154 of the second ACP-EEC Convention, the Community is hereby authorized to continue fulfilling its commitments in respect of emergency aid and risk capital until the third ACP-EEC Convention enters into force.

In order that the Council of Ministers may take the decision provided for in Article 51 (2) of the second ACP-EEC Convention concerning the allocation of any balances remaining from the overall amount of the special financing facility with all the necessary information to hand, the time limit set in that Article shall be extended until 28 February 1986. However, the appraisal of requests pending may be completed.

Article 10

The ACP States, the Member States and the Community shall, each to the extent concerned, take the measures necessary to implement this Decision.

Article 11

This Decision shall enter into force on 1 March 1985.

Done at Brussels, 22 February 1985.

For the ACP-EEC Council of Ministers

By the ACP-EEC Committee of Ambassadors

The President

P. CALAMIA

COUNCIL REGULATION (EEC) No 486/85

of 26 February 1985

on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

to third countries benefiting from the most-favoured-nation clause for the same products;

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Whereas the third ACP-EEC Convention was signed at Lomé on 8 December 1984;

Whereas Article 130 (2) (a) of the Convention lays down that products originating in the ACP States and:

- listed in Annex II to the Treaty, when they come under a common organization of the market within the meaning of Article 40 of the Treaty, or
- subject, on importation into the Community, to specific rules introduced as a result of the implementation of the common agricultural policy,

shall be imported into the Community, notwithstanding the general arrangements applied in respect of third countries, in accordance with the following provisions:

- (i) products for which Community provisions in force at the time of import do not provide, apart from customs duties, for the application of any other measure relating to their import, shall be imported free of customs duties;
- (ii) for products other than those referred to under (i), the Community shall take the necessary measures to ensure more favourable treatment than that applied

Whereas Article 130 (2) of the third ACP-EEC Convention lays down that the arrangements referred to under paragraph (2) (a) shall enter into force at the same time as the Convention and shall remain applicable for its duration;

Whereas the Community has agreed to apply autonomously to the ACP States signatories to the Convention the arrangements set out in Article 130 (2) (a) of the Convention, on trade in agricultural products and foodstuffs, as from 1 March 1985, that is to say before the Convention enters into force;

Whereas the Regulations on the common organization of the markets in the sectors concerned establish trade arrangements with third countries;

Whereas, for the purposes of this Regulation, the concept of import duties shall be that set out in Article 1 (2) (a) of Regulation (EEC) No 918/83 ⁽⁴⁾;

Whereas, on the one hand, these trade arrangements provide for, on the import of a number of products, only the application of customs duties; whereas on the other hand, these arrangements involve the application of customs duties and import levies on beef and veal, sheepmeat and goatmeat, and on products processed from fruit and vegetables, the charging of levies in respect of cereals, rice and products processed from cereals and rice, the charging of an *ad valorem* duty and a variable component on certain goods resulting from the processing of agricultural products, the application of customs duties and other measures in respect of imports of fishery products, certain fruit and vegetables, and oils and fats; whereas the obligations of the Community towards the ACP States under Article 130 (2) (a) of the third ACP-EEC Convention may be fulfilled by granting total or partial exemption from import duties for the products in question where they originate in the ACP States;

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

⁽²⁾ OJ No C 36, 8. 2. 1985, p. 3.

⁽³⁾ Opinion delivered on 15 February 1985 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 105, 23. 4. 1983, p. 1.

Whereas it should be specified that the advantages resulting from Article 130 (2) (a) of the third ACP-EEC Convention are accorded only to originating products within the meaning of Protocol 1 concerning the definition of the concept of originating products and methods of administrative cooperation, annexed to the second ACP-EEC Convention signed at Lomé on 31 October 1979 ⁽¹⁾, certain provisions of which have been extended by Regulation (EEC) No 485/85 ⁽²⁾;

Whereas, upon entry into force of the third ACP-EEC Convention, Protocol 1 annexed thereto will become applicable in respect of the rules of origin;

Whereas, furthermore, these advantages should be combined with certain conditions and limited to certain annual and multiannual quantities on a case-by-case basis;

Whereas there have traditionally been trade flows from the ACP States to the French overseas departments; whereas measures should therefore be introduced to encourage the importation of certain products originating in the ACP States into these French overseas departments to cover local consumption requirements, including consumption following processing; whereas provision should be made for altering the arrangements governing access to the markets in products originating in the ACP States referred to in Article 130 (2) of the third ACP-EEC Convention, particularly in the light of the said departments' economic development requirements;

Whereas it should be stipulated that the safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in specific rules introduced as a result of the implementation of the common agricultural policy are applicable; whereas by virtue of the transitional application of certain provisions of the second ACP-EEC Convention, Article 12 (1) of that Convention is applicable and will be replaced by Article 139 (1) of the third ACP-EEC Convention once it enters into force; whereas the said provisions of the second ACP-EEC Convention are complementary to and are implemented in accordance with Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second ACP-EEC Convention ⁽³⁾, which continues to

apply during the transitional period, and in accordance with the Regulation which will replace it during the period of application of the third ACP-EEC Convention;

