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I *Acts whose publication is obligatory*

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I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EEC) No 605/85****of 8 March 1985****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Having regard to the opinion of the Monetary
Committee,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 3131/84⁽⁵⁾ and subsequent amending
Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on
7 March 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 9 March
1985.

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 8 March 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	65,91
10.01 B II	Durum wheat	103,32 ⁽¹⁾ ⁽²⁾
10.02	Rye	75,47 ⁽³⁾
10.03	Barley	70,47
10.04	Oats	49,96
10.05 B	Maize, other than hybrid maize for sowing	60,21 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	66,08 ⁽⁴⁾
10.07 C	Grain sorghum	65,05 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	107,25
11.01 B	Rye flour	120,64
11.02 A I a)	Durum wheat groats and meal	173,82
11.02 A I b)	Common wheat groats and meal	113,65

⁽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 486/85 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 606/85

of 8 March 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
7 March 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 9 March
1985.

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 8 March 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 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	10,31	10,31	10,31
10.02	Rye	0	0	0	0,74
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	5,86	5,86	2,93
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	4,40	4,40	0
10.07 C	Grain sorghum	0	23,27	23,27	23,27
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 607/85

of 5 March 1985

amending for the second time Regulation (EEC) No 1864/84 fixing counter-
vailing charges on seeds

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2358/71 of 26 October 1971 on the common organi-
zation of the market in seeds ⁽¹⁾, as last amended by
Regulation (EEC) No 1581/83 ⁽²⁾, and in particular
Article 6 (5) thereof,

Whereas Commission Regulation (EEC) No
1864/84 ⁽³⁾, as amended by Regulation (EEC) No
286/85 ⁽⁴⁾, fixed countervailing charges on seeds in
respect of a certain type of hybrid maize for sowing ;

Whereas, since that time, a significant variation has
been recorded in the free-at-frontier offer prices
which, under the terms of Article 4 (2) of Commission

Regulation (EEC) No 1665/72 ⁽⁵⁾, requires that these
charges be amended ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 1864/84 is
replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 11 March
1985.

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

Done at Brussels, 5 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 23.

⁽³⁾ OJ No L 172, 30. 6. 1983, p. 25.

⁽⁴⁾ OJ No L 30, 2. 2. 1985, p. 10.

⁽⁵⁾ OJ No L 175, 2. 8. 1972, p. 49.

ANNEX

, Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CCT heading No	Description	Amount of countervailing charge (1)	Country of origin
ex 10.05	Maize :		
	A. Hybrid for sowing :		
	I. Double hybrids and top cross hybrids	5,7	Hungary
		19,2	Austria
		27,4	Romania
		27,4	Other countries (2)
	II. Three cross hybrids	8,1	Austria
		9,3	Yugoslavia
		17,5	Hungary
		30,0	Romania
		30,0	Other countries (3)
	III. Single hybrids	15,5	Canada
		46,2	Spain
		78,9	Austria
		78,9	Other countries (4)

(1) The countervailing charge may not exceed 4 % of the customs value.

(2) With the exception of Spain, USA, Canada and Yugoslavia.

(3) With the exception of Canada, Spain, USA, Chile and Japan.

(4) With the exception of the USA, Bulgaria, Yugoslavia, Hungary and Romania.

COMMISSION REGULATION (EEC) No 608/85

of 8 March 1985

on the supply of various consignments of cereals to Burkina Faso as food aid

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 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid⁽³⁾, as amended by Regulation (EEC) No 3331/82⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down the implementing rules for 1985 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 21 February 1985 the Commission of the European Communities decided to grant, under Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas, pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75, the goods may be purchased anywhere on the Community market;

Whereas an invitation to tender should be issued for supply of the products delivered unloaded at destination in view of the final use to be made of the goods delivered;

Whereas the provisions of Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-

aid operations involving cereals and rice⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81⁽⁹⁾, should be applied as far as possible, particularly in respect of the procedure for submission of tenders, since the manner in which the security is lodged must guarantee that the successful tenderer complies with his obligations;

Whereas, however, the specific provisions concerning delivery to destination must be set out; whereas the successful tenderer must thus bear all risk in the goods up to unloading at the stipulated destination; whereas payment can be made only when proof of delivery to the destination is provided;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the period stipulated;

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

1. The intervention agencies mentioned in the Annexes hereto are hereby required to implement the mobilization and supply of the product stated in the said Annexes as food aid, subject to the provisions of this Regulation.
2. Supply of the products shall be organized under the tendering procedure.
3. The Annexes shall take the place of a notice of invitation to tender. The intervention agency responsible shall make further publications as necessary.

Article 2

1. For the purposes of the invitation to tender, the following provisions of Regulation (EEC) No 1974/80 shall apply:
 - Article 4, except the provisions of paragraphs 3 (e) and 4 (d) and (e), in respect of submission of tenders,
 - Article 5 in respect of provision of security,
 - Article 6 in respect of opening and reading tenders,
 - Article 8 in respect of comparing tenders.

⁽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. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 54, 23. 2. 1985, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

2. The tender shall indicate the amount of the tender expressed per tonne of product, in the currency of the Member State where the tendering procedure is taking place. The tender must include the cost of fumigation, unloading and warehousing at the final destination stated in the Annexes.

The tender shall state separately the amount of cost in respect of sea and land transport to the stipulated final destination.

The tender shall indicate the Member State in which the tenderer, in the event of his being declared successful, undertakes to complete the customs export formalities.

3. The tenderer shall carry out his obligations pursuant to this Regulation and the undertakings referred to in Article 4 (4) of Regulation (EEC) No 1974/80, with the exception of points (d) and (e) thereof.

4. The tenderer shall undertake to ship in vessels, listed in the larger classes in recognized classification registers, not more than 15 years old and attested by a competent body as meeting hygiene requirements.

Article 3

1. Without prejudice to paragraphs 2 and 3, the contract shall be awarded within 48 hours to the tenderer who has submitted the most favourable tender.

2. Where the most favourable tender is submitted by more than one tenderer, the intervention agency shall award the contract to one of those tenderers by drawing lots.

3. If the tenders do not appear to be in line with the prices normally prevailing on the market, the intervention agency may, with the agreement of the Commission, decide not to award the contract.

4. The intervention agency shall communicate the results of the tendering procedure to all the tenderers by letter or telex sent not later than the first working day following the award decision.

Article 4

1. The successful tenderer shall contract as necessary, at his own expense, for carriage of the goods to the final destination and shall bear all the costs involved, including those of unloading and warehousing at the destination. He shall take out suitable insurance.

2. The successful tenderer shall bear all the risks relating to the goods, in particular of loss or deterioration to which the goods are subject, until they have

effectively been unloaded and delivered to the final destination.

3. The successful tenderer shall communicate as soon as possible to the recipient's representative the date of loading, the means of transport used to consign the goods to the final destination, and the probable date of arrival. He shall immediately send this information to the intervention agency responsible for payment, which shall forward it without delay to the Commission.

The tenderer shall advise the recipient's representative, at least three days in advance, of the probable date of arrival of the goods at the final destination.

Article 5

1. The intervention agency of the country of shipment shall arrange for a check at the port, before loading, on the quantity, quality and packaging of the goods. Following inspection an attestation shall be issued by the intervention agency. The costs relating thereto shall be borne by the successful tenderer.

The successful tenderer shall provide that intervention agency with the certificate showing that the fumigation has been carried out.

2. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment. The successful tenderer and the recipient's representative shall be invited to take part in the operation.

