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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 894/85
of 27 March 1985
amending Regulation (EEC) No 352/79 authorizing the coupage of German red
wines with imported red wines

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 337/79
of 5 February 1979 on the common organization of
the market in wine ⁽¹⁾, as last amended by Regulation
(EEC) No 798/85 ⁽²⁾, and in particular Article 43 (4)
thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 43 (4) of Regulation (EEC) No
337/79, the coupage of a Community wine with a
wine originating in a third country is prohibited
except where a derogation is decided on by the
Council;

Whereas certain German red wines are weak in colour,
particularly when they have been produced from
grapes harvested during a year marked by a lack of
sunshine; whereas weakness of colour in German red
wines can be corrected, so as to make them more
competitive, by means of thermovinification and

coupage with wines of a very dark red colour; whereas,
in order to allow German producers of red wines an
additional period to install the appropriate technical
equipment or to plant varieties of vine producing dark
red wine, the coupage of red table wines obtained in
Germany with red wines originating in third countries
provided for in Regulation (EEC) No 352/79 ⁽³⁾, as last
amended by Regulation (EEC) No 460/80 ⁽⁴⁾, should
continue to be authorized for a limited period of time,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EEC) No 352/79, '30 June
1984' is replaced by '31 December 1985'.

Article 2

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

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

Done at Brussels, 27 March 1985.

For the Council

The President

F. M. PANDOLFI

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.
⁽²⁾ OJ No L 89, 29. 3. 1985, p. 1.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 93.
⁽⁴⁾ OJ No L 57, 29. 2. 1980, p. 35.

COUNCIL REGULATION (EEC) No 895/85

of 1 April 1985

on a common measure to improve the structures of the wine-making sector in Greece

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas, in order to attain the objectives of the common agricultural policy laid down in Article 39 (1) (a) and (b) of the Treaty, special Community provisions appropriate to the situation of the least-favoured agricultural areas must be adopted;

Whereas serious difficulties now hamper the marketing of wine produced in Greece; whereas these difficulties are connected mainly with the structural and quality aspects of wine products and the geographical configuration and location of Greece, which make access to the Community markets more difficult;

Whereas action to restructure vineyards must not result in an increase in areas under vines; whereas action to restructure vineyards should be confined to wine areas particularly suitable for wine-growing;

Whereas the conditions and restrictions laid down in Council Regulation (EEC) No 458/80 of 18 February 1980 on collective projects for the restructuring of vineyards ⁽⁴⁾, as last amended by Regulation (EEC) No 1598/83 ⁽⁵⁾, are unsuited to the structures of the Greek wine-making sector; whereas the restructuring measures must be extended to include the necessary land improvement and consolidation operations and to vineyards used for the production of dried grapes and table grapes;

Whereas, in order to limit Community expenditure, it is important to prohibit the aggregation of aid provided for restructuring operations with abandonment premiums provided for in Council Regulation (EEC) No 777/85 of 26 March 1985 on the granting for the 1985/86 to 1989/90 wine years of permanent abandonment premiums in respect of certain areas under vines ⁽⁶⁾, whilst taking into account the specific structure of holdings in Greece and the need to facilitate the execution of restructuring operations in that Member State;

Whereas the restructuring operations are designed to achieve qualitative improvements by the use of appropriate varieties;

Whereas the restructuring measures can only be implemented successfully if aid is granted to compensate for the cost of restructuring work (aid to restructuring) and for the income losses entailed by the restructuring operations (additional premium);

Whereas, in order to ensure maximum effectiveness in the vineyard restructuring operations, precedence should be given to those covering larger areas, carried out on a collective basis; whereas, to this effect, additional aid should be granted where restructuring operations are carried out as part of a group or on a collective basis;

Whereas, in order to obtain the economic and qualitative results expected of the restructuring measures, vine-growers involved in restructuring operations should be afforded the necessary technical assistance;

Whereas the measures to restructure vineyards require an additional financial commitment by Greece in order to ensure their co-financing; whereas, since the funds available in Greece are somewhat limited, 50 % of the expenditure incurred in carrying out the restructuring measures should be financed by the Community;

Whereas the qualitative improvement of wine production can be achieved only through accelerated modernization of the facilities required to process and market wines; whereas aid granted by the EAGGF

⁽¹⁾ OJ No C 76, 22. 3. 1985, p. 2.

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

⁽³⁾ Opinion delivered on 27 March 1985 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 57, 29. 2. 1980, p. 27.

⁽⁵⁾ OJ No L 163, 22. 6. 1983, p. 53.

⁽⁶⁾ OJ No L 88, 28. 3. 1985, p. 8.

Guidance Section for the financing of projects carried out under Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fisheries products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 871/85⁽²⁾, should be increased, without increasing the volume of production;

Whereas it is necessary to offer Greek vine-growers a special incentive to abandon wine production; whereas, to this end, the permanent abandonment premium provided for by Regulation (EEC) No 777/85 should be increased for the category of average yield per hectare of between 20 and 50 hectolitres;

Whereas the achievement of these aims should be promoted by means of a measure combining these various elements and applied in the context of a programme extending over several years;

Whereas it follows from the foregoing that the measures referred to above constitute a common measure within the meaning of Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 929/79⁽⁴⁾;

Whereas it is the responsibility of the Commission, having consulted the Standing Committee on Agricultural Structures, to decide on the approval of a programme submitted by the Greek Government,

HAS ADOPTED THIS REGULATION:

Article 1

1. Under this Regulation, a common measure shall be instituted within the meaning of Article 6 (1) of Regulation (EEC) No 729/70; this measure shall be implemented by Greece.

2. The Community shall grant aid for the said common measure by providing financial support through the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter referred to as 'the Fund', for the following:

- measures to restructure vineyards intended for the production of wines, dried grapes or table grapes,
- various support measures connected with restructuring,
- an increase, in favour of Greece, of the appropriations for improving the conditions under which

wine products are processed and marketed within the meaning of Regulation (EEC) No 355/77,

- an increase of 1 000 ECU per hectare in the permanent abandonment premium provided for by the second indent of Article 2 (1) (b) of Regulation (EEC) No 777/85.

3. During the lifetime of the common measure provided for under this Regulation, measures to restructure Greek vineyards shall not be eligible for the Community aid provided for in Regulation (EEC) No 458/80.

Vine-growers who have availed themselves of the permanent abandonment premium provided for in Regulation (EEC) No 777/85 may subsequently be eligible for the aid provided for in Article 5 of this Regulation only if the areas for which the permanent abandonment premium was granted do not border on the other areas of the holding.

4. For the purposes of this Regulation, the restructuring operations shall comprise:

- the grubbing-up of vines on properties with a minimum area equivalent to that referred to in the second indent,
- the replanting of vines intended for the production of quality wines *psr* or table wines, dried grapes or table grapes, of improved quality, by means of an appropriate selection of vine varieties, recommended within the meaning of Commission Regulation (EEC) No 3800/81 of 16 December 1981 determining the classification of vine varieties⁽⁵⁾, as last amended by Commission Regulation (EEC) No 3582/83⁽⁶⁾, on properties with a minimum area of 0,25 hectares in the case of individual restructuring, 1 hectare in the case of group restructuring for at least three vine-growers and 10 hectares in the case of collective restructuring by at least 15 vine-growers, whether involving land consolidation or not. Areas classified in category 3 within the meaning of Article 29 of Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽⁷⁾, as last amended by Regulation (EEC) No 798/85⁽⁸⁾, shall not be eligible for replanting,
- the double grafting of vines under the conditions and with the vine varieties referred to in the second indent.

5. For the purposes of this Regulation, the support operation shall consist of:

- the production of replanting material in line with the requirements of the common measure,

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 95, 2. 4. 1985, p. 3.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁴⁾ OJ No L 117, 12. 5. 1979, p. 4.

⁽⁵⁾ OJ No L 381, 31. 12. 1981, p. 1.

⁽⁶⁾ OJ No L 356, 20. 12. 1983, p. 18.

⁽⁷⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁸⁾ OJ No L 89, 29. 3. 1985, p. 1.

- land improvement work such as measures to prevent the erosion of areas under vines, the laying of intercepting ditches, drainage, levelling and stone clearance,
- improvement of access roads or tracks to vineyards,
- land consolidation,
- such technical assistance as is essential for achieving the aims of the common measure.

Article 2

1. The financial contribution by the Community shall be granted only in the context of a programme encouraging all the operations referred to in the first and second indents of Article 1 (2). The said programme shall be submitted to the Commission by Greece.

2. The programme and any adaptations of it shall be considered and approved after the Fund Committee has been consulted as to the financial aspects thereof in accordance with the procedure laid down in Article 9.

3. The duration of the programme shall be not less than that of the common measure.

Article 3

The programme referred to in Article 2 shall contain information on the following:

(a) restructuring:

- the provisions envisaged for the implementation of the measures referred to in the first indent of Article 1 (5);
- the number of hectares of vineyard to have been restructured on completion of the programme with an estimate of the timing of the works,
- the location of the largest areas of restructuring,
- the ability of these areas to provide high-quality products,
- a distribution scale, expressed according to yield category, of the additional premiums referred to in the second indent of Article 5 (1) (a),
- in the case of collective restructuring, the nature of the constraints imposed in order to ensure the effectiveness of the operations and the provisions envisaged in order to improve land distribution, that is land consolidation or other measures. In the latter case, arrangements to arrive at a reparacling ratio of at least 2 to 1 at commune level must be provided for,
- the provisions to ensure that the establishment of new vineyards takes the form solely of replanting, that is, planting after grubbing-up

operations carried out with a view to restructuring,

- an indication of varieties and their origin,
- the estimated cost with summary itemization of public and private expenditure and its timing;

(b) support measures:

- as regards land improvement, a description of the work planned for each large restructuring area,
- the length of roads or tracks to be laid or improved,
- a summary of total expenditure broken down into public, private and Community expenditure and its timing,
- the provisions relating to the recruitment and employment of staff specialized in the operations covered by the common measure.

Article 4

1. The conditions and limits laid down in Articles 8 (2) and 14 (2) of Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms⁽¹⁾ shall not apply to action under this common measure.

2. Where land improvement work such as the protection of the soil against erosion and the laying or improvement of roads or tracks is the subject of Community aid under the terms of other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, it shall not qualify for a financial contribution from the Fund under the terms of this Regulation.