Whereas the association of the Community with the overseas countries and territories, hereinafter referred to as 'the countries and territories', is governed by Decision 80/1186/EEC ⁽⁴⁾, as last amended by Decision 85/159/EEC ⁽⁵⁾, in respect of the import arrangements for agricultural products and certain goods resulting from the processing of agricultural products and in respect of the rules of origin, with its safeguard clauses applying as complementary measures; whereas, upon the entry into force of a new Decision, the provisions which it lays down will be applicable;

Whereas fishery products are subject to the provisions of Article 1 of the Protocol on special arrangements for Greenland, annexed to the Treaty amending, with regard to Greenland, the Treaties establishing the European Communities, signed on 13 March 1984 ⁽⁶⁾, and to those of Council Regulation (EEC) No 225/85 of 29 January 1985 laying down certain specific measures in connection with the special arrangements on fisheries applicable to Greenland ⁽⁷⁾;

Whereas, as far as the importation into the overseas departments, of rice originating in the ACP States is concerned, the arrangements provided for in Article 21 of Regulation (EEC) No 435/80 ⁽⁸⁾, as extended by Regulation (EEC) No 3486/80 ⁽⁹⁾, should remain applicable until 30 June 1985,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation shall apply to products originating in the ACP States listed in Annex I or in the countries and territories listed in Annex II.

2. The rules of origin applicable to such of these products as are imported from the ACP States or the

⁽¹⁾ OJ No L 347, 22. 12. 1980, p. 1.

⁽²⁾ See page 1 of this Official Journal.

⁽³⁾ OJ No L 147, 13. 6. 1980, p. 4.

⁽⁴⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽⁵⁾ See p. 25 of this Official Journal.

⁽⁶⁾ OJ No L 29, 1. 2. 1985, p. 1.

⁽⁷⁾ OJ No L 29, 1. 2. 1985, p. 18.

⁽⁸⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽⁹⁾ OJ No L 365, 31. 12. 1980, p. 2.

countries and territories shall be respectively those set out in Protocol 1 annexed to the second ACP-EEC Convention and those in Annex II to Decision 80/1186/EEC. These provisions shall cease with effect from the entry into force of the similar rules contained in the third ACP-EEC Convention and in the Decision to be taken on the association of the countries and territories.

3. Should there be a change in the status of the countries and territories listed in Annex II, the list of States, countries and territories referred to in Annexes I and II shall be adapted accordingly by the Commission.

TITLE I

Beef and veal

Article 2

The products of the beef and veal sector referred to in Article 1 of Regulation (EEC) No 805/68 ⁽¹⁾ shall be imported free of customs duties.

Article 3

Where, in the course of a year, imports into the Community of products falling within subheadings 02.01 A II and 16.02 B III b) 1 aa) of the Common Customs Tariff originating in an ACP State or country or territory, exceed a quantity equivalent to imports into the Community during the year, between 1969 and 1974, in which Community imports of products of that origin were highest, plus an annual growth rate of 7 %, exemption from customs duties on the products of that origin shall be partially or totally suspended in accordance with the procedure laid down in Article 22.

In that event the Commission shall report to the Council which, acting by a qualified majority on a proposal from the Commission, shall determine the arrangements to be applied to the imports in question.

Article 4

1. Within the country-by-country and overall limits referred to in Article 5, import duties, other than customs duties, applied to products originating in the ACP States and referred to in Article 1 (a) of Regulation (EEC) No 805/68 shall be reduced by an amount to be fixed quarterly by the Commission and corresponding

to 90 % of the average import duties applicable during a reference period.

2. Paragraph 1 shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction referred to in the said paragraph has been collected by the exporting country.

Article 5

1. The reduction in import duties provided for in Article 4 shall, on a country-by-country basis per calendar year, cover the following quantities expressed in terms of boned or boneless meat:

Botswana	18 916 tonnes
Kenya	142 tonnes
Madagascar	7 579 tonnes
Swaziland	3 363 tonnes
Zimbabwe	8 100 tonnes

2. The reduction applies to 30 000 tonnes, from which are taken the quantities exported by the countries in question, up to the limit of the annual quotas indicated above.

If deliveries do not exceed this amount, the procedure provided for under paragraph 4 shall apply.

3. After this quantity has been used up, the reduction shall apply automatically to the quantities imported from the same countries, taken from a further quantity of 8 100 tonnes, up to the limit of the annual quotas indicated above.

4. If any ACP State is not able to supply its annual quota as set out in paragraph 1, a decision may be taken at its request, submitted in the course of a year, and in accordance with the procedure referred to in Article 22, to allocate the quantities laid down in paragraph 1 differently between the other States concerned, up to a limit of 30 000 tonnes, for the same or the following year.