Two sealed samples shall be kept by the intervention agency until issue by the recipient of the taking-over certificate or until issue of the certificate referred to in Article 6 (2).

3. If the inspection referred to in paragraph 1 gives rise to a dispute, the intervention agency shall arrange for a second inspection by a service different from that mentioned in paragraph 1, the findings of which shall be final. The costs relating thereto shall be borne by the losing party.

4. Where the inspection provided for in the preceding paragraphs reveals that the goods do not satisfy the requirements stipulated, they must be refused and replaced. Where some quantities are missing the successful tenderer must make up the cargo.

Article 6

1. A taking-over certificate shall be issued by the recipient immediately following unloading at the final destination. It shall state the place and date of taking

over and give a description of the goods taken over in the form given in Annex II and any comments by the recipient.

2. Where the taking-over certificate is not issued for reasons other than a dispute about the goods, proof of delivery may be provided by means of a certificate of the form given in Annex II endorsed by the Community representative in the country of destination.

Article 7

1. Payment to the successful tenderer shall be made by the intervention agency of the Member State in which the customs export formalities are completed.

2. The amount to be paid shall be that of the tender plus, where appropriate, the costs referred to in Article 9. It shall be paid in the currency of the Member State which is responsible for payment. For this purpose this amount shall be converted by using :

- where the currencies in question are maintained within a maximum spread at any one time of 2,25 %, the conversion rate resulting from their central rate,
- in other cases, the relationship between the two currencies concerned established by using the latest statement of their spot exchange rates made immediately prior to the closing date for the submission of tenders as published in the 'C' series of the *Official Journal of the European Communities*.

3. The amount referred to in paragraph 2 shall be paid to the successful tenderer on presentation of the original of the taking-over certificate or a certified copy thereof, or, if this is not available, of the certificate referred to in Article 6 (2).

4. The intervention agency is hereby authorized to make without delay an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of a copy of that document, of the attestation referred to in Article 5 (1) and of the fumigation certificate, and subject to the provision of a security for an amount equal to the initial payment.

The said security shall be provided as laid down in Article 5 (2) of Regulation (EEC) No 1974/80.

Article 8

1. The security referred to in Article 2 shall be immediately released to :

- every tenderer whose tender was not successful or was not accepted,
- the successful tenderer in respect of quantities not delivered on account of *force majeure*,
- the successful tenderer in respect of the quantities delivered in accordance with this Regulation and on presentation of the original of the taking-over certificate or a certified true copy thereof or, where appropriate, the certificate referred to in Article 6 (2).

2. The security referred to in Article 7 (4) shall be released immediately when the successful tenderer furnishes the proof in accordance with Article 6 that at least 80 % of the quantity provided for has been delivered in conformity with the conditions laid down in this Regulation.

Article 9

If the successful tenderer, for reasons of *force majeure*, has to bear exceptional costs in respect of the delivery made under this Regulation which cannot be covered by insurance, he may receive compensation therefor on production of supporting documents and with the prior agreement of the Commission.

Article 10

Except in case of *force majeure* the successful tenderer shall bear all the financial consequences of the non-delivery of the goods under the conditions laid down in this Regulation if the recipient had made delivery possible under such conditions.

The costs resulting from the non-delivery of the goods following a case of *force majeure* shall be borne by the intervention agency responsible for payment.

Article 11

Articles 21 and 22 (1) and (2) of Regulation (EEC) No 1974/80 shall apply in the context of this Regulation.

The intervention agency responsible for payment shall, on receipt, send the information referred to in Article 4 (3) to the Commission.

The intervention agency in the country of shipment shall send the Commission, without delay, the results of the inspection referred to in Article 5.

Article 12

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX Ia

1. **Programme :** 1985
2. **Recipient :** Burkina Faso
3. **Place or country of destination :** Burkina Faso
4. **Product to be mobilized :** maize
5. **Total quantity :** 8 000 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris (telex OFIBLE 200 490 F)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
 - (a) maize for human consumption, of sound merchantable quality, free of odour and pests
 - (b) moisture content : 15 %
 - (c) total percentage of matter other than basic cereals of unimpaired quality : 6 %, of which :
 - percentage of broken grains : 3 % ('broken grains' means pieces of grain or grains which pass through a sieve with a circular mesh 4,5 mm in diameter)
 - percentage of grain impurities : 2 % ('grain impurities' means grains of other cereals, grains damaged by pests and grains of abnormal coloration, the latter being grains which have acquired, through heating, a darkish brown colour on a fairly substantial part of the tegument and of the kernel and are not damaged grains)
 - percentage of sprouted grains : 0,5 %
 - percentage of miscellaneous impurities : 0,5 % ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects)
10. **Packaging :**
 - in new bags :
 - jute sacks of a minimum weight of 600 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags 50 kg
 - marking on the bags in letters at least 5 cm high :
'MAÏS / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE AU BURKINA FASO'
11. **Port of shipment :** a Community port
12. **Delivery stage :**
delivered destination — Magasins Ofnacer-Ouagadougou
13. **Procedure to be applied in order to determine supply costs :** tendering
14. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
15. **Shipment period :** 1 to 20 April 1985
16. **Security :** 6 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Burkina Faso, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

ANNEX 1b

1. **Programme :** 1985
2. **Recipient :** Burkina Faso
3. **Place or country of destination :** Burkina Faso
4. **Product to be mobilized :** maize flour
5. **Total quantity :** 1 770 tonnes (3 000 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/
Main (telex 411 475)
8. **Method of mobilizing the product :** on the Community market
9. **Characteristics of the goods :**
 - maize flour (11.01 E I) for human consumption, of sound merchantable quality, free of odour and pests
 - moisture content : maximum 13 %
 - acidity : 0,6 % maximum
10. **Packaging :**
 - in new bags :
 - jute sacks of a minimum weight of 600 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
'FARINE DE MAÏS / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE AU
BURKINA FASO'
11. **Port of shipment :** a Community port
12. **Delivery stage :** delivered destination — Magasins Ofnacer-Ouagadougou
13. **Procedure to be applied in order to determine supply costs :** tendering
14. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
15. **Shipment period :** 1 to 20 April 1985
16. **Security :** 6 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
3. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Burkina Faso c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

*ANNEX II***TAKING-OVER CERTIFICATE**

Recipient

I, the undersigned,

(Name, forename, business name)

acting on behalf of

certify that delivery has been taken of the goods listed below :

— Cereals or products

— Net tonnage accepted

— Packaging

in bulk

in bags

— Number of bags at kg net

marking

number of marked empty bags

— Place of taking over

— Date of taking over

The quality of the goods delivered is in accordance with that fixed.

COMMISSION REGULATION (EEC) No 609/85

of 8 March 1985

on the supply of various consignments of cereals to Somalia as food aid

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 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, as amended by Regulation (EEC) No 3331/82 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1278/84 of 7 May 1984 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 25 October 1984 the Commission of the European Communities decided to grant, under

Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁹⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions;

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 intervention agencies specified in the Annexes hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annexes hereto.