Article 5

1. The following expenditure incurred by the Hellenic Republic under the programme referred to in Article 2 shall be eligible for assistance from the Guidance Section of the Fund:

(a) in the case of restructuring operations within the meaning of Article 1 (4) and in respect of a maximum area of 20 000 hectares, aid granted in the form of:

- an aid per hectare intended to contribute to the actual costs of restructuring work; the amount of this aid, hereinafter called 'restructuring aid', shall be fixed at a maximum of:
 - 2 500 ECU per hectare when the restructuring takes the form of grubbing-up of vines, soil preparation and replanting,
 - 1 250 ECU per hectare when the restructuring takes the form of double grafting,

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

- a degressive additional premium paid over several years to persons principally employed in agriculture to offset income losses due to restructuring; the said premium, hereinafter referred to as the 'additional premium', shall be granted for a maximum period of four years, to total between 1 000 and 2 000 ECU per hectare of replanted vineyard or between 650 and 1 300 ECU per hectare of double grafted vineyard, depending on the age and the yield of the vineyard which has been grubbed up or double grafted respectively. The yields to be considered for the granting of the minimum and maximum amounts of the additional premium shall be 15 and 80 hectolitres of wine per hectare respectively.

The additional premium may be increased by:

- 300 ECU per hectare in the case of grouped restructuring,
- 500 ECU per hectare in the case of collective restructuring,
- 700 ECU per hectare in the case of collective restructuring carried out in the context of land consolidation at commune level provided that the number of parcels is reduced by at least 50 %.

These increases shall be granted only in the case of restructuring by grubbing-up;

- (b) in the case of support measures within the meaning of Article 1 (5), aid granted at the rate of 1 500 ECU per hectare of restructured vineyard where the land improvement operations entail drainage and anti-erosion measures or work connected with land consolidation such as levelling, the building of embankments, ditches and access paths and roads and other work made necessary as a result of land consolidation.

Aid for the technical assistance necessary for carrying out the restructuring of the vineyards included in the common measure may not exceed 5 % of total costs.

- 2. The Fund shall repay to the Greek Government 50 % of eligible expenditure within the limits laid down in paragraph 1.

Article 6

- 1. The period for the completion of the common measure shall be 10 years as from the date of approval of the programme referred to in Article 2.

- 2. Every year, Greece shall submit a progress report on the measure. During the fifth year, the Commission shall present a report to the Council on the implementation of the measure. One year before the expiry of the 10-year period, the Commission shall present a further report to the Council on the implementation of the measure and, on a proposal from the Commission, the Council shall decide whether or not the measure should be extended.

- 3. The estimated cost of the common measure to the Fund is 55 million ECU; this amount includes:

- (a) 10 million ECU resulting from the increase in the appropriations granted by the Fund under the provisions referred to in the third indent of Article 1 (2), which are added to the estimated cost referred to in Article 16 (3) of Regulation (EEC) No 355/77; this amount shall be scaled over a period of 10 years;
- (b) 2 million ECU resulting from the increase of the permanent abandonment premium for certain areas under vines referred to in the fourth indent of Article 1 (2), which are added to the estimated cost referred to in Article 10 (1) of Regulation (EEC) No 777/85.

The value of these amounts is indicative only.

- 4. Article 6 (5) of Regulation (EEC) No 729/70 shall apply.

Article 7

Upon the approval of the programme referred to in Article 2, the Commission shall, by agreement with Greece, establish the arrangements whereby it shall be kept informed of the progress of the programme.

Article 8

- 1. Applications for repayment shall relate to expenditure disbursed by Greece during one calendar year and shall be submitted to the Commission before 1 July of the following year.
- 2. Any decision to grant aid under the Fund shall be taken under Article 7 (1) of Regulation (EEC) No 729/70.
- 3. Advance payments may be granted by the Fund depending on the financing arrangements adopted by Greece and the progress of the programme.
- 4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 9

1. Where reference is made to the procedure defined in this Article, the Standing Committee on Agricultural Structures, hereinafter referred to as 'the Committee', shall be consulted by its chairman, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be taken. The Committee shall deliver its opinion on these measures within a period which the chairman may determine in the light of the urgency of the questions submitted for examination. The Committee shall adopt its opinion by a majority of 45 votes, the votes of the Member

States being weighted as provided for in Article 48 (2) of the Treaty. The chairman shall not vote.

3. The Commission shall adopt the measures, which shall be immediately applicable. However, if such measures do not conform to the opinion adopted by the Committee, they shall be referred forthwith by the Commission to the Council; in such case, the Commission may defer for up to one month as from such referral the application of the measures on which it has decided. The Council, acting by a qualified majority, may adopt a different decision within one month.

Article 10

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 Luxembourg, 1 April 1985.

For the Council

The President

F. M. PANDOLFI

COMMISSION REGULATION (EEC) No 896/85

of 3 April 1985

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,

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

Whereas these exchange rates being those recorded on 2 April 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 4 April 1985.

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

Done at Brussels, 3 April 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 3 April 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	84,98
10.01 B II	Durum wheat	128,05 ⁽¹⁾ ⁽²⁾
10.02	Rye	87,38 ⁽⁶⁾
10.03	Barley	81,36
10.04	Oats	71,11
10.05 B	Maize, other than hybrid maize for sowing	73,24 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	86,67 ⁽⁴⁾
10.07 C	Grain sorghum	98,17 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	134,23
11.01 B	Rye flour	137,59
11.02 A I a)	Durum wheat groats and meal	212,23
11.02 A I b)	Common wheat groats and meal	142,48

⁽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 897/85

of 3 April 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 organization 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 agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the 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 coefficient;

Whereas these exchange rates being those recorded on 2 April 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 4 April 1985.

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

Done at Brussels, 3 April 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 3 April 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 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	5,42	5,42	5,42	5,29
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0,68	0,68	0,68
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 898/85**of 3 April 1985****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 1025/84 ⁽²⁾, and in particular Article 11 (2)
thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 576/85 ⁽³⁾, as last
amended by Regulation (EEC) No 828/85 ⁽⁴⁾;

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 ⁽⁵⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁶⁾,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of

these currencies recorded over a given period in
relation to the Community currencies referred to
in the previous indent, and the aforesaid coeffi-
cient;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 576/85 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 67, 7. 3. 1985, p. 5.

⁽⁴⁾ OJ No L 91, 30. 3. 1985, p. 12.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 3 April 1985 fixing the import levies on rice and broken rice

(ECU/tonne)			
CCT heading No	Description	Third countries ⁽²⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	251,94	122,37
	2. Long grain	245,11	118,95
	b) Husked rice :		
	1. Round grain	314,93	153,86
	2. Long grain	306,39	149,59
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	340,24	158,19
	2. Long grain	531,85	254,04
	b) Wholly milled rice :		
	1. Round grain	362,36	168,83
	2. Long grain	570,15	272,72
	III. Broken rice	68,90	31,45

⁽¹⁾ Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

⁽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⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 899/85

of 3 April 1985

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 1025/84 ⁽²⁾, and in particular Article 13 (6)
thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2505/84 ⁽³⁾, as last amended by Regulation (EEC)
No 829/85 ⁽⁴⁾;

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 ⁽⁵⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁶⁾,

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

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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 234, 1. 9. 1984, p. 8.

⁽⁴⁾ OJ No L 91, 30. 3. 1985, p. 14.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 3 April 1985 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 4	1st period 5	2nd period 6	3rd period 7
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 900/85

of 2 April 1985

establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 1012/84 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of that Regulation provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in Regulation (EEC) No 1577/81 to the

elements communicated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 April 1985.

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

Done at Brussels, 2 April 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 101, 13. 4. 1984, p. 25.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
1.10	07.01-13 07.01-15	07.01 A II	New potatoes	1 547	274,23	76,70	233,90	24,58	48 905	86,56	20,07
1.12	ex 07.01-21 ex 07.01-22	ex 07.01 B I	Broccoli	10 868	1 926,12	538,75	1 642,83	172,64	343 494	608,00	140,99
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	804	144,90	39,53	121,24	12,90	24 246	44,59	10,52
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	3 161	560,25	156,70	477,85	50,21	99 912	176,85	41,01
1.20	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	4 163	737,84	206,38	629,32	66,13	131 583	232,91	54,01
1.22	ex 07.01-36	ex 07.01 D II	Endives	2 050	363,48	101,66	310,02	32,58	64 821	114,73	26,60
1.28	07.01-41 07.01-43	07.01 F I	Peas	7 608	1 348,42	377,16	1 150,09	120,86	240 469	425,64	98,70
1.30	07.01-45 07.01-47	07.01 F II	Beans (of the species Phaseolus)	7 333	1 299,72	363,54	1 108,56	116,50	231 786	410,27	95,14
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	2 059	365,02	102,10	311,34	32,71	65 097	115,22	26,72
1.40	ex 07.01-54	ex 07.01 G II	Carrots	1 769	313,58	87,71	267,46	28,10	55 922	98,98	22,95
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	4 681	829,74	232,08	707,70	74,37	147 972	261,92	60,74
1.60	07.01-63	ex 07.01 H	Onions (other than sets)	713	126,44	35,36	107,84	11,33	22 549	39,91	9,25
1.70	07.01-67	ex 07.01 H	Garlic	4 374	775,28	216,85	661,25	69,49	138 259	244,72	56,75
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	3 453	613,32	171,48	523,63	55,05	108 127	194,05	46,87
1.80		07.01 K	Asparagus :								
1.80.1	ex 07.01-71		— green	27 322	4 842,27	1 354,42	4 130,08	434,03	863 544	1 528,53	354,47
1.80.2	ex 07.01-71		— other	19 921	3 530,64	987,55	3 011,36	316,46	629 635	1 114,49	258,45
1.90	07.01-73	07.01 L	Artichokes	3 686	653,34	182,74	557,25	58,56	116 514	206,23	47,82
1.100	07.01-75 07.01-77	07.01 M	Tomatoes	4 002	709,27	198,39	604,95	63,57	126 488	223,89	51,92
1.110	07.01-81 07.01-82	07.01 P I	Cucumbers	3 841	680,88	190,44	580,73	61,03	121 424	214,93	49,84
1.112	07.01-85	07.01 Q II	Chantarelles	39 816	7 113,98	1 966,27	6 023,74	633,12	1 211 715	2 215,74	516,49
1.118	07.01-91	07.01 R	Fennel	3 580	634,50	177,47	541,18	56,87	113 154	200,29	46,44
1.120	07.01-93	07.01 S	Sweet peppers	4 031	714,40	199,82	609,33	64,03	127 403	225,51	52,29
1.130	07.01-97	07.01 T II	Aubergines	3 891	689,69	192,91	588,25	61,82	122 995	217,71	50,48
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	1 942	344,26	96,29	293,63	30,85	61 394	108,67	25,20
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	2 504	443,80	124,13	378,53	39,78	79 146	140,09	32,48
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	3 810	675,23	188,86	575,92	60,52	120 417	213,14	49,42
2.10	08.01-31	ex 08.01 B	Bananas, fresh	3 055	541,45	151,45	461,82	48,53	96 560	170,91	39,63
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	2 786	495,52	138,83	424,30	44,67	85 463	157,07	38,82
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	5 932	1 051,37	294,08	896,74	94,23	187 496	331,88	76,96
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	11 302	2 003,13	560,29	1 708,51	179,54	357 227	632,31	146,63
2.50		08.02 A I	Sweet oranges, fresh :								
2.50.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	3 119	552,80	154,62	471,50	49,55	98 584	174,50	40,46