TITLE II

Sheepmeat and goatmeat

Article 6

1. The products referred to in Article 1 of Regulation (EEC) No 1837/80 ⁽²⁾ shall be imported free of customs duties.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 183, 16. 7. 1980, p. 1.

2. No levy shall be applied to imports of the following products, specified in Article 1 (a) of Regulation (EEC) No 1837/80:

- live sheep and goats, other than pure-bred breeding animals, falling within subheading 01.04 B of the Common Customs Tariff,
- meat of sheep and goats, fresh, chilled or frozen, falling within subheading 02.01 A IV of the Common Customs Tariff, other than that of domestic sheep,
- meat of sheep and goats, salted, in brine, dried or smoked, falling within subheading 02.06 C II a) of the Common Customs Tariff, other than that of domestic sheep.

TITLE III

Fisheries

Article 7

Without prejudice to the conditions laid down in Article 1 of the Protocol on special arrangements for Greenland, and to the decisions which may be taken pursuant to Regulation (EEC) No 225/85 as regards fisheries products originating in Greenland, the fisheries products specified in Article 1 of Regulation (EEC) No 3796/81 ⁽¹⁾, shall be imported free of customs duties.

TITLE IV

Oils and fats

Article 8

The oil and fat products referred to in Article 1 (2) (a) and (b) of Regulation No 136/66/EEC ⁽²⁾, shall be imported free of customs duties.

TITLE V

Cereals

Article 9

1. The levy applicable to imports of maize falling within subheading 10.05 B of the Common Customs Tariff shall be that fixed in accordance with Article 13

of Regulation (EEC) No 2727/75 ⁽³⁾, reduced by 1,81 ECU per tonne.

2. The levy applicable to imports of millet falling within subheading 10.07 B of the Common Customs Tariff and of grain sorghum falling within subheading 10.07 C of the Common Customs Tariff shall be that fixed in accordance with Article 13 of Regulation (EEC) No 2727/75, reduced by 50 %.

TITLE VI

Rice

Article 10

1. Within the limits of the quantities laid down in Article 11, the levy applicable to imports of rice falling within subheading 10.06 B of the Common Customs Tariff shall be equal, per 1 000 kilograms of product, to the levy applicable to imports of rice from third countries, reduced as follows:

(a) in the case of paddy rice falling within subheading 10.06 B I a) of the Common Customs Tariff:

- by 50 %, and
- by 3,6 ECU;

(b) in the case of husked rice falling within subheading 10.06 B I b) of the Common Customs Tariff:

- by 50 %, and
- by 3,6 ECU;

(c) in the case of semi-milled rice falling within subheading 10.06 B II a) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76 ⁽⁴⁾, converted by reference to the conversion rate between milled rice and semi-milled rice referred to in the third indent of Article 19 (a) of that Regulation
- by 50 % of the levy thus reduced, and
- by 5,4 ECU;

(d) in the case of wholly-milled rice falling within subheading 10.06 B II b) of the Common Customs Tariff:

- by the amount for the protection of the industry referred to in Article 14 (3) of Regulation (EEC) No 1418/76,
- by 50 % of the levy thus reduced, and
- by 5,4 ECU;

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1.

(e) in the case of broken rice falling within subheading 10.06 B III of the Common Customs Tariff:

- by 50 %, and
- by 3,0 ECU

2. Paragraph 1 shall apply only to imports for which the importer provides proof that an export charge of an amount equivalent to the reduction referred to in the said paragraph has been collected by the exporting country.

Article 11

1. The reduction in the levy provided for in Article 10 shall be subject, per calendar year, to a maximum, expressed as husked rice, of 122 000 tonnes of rice falling within subheadings 10.06 B I and B II of the Common Customs Tariff and 17 000 tonnes of broken rice falling within subheading 10.06 B III of the Common Customs Tariff.

Quantities of rice at other stages of processing than husked rice shall be converted at the rates laid down in Article 1 of Regulation No 467/67/EEC ⁽¹⁾.

2. Depending on the dates of entry into force and expiry of this Regulation, the quantities provided for in paragraph 1, expressed per calendar year, shall be calculated *pro rata temporis*.

3. The Commission shall suspend the application of Article 10 for the remainder of the year if it finds during the current year that imports under the above provisions have reached the levels referred to in paragraph 1.

TITLE VII

Products processed from cereals and rice

Article 12

1. The fixed component of the levy or the customs duty applicable to imports of the products listed in Annex A to Regulation (EEC) No 2727/75 and the products listed in Article 1 (1) (c) of Regulation (EEC) No 1418/76 shall not be charged on any of those products.

2. The variable component shall be reduced:

- by 1,81 ECU per 1 000 kilograms for products falling within subheading 07.06 A of the Common Customs Tariff, excluding arrowroot,
- 3,63 ECU per 1 000 kilograms for products falling within subheading 11.04 C of the Common Customs Tariff, excluding flour and meal of arrowroot,
- by 50 % for products falling within subheading 11.08 A V of the Common Customs Tariff, excluding arrowroot starch.