Article 2

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 124, 11. 5. 1984, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX I

1. **Programme :** 1984
2. **Recipient :** Somalia
3. **Place or country of destination :** Mogadishu and Berbera
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 5 840 tonnes (8 000 tonnes of cereals)
6. **Total quantity :** one in two parts :
 - No 1 : 4 000 tonnes (Mogadishu)
 - No 2 : 1 840 tonnes (Berbera)
7. **Intervention agency responsible for conducting the procedure :**

Bundesanstalt für landwirtschaftliche Markttordnung (BALM), Adickesallee 40, D-6000 Frankfurt/Main, telex 411 475
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**

flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :

 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum ($N \times 6,25$ in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging :**
 - in new bags
 - jute sacks lined with cotton sacks, of a minimum weight of 600 g, or
 - composite sacks jute/polypropylene of a minimum weight of 335 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kilograms
 - marking on the bags (in letters at least 5 cm high):

'WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF SOMALIA'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Mogadishu (4 000 tonnes) and Berbera (1 840 tonnes)
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
16. **Shipment period :** 1 to 30 April 1985
17. **Security :** 12 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. The successful tenderer shall send a copy of the shipping documents to the following address :

Commission Delegation in Somalia, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

ANNEX II a

1. **Programme :** 1984
2. **Recipient :** Somalia
3. **Place or country of destination :** Berbera and Mogadishu
4. **Product to be mobilized :** durum wheat
5. **Total quantity :** 10 000 tonnes
6. **Number of lots :** one in two parts :
 - 1 : 7 000 tonnes (Mogadishu)
 - 2 : 3 000 tonnes (Berbera)
7. **Intervention agency responsible for conducting the procedure :**

Azienda di Stato per gli interventi sui mercati agricoli (AIMA), via Palestro 81, I-Roma (telex 613 003)
8. **Method of mobilizing the product :** intervention
9. **Characteristics of the goods :**

The durum wheat must be of fair and sound merchantable quality, be free from odour, and correspond at least to the standard quality for which the intervention price is fixed

The varieties referred to in Article 4 (6) of Regulation (EEC) No 1570/77 (OJ No L 174, 14. 7. 1977, p. 18) are excluded
10. **Packaging :**
 - in new bags :
 - jute sacks of a minimum weight of 600 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kilograms
 - marking on the bags in letters at least 5 cm high :

‘HARD WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF SOMALIA’
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Berbera and Mogadishu (7 000 tonnes)
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
16. **Shipment period :** 1 to 30 April 1985
17. **Security :** 6 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital ‘R’.
2. The successful tenderer shall send a copy of the shipping documents to the following address :

Commission Delegation in Somalia, c/o ‘Diplomatic Bag’, Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

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

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Mængde (t) Menge (t) Τόνοι Tonnage Tonnage Tonnellaggio Hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	1 000	Consorzio agrario provinciale Cagliari	Magazzino Ciba
	1 000	Consorzio agrario provinciale Cagliari	Magazzino Guspini
	1 048,926	Consorzio agrario provinciale Cagliari	Magazzino Lunamatrona
	1 000	Consorzio agrario provinciale Cagliari	Magazzino San Luri
	3 000	Consorzio agrario provinciale Cagliari	Silo Porto
	2 951,074	Consorzio agrario provinciale Cagliari	Cagliari Silo

ANNEX III

1. **Programme :** 1984
2. **Recipient :** Somalia
3. **Place or country of destination :** Mogadishu
4. **Product to be mobilized :** maize
5. **Total quantity :** 5 000 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris 7^e
(telex OFIBLE 200 490 F)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
 - (a) maize for human consumption, of sound merchantable quality, free of odour and pests
 - (b) moisture content : 15 %
 - (c) total percentage of matter other than basic cereals of unimpaired quality : 6 %, of which :
 - percentage of broken grains : 3 % ('broken grains' means pieces of grain or grains which pass through a sieve with a circular mesh 4,5 mm in diameter)
 - percentage of grain impurities : 2 % ('grain impurities' means grains of other cereals, grains damaged by pests and grains of abnormal coloration, the latter being grains which have acquired through heating a darkish brown colour on a fairly substantial part of the tegument and of the kernel and are not damaged grains)
 - percentage of sprouted grains : 0,5 %
 - percentage of miscellaneous impurities : 0,5 % ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects)
10. **Packaging :**
 - in new bags :
 - jute sacks of a minimum weight of 600 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kilograms
 - marking on the bags in letters at least 5 cm high :
'MAIZE / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF SOMALIA'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Mogadishu
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
16. **Shipment period :** 1 to 30 April 1985
17. **Security :** 6 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Somalia, c/o 'Diplomatic Bag', Berlaymont 1/123, 200, rue de la Loi, B-1049 Brussels.

COMMISSION REGULATION (EEC) No 610/85

of 8 March 1985

on the supply of common wheat to the Republic of Togo as food aid

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 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, as amended by Regulation (EEC) No 3331/82 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1278/84 of 7 May 1984 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 25 October 1984 the Commission of the European Communities decided to grant, under

Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations ;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁹⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions ;

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 intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽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. 89.
⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.
⁽⁵⁾ OJ No L 124, 11. 5. 1984, p. 1.
⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.
⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.
⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1984
2. **Recipient :** Republic of Togo
3. **Place or country of destination :** Togo
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 3 000 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris 7^e
(telex OFIBLE 200490 F)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :** the common wheat must be of fair and sound merchantable quality and correspond at least to the minimum bread-making quality required for intervention (humidity : 14,5 %)
10. **Packaging :** in bulk
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Lomé
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
16. **Shipment period :** 1 to 30 April 1985.
17. **Security :** 6 ECU per tonne

Note :

The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Togo, c/o 'Diplomatic Bag', Berlaymont 1/123, rue de la Loi, 200, B-1049
Brussels.

COMMISSION REGULATION (EEC) No 611/85

of 8 March 1985

on the supply of common wheat flour to non-governmental organizations (NGO) as food aid

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 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid⁽³⁾, as amended by Regulation (EEC) No 3331/82⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1278/84 of 7 May 1984 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 31 October 1984 the Commission of the European Communities decided to grant, under

Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81⁽⁹⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions;

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 intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽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. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 124, 11. 5. 1984, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1984
2. **Recipient :** NGO (Euronaid, PO box 77, NL-2340 Oegstgeest, (telex 30 223))
3. **Place or country of destination :** Ethiopia
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 730 tonnes (1 000 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
OBEA, rue de Trèves 82, B-1040 Bruxelles (telex 24076)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum ($N \times 6,25$ in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging :**
 - in new bags
 - jute sacks of a minimum weight of 600 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kilograms
 - marking on the bags (in letters at least 5 cm high):
'ETHIOPIA / WHEAT FLOUR / DIA / 4112 / PORT SUDAN / ACTION OF DIA / FOR FREE DISTRIBUTION'
11. **Port of shipment :**
Any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the port authorities attesting the existence of the service during the said period
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
16. **Shipment period :** 1 to 30 April 1985
17. **Security :** 12 ECU per tonne
18. **Supplier to send duplicate original invoice to :**
Messrs M. H. Schutz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam

Notes :

1. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.
2. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

COMMISSION REGULATION (EEC) No 612/85

of 8 March 1985

on the supply of common wheat to Peru as food aid

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 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, as amended by Regulation (EEC) No 3331/82 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1278/84 of 7 May 1984 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 25 October 1984 the Commission of the European Communities decided to grant, under

Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁹⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions;

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 intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽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. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 124, 11. 5. 1984, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1984
2. **Recipient :** Peru
3. **Place or country of destination :** Peru
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 5 000 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris 7^e
(télex : 200 490)
8. **Method of mobilizing the product :** Community market
9. **Characteristics of the goods :**
the common wheat must be of fair and sound merchantable quality and correspond at least to the minimum bread-making quality required for intervention (moisture : 14,5 % maximum)
10. **Packaging :**
 - in new bags :
 - jute sacks of a minimum weight of 600 g, or
 - polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kilograms
 - marking on the bags in letters at least 5 cm high :
'TRIGO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA AL PERU'
11. **Port of shipment :**
any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the port authorities attesting the existence of the service during the said period
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 March 1985
16. **Shipment period :** 1 to 30 April 1985
17. **Security :** 6 ECU per tonne