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	2 721	482,29	134,90	411,35	43,23	86 009	152,24	35,30
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	1 237	220,26	61,41	188,01	19,72	37 944	69,53	17,02
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :								
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	3 774	668,92	187,10	570,54	59,95	119 292	211,15	48,96
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	3 364	596,34	166,80	508,63	53,45	106 349	188,24	43,65
2.60.3	08.02-28	08.02 B I	— Clementines	2 589	458,86	128,34	391,37	41,12	81 830	144,84	33,59
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	4 504	798,32	223,29	680,91	71,55	142 369	252,00	58,44
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	2 620	464,44	129,90	396,13	41,63	82 825	146,60	33,99
2.80		ex 08.02 D	Grapefruit, fresh :								
2.80.1	ex 08.02-70		— white	2 532	448,86	125,55	382,84	40,23	80 047	141,69	32,85
2.80.2	ex 08.02-70		— pink	4 853	860,09	240,57	733,59	77,09	153 384	271,50	62,96
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	9 801	1 737,16	485,89	1 481,66	155,70	309 795	548,36	127,16
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	6 684	1 184,73	331,38	1 010,48	106,19	211 279	373,97	86,72
2.95	08.05-50	08.05 C	Chestnuts	4 573	813,35	227,87	696,44	73,32	140 278	257,81	63,72
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	3 239	574,11	160,58	489,67	51,46	102 385	181,22	42,02
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	3 501	620,61	173,59	529,33	55,62	110 677	195,90	45,43
2.120	08.07-10	08.07 A	Apricots	9 283	1 651,13	462,59	1 413,82	148,84	284 770	523,38	129,36
2.130	ex 08.07-32	ex 08.07 B	Peaches	6 823	1 209,80	338,62	1 033,83	108,72	209 786	382,58	93,94
2.140	ex 08.07-32	ex 08.07 B	Nectarines	17 832	3 166,85	885,43	2 703,74	284,27	558 314	1 001,99	242,02
2.150	08.07-51 08.07-55	08.07 C	Cherries	2 805	504,88	137,76	422,46	44,97	84 480	155,38	36,68
2.160	08.07-71 08.07-75	08.07 D	Plums	7 275	1 289,45	360,67	1 099,80	115,57	229 954	407,03	94,39
2.170	08.08-11 08.08-15	08.08 A	Strawberries	8 611	1 526,16	426,88	1 301,69	136,79	272 166	481,75	111,71
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	3 329	591,82	163,87	502,64	52,82	101 773	184,63	43,45
2.180	08.09-11	ex 08.09	Water melons	540	96,52	26,68	81,73	8,59	16 441	30,06	7,00
2.190		ex 08.09	Melons (other than water melons :								
2.190.1	ex 08.09-19		— elongated	3 695	654,88	183,17	558,56	58,70	116 788	206,72	47,93
2.190.2	ex 08.09-19		— other	7 646	1 355,15	379,04	1 155,84	121,46	241 671	427,77	99,20
2.195	ex 08.09-90	ex 08.09	Pomegranates	6 948	1 233,97	345,01	1 053,52	110,76	217 548	390,43	94,30
2.200	ex 08.09-90	ex 08.09	Kiwis	13 892	2 462,14	688,68	2 100,01	220,69	439 084	777,21	180,23
2.202	ex 08.09-90	ex 08.09	Khakis	4 625	821,45	229,67	701,32	73,73	144 822	259,91	62,77
2.203	ex 08.09-90	ex 08.09	Lychees	10 779	1 914,40	535,25	1 634,44	171,84	337 507	605,71	146,30

COMMISSION REGULATION (EEC) No 901/85

of 3 April 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 231/85 ⁽²⁾, and in particular Article 16 (2) thereof,

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

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco ⁽⁵⁾, as last amended by Regulation (EEC) No 436/85 ⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia ⁽⁷⁾, as last amended by Regulation (EEC) No 436/85, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey ⁽⁸⁾, as last amended by Regulation (EEC) No 435/85 ⁽⁹⁾, and in particular Article 10 (2) thereof,

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 1 and 2 April 1985 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 52, 22. 2. 1985, p. 1.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 5 April 1985.

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	67,00 ⁽¹⁾
15.07 A I b)	71,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	80,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

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

- (a) Spain and Lebanon : 0,60 ECU/100 kg ;
- (b) Turkey : 22,36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Algeria : 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.
- (d) Tunisia and Morocco : 24,78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries however, the repayment may not exceed the amount of the tax in force.

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	15,62
07.03 A II	15,62
15.17 B I a)	35,50
15.17 B I b)	56,80
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 902/85

of 1 April 1985

on the supply of common wheat to Ethiopia 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 20 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 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, 1 April 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 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.

ANNEX I

1. **Programme :** 1985
2. **Recipient :** Ethiopia
3. **Place or country of destination :** Ethiopia
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 70 000 tonnes
6. **Number of lots :** five (5 × 14 000 tonnes)
7. **Intervention agency responsible for conducting the procedure :** Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-Paris 7^e (télex OFIBLE 200490 F)
8. **Method of mobilizing the product :** intervention
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 : maximum 14,5 %)
10. **Packaging :** in bulk plus
 - for each lot :
285 000 empty new jute sacks, minimum weight 500 g, of a capacity of 50 kilograms, 150 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high :
the month and the year of shipment, followed by :
'FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Massawa or Assab
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 16 April 1985
16. **Shipment period :**
 - 1 to 15 May 1985 (Lot 1)
 - 16 to 31 May 1985 (Lot 2)
 - 1 to 15 June 1985 (Lot 3)
 - 16 to 30 June 1985 (Lot 4)
 - 15 to 31 July 1985 (Lot 5)
17. **Security :** 6 ECU per tonne

Notes

1. The choice between the ports of Assab and Massawa remains open ; the decision as to which one has been chosen will be notified not later than when the ship enters Ethiopian waters.
2. The following should be included in the charter party :
'Food-aid consignment from the European Economic Community : since the freight charges do not include coordination or supervision costs, the \$ US 1,5 tax normally paid must not be applied in the case of this ship.'
3. The cost of bagging of the goods is borne by the successful tenderer.
4. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Ethiopia, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

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

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	2 600	CA de la région de Brienne-le-Château, 9, route de Perthes, F-10500 Brienne-le-Château	Sessains (10)
	3 375	Coopérative de la providence agricole de la Champagne, 2, rue Clément Ader, F-51100 Reims	Sillery (51)
	2 925	SA Silo Négoce, 197, rue Le Plain, F-51000 Courtisols	Châlons-sur-Marne (51)
	3 100	CA des producteurs de l'Aube-Champagne, avenue de la Gare, boîte postale 4, F-10800 Saint-Julien-les-Villas	Thennebières (10)
	14 000		
2	8 000	CA du Dunois, 25, rue du Pean, F-28200 Châteaudun	Lutz-en-Dunois (28)
	6 000	UNCAC, 83, avenue de la Grande Armée, F-75782 Paris Cedex 16	La Grande Paroisse (77)
	14 000		
3	8 000	CA du Dunois, 25, rue du Pean, F-28200 Châteaudun	Lutz-en-Dunois (28)
	6 000	UNCAC, 83, avenue de la Grande Armée, F-75782 Paris Cedex 16	La Grande Paroisse (77)
	14 000		
4	3 975	Établissements Meunier SA, 9, place du Grand Puits, F-79190 Sauze-Voussais	Saint-Saviol (86)
	3 442	UCAP Saint-Saviol, F-86400 Civray	Saint-Saviol (86)
	3 300	Établissements Bellanno, zone industrielle, F-79100 Thovars	Thovars (79)
	3 283	Agroberri SA, 136, rue Grand Saint-Paterne, F-36100 Issoudun	Issoudun (36)
	14 000		
5	2 600	CA de Juniville, rue du Moulin, F-08310 Juniville	Châtelet-sur-Retourne (08)
	3 400	CA des producteurs de l'Aube-Champagne, avenue de la Gare, boîte postale 4, F-10800 Saint-Julien-les-Villas	Thennelières (10)
	8 000	UNCAC, 83, avenue de la Grande Armée, F-75782 Paris Cedex 16	La Grande Paroisse (77)
	14 000		

COMMISSION REGULATION (EEC) No 903/85

of 2 April 1985

re-establishing the levying of customs duties on dodecylbenzine falling within subheading 38.19 ex E, originating in Argentina, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3562/84 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3562/84 of 18 December 1984 applying generalized tariff preferences for 1985 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Articles 1 and 10 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I; whereas, as provided for in Article 11 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of dodecylbenzene, falling within subheading 38.19 ex E, the individual ceiling was fixed at 225 000 ECU; whereas, on 29 March 1985, imports of these products into the Community originating in Argentina reached the ceiling in question after being

charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Argentina,

HAS ADOPTED THIS REGULATION:

Article 1

As from 7 April 1985, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3562/84 shall be re-established on imports into the Community of the following products originating in Argentina:

CCT heading No	Description
38.19 ex E (NIMEXE code 38.19-07)	Dodecylbenzene

Article 2

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

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

Done at Brussels, 2 April 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 338, 27. 12. 1984, p. 1.

COMMISSION REGULATION (EEC) No 904/85

of 2 April 1985

re-establishing the levying of customs duties on certain panty-hose (tights), products of category 70 (code 40.0700), originating in Sri Lanka, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3563/84 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3563/84 of 18 December 1984 applying generalized tariff preferences for 1985 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of its Annexes I or II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of certain panty-hose (tights), products of category 70 (code 40.0700), the relevant ceiling amounts to 520 000 pieces; whereas on 29 March 1985 imports of the products in question into the Community originating in Sri Lanka, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Sri Lanka,

HAS ADOPTED THIS REGULATION:

Article 1

As from 7 April 1985, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3563/84, shall be re-established in respect of the following products, imported into the Community and originating in Sri Lanka:

Code	Category	CCT heading No	NIMEXE code (1985)	Description
	(1)	(2)	(3)	(4)
40.0700	70	ex 60.04 B	60.04-31, 33, 34	Under garments, knitted or crocheted, not elastic or rubberized: B. Of other textile materials: Panty-hose (tights)

Article 2

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

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

Done at Brussels, 2 April 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 338, 27. 12. 1984, p. 98.

