

Official Journal

of the European Communities

ISSN 0378-6978

L 107

Volume 28

19 April 1985

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 994/85 of 18 April 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 995/85 of 18 April 1985 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 996/85 of 18 April 1985 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	5
★ Commission Regulation (EEC) No 997/85 of 18 April 1985 imposing a provisional anti-dumping duty on imports of glycine originating in Japan	8
Commission Regulation (EEC) No 998/85 of 18 April 1985 fixing the amount of the subsidy on oil seeds	13
Commission Regulation (EEC) No 999/85 of 18 April 1985 fixing the aid for cotton	16
Commission Regulation (EEC) No 1000/85 of 18 April 1985 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	17
Commission Regulation (EEC) No 1001/85 of 18 April 1985 fixing the export refunds on malt	21

Corrigenda

Corrigendum to Commission Regulation (EEC) No 919/85 of 3 April 1985 altering the monetary compensatory amounts (OJ No L 99, 8. 4. 1985)	23
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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 994/85
of 18 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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

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

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

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

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

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

Whereas these exchange rates being those recorded on
17 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 19 April
1985.

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

Done at Brussels, 18 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 18 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	93,47
10.01 B II	Durum wheat	139,99 ⁽¹⁾ ⁽²⁾
10.02	Rye	91,94 ⁽⁶⁾
10.03	Barley	88,06
10.04	Oats	77,83
10.05 B	Maize, other than hybrid maize for sowing	78,97 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	69,76 ⁽⁴⁾
10.07 C	Grain sorghum	99,37 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	145,12
11.01 B	Rye flour	144,05
11.02 A I a)	Durum wheat groats and meal	230,74
11.02 A I b)	Common wheat groats and meal	154,24

⁽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 995/85

of 18 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 organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2222/84⁽⁵⁾ and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on
17 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 19 April
1985.

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

Done at Brussels, 18 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 18 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	0	1,30	1,30	1,32
10.02	Rye	0	0	0	0
10.03	Barley	0	0,49	0,49	4,40
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	1,95	1,95	1,95
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	0,87	0,87	7,83	7,83
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0,65	0,65	5,85	5,85
11.07 B	Roasted malt	0	0,76	0,76	6,82	6,82

COMMISSION REGULATION (EEC) No 996/85

of 18 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 15 and 16 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 19 April 1985.

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

Done at Brussels, 18 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)	65,00 ⁽¹⁾
15.07 A I b)	68,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	78,00 ⁽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	14,96
07.03 A II	14,96
15.17 B I a)	34,00
15.17 B I b)	54,40
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 997/85

of 18 April 1985

imposing a provisional anti-dumping duty on imports of glycine originating in Japan

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 as provided for by the above Regulation,

Whereas :

A. Procedure

- (1) In July 1984 the Commission received a complaint lodged by the European Council of Chemical Manufacturers' Federations (CEFIC) on behalf of a producer of glycine whose output was said to constitute all Community production of the product in question. The complaint contained evidence of dumping, and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. 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 glycine falling within subheading 29.23 D IV of the Common Customs Tariff, corresponding to NIMEXE code 29.23-77, originating in Japan, and commenced an investigation.
- (2) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting country and the complainant and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) The exporters known to the Commission and most of the known importers made their views

known in writing. The exporters and some of the importers requested and were granted hearings.

- (4) Both exporters requested the opportunity to meet the complainant for the purpose of presenting their opposing views. The Commission was prepared to grant this request but the exporters withdrew it after they had been informed that the complainant was only prepared to attend such a meeting without users being present.
- (5) Submissions were made by some of the main Community users of glycine.
- (6) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following :
 - (a) *the complainant* :
Tessenderlo Chemie SA, Brussels ;
 - (b) *a former Community producer* :
Société de Produits Chimiques Industriels (SPCI), Paris ;
 - (c) *non-EEC producers/exporters* :
— Yuki Gosei Kogyo Co. Ltd, Tokyo,
— Showa Denko KK, Tokyo.

In the course of the investigation it was established that Rexim SA (France) is also a producer of glycine, but so far only of a small quantity.

- (7) The investigation of dumping covered the period 1 April to 30 September 1984.

B. Normal value

- (8) Normal value was provisionally determined on the basis of the monthly weighted average domestic prices of those producers who exported to the Community and who provided sufficient evidence concerning prices actually paid in the ordinary course of trade for the like product intended for consumption in Japan.
- (9) The exporters claimed that because of the differences in the quantities sold on the domestic market and for export to the Community, the normal value should be based on a restricted sample of transactions which most resembled the quantities sold in the export transactions.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 265, 4. 10. 1984, p. 5.