Note :

Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

COMMISSION REGULATION (EEC) No 613/85

of 8 March 1985

on a standing invitation to tender for the determination of export refunds
following the sale of white sugar held by the German intervention agency

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 market in sugar⁽¹⁾, as last amended by Regula-
tion (EEC) No 606/82⁽²⁾, and in particular Articles 11
(3) and 13 (2) thereof,

Whereas, in view of the time limits imposed for the
storage of sugar offered to the German intervention
agency, a standing invitation to tender should be
opened for the sale of the said sugar in lots; whereas
this sugar, or an equivalent quantity, should be for
export;

Whereas the general and detailed rules for the sale of
intervention sugar by tender were laid down by
Council Regulation (EEC) No 447/68⁽³⁾, as last
amended by Regulation (EEC) No 1359/77⁽⁴⁾, and by
Commission Regulation (EEC) No 258/72⁽⁵⁾, which
shall apply to this invitation to tender, with the excep-
tion of Articles 5 (3) (b), 6 (4), 7 (1), the second sub-
paragraph of Article 11 (1) and Article 19 of Regula-
tion (EEC) No 258/72;

Whereas a minimum quantity per tender, appropriate
to the intended use but at the same time encouraging
the participation of the greatest possible number of
prospective purchasers, should be prescribed;

Whereas the quality of the sugar to be sold falls within
the categories specified in Council Regulation (EEC)
No 793/72 of 17 April 1972 fixing the standard
quality for white sugar⁽⁶⁾ and Commission Regulation
(EEC) No 2103/77 of 23 September 1977 laying down
detailed rules for the buying in by intervention agen-
cies of sugar manufactured from beet or cane harvested
in the Community⁽⁷⁾, as last amended by Regulation
(EEC) No 1708/83⁽⁸⁾;

Whereas, in view of the specific nature of the transac-
tions involved, appropriate provisions should be laid

down with regard to export licences issued in connec-
tion with the standing invitation to tender and there
should be a derogation from Commission Regulation
(EEC) No 2630/81 of 10 September 1981 on special
detailed rules for the application of the system of
import and export licences for sugar⁽⁹⁾, as last
amended by Regulation (EEC) No 3130/82⁽¹⁰⁾, from
Commission Regulation (EEC) No 3183/80 of 3
December 1980 laying down common detailed rules
for the application of the system of import and export
licences and advance fixing certificates for agricultural
products⁽¹¹⁾, as last amended by Regulation (EEC) No
1994/84⁽¹²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The German intervention agency shall issue a
standing invitation to tender for the sale for export of
white sugar which it holds and to issue partial invita-
tions to tender each week during the period of validity
of that standing invitation to tender. The invitations to
tender shall be in respect of the export refunds on an
equivalent quantity of sugar.

2. The standing invitation to tender shall relate to
quantities of white sugar made up into lots within the
meaning of Article 2 (2) of Regulation (EEC) No
258/72 and the characteristics of which are indicated
in the Annex hereto.

Article 2

The standing invitation to tender and partial invita-
tions thereunder shall be conducted in accordance
with the relevant provisions of Regulation (EEC) No
447/68, certain provisions of Regulation (EEC) No
258/72 and with the provisions hereinafter set out.

⁽¹⁾ OJ No L 117, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 91, 12. 4. 1968, p. 5.

⁽⁴⁾ OJ No L 156, 25. 6. 1977, p. 7.

⁽⁵⁾ OJ No L 31, 4. 2. 1972, p. 22.

⁽⁶⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁷⁾ OJ No L 246, 27. 9. 1977, p. 12.

⁽⁸⁾ OJ No L 166, 25. 6. 1983, p. 15.

⁽⁹⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽¹⁰⁾ OJ No L 329, 25. 11. 1982, p. 20.

⁽¹¹⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹²⁾ OJ No L 186, 13. 7. 1984, p. 17.

Article 3

The standing invitation to tender shall remain open until the date of the partial award at which refunds are determined for the relevant lots or, as the case may be, for the remaining lot or part of a lot. The standing invitation shall thereupon automatically be suspended from that date.

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall expire on Wednesday, 13 March 1985 at 9.30 a.m.

2. The time limits laid down in respect of this standing invitation to tender are expressed in Belgian time.

Article 5

An offer shall be valid only if:

- (a) the security specified in Article 6 (1) has been lodged or if proof of the lodging thereof is furnished to the German intervention agency before expiry of the time limit for the submission of tenders;
- (b) it relates to a quantity of not less than 1 000 tonnes or, when the residual quantity of a lot is less than 1 000 tonnes, to that residual quantity;
- (c) it includes a declaration by the tenderer that if his tender is successful he will:
 - remove the sugar within the prescribed time limit,
 - export the quantity of sugar in question,
 - where the obligation to export is not fulfilled, supplement the security specified in Article 6 (1) by payment of the amount referred to in paragraph 4 of the said Article in respect of the quantity for which he is awarded a contract,
 - within 30 days following the expiry of the export licence in question, notify the German intervention agency of the quantity or quantities in respect of which the licence was not used;
- (d) it is accompanied by an application for an export licence in respect of the quantity of sugar and the export refund in question.

Article 6

- 1. A security of 9 ECU per 100 kilograms of sugar to be exported under this invitation to tender must be lodged by each tenderer.
- 2. The security specified in paragraph 1 shall in the case of successful tenderers and at the time of the application referred to in Article 5 (d) become the security for the export licence.

3. The security shall be lodged in Germany. It may, at the tenderer's discretion, be lodged either in cash, in German currency, or in the form of a guarantee given by a bank approved by the German authorities.

4. Except in the case of *force majeure*, the security will be released:

- (a) to tenderers only in respect of the quantity for which no award was made;
 - (b) to successful tenderers,
 - provided they have lodged the security guaranteeing payment, or have effected a form of payment, as specified in Article 14 (2) of Regulation (EEC) No 258/82,
 - provided they have removed the sugar within the period laid down,
- and
- only for the quantity in respect of which they have fulfilled the obligation to export, Article 33 of Regulation (EEC) No 3183/80 remaining applicable.

If the security referred to in paragraph 1 of this Article or, where applicable, a part thereof or the supplementary security referred to in paragraph 5 is not released it shall be forfeit in respect of the quantity of sugar for which the obligations applicable have not been fulfilled.

5. Except in cases of *force majeure*, if the obligation to export has not been fulfilled and if the security referred to in paragraph 1 is less than the difference between:

- (a) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 ⁽¹⁾ in force on the last day of validity of the licence,
- and
- (b) the amount of the export refund as shown on the licence,

then, under the time limits laid down in Article 33 of Regulation (EEC) No 3183/80 and by way of a supplementary security for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount, per 100 kilograms, equal to that difference, less the security referred to in paragraph 1 of this Article.

6. In cases of *force majeure*, the German intervention agency shall determine the measures necessary in view of the circumstances invoked by the successful tenderer.

Article 7

The price to be paid by the successful tenderer shall be as fixed per 100 kilograms in respect of each lot, in the Annex hereto. The price for each lot is quoted ex storage depot, goods laden and presented in the manner described in the Annex, but exclusive of internal taxes.

⁽¹⁾ OJ No L 143, 25. 6. 1968, p. 6.

Article 8

The German intervention agency shall publish weekly notices stating the quantities for which contracts have been awarded.