COMMISSION REGULATION (EEC) No 905/85

of 3 April 1985

amending Regulation (EEC) No 584/85 providing for the 1984/85 wine year, for the distillation of table wine referred to in Article 15 (1) of Regulation (EEC) No 337/79

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 798/85 ⁽²⁾, and in particular Article 15 (9) thereof,

Whereas Commission Regulation (EEC) No 584/85 ⁽³⁾ lays down that the distillation contracts and declarations in respect of the distillation of table wine referred to in Article 15 of Regulation (EEC) No 337/79 must, for the 1984/85 wine year, be submitted for approval to the competent intervention agency not later than 30 March 1985; whereas, following delays in certain Member States in the publication of the necessary legal provisions concerned, the period allowed should be extended so as to allow all producers to qualify under the scheme;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 584/85 is hereby amended as follows:

1. In Article 2, '30 March 1985' is replaced by '15 April 1985'.

2. In Article 5:

— in paragraph 1, '15 April 1985' is replaced by '30 April 1985',

— in paragraph 2, '30 April 1985' is replaced by '15 May 1985',

— in paragraph 3, '20 May 1985' is replaced by '5 June 1985'.

3. In Article 6, '10 May 1985' is replaced by '25 May 1985'.

4. In Article 13 (1):

— in the first subparagraph, '30 March 1985' is replaced by '15 April 1985',

— in the second subparagraph, '20 May 1985' is replaced by '5 June 1985'.

Article 2

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

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 89, 29. 3. 1985, p. 1.

⁽³⁾ OJ No L 67, 7. 3. 1985, p. 19.

COMMISSION REGULATION (EEC) No 906/85

of 2 April 1985

amending Regulations (EEC) No 368/77 and (EEC) No 443/77 on the sale of skimmed-milk powder from public stocks for use in feed for animals other than young calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 591/85 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁴⁾, and in particular Article 4 (3) thereof,

Whereas, pursuant to Commission Regulations (EEC) No 368/77 ⁽⁵⁾ and (EEC) No 443/77 ⁽⁶⁾, as last amended by Regulation (EEC) No 298/85 ⁽⁷⁾, the intervention agencies are to sell skimmed-milk powder put into storage before 1 August 1983;

Whereas, in view of the limited quantities still available which satisfy this condition as to age, and in

order that implementation of the measure concerned may continue in the normal way, the abovementioned sales should be extended to skimmed-milk powder put into storage before 1 September 1983;

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

In Article 1 of Regulation (EEC) No 368/77 and Article 1 of Regulation (EEC) No 443/77, '1 August 1983' is hereby replaced by '1 September 1983'.

Article 2

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

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

Done at Brussels, 2 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 68, 8. 3. 1985, p. 5.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽⁶⁾ OJ No L 58, 3. 3. 1977, p. 16.

⁽⁷⁾ OJ No L 33, 6. 2. 1985, p. 5.

COMMISSION REGULATION (EEC) No 907/85

of 2 April 1985

amending for the second time Regulation (EEC) No 354/85 opening a standing invitation to tender for the sale of olive oil held by the Italian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 231/85 ⁽²⁾, and in particular Article 12 (4),

Whereas Commission Regulation (EEC) No 354/85 ⁽³⁾, as amended by Regulation (EEC) No 580/85 ⁽⁴⁾, opened a standing invitation to tender for the sale on the internal market of a certain quantity of olive oil held by the Italian intervention agency;

Whereas the state of the market in olive oil is at present favourable for the sale of an additional quantity of certain qualities of olive oil already put up for sale;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 354/85 the following paragraph is hereby added:

'The following supplementary quantities are added to the quantities mentioned above for the third series of offers:

- approximately 600 tonnes of fine virgin olive oil,
- approximately 2 200 tonnes of ordinary olive oil,
- approximately 8 000 tonnes of virgin lampante olive oil.'

Article 2

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

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

Done at Brussels, 2 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 41, 12. 2. 1985, p. 6.

⁽⁴⁾ OJ No L 67, 7. 3. 1985, p. 14.

COMMISSION REGULATION (EEC) No 908/85

of 2 April 1985

amending Regulation (EEC) No 355/85 opening a standing invitation to tender
for the sale of olive oil held by the Greek intervention agency

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and fats ⁽¹⁾,
as last amended by Regulation (EEC) No 231/85 ⁽²⁾,
and in particular Article 12 (4) thereof,

Whereas Commission Regulation (EEC) No 355/85 ⁽³⁾
opened a standing invitation to tender for the sale on
the internal market of a certain quantity of olive oil
held by the Greek intervention agency;

Whereas the state of the market in olive oil is at
present favourable for the sale of an additional quan-
tity of certain qualities of olive oil already put up for
sale;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 355/85 the
following paragraph is hereby added:

'The following supplementary quantities are added
to the quantities mentioned above for the third
series of offers:

— approximately 2 750 tonnes of virgin lampante
olive oil.'

Article 2

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

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

Done at Brussels, 2 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 41, 12. 2. 1985, p. 8.

COMMISSION REGULATION (EEC) No 909/85

of 2 April 1985

imposing a provisional anti-dumping duty on imports of certain kinds of polystyrene sheet originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee set up by the said Regulation

Whereas :

A. Procedure

- (1) In April 1984 the Commission received a complaint lodged by five Community producers, namely :

- Ono SA,
- Monoplast SA,
- Injelec SA,
- Siam Cedap SA,
- Cobelplast SA,

which together account for the bulk of Community production of extruded polystyrene sheet.

- (2) The complaint contained evidence of dumping and of material injury resulting therefrom to Community industry. This evidence was considered sufficient to justify the initiation of a proceeding and the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of certain kinds of polystyrene sheet originating in Spain and commenced an investigation. The product concerned is extruded polystyrene sheet, put up in rolls, falling within subheading ex 39.02 C VI b) of the Common Customs Tariff, corresponding to NIMEXE code ex 39.02-38.

- (3) The Commission officially advised the exporters and importers known to be concerned, and also

the representatives of the exporting country and the complainants, that the proceeding had been initiated, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

The two Spanish exporters known to be concerned, namely the firms Coexpan SA and Envases Del Valles SA, and most of the importers concerned, particularly :

- Gervais-Danone-France,
- La Roche aux Fées,
- Union Laitière Pyrénées Aquitaine Charentes,
- Gervais-Danone AG,
- Dairyland Ltd,
- St Ivel Ltd,

took the opportunity to make known their views in writing; in addition, the two main exporters requested and were granted hearings.

As the importers of the product concerned are also its consumers, the point of view of the end-users of polystyrene sheet was thus taken into consideration.

- (4) For the purposes of a preliminary determination of the existence of dumping and injury, the Commission endeavoured to gather and check all the information it deemed necessary and carried out inspections on the premises of the five complainant producers, the two main Spanish exporters and the following importers :

- Gervais-Danone-France, and
- Union Laitière Pyrénées Aquitaine Charentes.

The Commission requested and received detailed written submissions from the complainant Community producers on the matter of the injury and its causes, and also from the two main Spanish exporters and virtually all the importers and consumers identified; the information thus obtained was checked by the Commission where necessary.

- (5) The investigation period adopted by the Commission for the purposes of determining whether dumping had taken place covered the 12 months ending on 31 July 1984. During this period, imports originating in Spain corresponded to exports to the Community by Coexpan SA and Envases Del Valles SA.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 205, 4. 8. 1984, p. 10.

B. The product

- (6) The product originating in Spain allegedly being dumped is polystyrene sheet put up in rolls. Its chief use is on form, fill and seal machines (FFS machines), which are used to produce different sizes of thermoformed foodstuff containers.

The investigation showed that the thickness of the sheet intended for the uses concerned normally varied between 0,7 and 1,3 mm.

In addition, the imports originating in Spain comprise white, bicoloured or translucent sheet, but not sheet in three colours, printed sheet or complex sheet; the investigation showed that the Spanish sheet and sheet produced in the Community constitute like products.

C. Normal value

- (7) The normal value was established on the basis of comparable prices actually paid or payable in normal commercial transactions involving sales of like products on the Spanish market. The normal value was calculated on the basis of weighted monthly averages.

D. Export prices

- (8) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

E. Comparison

- (9) For comparing the normal value with ex-works export prices for each of the like products, the Commission took into account differences affecting price comparability and made appropriate adjustments where the interested parties provided evidence that a request to this effect was justified. On the basis of the information in its possession, the Commission did not find any differences between the technical features of the Spanish and the Community products which might significantly affect price comparability. However, the normal value was adjusted to take account of the fact that for export sales the raw material, i.e. polystyrene granules, is purchased free of customs duty, and also that the financial costs for sales on the domestic market are higher than those for export sales. Lastly, the export price was adjusted

to take account of the tax relief granted by the Spanish authorities on exports of polystyrene sheet.

A request for an adjustment to reflect the differing volume of products sold on the internal market and the export market respectively was rejected as not being backed up by conclusive evidence.

F. Margins

- (10) The preliminary examination of the facts and the calculation of the dumping margin as being equal to the amount by which the normal value as established exceeds the price for export to the Community showed that there was extensive dumping in respect of exports by both Coexpan and Envases Del Valles.
- (11) The extent of the dumping varied according to the Member State of destination, the type of sheet concerned and the exporter; for example, the dumping margins represented the following percentages of the cif free-at-Community-frontier price before duty:

(%)

	White sheet	Translucent sheet	Bicoloured sheet	All types of sheet
Coexpan	29,86	31,0	34,99	31,62
Envases del Valles	17,34	17,34	—	17,34

Thus, in the case of Coexpan, weighted average dumping margins of 31,13 % and 18,10 % were found for sales of white sheet on the French and German markets respectively, while the margins for bicoloured sheet on the same markets were 39,65 % and 29,03 % respectively.

- (12) For the exporters not covered by the preliminary investigation, the dumping margin was determined on the basis of the data available. In this connection the Commission considered that the results of its investigation provided the most appropriate basis for determining whether dumping was taking place and that the appropriate dumping margin to be adopted in respect of these exporters was 31,62 %, this being the highest dumping margin found in the case of the two exporters covered by the investigation.

G. Injury

- (13) With regard to the injury caused to the Community industry by the dumped exports, the information available to the Commission shows that total exports to the Community of polystyrene sheet originating in Spain rose from 402 tonnes in 1980 to 1 982 tonnes in 1982, 4 624 tonnes in 1983 and 6 632 tonnes in 1984.

This represents an average annual rate of increase in imports of around 100 % over the 1980 to 1984 period.