3. The variable component of the levy shall not be charged in respect of imports of:

- arrowroot falling within subheading 07.06 A of the Common Customs Tariff,
- flour and meal of arrowroot falling within subheading 11.04 C of the Common Customs Tariff,
- arrowroot starch falling within subheading 11.08 A V of the Common Customs Tariff.

⁽¹⁾ OJ No 204, 24. 8. 1967, p. 1.

TITLE VIII
Fruit and vegetables

Article 13

1. The products listed below shall be imported free of customs duties:

CCT heading No	Description
07.01	Vegetables, fresh or chilled: F. Leguminous vegetables, shelled or unshelled G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex IV. Other: — Radishes (<i>Raphanus sativus</i>), known as 'Mooli' S. Sweet peppers T. Other
08.02	Citrus fruit, fresh or dried: D. Grapefruit E. Other
08.08	Berries, fresh: E. Papaws F. Other: ex II. Passion fruit
08.09	Other fruit, fresh

2. Subject to the special provisions laid down in paragraph 3, customs duties shall be reduced as follows for the products listed below:

CCT heading No	Description	Rate of reduction
07.01	Vegetables, fresh or chilled: G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots: ex II. Carrots and turnips: — Carrots, from 1 January to 31 March	40 %

CCT heading No	Description	Rate of reduction
07.01 (cont'd)	ex H. Onions, shallots and garlic: — Onions, from 15 February to 15 May ex K. Asparagus: — From 15 August to 31 January M. Tomatoes: ex I. From 1 November to 14 May (from 15 November to 30 April (within the annual limit of a Community tariff quota of 2 000 tonnes)) Q. Mushrooms and truffles: IV. Other	60 % 40 % 60 % 40 %
08.02	Citrus fruit, fresh or dried: A. Oranges B. Mandarins (including tangerines and satsumas); clementines, wilkings and other similar citrus hybrids	80 % 80 %
08.08	Berries, fresh: A. Strawberries ex II. From 1 August to 30 April (from 1 November to the end of February within the annual limit of a Community tariff quota of 700 tonnes)	60 %

3. Imports of carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and of onions falling within subheading ex 07.01 H of the Common Customs Tariff at the reduced rates of customs duty shown in paragraph 2 shall be subject to annual ceilings of 500 tonnes for each of these products, above which the customs duties actually applied in respect of third countries shall be restored.

TITLE IX

Products processed from fruit and vegetables

Article 14

1. The products listed in Article 1 of Council Regulation (EEC) No 516/77 ⁽¹⁾ shall be imported free of customs duties.

2. Levies shall not be charged on imports of the products listed below:

(¹) OJ No L 73, 21. 3. 1977, p. 1.

CCT heading No	Description
20.06	Fruit otherwise prepared or preserved, whether or not containing added sugar or spirit: B. Other: I. Containing added spirit: b) Pineapples, in immediate packings of a net capacity: 1. Of more than 1 kg; aa) With a sugar content exceeding 17 % by weight 2. Of 1 kg or less: aa) With a sugar content exceeding 19 % by weight e) Other fruits: 1. With a sugar content exceeding 9 % by weight: ex aa) Of an actual alcoholic strength by mass not exceeding 11,85 % mass: — Grapefruit segments — Passion fruit — Guavas ex bb) Other: — Grapefruit segments — Passion fruit — Guavas f) Mixtures of fruit: 1. With a sugar content exceeding 9 % by weight: ex aa) Of an actual alcoholic strength by mass not exceeding 11,85 % mass: — Mixtures of pineapples, papaws and passion fruit ex bb) Other: — Mixtures of pineapples, papaws and passion fruit II. Not containing added spirit: a) Containing added sugar, in immediate packings of a net capacity of more than 1 kg: 2. Grapefruit segments 5. Pineapples: aa) With a sugar content exceeding 17 % by weight: ex 8. Other fruits: — Passion fruit — Guavas 9. Mixtures of fruit: ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits: — Mixtures of pineapples, papaws and passion fruit ex bb) Other: — Mixtures of pineapples, papaws and passion fruit

CCT heading No	Description
20.06 (cont'd)	B. II. b) Containing added sugar, in immediate packings of a net capacity not exceeding 1 kg: 2. Grapefruit segments 5. Pineapples: - aa) With a sugar content exceeding 19 % by weight - ex 8. Other fruits: — Passion fruit — Guavas 9. Mixtures of fruit: - ex aa) Mixtures in which no single fruit exceeds 50 % of the total weight of the fruits: — Mixtures of pineapples, papaws and passion fruit - ex bb) Other: — Mixtures of pineapples, papaws and passion fruit
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a density exceeding 1,33 g/cm³ at 20 °C: III. Other: b) Of a value of 30 ECU or less per 100 kg net weight: - ex 1. With an added sugar content exceeding 30 % by weight: — Pineapple — Passion fruit — Guavas — Mixtures of pineapples, papaws and passion fruit B. Of a density of 1,33 g/cm³ or less at 20 °C: II. Other: b) Of a value of 30 ECU or less per 100 kg net weight: 5. Pineapple juice: - aa) With an added sugar content exceeding 30 % by weight 7. Other fruit and vegetable juices: - ex aa) With an added sugar content exceeding 30 % by weight: — Passion fruit — Guavas 8. Mixtures: - bb) Other: - ex 11. With an added sugar content exceeding 30 % by weight: — Pineapple, papaws and passion fruit juice