Article 9

1. The provisions of Article 9 (1) of Regulation (EEC) No 2630/81 shall not apply to white sugar for export under the present standing invitation to tender.

2. The export licences issued pursuant to a partial award shall be valid from the day of issue until expiry of the fifth month following the month in which the award takes place.

3. By way of derogation from Article 21 (1) of Regulation (EEC) No 3183/80 export licences issued in connection with this Regulation shall, for the purposes of determining their period of validity, be regarded as having been issued on the last day of the period during which tenders may be submitted in response to the partial invitation to tender concerned.

4. Article 12 (2) of Regulation (EEC) No 3183/80 cannot be invoked in order to cancel an application for a licence submitted in connection with this standing invitation to tender.

Article 10

This Regulation shall enter into force on 9 March 1985.

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

Référence du lot Bezeichnung des Loses Riferimento della partita Referentienummer van de partij Reference number of the lot Partiets betegnelse Αριθμός παρτίδας	a) Entrepoteur a) Lagerhalter a) Immagazzinatore a) Depothouder a) Storer a) Lagerhaver a) Υπεύθυνος για την αποθήκευση	b) Lieu d'entrepoteur b) Lagerort b) Luogo di deposito b) Opslagplaats b) Place of storage b) Oplagringssted b) Χώρος αποθήκευσης	Quantité (t) Menge (t) Quantità (t) Hoeveelheid (t) Quantity (t) Mængde (t) Ποσότητα (t)	Dénomination qualitative Qualitätsbezeichnung Designazione qualitativa Kwaliteitsaanduiding Quality designation Kvalitetsbetegnelse Ποιοτικός χαρακτηρισμός	Présentation Verpackung Presentazione Verpakking Presentation Presentation Παρουσίαση	Prix (Écus/100 kg) Preis (ECU/100 kg) Prezzo (ECU/100 kg) Prijs (ECU/100 kg) Price (ECU/100 kg) Prisen (ECU/100 kg) Τιμή (ECU/100 kg)
1	a) Süddeutsche Zucker AG Maximilianstraße 10 6800 Mannheim 1 Telefon : 0621-461-1		2 000	2	unverpackt	57,72
2	b) 6080 Gross-Gerau Mainzer Straße 83 Telefon : 06152-7151		2 000	2	unverpackt	57,72
3	a) Süddeutsche Zucker AG b) 7101 Offenau Ludwig-Kayser-Straße Telefon : 07136-81-1		3 000	2	unverpackt	57,72
4	a) Süddeutsche Zucker AG b) 6833 Waghäusel Postfach 21 60 Telefon : 07254-2031		1 000	2	unverpackt	57,72
5	a) Süddeutsche Zucker AG b) 8350 Plattling Dr. Ludwig-Kayser-Straße 1 Telefon : 09931-401		2 000	2	unverpackt	57,72
6	a) Süddeutsche Zucker AG b) 8852 Rain Donau Wörther Straße 50 Telefon : 09002-711		6 000	2	unverpackt	57,72
7	a) Süddeutsche Zucker AG b) 8400 Regensburg 1 Straubinger Straße 18 Telefon : 0941-56921		9 000	2	unverpackt	57,72
8	a) Pfeifer & Langen Linnicher Straße 48 5000 Köln 41 Telefon : 0221-4980367		1 000	2	Neue 50 kg-Jute- säcke mit Poly- äthyleneinlage (400 g)	59,02
9	b) 4150 Krefeld-Linn Westpreussenstraße 32 Fa. Johs. Stelten Telefon : 02151-572017		1 500	1	unverpackt	57,72
10	a) + b) Zuckerfabrik Franken GmbH Marktbreiter Straße 74 8703 Ochsenfurt Telefon : 09331-91211		5 400	2	unverpackt	57,72

Référence du lot Bezeichnung des Loses Riferimento della partita Referentienummer van de partij Reference number of the lot Partiets betegnelse Αριθμός παρτίδας	a) Entrepoteur a) Lagerhalter a) Immagazzinatore a) Depothouder a) Storer a) Lagerhaver a) Υπεύθυνος για την αποθήκευση	b) Lieu d'entreposage b) Lagerort b) Luogo di deposito b) Opslagplaats b) Place of storage b) Oplagringssted b) Χώρος αποθήκευσης	Quantité (t) Menge (t) Quantità (t) Hoeveelheid (t) Quantity (t) Mængde (t) Ποσότητα (t)	Dénomination qualitative Qualitätsbezeichnung Designazione qualitativa Kwaliteitsaanduiding Quality designation Kvalitetsbetegnelse Ποιοτικός χαρακτηρισμός	Présentation Verpackung Presentazione Verpakking Presentation Presentation Παρουσίαση	Prix (Écus/100 kg) Preis (ECU/100 kg) Prezzo (ECU/100 kg) Prijs (ECU/100 kg) Price (ECU/100 kg) Prisen (ECU/100 kg) Τιμή (ECU/100 kg)
11	a) Fa. Metelman & Co GmbH Rathausstraße 13 2000 Hamburg 1 Telefon : 040-33952255 b) 4150 Krefeld-Linn Westpreussenstraße 32 Telefon : 02151-572017		10 000	2	Neue 50 kg-Jute- säcke mit Poly- äthyleneinlage (400 g)	59,02
12	a) Hannoversche Zucker AG Rethen — Weetzen Hildesheimer Straße 360 b) 3014 Laatzen 3 OT Rethen Telefon : 05102-73219		10 000	2	unverpackt	57,72
13	a) Hannoversche Zucker AG Rethen — Weetzen b) 3003 Ronnenberg OT Wetzen Telefon : 05109-3101		10 000	2	unverpackt	57,72

COMMISSION REGULATION (EEC) No 614/85

of 7 March 1985

amending Regulation (EEC) No 2742/82 on protective measures applicable to imports of dried grapes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

The coefficient for the drachma referred to in Article 2 (3) of Regulation (EEC) No 2742/82 is replaced by '1,068'.

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 vegetables⁽¹⁾, as last amended by Regulation (EEC) No 988/84⁽²⁾, and in particular Article 14 (2) thereof,

Article 2

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,

1. The amended coefficient provided for in Article 1 shall not apply to products for which it has been proved that they have left the supplier country before 11 March 1985.

2. The parties concerned shall provide proof, to the satisfaction of the competent authorities, that the conditions set out in paragraph 1 have been complied with.

Whereas Article 2 (3) of Commission Regulation (EEC) No 2742/82⁽⁵⁾, as last amended by Regulation (EEC) No 553/85⁽⁶⁾, provides that the minimum price and the countervailing charge shall, after having been converted into national currency, be multiplied by a coefficient;

However, the competent authorities may regard the products as having left the supplier country before 11 March 1985 when one of the following documents is submitted:

Whereas that multiplication is made to ensure that the minimum price expressed in national currencies should not lead to distortion of trade;

- in the case of transport by sea or waterway, the bill of lading showing that loading took place before that day,
- in case of transport by rail, the consignment note accepted by the railways of the expediting country before that day,
- in case of transport by road, the TIR carnet presented to the first customs office before that day,
- in case of transport by air, the air consignment note showing that the airline received the products before that day.

Whereas the conversion rate of the drachma has changed;

Whereas that fact could lead to distortion of trade; whereas to avoid that risk, the coefficient in force for the drachma should be adapted,

3. The provisions of paragraphs 1 and 2 shall apply only in so far as the entry for free circulation has been accepted by the customs authorities before 11 June 1985.