The share of the Community market taken by the imports rose correspondingly from 2,4 % in 1981 to 4,6 % in 1982, 9,7 % in 1983 and 13,0 % in 1984.

On the two main Community markets, i.e. in France and Germany, the respective market shares of the imports in question rose from 7 % in 1982 to 13,9 % in 1983 and 17,1 % in 1984, in the one case, and from 0,1 to 4,3 % and 7,8 % in the other.

- (14) The detailed examination of export prices for polystyrene sheet originating in Spain showed persistent undercutting of the average prices of Community producers throughout the period of the investigation. The average level of undercutting, for all types of sheet, was 9,08 % in the case of Coexpan and 6,34 % in the case of Envases Del Valles. Consequently, the Community industry found its prices under pressure, which prevented it from raising its prices as it would otherwise have done to reflect the increases in its cost prices resulting mainly from rises in the cost of raw material; generally speaking, the price of polystyrene granules accounts for 70 to 80 % of the cost price of polystyrene sheet produced in the Community. As a result, Community producers were gradually compelled to sell at prices lower than the minimum level necessary to cover their production cost and provide a reasonable profit.

- (15) The information checked by the Commission shows that the impact of the imports on the Community industry was such that, in spite of steady growth in Community consumption (from 38 800 tonnes in 1981 to 51 100 tonnes in 1984), the complainants' sales remained virtually stagnant (27 537 tonnes in 1981 and 29 850 tonnes in

1984). The complainant Community industry therefore suffered substantial losses of market share (from 71 % in 1981 to 66,5 % in 1982, 60,6 % in 1983 and 58,4 % in 1984), mainly to the benefit of the dumped imports. The pressure on market price exerted by the imports resulted in a very sharp deterioration in the financial results of the Community producers in this specific production sector, virtually all of them being reduced to merely covering costs or even running at a loss, and this jeopardizes their short-term future.

- (16) The Commission examined other factors which, individually or in combination, could also have affected Community production.

In the case of the French market, which alone amounts to two thirds of the Community market, some consumers raised the question of the impact on the profitability of the Community producers of the industry's written undertaking to fight inflation, which was approved by the French authorities.

The Commission noted that the main provision of this undertaking allows producers to pass on in full in their selling prices for polystyrene sheet the increases in the cost of their raw material. But it found in the course of its investigation that these increases were not passed on in full during the period under consideration.

During this period, increases in the cost of raw material supplied to producers were in the 20 to 27 % range, whereas increases in the selling price of sheet, although they varied according to the product and the customer, were only in the overall range 12 to 23,5 %.

- (17) The Commission has therefore concluded, on the basis of the evidence at its disposal, that the injury caused during the investigation period by the increase in the dumped imports must, taken in isolation, be regarded as material injury.

H. Community interest

- (18) In these circumstances, and in order to prevent further injury being caused during the remainder of the proceeding, the interests of the Community require immediate action taking the form of the imposition of a provisional anti-dumping duty on imports of polystyrene sheet originating in Spain.

The Commission considers that an anti-dumping duty of 12,4 % on exports by Envases Del Valles and 15,9 % on exports by Coexpan or other, unidentified, Spanish exporters, even though these figures are lower than the dumping margins established, should be sufficient to remove the injury being caused to the Community industry by the Spanish imports, bearing in mind the price level necessary to ensure that the complainant producers are no longer selling at a loss and are able to make a reasonable profit.

- (19) In this context, the Commission examined the likely impact of these protective measures on the user industries, namely the manufacturers of food products, notably fresh products. Its conclusion was that for the majority of the food products in question any increase in overall cost prices resulting from the proposed anti-dumping duties would be negligible.
- (20) Examination of the possible impact of a protective measure on the downstream industries has not, therefore, altered the Commission's conclusions.

I. Rate of duty

- (21) Having regard to the injury caused, the rate of the provisional anti-dumping duty on imports of polystyrene sheet originating in Spain should therefore be lower than the dumping margin provisionally established, though sufficient to remove the injury caused; bearing in mind the selling price necessary to enable Community producers to make a reasonable profit, the Commission has provisionally set the provisional duty necessary to remove the injury at the levels given in point 18.
- (22) The Advisory Committee has not raised any objection.

J. Final provisions

23. A period should be fixed within which the interested parties may, following the imposition of the provisional duty, make their views known and request an oral hearing by the Commission.

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of extruded white, bicoloured or translucent polystyrene sheet, put up in rolls, of a thickness of between 0,7 and 1,3 mm, originating in Spain, falling within subheading ex 39.02 C VI b) of the Common Customs Tariff (corresponding to NIMEXE code ex 39.02-38).

2. The amount of the duty shall be equal to 15,9 % of the net free-at-Community-frontier price before duty, except for exports by the firm Envases Del Valles, for which the duty shall be 12,4 %.

The free-at-Community-frontier prices shall be net prices where the conditions of sale stipulate that payment must be made within 30 days of the date of dispatch; they shall be increased or reduced by 1 % for each month by which this period is shortened or lengthened.

3. The provisions in force concerning customs duties shall apply to this duty.

4. The release for free circulation in the Community of the product referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 2176/84, the parties concerned may make known their views and apply to be heard orally by the Commission within one month of the entry into force of this Regulation.

Article 3

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

Subject to Articles 11, 12 and 14 of Regulation (EEC) No 2176/84, this Regulation shall apply for a period of four months, unless the Council adopts definitive measures before the expiry of that period.

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

Done at Brussels, 2 April 1985.

For the Commission
Willy DE CLERCQ
Member of the Commission

COMMISSION REGULATION (EEC) No 910/85
of 3 April 1985
re-establishing intervention buying in of beef in Denmark

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68
of 27 June 1968 on the common organization of the
market in beef and veal ⁽¹⁾, as last amended by the Act
of Accession of Greece, and in particular Article 6 (5)
(b) thereof,

Having regard to Council Regulation (EEC) No 868/84
of 31 March 1984 fixing the guide price and the inter-
vention price for adult bovine animals for the 1984/85
marketing year ⁽²⁾, and in particular Article 3 (1) and
(4) (b) thereof,

Whereas the situation of the market in Denmark is
such that the application of the abovementioned rules
is required ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In application of Article 3 (1) of Regulation (EEC) No
868/84, intervention buying in shall be re-established
from 8 April 1985 for the following class in Denmark :

Category C, class R3

Article 2

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

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 30.

COMMISSION REGULATION (EEC) No 911/85**of 3 April 1985****fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1025/84 ⁽²⁾, and in particular Article 11 thereof,

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

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

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

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

Whereas the levies to be taken into consideration are therefore those applicable during January, February and March 1985,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 84.

ANNEX

to the Commission Regulation of 3. April 1985 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

CCT heading No	Description	(ECU/tonne) Amounts to be deducted
ex 10.06	Rice : B. Other : I. Paddy rice ; husked rice : a) Paddy rice : 1. Round grain 2. Long grain b) Husked rice : 1. Round grain 2. Long grain II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain III. Broken rice	58,29 55,58 72,87 69,48 75,88 125,62 80,81 134,67 11,77

COMMISSION REGULATION (EEC) No 912/85

of 3 April 1985

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

months preceding the month during which the
amount is fixed;

Whereas the variable components applicable during
January, February and March 1985 to the products
falling within subheading 23.02 A of the Common
Customs Tariff are to be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 107, 19. 4. 1984, p. 15.

ANNEX

CCT heading No	ECU/tonne
23.02 A I a)	21,52
23.02 A I b)	41,99
23.02 A II a)	21,52
23.02 A II b)	41,99

COMMISSION REGULATION (EEC) No 913/85

of 3 April 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

particular the second subparagraph of paragraph 3 of the exchange of letters,

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

Whereas the variable components applicable to the products falling within subheading 23.02 A II of the Common Customs Tariff during January, February and March 1985 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 3 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

ANNEX

to the Commission Regulation of 3 April 1985 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

CCT heading No	ECU/tonne
23.02 A II a)	21,52
23.02 A II b)	41,99

COMMISSION REGULATION (EEC) No 914/85

of 3 April 1985

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1025/84⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 768/85⁽⁷⁾, as last amended by Regulation (EEC) No 893/85⁽⁸⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁹⁾ amended Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within sub-heading 23.02 A of the Common Customs Tariff;

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⁽¹¹⁾ as last amended by Regulation (EEC) No 855/84⁽¹²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 2 April 1985;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹³⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 768/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 86, 27. 3. 1985, p. 11.

⁽⁸⁾ OJ No L 96, 3. 4. 1985, p. 23.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽¹³⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 3 April 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	81,88 ⁽¹⁾	80,07 ⁽¹⁾ ⁽⁵⁾
07.06 A II	84,90 ⁽¹⁾	80,07 ⁽¹⁾ ⁽⁵⁾
11.01 C ⁽²⁾	153,42	147,38
11.01 E I ⁽²⁾	139,91	133,87
11.01 E II ⁽²⁾	78,88	75,86
11.01 F ⁽²⁾	75,95	72,93
11.02 A III ⁽²⁾	153,42	147,38
11.02 A V a) 1 ⁽²⁾	104,97	98,93
11.02 A V a) 2 ⁽²⁾	139,91	133,87
11.02 A V b) ⁽²⁾	78,88	75,86
11.02 A VI ⁽²⁾	75,95	72,93
11.02 B I a) 1 ⁽²⁾	134,03	131,01
11.02 B I b) 1 ⁽²⁾	134,03	131,01
11.02 B II c) ⁽²⁾	122,01	118,99
11.02 C III ⁽²⁾	210,74	204,70
11.02 C V ⁽²⁾	122,01	118,99
11.02 D III ⁽²⁾	86,54	83,52
11.02 D V ⁽²⁾	78,88	75,86
11.02 E I a) 1 ⁽²⁾	86,54	83,52
11.02 E I b) 1 ⁽²⁾	169,80	163,76
11.02 E II c) ⁽²⁾	139,91	133,87
11.02 E II d) 1 ⁽²⁾	129,88	123,84
11.02 F III ⁽²⁾	153,42	147,38
11.02 F V ⁽²⁾	139,91	133,87
11.02 F VI ⁽²⁾	75,95	72,93
11.02 G II	61,82	55,78
11.04 C I	84,90	78,25 ⁽⁵⁾
11.04 C II a)	109,04	84,86 ⁽⁵⁾
11.04 C II b)	140,29	116,11 ⁽⁵⁾
11.07 A II a)	156,63 ⁽⁴⁾	145,75
11.07 A II b)	119,78	108,90
11.07 B	137,79 ⁽⁴⁾	126,91
11.08 A I	109,04	88,49
11.08 A II	99,06	68,23
11.08 A IV	109,04	88,49
11.08 A V	109,04	44,24 ⁽⁵⁾
17.02 B II a) ⁽³⁾	212,14	115,42
17.02 B II b) ⁽³⁾	154,98	88,49
17.02 F II a)	217,63	120,91
17.02 F II b)	150,58	84,09
21.07 F II	154,98	88,49
23.02 A I a)	39,63	33,63
23.02 A I b)	78,07	72,07
23.02 A II a)	39,63	33,63
23.02 A II b)	78,07	72,07
23.03 A I	291,26	109,92

-
- (¹) This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (²) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications :
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.
- (³) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.
- (⁴) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (⁵) In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :
- arrowroot falling within subheading 07.06 A,
 - flours and meal of arrowroot falling within subheading 11.04 C,
 - arrowroot starch falling within subheading 11.08 A V.
-

COMMISSION REGULATION (EEC) No 915/85
of 3 April 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 892/85⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1854/84 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 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 96, 3. 4. 1985, p. 22.