TITLE X

Wine

Article 15

The products listed below shall be imported free of customs duties:

CCT heading No	Description
20.07	Fruit juices (including grape must) and vegetable juices, whether or not containing added sugar, but unfermented and not containing spirit: A. Of a density exceeding 1,33 g/cm³ at 20 °C: I. Grape juice (including grape must): ex a) Of a value exceeding 22 ECU per 100 kg net weight: — With an added sugar content exceeding 30 % by weight b) Of a value not exceeding 22 ECU per 100 kg net weight: 1. With an added sugar content exceeding 30 % by weight B. Of a density of 1,33 g/cm³ or less at 20 °C: I. Grape, apple and pear juice (including grape must); mixtures of apple and pear juice: a) Of a value exceeding 18 ECU per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight bb) Other: 11. With an added sugar content exceeding 30 % by weight b) Of a value of 18 ECU or less per 100 kg net weight: 1. Grape juice (including grape must): aa) Concentrated: 11. With an added sugar content exceeding 30 % by weight bb) Other: 11. With an added sugar content exceeding 30 % by weight

TITLE XI

Raw tobacco

Article 16

The tobacco products listed in Article 1 of Council Regulation (EEC) No 727/70 ⁽¹⁾ shall be imported free of customs duties.

Article 17

If serious disturbances occur as a result of a large increase in duty-free imports of products falling within heading No 24.01 of the Common Customs Tariff originating in the ACP States or in the countries and territories, or if these imports create difficulties which bring about a deterioration in the economic situation of a region of the Community, the Community may, without prejudice to Article 25, take measures to counteract any deflection of trade.

TITLE XII

Goods to which Regulation (EEC) No 3033/80 applies

Article 18

1. No fixed component shall be charged on imports of goods to which Regulation (EEC) No 3033/80 applies.
2. The variable component shall not be charged on imports of the goods listed below:

CCT heading No	Description
17.04	Sugar confectionery, not containing cocoa: C. White chocolate
18.06	Chocolate and other food preparations containing cocoa: C. Chocolate and chocolate goods, whether or not filled; sugar confectionery and substitutes therefor made from sugar substitution products, containing cocoa
19.02	Malt extract; preparations of flour, meal, starch of malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa: B. Other: II. Other: a) Containing no milk fats or containing less than 1,5 % by weight of such fats: 4. Containing 45 % or more but less than 65 % by weight of starch

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

CCT heading No	Description
19.04	Tapioca and sago; tapioca and sago substitutes obtained from potato or other starches
19.07	Bread, ships' biscuits and other ordinary bakers' wares, not containing added sugar, honey, eggs, fats, cheese or fruit; communion wafers, cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products: D. Other, containing by weight of starch: ex II. 50 % or more, excluding ships' biscuits
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion: B. Other: IV. Containing 50 % or more but less than 65 % by weight of starch: a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): ex 1. Containing no milk fats or containing less than 1,5 % by weight of such fats: — Biscuits V. Containing 65 % or more by weight of starch: ex a) Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose): — Biscuits ex b) Other: — Biscuits

TITLE XIII

Other markets subject to common organization

Article 19

The products covered by Regulations (EEC) No 1308/70 ⁽¹⁾ (flax and hemp), (EEC) No 1696/71 ⁽²⁾ (hops), (EEC) No 234/68 ⁽³⁾ (live plants), (EEC) No 2358/71 ⁽⁴⁾ (seeds), (EEC) No 827/68 ⁽⁵⁾ (certain

products listed in Annex II to the Treaty), and (EEC) No 1117/78 ⁽⁶⁾ (dried fodder) shall be imported free of customs duties.

TITLE XIV

Provisions relating to the French overseas departments

Article 20

1. Subject to paragraphs 3 and 4, the levies shall not be applied to direct imports into the French overseas

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.
⁽²⁾ OJ No L 175, 4. 8. 1971, p. 1.
⁽³⁾ OJ No L 55, 2. 3. 1968, p. 1.
⁽⁴⁾ OJ No L 246, 5. 11. 1971, p. 1.
⁽⁵⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽⁶⁾ OJ No L 142, 30. 5. 1978, p. 1.

departments of the products listed below originating in the ACP States or in the countries and territories:

CCT heading No	Description
01.02	Live animals of the bovine species: A. Domestic species: II. Other
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat II. Of bovine animals:
10.05 B	Maize

2. Subject to paragraph 4, the levy shall not be applied to direct imports into the overseas department of Réunion of rice falling within subheading 10.06 B of the Common Customs Tariff.