Article 3

This Regulation shall enter into force on 11 March 1985.

⁽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 290, 14. 10. 1982, p. 28.

⁽⁶⁾ OJ No L 63, 2. 3. 1985, p. 16.

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

Done at Brussels, 7 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 615/85

of 8 March 1985

continuing the measures on the improvement of the quality of milk within the Community referred to in Regulation (EEC) No 1271/78

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1206/84 ⁽²⁾, and in particular Article 4 thereof,

Whereas the measures first carried out pursuant to Commission Regulation (EEC) No 1271/78 ⁽³⁾, as last amended by Regulation (EEC) No 2341/78 ⁽⁴⁾, and continued in accordance with Regulations (EEC) No 2936/79 ⁽⁵⁾, (EEC) No 1079/81 ⁽⁶⁾, (EEC) No 272/82 ⁽⁷⁾, (EEC) No 593/83 ⁽⁸⁾ and (EEC) No 283/84 ⁽⁹⁾ have proved an effective means of improving the quality of milk in the Community;

Whereas, major difficulties exist with regard to the quality of raw milk in Ireland, Italy and Greece compared with the other Member States, the measures presently being executed in these countries should be reinforced;

Whereas the organizations, institutions, undertakings and producer groups possessing the necessary qualifications and experience should therefore be invited again to propose detailed programmes which these organizations would themselves carry out;

Whereas, as regards the other arrangements, the main provisions of earlier Regulations, as amended in the light of relevant experience, may be repeated;

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

Article 1

1. Under the conditions laid down in this Regulation, measures shall be taken in Ireland, Italy and Greece to encourage:

- (a) bacteriological analysis of raw milk;
- (b) testing in relation to health aspects of raw milk;
- (c) testing of milking machines;
- (d) counselling of individual milk producers, directed in particular towards the obtaining of milk (cowshed hygiene, milking, animal health) and its treatment (cooling);
- (e) counselling on the collection (jointly operated equipment, collection points) and transport of raw milk (specifications, equipment and operation of milk tankers);
- (f) setting up of milk collection centres, if necessary with refrigeration facilities.
In properly justified exceptional cases, aids may also be granted to single farms;
- (g) in certain properly justified cases, equipment for the transport of samples;
- (h) training qualified personnel for quality control and milk collection.

2. The measures referred to in paragraph 1 shall be eligible only if they are begun after 1 April 1985; they shall be completed within two years of the signature of the contract referred to in Article 5 (3) and in any case before 1 August 1987. In exceptional cases, however, a longer period may be agreed in accordance with Article 5 (2) to ensure maximum effectiveness of the measures concerned.

3. The time limit fixed by paragraph 2 shall not prevent subsequent agreement to an extension of that limit where the party to a contract, before the fixed expiry date, makes the appropriate application to the competent authority and proves that due to exceptional circumstances beyond his control, he is unable to meet the deadline originally stipulated.

Article 2

1. Measures as referred to in Article 1 (1) shall be proposed and carried out by institutions, organizations, undertakings or producer groups which:

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.
⁽²⁾ OJ No L 115, 1. 5. 1984, p. 3.
⁽³⁾ OJ No L 156, 14. 6. 1978, p. 39.
⁽⁴⁾ OJ No L 282, 7. 10. 1978, p. 11.
⁽⁵⁾ OJ No L 334, 28. 12. 1979, p. 16.
⁽⁶⁾ OJ No L 112, 24. 4. 1981, p. 15.
⁽⁷⁾ OJ No L 28, 5. 2. 1982, p. 17.
⁽⁸⁾ OJ No L 71, 17. 3. 1983, p. 20.
⁽⁹⁾ OJ No L 32, 3. 2. 1984, p. 28.

- (a) have the necessary qualifications and experience ;
- (b) give guarantees that they are capable of ensuring the satisfactory completion of the work.

Proposals by individual firms will be considered only where they are particularly justified and where they would not prejudice the operations of regional organizations specializing in the field.

2. The Community contribution shall be limited to 90 % of expenditure incurred for the measures concerned. At the maximum 40 % of the Community contribution can be used for measures under point (f) of Article 1 (1) and at the maximum 10 % for those under point (h) of Article 1 (1).

3. In the case of the measures referred to in Article 1 (1) (a), (b) and (g), account shall be taken for purposes of Community contribution only of the first fitting-out of laboratories with :

- equipment (which may include incubators) for examining the bacteriological content of milk, including any combined data-processing equipment, but excluding software ;
- equipment for detecting antibiotics, inhibitory substances and impurities in raw milk, including any combined data-processing equipment, but excluding software ;
- equipment for detecting mastitis in raw milk.

In certain properly justified cases :

- equipment for taking samples, transporting, sorting, preserving and preparing the samples.

The technical first fitting-out of already existing laboratories with improved, more economic, equipment shall be regarded as a measure referred to in Article 1 (1) (a), (b) and (g).

Such equipment shall be financed only where its technical capacity will be effectively utilized.

4. When a proposal is submitted by an organization buying milk or by an organization representing such enterprises, the Community contribution shall be subject to an undertaking on the part of the applicant to introduce, in his area of operation, a system whereby payment for milk is varied according to its bacteriological quality within the period fixed in the contract for the completion of the approved measures.

In other cases, the applicant must undertake to promote in his area of operation before 1 April 1986 a system whereby payment for milk is varied according

to its bacteriological quality or, if such a system already exists, to continue this system.

5. The financing of general expenses incurred for the measures referred to in Article 1 (1) shall be limited to 2 % of the total approved cost.

Article 3

1. Those concerned are hereby invited to submit, before 1 April 1985, to the competent authority appointed by the Member States referred to in Article 1 (1) hereinafter called 'the competent authority', complete detailed proposals concerning the measures referred to in Article 1 (1).

Where this date is not complied with, the proposal shall be considered null and void.

2. Further details for submission of proposals shall be as set out in the notices from the competent authorities published in *Official Journal of the European Communities* No C 35 of 11 February 1982, page 8.

Article 4

1. Complete proposals shall include :

- (a) the name and address of the applicant ;
- (b) all details concerning the measures proposed, including the time required for completion, the expected results and details of any third parties to be involved ;
- (c) the total of these measures, net of tax, expressed in the currency of the Member State on whose territory the applicant is established, giving an itemized breakdown of this amount and setting out the source of finance ;
- (d) the desired form of payment of the Community contribution (Article 7 (1) (a) or (b)) ;
- (e) the most recent report available on the applicant's activities, unless this is already in the possession of the competent authority.

2. Proposals shall be valid only where :

- (a) they are submitted by an applicant fulfilling the conditions laid down in Article 2 (1) ;
- (b) they are accompanied by an undertaking that the applicant will comply with the provisions of this Regulation, and in particular with the obligations under Article 2 (5).

Article 5

1. Before 1 May 1985 the competent authorities shall :

- (a) examine all proposals submitted and any supporting documents to check that they are in the correct form and contain the information required. They shall ensure that the proposals comply with the provisions of Article 4 and shall ask applicants for further details if necessary ;
- (b) compile a list of all the proposals received and send it to the Commission together with copies of each proposal and a reasoned opinion indicating whether or not the proposal conforms with the Regulation.

2. After consulting the relevant interest groups in the milk industry, and following examination of the proposals by the Management Committee for Milk and Milk Products in accordance with Article 31 of Council Regulation (EEC) No 804/68 ⁽¹⁾, the Commission shall establish before 1 June 1985 a list of the proposals selected for financing.