ANNEX

to the Commission Regulation of 3 April 1985 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	47,97
	B. Raw sugar	42,43 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 916/85

of 3 April 1985

fixing the maximum export refund for white sugar for the 32nd partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2382/84

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2382/84 of 14 August 1984 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2382/84, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 32nd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 32nd partial invitation to tender for white sugar issued under Regulation (EEC) No 2382/84 is hereby fixed at 44,504 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 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 221, 18. 8. 1984, p. 5.

COMMISSION REGULATION (EEC) No 917/85**of 3 April 1985****fixing the maximum export refund for raw sugar for the 25th partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2383/84**

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2383/84 of 14 August 1984 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of raw sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2383/84, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 25th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

The maximum export refund for the 25th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2383/84 is hereby fixed at 40,382 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 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 221, 18. 8. 1984, p. 10.

COMMISSION REGULATION (EEC) No 918/85

of 3 April 1985

altering the export refunds on white sugar and raw sugar exported in the natural state

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 last 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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 782/85⁽³⁾, as amended by Regulation (EEC) No 864/85⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 782/85 to the information known to the Commission that the export

refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 782/85, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 April 1985.

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

Done at Brussels, 3 April 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 88, 28. 3. 1985, p. 22.

⁽⁴⁾ OJ No L 91, 30. 3. 1985, p. 96.

ANNEX

to the Commission Regulation of 3 April 1985 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	40,74	
	(b) Other	42,41	
	(II) Flavoured or coloured sugar		0,4074
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	37,48 ⁽¹⁾	
	(b) Other raw sugar	38,99 ⁽¹⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 February 1985

on the preferential tariff charged to glasshouse growers for natural gas in the Netherlands

(Only the Dutch text is authentic)

(85/215/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 92 (2) thereof,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1332/84⁽²⁾, and Council Regulation (EEC) No 234/68 of 27 February 1968 on the establishment of a common organization of the market in live trees and other plants, bulbs, roots and the like, cut flowers and ornamental foliage⁽³⁾, as last amended by Regulation (EEC) No 264/82⁽⁴⁾,

After having given notice, pursuant to the first subparagraph of Article 93 (2), to those concerned to submit their observations, and having regard to those observations,

Taking the following into account:

I

1. In the Netherlands special rates are charged for natural gas used in horticulture. About 10 years ago, since the use of heavy fuel oil in horticulture was producing a high degree of air pollution, the Nether-

lands Government encouraged the conversion of the sector to natural gas. At present over 95 % of the energy consumed in horticulture in the Netherlands is obtained from natural gas.

2. To appreciate this particular situation the following factors should be taken into account:

- natural gas in the Netherlands is produced by the Nederlandse Aardgasmaatschappij (NAM), which works the giant Groningen Field, and a number of other onshore and offshore producers,
- the gas is transported, imported, exported and sold directly to the major customers connected to the transport network by the NV Nederlandse Gasunie, Groningen, hereinafter referred to as 'Gasunie',
- natural gas is distributed to small customers by local distribution companies belonging to the Vereniging van Exploitanten van gasbedrijven in Nederland, hereinafter referred to as Vegin'.

Direct sales by Gasunie represent about 45 % of the total volume of gas distributed. Gasunie serves 136 distribution companies, 29 electric power stations and 389 large industrial undertakings, together with the horticulture sector represented as a whole by the 'Landbouwschap'.

Gasunie concludes standard individual contracts with the big purchasers, whatever the category of consumer concerned. 'Big purchasers' are those having an individual consumption of over 170 000 m³ per year, supplied either directly or indirectly. Gasunie concludes contracts with Vegin for sales to small consumers and horticulturists.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 3. 1984, p. 1.

⁽³⁾ OJ No L 55, 2. 3. 1968, p. 1.

⁽⁴⁾ OJ No L 27, 4. 2. 1982, p. 20.

3. In 1981 a preferential tariff provided for more favourable terms for horticulturists. The Commission believed that the advantage resulting from this preferential treatment should be regarded as an aid which was incompatible under Article 92 of the Treaty, and on 15 December 1981 it adopted a Decision⁽¹⁾ which in essence required the Netherlands Government to take the necessary steps to ensure that the aid was discontinued.

After the adoption of that Decision, which was contested in the European Court of Justice by the Government of the Netherlands and the Landbouwschap, negotiations took place between the Commission and the Netherlands Government. These resulted in an agreement on the terms of a new contract between Gasunie and the Landbouwschap, which was applied from 1 April 1983 to 30 September 1984.

The essential features of that contract were as follows :

- (a) alignment of the horticultural tariff on the industrial tariff, taking account of the calorific parity between gas and heavy fuel oil as determined by the Centraal Bureau voor de Statistiek (CBS);
- (b) the price determined by the average of CBS prices would, in the case of horticulture, be increased by a premium of 0,5 cents/m³;
- (c) the horticultural tariff would be revised at three-monthly intervals, like the industrial tariff.

Following the agreement, the Commission repealed the Decision of 15 December 1981 by a Decision of 22 July 1982⁽²⁾ and the Netherlands Government and the Landbouwschap withdrew their Court actions.

4. A new contract was concluded between Gasunie, Vegin and the Landbouwschap at the end of September 1984. Since the price of gas is negotiated solely between the Landbouwschap and Gasunie, only the two latter will be referred to in what follows. The contract is valid for the period 1 October 1984 to 1 October 1985 and essentially makes provision for freezing the price of gas for horticulture at the average 1983 level, plus a fixed percentage of 10 %, which brings it to 42,5 cents/m³. If the formula valid from 1 April 1983 had been applied the price would have had to be fixed at 46,6 cents/m³ in the fourth quarter of 1984 and 48 cents/m³ in the first quarter of 1985. This formula, however, has not been totally abandoned; it

remains valid in principle and could even be used during the abovementioned period as part of a set-off system. If the price resulting from the old formula was below the price level applied since 1 October 1984 the difference could be used to offset the advantage enjoyed during the previous period when the price relationship was the reverse.

For the first quarter of 1985 Gasunie also froze the industrial tariff, which resulted in a price reduction of from 1,341 to 1,478 cents/m³ depending on the size of the consumer undertaking. This corresponds approximately to a 3 % reduction in prices to industry.

The advantage of the new system to a horticultural holding is thus as follows :

- 4,1 cents/m³ for the fourth quarter of 1984,
- 5,5 cents/m³ for the first quarter of 1985,

The contract concluded between the Landbouwschap and Gasunie involves the purchase of around 2 400 million m³ of natural gas per year for about 8 000 horticulturists.

5. Gasunie is a private-law company, 40 % of the capital of which is held by the Staatsmijnen (wholly-owned by the Netherlands Government but operating solely on the basis of market forces), 10 % by the Netherlands Government, 25 % by Shell Nederland and 25 % by Esso Nederland NV (Exxon). The standard contracts and price agreements concluded by this undertaking are therefore contracts under private law. The advantage derived by the State from the operations of Gasunie is twofold: the tax on gross profits and the share in net profits after tax. The revenue accruing to the State from the operations of Gasunie, including taxes, may be evaluated at about 85 to 90 % of the total profit.

Gasunie is administered by a Supervisory Board of eight or 12 members, one or two of whom are appointed by the Minister for Economic Affairs, the other being elected by the annual general meeting of shareholders. The Director is chosen by the general meeting from a double list proposed by the Board and approved by the Minister for Economic Affairs. The Board at present comprises eight members, of whom one is appointed by the State, three represent the Staatsmijnen and two represent each of the two oil companies. Prices cannot be fixed without approval of the Board by a three-quarters majority of the votes cast, which means that Shell and Esso can veto decisions not in their interests.

⁽¹⁾ OJ No L 37, 10. 2. 1982, p. 29.

⁽²⁾ OJ No L 229, 5. 8. 1982, p. 38.

However, the Minister for Economic Affairs has since 1963, by agreement with Gasunie, reserved the right to approve selling prices and terms of delivery for supplies to public distributors in the Netherlands, while for all other supplies his approval is confined to prices. The Minister has also reserved the right to approve investments in pipelines and other forms of gas conveyance and storage, and the gas-supply programme. The Netherlands Government has stated that the terms and tariffs of Gasunie must be approved by the Minister for Economic Affairs and that Gasunie has undertaken not to conclude any agreement for the supply of gas which does not comply with the price last approved by the Minister for the category of purchasers concerned at the time the agreement is concluded. In this respect, the Minister's right forms part of the system of controls normally applied to prices.

The Minister for Economic Affairs also has certain powers with regard to gas prices. Under Article 2 of the Law of 19 December 1974 ⁽¹⁾ governing prices and tariffs applicable to natural gas supplies (Law on natural gas prices), the Minister for Economic Affairs may, if natural gas is supplied at a price which he considers to be below the value of the gas, prohibit the delivery of natural gas inside or outside the Netherlands at a price below the price he has fixed. Under Article 2(3) of the same law, the Minister for Economic Affairs may fix different prices for different categories of gas. However, according to the information obtained from the Netherlands Government, this law, which is still in force, has not yet been applied.

6. The Netherlands :

(a) supplies at present :

- 75 % of Community production of gherkins and cucumbers in heated glasshouses,
- 40 % of lettuces, and
- 65 % of tomatoes ;

(b) exports :

- 91 % of the tomatoes it produces,
- 68 % of the gherkins and cucumbers it produces, and
- 84 % of the cut flowers it produces.

The Federal Republic of Germany alone absorbs :

- 55 % of tomato exports,
- 73 % of gherkin and cucumber exports,
- 62 % of exports of flowers and flowers in bud.

Dutch flower exports have been generating increasing pressure on the German market since 1975. Exports of

these products to the United Kingdom, Denmark, Belgium and France have increased substantially since 1974.