3. If imports into the French overseas departments of maize originating in the ACP States or in the countries and territories have exceeded 25 000 tonnes in a year, and if such imports are causing or are likely to cause serious disturbances on those markets, the Commission shall, at the request of a Member State or on its own initiative, take the necessary measures.

Any Member State may, within three working days of notification of the measure taken by the Commission, refer that measure to the Council. The Council shall meet forthwith. It may, acting by a qualified majority, amend or annul the measure in question.

4. This Article shall apply to products which are intended for use in the overseas departments and are released on the market there. If necessary, measures to ensure this may be taken in accordance with the procedure laid down in Article 22.

5. Until 30 June 1985 rice shall be imported into the overseas departments in accordance with the arrangements set out in Article 21 of Regulation (EEC) No 435/80, which shall remain applicable to this end; the quantities thus imported shall be counted against the quantities provided for in Article 11 of this Regulation.

TITLE XV

General and final provisions

Article 21

The reductions provided for by this Regulation shall be calculated by reference to:

- the variable component of levies, where the levies contain such components,
- in other cases, the levies,

applicable to imports from third countries into the Community as at present constituted.

However, during the period of application of accession, compensatory amounts in trade between the Community as at present constituted and new Member States, measures to prevent deflection of trade shall be taken in accordance with the procedure laid down in Article 22, if this proves necessary.

Article 22

1. If necessary, detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75 or, as the case may be, in the corresponding Articles of the other Regulations on the common organization of agricultural markets.

2. In the case of bovine meat and rice, these detailed rules shall relate in particular to:

- (a) the basis for calculation and the reference period to be taken into consideration for fixing the amount by which the import duties are to be reduced;
- (b) the arrangements for fixing the corresponding amount to be collected by the exporting country;
- (c) the issue of import licences;
- (d) the forms of proof acceptable and checking procedures.

Article 23

On the basis of the economic development requirements of the French overseas departments, the Council, acting by a qualified majority on a proposal from the Commission, may alter the arrangements governing access to those departments' markets for the products covered by this Regulation.

Article 24

This Regulation shall be without prejudice either to the operation of Article 72 of the 1979 Act of Accession or to the operation of the corresponding Articles of the Acts of Accession of other acceding countries.

Article 25

1. The safeguard clauses provided for in the Regulations on the common organization of the agricultural markets and in the specific rules introduced as a result of the implementation of the common agricultural policy shall be applicable to the products covered by this Regulation.

2. As regards relations with the ACP States, the provisions of Regulation (EEC) No 1470/80 shall apply as complementary measures, as shall the

provisions which replace them upon entry into force of the third ACP-EEC Convention.

3. As regards the countries and territories, the provisions of Article 13 of Decision 80/1186/EEC and of Annex III thereto shall apply as complementary measures, as shall the provisions which replace them as from the entry into force of the new Decision on the association of the countries and territories.

Article 26

This Regulation shall enter into force on 1 March 1985.

It shall apply until 28 February 1986.

The Council, acting by a qualified majority on a proposal from the Commission, may decide to extend this Regulation beyond that date.

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

Done at Brussels, 26 February 1985.

For the Council

The President

F. PANDOLFI

ANNEX I

List of the ACP States referred to in Article 1

Antigua and Barbuda	Malawi
Bahamas	Mali
Barbados	Mauritania
Belize	Mauritius
Benin	Mozambique
Botswana	Niger
Burkina-Faso	Nigeria
Burundi	Papua New Guinea
Cameroon	Rwanda
Cape Verde	São Tomé and Príncipe
Central African Republic	Senegal
Chad	Seychelles
Comoros	Sierra Leone
Congo	Solomon Islands
Djibouti	Somalia
Dominica	St Christopher and Nevis
Ethiopia	St Lucia
Equatorial Guinea	St Vincent and the Grenadines
Fiji	Sudan
Gabon	Suriname
Gambia	Swaziland
Ghana	Tanzania
Grenada	Togo
Guinea	Tonga
Guinea Bissau	Trinidad and Tobago
Guyana	Tuvalu
Ivory Coast	Uganda
Jamaica	Vanuatu
Kenya	Western Samoa
Kiribati	Zaire
Lesotho	Zambia
Liberia	Zimbabwe
Madagascar	

ANNEX II

List of the countries and territories referred to in Article 1

(This list is without prejudice to the status of these countries and territories now or in the future.)

1. *Overseas countries of the Kingdom of the Netherlands*

The Netherlands Antilles (Aruba, Bonaire, Curaçao, St. Martin, Saba, St Eustatius).

2. *Overseas territories of the French Republic*

- New Caledonia and dependencies,
- Wallis and Futuna Islands,
- French Polynesia,
- French Southern and Antarctic Territories.