The Commission is of the opinion, however, that this claim that the normal value should be based on a restricted sample of transactions which allegedly most resemble the quantities exported is tantamount to a claim for due allowance to be made for differences in quantities and that such allowance should only be granted in conformity with the objective criteria laid down in Article 2 (10) (b) of Regulation (EEC) No 2176/84.

- (10) One exporter also argued that domestic sales of glycine for pharmaceutical uses should be excluded from the basis for calculating the normal value because it was alleged that this type of glycine had to meet several additional specifications and was therefore not a like product.

However, this request cannot be granted, because it has not been proved that glycine for pharmaceutical uses has characteristics different from glycine used for other applications. In fact, no satisfactory evidence has been submitted showing that the requirement that glycine for pharmaceutical uses must be pyrogene-free does not apply also to glycine used for other applications. Both grades are therefore to be considered to be like products within the meaning of Article 2 (12) of Regulation (EEC) No 2176/84, whether they are sold for pharmaceutical purposes or for any other use. In any event, the exporter in question sold the product concerned for pharmaceutical applications both on the domestic market and for export to the Community.

C. Export price

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

D. Comparison

- (12) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability.
- (13) One exporter concerned claimed an allowance for differences in physical characteristics in respect of glycine sold for pharmaceutical purposes on the domestic market and the product exported to the Community.

This argument is rejected because, although the sales price of the product sold for pharmaceutical

applications was higher than the average sales price of all glycine, no evidence whatsoever was submitted to show that the difference in price is due to any difference in physical characteristics.

- (14) In addition, both exporters claimed an allowance for differences in quantities, in accordance with Article 2 (10) (b) (i) of Regulation (EEC) No 2176/84, for price discounts in respect of sales made on the domestic market. No satisfactory evidence was submitted, however, that price discounts had in fact been granted, or that they had been made freely available in the normal course of trade.
- (15) Both exporters also claimed allowances in order to take account of differences in conditions and terms of sale.

With regard to Yuki Gosei Kogyo allowances were granted for special rebates, sales commissions, salaries paid to salesmen, credit terms and transport. Allowances were not granted for warehouse charges, storage expenses, packing machinery, personal expense for the development of applications of glycine and the administrative costs for forwarding in the domestic market because these expenses were not considered to bear a direct relationship to the sales under consideration within the meaning of Article 2 (10) (c) of Regulation (EEC) No 2176/84.

With regard to Showa Denko allowances were granted for commissions, freight, insurance, stevedoring charges, loading charges, salesmen's salaries and ancillary costs and payment terms. Allowances were not granted for warehousing, inventory costs and personal expenses for pre-sale technical assistance and servicing because they were not considered to bear a direct relationship to the sales under consideration within the meaning of Article 2 (10) (c) of Regulation (EEC) No 2176/84. For technical assistance given after the sale no evidence was provided to support the claim.

- (16) All comparisons were made at ex-works level.

E. Margins

- (17) The above preliminary examination of the facts shows the existence of dumping in respect of Yuki Gosei Kogyo Co. Ltd and Showa Denko KK, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.

- (18) These margins vary according to the exporter, the weighted average margin for each of the exporters investigated being as follows:

- Yuki Gosei Kogyo : 33,4 %,
- Showa Denko KK : 41,0 %.

For those exporters who did not make themselves known in the course of the preliminary investigation, dumping was determined on the basis of the facts available. In this connection the Commission considered that the results of its investigation provided the most appropriate basis for determination of the margin of dumping and that it would constitute a bonus for non-cooperation and would create an opportunity for circumvention of the duty to hold that the dumping margin for these exporters was any lower than the highest dumping margin of 41 % determined with regard to an exporter who had cooperated in the investigation. For these reasons it is considered appropriate to use this latter dumping margin for this group of exporters.

F. Injury

- (19) With regard to the injury caused by the dumped imports the evidence available to the Commission shows that imports into the Community from Japan of glycine increased from 778 tonnes in 1980 to 1 444 tonnes in 1981; in 1982 the imports amounted to 1 017 tonnes and increased to 1 318 tonnes in 1983; during the first nine months of 1984 these imports reached 1 148 tonnes corresponding to 1 531 tonnes on an annual basis. This development corresponds to a consequent increase in market share held by the exporters from 42,4 % in 1980, to 53,7 % in 1984; in the years between 1980 and 1984 the market share had reached even higher levels, exceeding 60 % in 1981 and 1983.
- (20) The weighted average resale prices of these imports undercut the prices of Tessenderlo Chemie during the investigation period by up to 18 %. Furthermore, the resale prices of these imports were lower than those required to cover the costs of this Community producer and provide a reasonable profit.
- (21) With regard to the consequent impact of the dumped imports on the Community industry, it has been determined that Tessenderlo Chemie started regular production at the new plant at the beginning of 1984. This meant that the production capacity of the Community industry increased from approximately 1 000 tonnes to approximately 3 000 tonnes on an annual basis