7. Heating costs are an important component (25 to 30 %) of the cost of producing vegetables and flowers in heated glasshouses. These costs vary considerably from one Member State to another, according to the fuel used in the horticultural sector and to the methods used for pricing petroleum products.

II

1. On the basis of the notification of the new contract between Gasunie, Vegin and the Landbouwschap made by the Netherlands Government on 4 October 1984, the Commission, after a preliminary examination, decided that the existence of a preferential tariff for natural gas for horticulture in the Netherlands conferred an advantage on the horticultural sector which constituted an aid which affected trade between Member States and distorted competition and was therefore incompatible with the common market within the meaning of Article 92(1) of the Treaty. On 27 November 1984, therefore, it initiated the procedure laid down in Article 93(2) of the Treaty in respect of that aid ⁽²⁾.

2. On 21 December 1984 the Netherlands Government replied that the special horticultural tariff for natural gas was the result of a contract concluded between Gasunie, Vegin and the Landbouwschap and was not the same as State aid.

The position of the Netherlands Government on that occasion and in its replies of 3 January and 1 February 1985 to questions put by the Commission was as follows :

- (a) There has been a fundamental change in the economic situation since 1982. Despite the fact that in the long term the price of gas should in principle be regarded as still linked to the price of petroleum products, it is necessary in the short term to take account of the competition from coal ;
- (b) The price of heavy fuel oil has risen considerably, largely because of the rise of the US dollars. It can be expected to fall again shortly and it is in the interest of the contracting parties to stabilize the price of gas, which would otherwise reflect the movement of the price of heavy fuel oil ;

⁽¹⁾ *Staatsblad* No 765.

⁽²⁾ SG(84) D/15.264.

(c) The price of gas has reached levels such that throughout Europe it is becoming advantageous for horticulturists to use coal instead of gas or fuel oil for heating greenhouses. Unlike the prices of fuel oil and gas, coal prices have fallen. Between 1980/81 and 1984 the share of coal in the total quantity of fuel used by glasshouse growers in the various countries neighbouring the Netherlands increased from about 5 % to 20 %. In the Netherlands the number of holdings switching to coal rose from 1 to 22 (out of a total of 8 000) over the same period ;

(d) Replacement with coal became attractive for some Dutch horticultural holdings when the price of gas was about 37 to 38 cents/m³. When the price is above 42 to 43 cents/m³ replacement becomes a real option for an appreciable proportion of users. It then becomes necessary for Gasunie to reduce gas prices so as not to lose customers. There are also negotiations on gas prices with purchasing countries ;

(e) The price of gas to industry was also reduced for the first quarter of 1985 for the above reasons, although to a lesser extent than the price to horticulture. For the first quarter of 1985 the reduction in the price of gas in relation to the price calculated by reference to the price of heavy fuel oil is in fact 3 % for industry and 12 % for horticulture. This difference is explained by the fact that coal is more likely to be used in horticulture than in industry for the following reasons :

- the boilers will have to be replaced in the near future on about 60 % of Dutch horticultural holdings,
- fuel accounts for a lower percentage of costs in industry, so that a changeover is more attractive in horticulture,
- energy-saving is already very advanced in horticulture, less so in industry ; further savings can be made in industry more easily by not switching to coal,
- the extra work involved in using coal is less of an obstacle for a family horticultural holding than for industry,
- the depreciation period applied in industry is two to three years ; whereas in horticulture it is five years.

3. Several Member States, and other persons concerned, have made their comments known to the Commission. All except the Landbouwschap (Netherlands) feel that the preferential tariff for natural gas for

horticulture in the Netherlands constitutes an aid within the meaning of Article 92 (1) of the Treaty which is incompatible with the common market since it affects trade between Member States and distorts competition by favouring specific undertakings. Serious concern has also been expressed with regard to the harmful effects which this measure might have on horticulture in other Member States. At the Council meetings in October, November and December 1984 and in January 1985, several Member States reiterated their concern and described the increasing pressure to which they were being subjected by their own growers because of the competition, seen as unfair, from Dutch growers.

III

1. In accordance with Article 31 of Regulation (EEC) No 1035/72 and Article 11 of Regulation (EEC) No 234/68, Articles 92 to 94 of the Treaty are applicable to the horticultural sector.

In accordance with Article 92 (1) of the Treaty, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods is, in so far as it affects trade between Member States, incompatible with the common market.

The price terms on which natural gas is supplied to Dutch growers may be described as a preferential tariff. A preferential tariff is caught by the prohibition in Article 92 (1) of the Treaty when the following three factors obtain :

- when the tariff favours certain undertakings or the production of certain goods competing with the undertakings or production of other Member States, and the products in question are traded within the Community,
- when the tariff has been imposed by a public authority,
- when the tariff results in compensation from the State being paid to the distribution company or to the State receiving less revenue.

2. The existence of the preferential tariff for natural gas for Dutch horticulture provides an advantage for that sector. Since there are also sectors of industry which are liable to switch to coal, the difference between the reduction in the price of gas granted to the horticultural sector and the reduction granted to the comparable sector of industry is not justified. Such a distinction is not legitimate unless based on objective, verifiable criteria.

3. Before examining the measure in this light it is necessary to establish whether the aid in question is a State aid or an aid granted through State resources. Therefore, the nature of the State's intervention must be determined.

The State holds, partly through the Staatsmijnen, a public-sector commercial undertaking, 50 % of the capital of Gasunie. However, it does not have the controlling interest nor does it control a decisive majority of votes on pricing decisions.

Moreover, the tariffs are applicable only after approval by the Minister for Economic Affairs. Even if this approval falls within the Minister's general scope of responsibilities, nevertheless it does mean that the government has the power to influence price levels. Indeed, it appears from the information provided by the Netherlands Government that Gasunie has formally agreed not to conclude gas-supply agreements which do not conform to the level of prices approved in the last instance by the Minister for the relevant group of users at such time as the agreements are concluded. It must be inferred that it is the Government which does, in fact, have a dominant influence, even if only in the form of a right of veto, when determining the advantage which growers receive.

Moreover, as regards the horticultural tariff, Gasunie takes into consideration the economic guidelines suggested to it by the Netherlands Government.

4. This conclusion is confirmed by an examination of the tariffs applied by this undertaking for natural gas. Under a normal economic approach, there is no reason why such a favourable tariff should be given to growers.

5. As regards the assessment of the differentiation of tariffs referred to in III.2 above, there is in principle nothing to stop a private or public undertaking from varying its tariffs depending on the use of the goods which it is selling. Nevertheless, such variations must have sound and comprehensible economic reasons, e.g. to ensure the competitiveness of gas on the various user markets, and must not discriminate between horticulture and other consumers in a comparable situation.

This is not so in the case in point:

(a) Under a consistent, transparent pricing policy the price of gas delivered to horticulturists should normally move in a similar fashion to the price paid by the comparable sector of Dutch industry which uses natural gas. Hitherto, the policy followed by the Netherlands consisted in aligning

the price of gas on the price of petroleum products.

The Netherlands Government stated its wish not to abandon this principle. Therefore the new contract would apply only for a limited period and would contain an offsetting clause.

Nevertheless, the price currently in force was determined by reference to the competitive situation of gas in relation to coal. There is no objection in principle to taking a fuel other than heavy fuel oil, even though, from the point of view of the Community energy policy, there is nothing against an increase in coal consumption. However, the change should be justified on economic grounds and applied in a non-discriminatory manner. Therefore it is necessary to examine whether the choice of coal as a reference reflects the objective characteristics of the different fuels, both as regards price relationships and as regards the actual possibilities for substitution.

Reference to the competitive situation of coal is only a temporary measure, since the contract in question is limited to one year, and the Netherlands Government emphasizes its wish to uphold the principle of interdependence between the price of gas and the prices of petroleum products. The current arrangements are therefore not permanent and the future attitude of the Netherlands Government is uncertain.

Such a temporary scheme can have only a limited influence on glasshouse growers who are considering opting for a coal-fired system. Doubts concerning the economic importance and the danger represented by the use of coal in horticulture therefore seem justified in connection with the gas price indicated by the Netherlands Government; at all events, the reasoning is inconsistent.

Even the introduction of the system of offsetting one-quarter against another, as referred to in I.4, does not provide grounds for considering that the principle of interdependence between gas and heavy fuel oil is upheld. In fact, in view of the current price of heavy fuel oil, it is unlikely that the set-off system will actually be applied.

(b) In order to justify a temporary derogation from the abovementioned principle, the Netherlands Government argues that the prices of heavy fuel oil have moved erratically under the influence of the rise in value of the US dollar, that this situation cannot be regarded as permanent and a fall in the market price can be expected in the near future, and that action to ensure price stability was therefore necessary.

The desire for price stability is comprehensible, although it is surprising that a private undertaking does not wish to take advantage of market conditions.

The Netherlands Government also claims that there is an over-supply of gas on the European market, which is causing marketing problems for Gasunie. It should be noted in this connection that the Netherlands Government does not appear to want a drop in natural gas production, since it is not delaying the depletion of fields.

However, these arguments do not only apply to horticulture. If the purpose of the price reduction was to keep customers, there should have been a reduction in all comparable sectors which use gas. Moreover, fixing gas prices on a different basis for horticulture and for the comparable sectors of industry is contrary to the kind of non-discriminatory treatment which would result from a coherent approach based on coal.

The Netherlands Government has produced no figures to justify making a distinction between horticulture and other sectors of the economy.

- (c) The Netherlands Government emphasizes the risk that more coal will be used instead of gas for heating greenhouses. There is, however, no convincing argument for treating horticulture differently from comparable sectors of industry.

In certain industrial sectors there is also a risk of conversion to coal. Consequently, the decision to offer a low preferential price only to horticulturists discriminates against those sectors. Another factor which can be taken into consideration when fixing energy prices is the cost of delivery. In the case of Dutch horticulture this cost is higher than it is for industry. Consequently, this cost factor cannot be used to justify the difference in price between the horticultural and industrial sectors, on the contrary.