3. *'Collectivité territoriale' of the French Republic*

Mayotte

4. *Overseas countries and territories of the United Kingdom of Great Britain and Northern Ireland*

- Anguilla,
- Cayman Islands,
- Falkland Islands and dependencies,
- Turks and Caicos Islands,
- British Virgin Islands,
- Montserrat,
- Pitcairn,
- St Helena and dependencies,
- British Antarctic Territory,
- British Indian Ocean Territory.

5. *Overseas country of the Kingdom of Denmark*

Greenland.

COUNCIL REGULATION (EEC) No 487/85

of 26 February 1985

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1 March to 30 June 1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as amended by Decision 85/159/EEC ⁽²⁾, and in particular Annex IX thereto,

Having regard to the proposal from the Commission,

Whereas Annex IX to Decision 80/1186/EEC provides that rum, arrack and tafia shall be imported into the Community free of customs duties within the limits of a Community tariff quota; whereas the annual size of the quota is to be fixed by reference to a basic annual quantity, calculated in hectolitres of pure alcohol, to which a growth rate of 18 % is to be applied, equal to the amount of imports during the best of the past three years for which statistics are available; whereas this rate may be modified in the light of certain criteria; whereas, pursuant to Article 141 of the aforementioned Decision, this rate should be increased to 27 %; whereas the quota period lasts from 1 July to 30 June of the following year; whereas, however, the Community has already opened a tariff quota by Regulation (EEC) No 1835/84 ⁽³⁾ for the products in question for the period 1 July 1984 to 28 February 1985; whereas a tariff quota should therefore be opened for the period 1 March to 30 June 1985;

Whereas Community statistics for the years 1981 to 1983 show that the highest volume of imports into the Community of the products in question originating in the said countries and territories, namely 52 283 hectolitres of pure alcohol, occurred in 1981; whereas since the end of 1983 there has been no further production of the products in question in the overseas countries and territories; whereas Community imports

in 1983 therefore amounted to only 13 293 hectolitres; whereas in these circumstances it seems advisable to open only a tariff quota large enough to allow, on the one hand, the import of the remainder of the stock and, on the other hand, to take into account the possibility of the installation of a new production unit; whereas the volume of the Community tariff quota for the period 1 March to 30 June 1985 should therefore be fixed at 5 000 hectolitres of pure alcohol;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, taking into account actual trends on the markets for the products in question, the needs of the Member States and the economic prospects for the period under consideration, the percentage shares in the quota volume may be laid down approximately as follows:

Benelux	10
Denmark	20
Germany	24
Greece	1
France	10
Ireland	10
Italy	5
United Kingdom	20

Whereas the development of imports of these products into the Community should be recorded and imports accordingly monitored;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽²⁾ See page 25 of this Official Journal.

⁽³⁾ OJ No L 172, 30. 6. 1984, p. 8.

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 March to 30 June 1985 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the countries and territories referred to in Article 1 of Decision 80/1186/EEC shall be imported free of customs duty into the Community within the limits of a Community tariff quota of 5 000 hectolitres of pure alcohol.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those set out in Annex II to Decision 80/1186/EEC.

3. Within the limit of its share as indicated in Article 2, the Hellenic Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and of Regulation (EEC) No 439/81 ⁽¹⁾.

Article 2

The tariff quota referred to in Article 1 shall be shared among the Member States as follows:

	(hectolitres of pure alcohol)
Benelux	500
Denmark	1 000
Germany	1 200
Greece	50
France	500
Ireland	500
Italy	250
United Kingdom	1 000

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

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

Done at Brussels, 26 February 1985.

2. The extent to which the Member States have used up their shares shall be determined on the basis of the imports of the products in question, originating in the said countries and territories, entered at customs in declarations for free circulation.

Article 4

1. In accordance with Article 6 of Annex IX to Decision 80/1186/EEC, the Community shall monitor imports of the products in question originating in the said countries and territories.

2. Member States shall forward to the Commission, not later than the 15th day of each month, statements of imports of the products in question actually charged against the tariff quota during the preceding month. Only products entered at customs in declarations for free circulation and accompanied by a movement certificate conforming to the rules referred to in Article 1 (2) shall be taken into consideration for this purpose.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

This Regulation shall enter into force on 1 March 1985.

For the Council

The President

F. PANDOLFI

⁽¹⁾ OJ No L 53, 27. 2. 1981, p. 19.