compared to a yearly consumption of approximately 2 000 tonnes in the Community. It has also been determined that Tessenderlo Chemie was unable, during the first nine months of 1984, to reach a capacity utilization of more than 53 % or to increase its production to an economic level. In this respect it is reasonable to consider that, to the extent that Tessenderlo Chemie was unable to reach a higher capacity utilization due to the impossibility of selling more glycine on the Community market, such a situation is attributable to the dumped imports.

- (22) It has also been determined that the market share of the Community producers decreased from 47 % in 1980 to 44,7 % during the first nine months of 1984; however in 1981 it amounted to only 32,8 % and in 1982 and 1983 to approximately 35 %. In this respect it has been found that Tessenderlo Chemie was able to limit its loss of market share — of which the dumped imports took advantage — only by incurring price suppression in that it was unable to raise its prices to a level which was sufficient to cover its costs of production, which reflected a reasonable amount for depreciation of the new installations, and that it consequently suffered financial losses.

- (23) With regard to Tessenderlo Chemie, the exporters argued that it made an extraordinarily unwise investment decision because the capacity of the new plant, namely 3 000 tonnes per year, largely exceeds annual consumption within the Community, estimated at approximately 2 000 tonnes.

However, this argument is rejected by the Commission because the capacity of the plant should not only be considered in the light of domestic consumption in the Community and the development of new applications but also with a view to possible exports to third countries. This is particularly so in view of the fact that the Japanese exporters together have a production capacity of approximately 13 000 tonnes per year compared with a domestic consumption of 4 000 to 5 000 tonnes per year.

- (24) It was also argued that evidence concerning Japanese imports prior to 1984 is irrelevant for the proceeding because Article 4 (1) of Regulation (EEC) No 2176/84 requires that injury determinations be made in relation to an established Community industry. In this context it was alleged that the Community industry consists only of Tessenderlo Chemie, which had started producing glycine only in January 1984.

However, it has been established by the Commission that a Community glycine industry has been in existence since 1970 at least.

- (25) The exporters also claimed that both SPCI and the existing Community producer should not be considered to be a Community industry for injury purposes since they had themselves imported glycine from Japan.

The claim is rejected, however, because although the term Community industry may be interpreted as referring to the remaining producers where some producers are themselves importers of the allegedly dumped product, it is considered inappropriate to do so in this case. To do so would be unfair to the Community industry, since SPCI decided to purchase the Japanese product *inter alia* in order to protect its customer base, a policy which was continued by the present Community producer in the period following the takeover of the business of SPCI while its new plant was being constructed. Furthermore, it has been determined by the Commission that between 1980 and 1982 SPCI was only able to avoid losing its market share by itself importing certain quantities of the product originating in Japan, while the part of its market share supplied from its own production fell significantly. It has also been determined that as soon as Tessenderlo Chemie started the production at its new plant, it ceased importing the Japanese product.

- (26) The Commission has considered whether injury has been caused by other factors such as other imports.

The Commission noted, however, that the market share held by other imports fell from 10,6 % in 1980 to 1,6 % during the first nine months of 1984. The substantial increase in dumped imports and the prices at which they are offered for sale in the Community has led the Commission to determine that the effect of the dumped imports of glycine originating in Japan have to be considered as constituting material injury to the Community industry concerned.

G. Community interest and rate of duty

- (27) Some users argued that the adoption of protective measures is not in the interest of the Community because they would become totally dependent on supplies from Tessenderlo Chemie.

However, it has not been established that if protective measures are taken the users will become dependent on Tessenderlo Chemie and will have no possibility of benefiting from different sources of supply. It is not inconceivable that the other Community producer (Rexim) would increase its production or expand its production capacity, particularly taking into account the fact

that the consumption of this product is expected to increase significantly because of new applications. Furthermore, the absence of measures may possibly lead to the closure of the plant of Tessenderlo Chemie, the effect of which would be that Community users would depend almost exclusively on the Japanese exporters, whose price behaviour on the EEC market could very well change in order to raise prices to world levels. Finally, the imposition of protective measures is not aimed at the elimination of the imported product from the Community market, but at taking away the negative effects of the unfair pricing practised by exporters from non-member countries.

- (28) Some users also argued that a price increase resulting from the imposition of an anti-dumping duty will lead them to use substitute products. However, no supporting evidence has been submitted on this matter.