6. At all events, the price agreed between Gasunie and the Landbouwschap does not reflect the competitive situation as between coal and gas as far as horticulture is concerned. An examination of the economic conditions on the basis of the following:

- the most recent data,
- a horticultural holding of average size (area 15 000 m², consumption 650 000 m³ of gas per year) and a large holding (area 40 000 m², consumption 1 600 000 m³ of gas per year),

- investments made either because of the need to replace the boiler or so as to obtain cost advantages from the use of coal,
- the difference in investment costs between gas-fired facilities and coal-fired facilities,
- financial incentives from the Government (subsidies to investments under the WIR — Wet Investeringsrekening),
- a five-year period of depreciation on investments,
- the price difference between natural gas and coal,
- the facilities' performance,
- running costs (maintenance, electricity, labour),
- environmental protection requirements,

leads to the conclusion that the equilibrium price, i.e. the price at which competition between gas and coal is in balance without either being advantaged or disadvantaged is between 43 and 44,3 cents/m³. At that price, undertakings would stay with natural gas for the following main reasons: because it is easy to use, the basic investment is lower and there are no storage or environmental problems. The lowest price which would cause a significant switch to coal is 46,5 cents/m³ for an average-sized holding and 47,5 cents/m³ for a larger holding. With prices in the latter range, which is calculated on the basis of a repayment period of five years, it is estimated that 30 % of the natural gas consumed by the horticultural sector would be replaced by coal in less than three years. Therefore, the price in force since 1 October 1984 confers an appreciable advantage on natural gas. It is below the equilibrium price and well below the threshold from which an appreciable switch to coal would begin to take place.

The price for gas for horticulture is therefore too low and is discriminatory.

Thus, none of the arguments put forward by the Netherlands Government has provided economic justification of the preferential treatment afforded to Dutch horticulture by Gasunie since 1 October 1984.

7. In these circumstances it can be assumed that the basis of the October 1984 agreement is the desire to reduce the price of gas for horticulture. This objective cannot be explained in terms of the normal management of a private undertaking. Rather, it corresponds to the political and economic requirements of a State. In the case in point, the Netherlands Government is giving up receipts which it could draw from its interest in Gasunie in order to grant horticulturists a financial advantage. The advantage therefore comes from State resources and the measure is to be regarded as an aid.

8. The impact of this aid on competition and intra-Community trade derives both from the comparison between Dutch horticultural production in heated greenhouses and Community horticulture production in heated greenhouses as a whole, and from the effect of even a slight advantage in heating costs. Although heating costs vary widely from product to product and from one Member State to another, Dutch production is sufficiently large for even a slight cost advantage to have an effect on producer prices. Dutch horticultural production therefore enjoys an advantage which necessarily affects intra-Community trade, especially as the major part of Dutch produce is exported to other Member States.

9. The foregoing leads to the conclusion that :

- the price charged by Gasunie to Dutch glasshouse growers is an aid,
- it favours Dutch glasshouse growers in comparison with other gas consumers in the Netherlands,
- it distorts competition between Dutch glasshouse growers and glasshouse growers in other Member States,
- it affects intra-Community trade.

The aid therefore fulfils the conditions set out in Article 92 (1) of the Treaty.

IV

Article 92 (1) of the Treaty provides for the incompatibility in principle with the common market of aid fulfilling the criteria which it describes. The exceptions provided for in Article 92 (2) do not apply to the aid concerned. The exceptions provided for in paragraph 3 of that Article specify objectives pursued in the interest of the Community and not only in that of specific sectors of a national economy. These exceptions must be interpreted strictly when examining any aid programme for a specific region or sector or any individual case where general aid measures are applied. They cannot be granted except in cases where the Commission is able to establish that the aid is necessary to achieve one of the objectives covered by those provisions. Allowing such exceptions to aid measures which do not offer such an offsetting benefit would amount to allowing trade between the Member States

to be affected and competition to be distorted without justification from the point of view of Community interest and would bring about undue advantage for certain Member States.

In this specific case, the aid does not offer such an offsetting benefit. The Netherlands Government was unable to provide any justification, nor could the Commission find any, indicating that the aid in question fulfilled the conditions required for application of one of the exceptions provided for in Article 92 (3) of the Treaty.

This is obviously not a measure intended to promote the execution of an important project of common European interest within the meaning of Article 92 (3) (b), since this pricing system runs counter to the objectives of the common energy policy which aims at energy-saving and a rational use of energy.

It is also not a measure to remedy a serious disturbance in the economy of the Member State concerned within the meaning of that provision.

As regards the exceptions provided for in Article 92 (3) (a) and (c) with regard to aid to promote or to facilitate the economic development of areas or of certain economic activities are referred to under (c) referred to above, it must be noted that aid is granted only in terms of the quantities of gas purchased, without reference to the adjustment or improvement of firms' structures or of energy-saving or development in the regional context. Consequently, the aid must be considered as an aid towards the running costs of the undertakings concerned, a type of aid to which the Commission has in principle always been opposed, since such aids are not linked to conditions qualifying them for one of the exceptions provided for in paragraph 3 (a) and (c) of Article 92.

The aid in question does not fulfil the conditions required for eligibility for one of the exceptions under Article 92 (3) of the Treaty and consequently must be discontinued.

This Decision is without prejudice to any consequences which the Commission might draw as regards recovery of the abovementioned aid from the recipients or the financing of the common agricultural policy by the EAGGF,

HAS ADOPTED THIS DECISION :

Article 3

Article 1

The aid represented by the preferential tariff for natural gas applied in the Netherlands in respect of glasshouse growers from 1 October 1984 is incompatible with the common market within the meaning of Article 92 of the Treaty and must be discontinued.

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 13 February 1985.

Article 2

The Netherlands shall inform the Commission before 15 March 1985 of the action it has taken to comply with Article 1.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION DECISION

of 18 March 1985

fixing the minimum selling prices for butter for the 96th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 262/79

(85/216/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 591/85 ⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 3521/83 ⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁵⁾, as last amended by Regulation (EEC) No 453/85 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to

the fat content of the butter; whereas, alternatively, a decision may be taken not to proceed with the invitation to tender; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter;

Whereas, in the light of the tenders received in response to the 96th individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 96th individual invitation to tender issued under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expired on 12 March 1985, the minimum selling prices and processing securities shall be fixed as follows:

(ECU/100 kg butter)			
Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price	Processing security
Formula A and/or C, and/or D	82 % or more	115,00	230,00
	Less than 82 %	112,00	230,00
Formula B	82 % or more	175,00	160,00
	Less than 82 %	170,70	160,00

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 68, 8. 3. 1985, p. 5.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 352, 15. 12. 1983, p. 4.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 40.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 18 March 1985

fixing the maximum aid levels for butter and concentrated butter for the 77th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(85/217/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 591/85 ⁽²⁾, and in particular Article 12 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs ⁽³⁾, as last amended by Regulation (EEC) No 453/85 ⁽⁴⁾, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter;

Whereas Article 7 of the said Regulation lays down that a maximum aid level is to be fixed for the butter and for the concentrated butter and that this is to be differentiated according to the intended use and the fat content of the butter, or that a decision may be

taken not to accept any tender; whereas, in the case of concentrated butter, the amount of the processing security must be fixed taking account of the maximum aid level;

Whereas, in the light of the tenders received in response to the 77th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 77th individual invitation to tender issued under Regulation (EEC) No 1932/81, in respect of which the time limit for the submission of tenders expired on 12 March 1985, the maximum aid and processing securities are hereby fixed as follows:

(a) for butter:

<i>(ECU/100 kg butter)</i>		
Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	Maximum aid level
Formula A and/or C, and/or D	82 % or more	190,00
	80 % or more, but not exceeding 82 %	185,00
Formula B	82 % or more	130,00
	80 % or more, but not exceeding 82 %	—

(b) for concentrated butter:

<i>(ECU/100 kg pure concentrated butter)</i>		
Use to which the concentrated butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Maximum aid level	Processing security
Formula A and/or C, and/or D	249,00	275,00
Formula B	175,00	193,00

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 68, 8. 3. 1985, p. 5.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽⁴⁾ OJ No L 52, 22. 2. 1985, p. 40.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 18 March 1985.

For the Commission
Frans ANDRIESSEN
Vice-President

COMMISSION DECISION

of 20 March 1985

withdrawing the status of certain parts of the territory of the Federal Republic of Germany with regard to classical swine fever

(85/218/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 84/644/EEC ⁽²⁾, and in particular Article 4c (1) (c) thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽³⁾, as last amended by Directive 84/643/EEC ⁽⁴⁾, and in particular Article 13a (2) thereof,

Whereas Council Decision 82/838/EEC ⁽⁵⁾ recognizes certain parts of the territory of the Federal Republic of Germany as being either officially swine-fever-free or swine-fever-free;

Whereas outbreaks of classical swine fever have been recorded in some of the parts of the territory of the Federal Republic of Germany referred to in Annexes I and II to Decision 82/838/EEC;

Whereas, by Decision 85/162/EEC of 6 February 1985 ⁽⁶⁾, the Commission has suspended for a period of 15 days the status of official freedom from swine fever or freedom from swine fever of affected parts of German territory;

Whereas, taking account of the epidemiological evolution of the disease, the Commission, by Decision

85/182/EEC of 21 February 1985 ⁽⁷⁾, temporarily prolonged this period of suspension for certain regions beyond the 15 days provided for initially;

Whereas, since that time, study of the epidemiological situation leads to the conclusion that the disease has persisted in certain districts and it is necessary to withdraw the status of officially swine-fever-free from these districts;

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

HAS ADOPTED THIS DECISION:

Article 1

The status of those parts of the territory of the Federal Republic of Germany as areas recognized to be officially swine-fever-free within the meaning of Article 4c (1) (c) of Directive 64/432/EEC is withdrawn for the region listed in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 352, 14. 12. 1982, p. 27.

⁽⁶⁾ OJ No L 63, 2. 3. 1985, p. 21.

⁽⁷⁾ OJ No L 67, 7. 3. 1985, p. 42.

ANNEX

**Regions in the Federal Republic of Germany for which the officially swine-fever-free status
is withdrawn :**

Regierungsbezirke : Detmold, Lüneburg and Hanover.

COMMISSION DECISION

of 20 March 1985

on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(85/219/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽²⁾, as last amended by Regulation (EEC) No 552/85⁽³⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 March 1985, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 April 1985, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and

veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁴⁾, as last amended by Directive 83/91/EEC⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 March 1985 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African Caribbean and Pacific States, in respect of the quantities and the countries of origin Stated:

1. Federal Republic of Germany :
513,0 tonnes originating in Botswana,
230,0 tonnes originating in Swaziland;
2. United Kingdom :
1 000,0 tonnes originating in Botswana;
3. France :
479,3 tonnes originating in Madagascar.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80, during the first 10 days of April 1985 in respect of the following quantities of boned beef and veal:

Botswana :	17 360,9 tonnes
Kenya :	142,0 tonnes
Madagascar :	6 939,7 tonnes
Swaziland :	2 905,0 tonnes
Zimbabwe :	6 750,0 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 13.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁵⁾ OJ No L 59, 5. 3. 1983, p. 34.

GUIDE TO THE COUNCIL OF THE EUROPEAN COMMUNITIES

II/84

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