3. The competent authorities shall conclude contracts with those parties whose proposals have been selected before 1 August 1985 in at least two copies and signed by the interested party and the competent authority.

The competent authorities shall for this purpose use standard form contracts to be provided by the Commission.

4. The competent authority shall inform each applicant as soon as possible of the decision taken in respect of this proposal.

Article 6

1. The contract referred to in Article 5 (3) shall :

- (a) include the details referred to in Article 4 (1) or make reference to them ; and
- (b) supplement these details, where necessary, by additional conditions resulting from the application of Article 5 (1).

2. The competent authority shall send a copy of the contract to the Commission without delay.

3. The competent authority shall ensure compliance with the agreed conditions in particular by means of on-the-spot checks.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

Article 7

1. The competent authority shall pay to the party in question, in accordance with the choice indicated in the latter's proposal, either :

- (a) within six weeks of the date of signature of the contract, a single payment on account amounting to 60 % of the agreed Community contribution ; or
- (b) at four-monthly intervals, four equal instalments each amounting to 20 % of the agreed Community contribution, the first such instalment being paid within six weeks of the date of signature of the contract.

However, while a contract is being performed, the competent authority may :

- defer payment of an instalment either wholly or in part where it finds, in particular during the checks referred to in Article 6 (4), irregularities in carrying out the measures concerned or a substantial interval between the due date for payment of the instalment and the date when the party concerned will actually incur the forecast expenditure ;
- in exceptional cases, advance payment of an instalment either wholly or in part if the party concerned submits a reasoned request and shows that he must incur a substantial part of the expenditure significantly earlier than the date laid down for payment of the Community contribution towards the said expenditure.

2. The payment of each instalment shall be conditional upon the lodging with the competent authority of a security equal to the amount of the instalment, plus 10 %.

3. The release of securities and payment of the balance by the competent authority shall be subject to :

- (a) confirmation by the competent authority that the party concerned has fulfilled his obligations as laid down in the contract ;
- (b) transmission to the competent authority of the report referred to in Article 8 (1) and verification of the details contained in this report by the competent authority.

However, on reasoned request by the party concerned, the balance can be paid after the measure has been completed, and after submission of the report referred to in Article 8, and on condition that securities equal to the total amount of the Community contribution plus 10 % have been lodged ;

- (c) the competent authority finding that the party concerned, or any third party named in the contract, has spent his own contribution for the purposes laid down.

4. In so far as the conditions set out in paragraph 3 are not fulfilled, the securities shall be forfeit. In this event, the amount in question shall be deducted from the expenditure of the Guarantee Section of the European Agricultural Guidance and Guarantee Fund, and more particularly from that arising out of the measures referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

1. Each party responsible for one of the measures referred to in Article 1 (1) shall submit to the compe-

tent authority, within four months of the final date fixed in the contract for completion of the measures, a detailed report on the utilization of the Community funds allocated and on the results of the measures in question.

2. On performance of each contract, the competent authority shall send to the Commission a statement to this effect and a copy of the final report.

Article 9

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 616/85

of 8 March 1985

continuing the promotional and publicity measures in respect of milk and milk products referred to in Regulation (EEC) No 723/78

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1206/84 ⁽²⁾, and in particular Article 4 thereof,

Whereas the promotional and publicity measures first carried out pursuant to Commission Regulation (EEC) No 723/78 ⁽³⁾ and continued pursuant to Regulations (EEC) No 199/79 ⁽⁴⁾, (EEC) No 531/80 ⁽⁵⁾, (EEC) No 326/81 ⁽⁶⁾, (EEC) No 270/82 ⁽⁷⁾, (EEC) No 595/83 ⁽⁸⁾ and (EEC) No 2252/84 ⁽⁹⁾ have proved an effective means of expanding the markets in milk products in the Community; whereas they should therefore be continued during the 1985/86 milk year; whereas it is advisable, as well, to encourage actions concerning an analysis of measures which were taken until now in applying Regulation (EEC) No 723/78;

Whereas since the state of the Community market for butter is characterized by large stocks it is opportune for this reason to reinforce the promotion measures taken to dispose of butter; whereas, given the different attitudes of consumers in Greece and Italy, it proves to be opportune to allow the percentage of aid used for this action to be different;

Whereas the organizations representing the dairy sector in one or more Member States or in the Community should be invited again to propose detailed programmes which these organizations would themselves carry out;

Whereas the other rules can for the most part be drawn from the earlier Regulations, account being taken of relevant experience;

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

1. Publicity and promotional measures advocating human consumption of milk and milk products in the Community shall be encouraged under the conditions laid down in this Regulation.

Emphasis ought to be placed in the promotion measures on the disposal of butter. Thus in each Member State with the exception of Italy and Greece at least 25 % of aid available under the Regulation ought to be used for the promotion of butter. Exceptionally up to 10 % can be used for cream for consumption in duly justified cases. In Italy and Greece the percentage for butter excluding cream for consumption is at least 10 %.

Subsequent market surveys to ascertain the effectiveness of such measures must be undertaken as well. However, the costs relating thereto may not exceed 5 % of the total cost of the measure concerned.

2. The following shall qualify as measures within the meaning of paragraph 1:

- seminars, courses and conferences designed to provide personnel engaged in marketing milk and milk products with information and training or to aid such persons in spreading awareness about the consumption of these products,
- the purchase of refrigerators and refrigerated dispensers, provided that the contractor undertakes to use them only for the distribution of milk and milk products and for a minimum period of five years,
- detailed analysis concerning the effectiveness of promotion and publicity measures carried out up to now under Regulation (EEC) No 723/78.

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 3.

⁽³⁾ OJ No L 98, 11. 4. 1978, p. 5.

⁽⁴⁾ OJ No L 28, 2. 2. 1979, p. 10.

⁽⁵⁾ OJ No L 59, 4. 3. 1980, p. 18.

⁽⁶⁾ OJ No L 35, 7. 2. 1981, p. 11.

⁽⁷⁾ OJ No L 28, 5. 2. 1982, p. 10.

⁽⁸⁾ OJ No L 71, 17. 3. 1983, p. 27.

⁽⁹⁾ OJ No L 206, 2. 8. 1984, p. 11.

3. These measures shall be carried out within a year of the signature of the contract referred to in Article 5 (3) and in any case before 1 August 1986. However, a longer time limit may be agreed in exceptional cases in accordance with Article 5 (2) to ensure maximum effectiveness of the measure in question.

4. The time limit fixed in paragraph 3 shall not prevent subsequent agreement to an extension of that limit where the party to a contract, before the fixed expiry date, makes the appropriate application to the competent authority and proves that, due to exceptional circumstances beyond his control, he is unable to meet the deadline originally stipulated.

5. Subject to a contract as referred to in Article 5 (3) being concluded, measures carried out from 1 February 1985 shall be eligible for the Community contribution.

Article 2

1. The publicity and promotional measures referred to in Article 1 (1) and (2):

- (a) shall be proposed by organizations representing the dairy sector in one or more Member States or in the Community;
- (b) shall be limited to the territory of the Member State or States whose dairy sector is represented by the organization concerned;
- (c) shall be carried out as far as possible by the organization which has made the proposal. In cases where this organization must use subcontractors, the proposal must contain a duly justified request for a derogation;
- (d) must:
 - make use of the publicity media best suited to ensure maximum effectiveness for the measure undertaken,
 - take account of the particular conditions obtaining with regard to the marketing and consumption of milk and milk products in the various regions of the Community,
 - be of a general nature and not brand orientated,
 - promote Community milk products without reference to their country or region of manufacture; however, this condition does not exclude the mention of the traditional name of a product which includes a specified locality, region or country of the Community,

— not replace similar measures but, where appropriate, expand them.