- (29) In view of the particularly serious difficulties facing the Community industry, the Commission has come to the conclusion that it is in the Community's interest that action be taken. In order to prevent further injury being caused during the remainder of the proceeding, this action should take the form of a provisional anti-dumping duty.

- (30) Having taken into account the selling price necessary to cover the cost of production of the Community industry and to provide an adequate profit, the Commission calculated the amount of the duty necessary to fully eliminate the injury suffered during the period of investigation as follows:

— with regard to Yuki Gosei: 14,5 % of the price per tonne net free-at-Community-frontier, before duty,

— with regard to Showa Denko: 31,2 % of the price per tonne net, free-at-Community-frontier, before duty.

- (31) In view of the probable effect on the competitive situation and structure in the Community market, where there are virtually only three suppliers, of the imposition of a provisional duty on exports of glycine made by Showa Denko of an amount equivalent to approximately the double of the amount of the provisional duty for Yuki Gosei, it is considered that it is in the Community's interests that, at the stage of the provisional measures and without prejudice to the final determinations, the amount of the duty to be imposed on Showa Denko should not exceed the amount of the duty to be imposed on Yuki Gosei.

- (32) Therefore the Commission has determined the amount of the provisional anti-dumping duty with regard to Yuki Gosei and Showa Denko at 14,5 % of the price per tonne net free-at-Community-frontier, before duty.
- (33) A period should be fixed within which the parties concerned may make their views known and request a hearing,

HAS ADOPTED THIS REGULATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of glycine falling within sub-heading 29.23 D IV of the Common Customs Tariff, corresponding to NIMEXE code 29.23-77, originating in Japan.

2. The amount of the duty shall be equal to 14,5 % of the price per tonne net, free-at-Community-frontier, before duty.

The free-at-Community-frontier prices shall be net if the conditions of sale provide for payment within 30 days from the date of shipment; they shall be

increased or reduced by 1 % for each increase or reduction of one month in the period for payment.

3. The provisions in force concerning customs duties shall apply.

4. The release for free circulation in the Community of the products 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 in writing and apply to be heard 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, it 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, 18 April 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION REGULATION (EEC) No 998/85

of 18 April 1985

fixing the amount of the subsidy on oil seeds

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 27 (4),

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⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84 ⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 3589/84 ⁽⁷⁾, as last amended by Regulation (EEC) No 956/85 ⁽⁸⁾;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza, rape and sunflower seed and in the absence of the amount of the monthly increase for September 1985 for colza and rape seed, the amount of the subsidy in the case of advance fixing for July, August and September 1985 for colza and rape seed and August 1985 for sunflower seed has been obtainable only provisionally on the basis of the target price and the monthly increase proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1985/86 marketing year is known;

Whereas, for the period 3 to 9 April 1985, for certain currencies:

- for the current month, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 differs by more than one point from the percentage adopted for the previous fixing,
- for certain following months the difference referred to in Article 2 (2) of Regulation (EEC) No 1569/72 exceeds 0,5 %; whereas this difference in the case of certain forward differential amounts differs by more than one point from the percentage adopted for the previous fixing;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3589/84 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annexes hereto.
2. The amount of the subsidy in the case of advance fixing for July, August and September 1985 for colza and rape seed and August 1985 for sunflower seed will, however, be confirmed or replaced as from 19 April 1985 to take into account the indicative price which is fixed for these products for the 1985/86 marketing year, and the amount of the monthly increase for September 1985 for colza and rape seed.

Article 2

This Regulation shall enter into force on 19 April 1985.

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 332, 20. 12. 1984, p. 63.

⁽⁸⁾ OJ No L 102, 12. 4. 1985, p. 25.

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

Done at Brussels, 18 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	11,761	11,761	11,233	5,383 (¹)	9,402 (¹)	9,922 (¹)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	30,74	30,74	29,56	15,85 (¹)	25,14 (¹)	27,08 (¹)
— Netherlands (Fl)	34,64	34,64	33,26	17,81 (¹)	28,28 (¹)	30,38 (¹)
— BLEU (Bfrs/Lfrs)	545,85	545,85	521,34	248,26 (¹)	434,95 (¹)	448,48 (¹)
— France (FF)	71,37	71,37	67,02	25,71 (¹)	54,44 (¹)	58,03 (¹)
— Denmark (Dkr)	98,97	98,97	94,53	45,30 (¹)	79,12 (¹)	82,74 (¹)
— Ireland (£ Irl)	8,822	8,822	8,420	3,959 (¹)	6,981 (¹)	6,894 (¹)
— United Kingdom (£)	7,543	7,543	7,220	3,600 (¹)	6,060 (¹)	6,137 (¹)
— Italy (Lit)	14 698	14 694	13 605	4 936 (¹)	10 968 (¹)	10 881 (¹)
— Greece (Dr)	657,73	657,73	604,51	74,92 (¹)	480,00 (¹)	527,07 (¹)