COUNCIL REGULATION (EEC) No 488/85

of 26 February 1985

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the African, Caribbean and Pacific (ACP) States (1 March to 30 June 1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

period 1 March to 30 June 1985 should therefore be fixed at 58 570 hectolitres of pure alcohol;

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from the countries in question of the products concerned:

Having regard to the proposal from the Commission,

Whereas the second ACP-EEC Convention, signed at Lomé on 31 October 1979, will expire on 28 February 1985; whereas, pending the entry into force of the third ACP-EEC Convention, signed at Lomé on 8 December 1984, Protocol 5 to the new Convention should be applied in advance from 1 March 1985;

Member State	1981	1982	1983
Benelux	3,9	5,0	5,1
Denmark	1,4	1,7	1,6
Germany	26,6	25,7	24,4
Greece	0,0	0,3	0,0
France	1,8	2,1	1,8
Ireland	1,8	2,0	1,8
Italy	0,2	0,3	0,4
United Kingdom	64,3	62,9	64,9

Whereas Protocol 5 annexed to the third ACP-EEC Convention provides that products originating in the African, Caribbean and Pacific (ACP) States which fall within subheading 22.09 C I of the Common Customs Tariff shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community;

Whereas, in view of these factors, of market forecasts for the products in question and of the estimates submitted by certain Member States, quota shares may be fixed approximately at the following percentages:

Benelux	4,78
Denmark	1,59
Germany	26,77
Greece	0,07
France	1,98
Ireland	1,92
Italy	0,32
United Kingdom	62,57

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistics are available, the annual tariff quota volume would amount to 175 710 hectolitres of pure alcohol;

Whereas an arrangement for using the Community tariff quota, based on an allocation between the United Kingdom on the one hand and the other Member States on the other, would seem likely to reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas in order to reflect as closely as possible the actual trends

Whereas, on account of the features peculiar to the rum market, the normal quota period always runs from 1 July to 30 June; whereas a tariff quota should therefore be opened firstly from 1 March to 30 June 1985, the volume of which should be fixed *pro rata temporis*; whereas the size of the tariff quota for the

on the markets in the products concerned, allocation of the Community tariff quota among Member States should be made in accordance with the requirements of the Member States; whereas, in this case, the tariff quota should be allocated among the Member States on the basis of the largest quantities imported annually into each Member State during the past three years and taking into account the abovementioned growth rates;

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States;

Whereas, owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 March to 30 June 1985 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States shall be imported duty free into the Community within the limits of a Community tariff quota of 58 570 hectolitres of pure alcohol.

2. Within the limit of its share, as indicated in Article 2, the Hellenic Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and of Regulation (EEC) No 439/81 ⁽¹⁾.

⁽¹⁾ OJ No L 53, 27. 2. 1981, p. 19.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. A first instalment of 36 645 hectolitres of pure alcohol shall be for United Kingdom consumption. A second instalment of 21 925 hectolitres of pure alcohol shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated pursuant to paragraph 1 shall consist of the following quantities:

	<i>(hectolitres of pure alcohol)</i>
Benelux	2 800
Denmark	930
Germany	15 704
Greece	16
France	1 160
Ireland	1 125
Italy	190

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.

2. The extent to which the Member States have taken up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered for customs clearance under declarations for free circulation.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.

2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been taken up.

4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

ACP-EEC Convention ⁽¹⁾ shall apply to the products covered by this Regulation.

Article 6

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the second

Article 7

This Regulation shall enter into force on 1 March 1985.

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

Done at Brussels, 26 February 1985.

For the Council

The President

F. PANDOLFI

⁽¹⁾ OJ No L 147, 13. 6. 1980, p. 4.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 26 February 1985

on the association of the overseas countries and territories with the European Economic Community

(85/159/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 136 thereof,

Having regard to the draft Decision submitted by the Commission,

Whereas it is necessary to maintain in force until 28 February 1986 the provisions applicable under Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁾, as last amended by the Treaty of 13 March 1984 amending, with regard to Greenland, the Treaties establishing the European Communities ⁽²⁾,

HAS DECIDED AS FOLLOWS:

Article 1

Article 141 of Decision 80/1186/EEC is hereby replaced by the following:

'Article 141

This Decision, including the Annexes hereto, shall apply until the entry into force of new provisions applying the principles set out in Articles 131 to 135 of the Treaty establishing the European Economic Community, and at the latest until 28 February 1986, without prejudice to more favourable provisions to be adopted by the Community in respect of imports of products from the OCT.'

Article 2

This Decision shall enter into force on 1 March 1985. It shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 26 February 1985.

For the Council

The President

F. PANDOLFI

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽²⁾ OJ No L 29, 1. 2. 1985, p. 1.

DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL

of 26 February 1985

on the opening of tariff preferences for products within the province of that Community
originating in the overseas countries and territories associated with the Community

(85/160/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

Whereas the provisions applicable under Decision 80/1187/ECSC ⁽¹⁾ should be maintained
in force until 28 February 1986,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Article 6 of Decision 80/1187/ECSC is hereby replaced by the following:

'Article 6

This Decision shall apply until 28 February 1986.'

Article 2

This Decision shall enter into force on 1 March 1985. It shall be published in the *Official Journal of the European Communities*

Done at Brussels, 26 February 1985.

The President

F. PANDOLFI

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 111.

SUB-CONTRACTING TERMINOLOGY

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GUIDE TO THE COUNCIL OF THE EUROPEAN COMMUNITIES

II/84

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