2. The Community contribution shall be limited to:

- 90 % of the expenditure incurred in respect of a measure within the meaning of Article 1 (1) and the first and third indents of Article 1 (2), if the organization in question has not previously financed such measures during the period 1 January 1975 to 31 December 1977,
- 50 % of the expenditure incurred in respect of a measure within the meaning of the second indent of Article 1 (2),
- 85 % of the expenditure incurred in respect of a measure within the meaning of the third indent of Article 1 (2).

The Community contribution towards the cost of the measures referred to in the second indent of Article 1 (2) may not exceed 25 % of the expenditure incurred in respect of measures within the meaning of Article 1 (1) and (2) for the Member State concerned.

Where a measure in existence before 31 December 1977 is to be expanded, the Community contribution shall be limited to 90 % of the amount in excess of the total average expenditure of the same kind by the organization in question during the period 1 January 1975 to 31 December 1977, irrespective of any change in the legal form of the said organization.

On application by the organization in question, the average annual expenditure during the reference period referred to above may be replaced by an annual flat-rate sum of 0,15 ECU multiplied by the number of inhabitants in the territory where the organization in question carries out its activities in accordance with its statutes.

3. For the purposes of applying paragraph 2, no account shall be taken of administrative expenses incurred in carrying out these measures.

4. Financing of general expenses incurred in carrying out the measures referred to in Article 1 (1) and (2) shall be limited to 2 % of the total amount approved.

Article 3

1. The parties referred to in Article 2 (1) (a) shall be invited to transmit to the competent authority appointed by their Member State, hereinafter called 'the competent authority', detailed proposals concerning the measures referred to in Article 1 (1) and (2).

Should the proposed measures be carried out wholly or partly in the territory of one or more Member States other than that in which the head office of the organization concerned is situated, the organization shall send a copy of its proposal to each of the competent authorities in the countries concerned. This arrangement does not apply to measures proposed under Article 1 (2) and (3).

2. Proposals must reach the competent authority before 1 April 1985. Where this date is not complied with, the proposal shall be considered null and void.

3. Further details for submission of proposals shall be as set out in the notice from the competent authorities published in *Official Journal of the European Communities* No C 54 of 13 March 1981, page 7.

Article 4

1. Complete proposals shall include :

- (a) the name and address of the party concerned ;
- (b) all details concerning the measures proposed, indicating the time required for completion, the expected results and any third parties which may be involved ;
- (c) the price asked for these measures, net of taxes, expressed in the currency of the Member State in the territory of which the party concerned is established, giving an itemized breakdown of this amount and showing the corresponding financing plan ;
- (d) the desired form of payment of the Community contribution in accordance with Article 7 (1) (a), (b) or (c) ;
- (e) the most recent report available on the party's activities, unless this is already in the possession of the competent authority.

2. A proposal shall be valid only where :

- (a) it is submitted by a party fulfilling the conditions laid down in Article 2 (1) (a) ;
- (b) it is accompanied by an undertaking to observe the provisions of this Regulation.

Article 5

1. Before 1 May 1985, the competent authorities shall :

- (a) examine all proposals submitted and any supporting documents to check that they are in the correct form and contain the information required. They shall ensure that the proposals comply with the provisions of Article 4 and shall ask applications for further details if necessary ;
- (b) compile a list of all the proposals received and send it to the Commission together with copies of

each proposal and a reasoned opinion indicating whether or not the proposal conforms with the Regulation.

2. After consulting the relevant interested groups in the milk industry, and following examination of the proposals by the Management Committee for Milk and Milk Products in accordance with Article 31 of Regulation (EEC) No 804/68⁽¹⁾, the Commission shall establish before 1 June 1985, a list of the proposals selected for financing.

3. The competent authorities shall conclude contracts for the measures selected with the parties concerned before 1 August 1985 in at least two copies and signed by the interested party and the competent authority.

The competent authorities shall for this purpose use the standard form contracts to be provided by the Commission.

4. The competent authority shall inform each applicant as soon as possible of the decision taken in respect of his proposal.

Article 6

1. The contract referred to in Article 5 (3) shall :

- (a) include the details referred to in Article 4 (1) or make reference to them ;
- (b) supplement these details, where necessary, by additional provisions arising from the application of Article 5 (1) ;

2. The competent authority shall send the contract to the Commission without delay.

3. The competent authority shall ensure compliance with the agreed conditions in particular by means of on-the-spot checks in the Community.

Article 7

1. The competent authority shall pay to the party in question, in accordance with the choice indicated in the latter's proposal, either :

- (a) within six weeks of the date of signature of the contract, a single payment on account amounting to 60 % of the agreed Community contribution ; or
- (b) at two-monthly intervals, four equal instalments each amounting to 20 % of the agreed Community contribution, the first such instalment being paid within six weeks of the date of signature of the contract ; or

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

- (c) within six weeks of the date of signature of the contract, a single payment on account amounting to 80 % of the agreed Community contribution; however, this form of payment may be stipulated only for measures which will be fully completed within a maximum of two months of the date of signature of the contract.

However, while a contract is being performed, the competent authority may:

- defer payment of an instalment either wholly or in part where it finds, in particular during the checks referred to in Article 6 (4), irregularities in carrying out the measures concerned or a substantial interval between the due date for payment of the instalment and the date when the party concerned will actually incur the forecast expenditure,
- in exceptional cases, advance payment of an instalment either wholly or in part if the party concerned submits a reasoned request and shows that he must incur a substantial part of the expenditure significantly earlier than the date laid down for payment of the Community contribution towards the said expenditure.

2. The payment of such instalment shall be conditional upon the lodging with the competent authority of a security equal to the amount of the instalments, plus 10 %.

3. The release of securities and payment of the balance by the competent authority shall be subject to:

- (a) confirmation by the competent authority that the party concerned fulfilled its obligations as laid down in the contract:
- (b) transmission to the competent authority of the report referred to in Article 8 (1) and verification of the details contained in this report by the competent authority.

However, on reasoned request by the party concerned, the balance can be paid after the measure has been completed, and after submission of the report referred to in Article 8, and on condition that securities equal to the total amount of the Community contribution plus 10 % have been lodged;

- (c) the competent authority finding that the party concerned, or any third party named in the contract, has spent his own contribution for the purposes laid down.

4. In so far as the conditions set out in paragraph 3 are not fulfilled, the securities shall be forfeit. In this event, the amount in question shall be deducted from the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expenditure, and more particularly from that arising out of the measure referred to in Article 4 of Regulation (EEC) No 1079/77.

Article 8

1. Each party responsible for one of the measures referred to in Article 1 (1) and (2) shall submit to the competent authority, within four months of the final date fixed in the contract for completion of the measures, a detailed report on the utilization of the Community funds allocated and on the foreseeable results of the measures in question, in particular concerning the evolution of the sales of milk and milk products.

2. On performance of each contract, the competent authority shall send the Commission a statement to this effect and a copy of the final report.

Article 9

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

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 617/85
of 8 March 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 599/85⁽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 Regu-
lation (EEC) No 1785/81 shall be, in respect of white
sugar and standard quality raw sugar, as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 9 March
1985.

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

Done at Brussels, 8 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽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 68, 8. 3. 1985, p. 24.

ANNEX

**to the Commission Regulation of 8 March 1985 fixing the import levies on white sugar and
raw sugar**

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	45,82
	B. Raw sugar	40,25 ⁽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.