(¹) On the basis of the Commission's proposal concerning the indicative price and subject to confirmation by the Council's decision.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month
1. Gross aids (ECU)	18,727	18,727	19,519	19,519	14,959 (¹)
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	47,60	47,60	49,47	49,74	38,86 (¹)
— Netherlands (Fl)	53,63	53,63	55,70	55,99	43,73 (¹)
— BLEU (Bfrs/Lfrs)	869,15	869,15	905,91	904,25	692,62 (¹)
— France (FF)	118,38	118,38	123,38	122,19	90,87 (¹)
— Denmark (Dkr)	157,59	157,59	164,25	164,25	125,88 (¹)
— Ireland (£ Irl)	14,047	14,047	14,635	14,558	11,138 (¹)
— United Kingdom (£)	11,876	11,876	12,361	12,361	9,540 (¹)
— Italy (Lit)	24 483	24 478	25 335	25 026	18 497 (¹)
— Greece (Dr)	1 252,18	1 252,18	1 332,01	1 332,01	919,20 (¹)

(¹) On the basis of the Commission's proposal concerning the indicative price and subject to confirmation by the Council's decision.

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	1st month	2nd month	3rd month	4th month	5th month
DM	2,238060	2,231420	2,225060	2,219440	2,219440	2,202460
Fl	2,527170	2,522160	2,517140	2,512210	2,512210	2,497280
Bfrs/Lfrs	45,021000	45,038300	45,055500	45,074600	45,074600	45,154800
FF	6,822730	6,830680	6,837740	6,846250	6,846250	6,875290
Dkr	8,010230	8,016720	8,018770	8,018230	8,018230	8,018800
£ Irl	0,713810	0,716188	0,718356	0,720055	0,720055	0,725197
£	0,582779	0,584504	0,586176	0,587468	0,587468	0,590591
Lit	1 429,81	1 435,59	1 441,81	1 447,58	1 447,58	1 466,64
Dr	97,407300	97,398500	97,397300	97,401500	97,401500	97,499700

COMMISSION REGULATION (EEC) No 999/85
of 18 April 1985
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽¹⁾, as last amended by Regulation (EEC) No 1462/84 ⁽²⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Regulation (EEC) No 2515/84 ⁽³⁾, as last amended by Regulation (EEC) No 944/85 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2515/84

to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 37,724 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 19 April 1985.

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

Done at Brussels, 18 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.
⁽²⁾ OJ No L 142, 29. 5. 1984, p. 1.
⁽³⁾ OJ No L 234, 1. 9. 1984, p. 33.
⁽⁴⁾ OJ No L 101, 11. 4. 1985, p. 27.

COMMISSION REGULATION (EEC) No 1000/85

of 18 April 1985

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 April 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 18 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 18 April 1985 fixing the export refunds on cereals and on
wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	26,00 10,00
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	45,00 52,00 — 10,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	47,00 47,00 41,50 38,25 35,50 31,75

CCT heading No	Description	Refund <i>(ECU / tonne)</i>
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	 47,00 47,00 47,00 47,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	 173,00 164,00 146,00 138,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	 47,00

⁽¹⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.

⁽²⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 501/85 (OJ No L 60, 28. 2. 1985).

COMMISSION REGULATION (EEC) No 1001/85

of 18 April 1985

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1027/84⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 April 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 18 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 18 April 1985 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	34,58
11.07 A II b)	77,00
11.07 B	89,00

CORRIGENDA

**Corrigendum to Commission Regulation (EEC) No 919/85 of 3 April 1985 altering the
monetary compensatory amounts**

(Official Journal of the European Communities No L 99 of 8 April 1985)

Page 24, Annex I, Part 7, sugar, CCT heading Nos 17.02 ex D II, 17.02 E, 17.02 F I and 21.07 F IV,
column United Kingdom :

for: '0,036',

read: '0,0036'.

COMMISSION OF THE EUROPEAN COMMUNITIES

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1984

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ISBN 92-825-4858-9

CB-41-84-814-EN-C

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

Price (excluding VAT) in Luxembourg: Bfrs 250 £ Irl 4,10 £ 3,40 \$ US 4,50

OFFICE FOR OFFICIAL PUBLICATION OF THE EUROPEAN COMMUNITIES

L-2985 Luxembourg

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