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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1361/85

of 24 May 1985

extending the period of validity of the measures provided for by Regulation (EEC) No 3191/80 on transitional measures concerning non-recovery of the variable slaughter premium for sheepmeat and goatmeat products exported from the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1312/85⁽²⁾, and in particular Article 33 thereof,

Whereas Commission Regulation (EEC) No 3191/80 of 9 December 1980 on transitional measures concerning non-recovery of the variable slaughter premium for sheepmeat and goatmeat products exported from the Community⁽³⁾, as last amended by Commission Regulations (EEC) No 1558/82⁽⁴⁾ and (EEC) No 1054/84⁽⁵⁾, lays down that the period of validity of those measures shall end on the last day of the 1984/85 marketing year; whereas during this period the quantities exported within the framework of that Regulation have not been greater than the traditional

quantities; whereas while waiting for decisions on the measures concerning export in this sector it is appropriate to extend this period up to the end of the 1987 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulation (EEC) No 3191/80 is hereby extended until the end of the 1987 marketing year.

Article 2

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

It shall apply with effect from 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 22.

⁽³⁾ OJ No L 332, 10. 12. 1980, p. 14.

⁽⁴⁾ OJ No L 172, 18. 6. 1982, p. 21.

⁽⁵⁾ OJ No L 104, 17. 4. 1984, p. 5.

COMMISSION REGULATION (EEC) No 1362/85

of 24 May 1985

amending Regulation (EEC) No 2226/78 laying down detailed rules for the application of intervention measures in the beef and veal sector

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) (d) thereof,

Having regard to Council Regulation (EEC) No 1308/85 of 23 May 1985 fixing for the 1985/86 marketing year the guide price and intervention price for adult bovine animals ⁽²⁾, and in particular Article 3 (5) (c) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1308/85 lays down the rules for activating, suspending and resuming buying in by intervention agencies; whereas the provisions of Article 3 of Commission Regulation (EEC) No 2226/78 ⁽³⁾ should be adjusted accordingly;

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

Paragraphs 2 to 4 of Article 3 of Regulation (EEC) No 2226/78 are hereby replaced by the following:

- ‘2. The market prices referred to in Article 3 of Regulation (EEC) No 1308/85 shall be recorded

each week in each Member State or region of each Member State within the meaning of Article 1 in accordance with Articles 1 and 2 of Regulation (EEC) No 1557/82.

3. The date for activating buying-in operations pursuant to Article 3 (1) of Regulation (EEC) No 1308/85 and for resuming such operations pursuant to Article 2 (3) of that Regulation shall be on the second Monday following the price recording referred to in paragraph 2. However, where the market situation of a Member State so requires, the activation and resumption of buying-in operations shall be brought forward; in no case may buying in be resumed before the Monday following the recording.

4. The suspension of buying-in provided for in Article 3 (2) of Regulation (EEC) No 1308/85 shall take place on the second Monday following the price recording referred to in paragraph 2. In this case meat bought in shall be taken over by the intervention agencies by the end of the week following such recording.’

Article 2

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

It shall apply from 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 16.

⁽³⁾ OJ No L 261, 26. 7. 1978, p. 5.

COMMISSION REGULATION (EEC) No 1363/85

of 24 May 1985

amending Regulation (EEC) No 1767/82 as regards the adjustment of the free-at-frontier values of certain cheeses for the 1985/86 milk year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

laid down by Commission Regulation (EEC) No 1767/82⁽⁵⁾, as last amended by Regulation (EEC) No 212/85⁽⁶⁾;

Having regard to the Treaty establishing the European Economic Community,

Whereas, as a result of the fixing of the target price and the threshold prices for the 1985/86 milk year, it is necessary to adjust some free-at-frontier values shown in Annex I to Regulation (EEC) No 1767/82;

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 1298/85⁽²⁾, and in particular Article 14 (7) thereof,

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

Whereas Articles 7 (2) and 9 (2) of Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 1300/85⁽⁴⁾, provide for the adjustment of the free-at-frontier values for certain cheeses for any variation in the target price for milk or the threshold price of Cheddar; whereas these values were

HAS ADOPTED THIS REGULATION:

Article 1

Points (d), (e) and (f) in Annex I to Regulation (EEC) No 1767/82 are hereby amended as follows:

'CCT heading No	Description	Country of origin	Import levy in ECU per 100 kg net weight
(a) ex 04.04 A	Emmentaler, Gruyère, Sbrinz, Appenzell, Vacherin fribourgeois and Tête de moine, not grated or powdered, of a minimum fat content of 45 % by weight, in the dry matter, matured for at least two months in the case of Vacherin fribourgeois and at least three months in the case of the others: — Whole cheeses with rind⁽¹⁾ (a), of a free-at-frontier value⁽²⁾ of not less than 362,88 ECU but less than 387,06 ECU per 100 kg net weight, — Pieces packed in vacuum or in inert gas, with rind⁽¹⁾ (a) on at least one side, of a net weight of not less than 1 kg but less than 5 kg and of a free-at-frontier value of not less than 387,06 ECU but less than 411,24 ECU per 100 kg net weight	Switzerland	18,13

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 7.

⁽⁵⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 24, 29. 1. 1985, p. 15.

CCT heading No	Description	Country of origin	Import levy in ECU per 100 kg net weight
(b) ex 04.04 A	Emmentaler, Gruyère, Sbrinz, Appenzell, Vacherin fribourgeois and Tête de Moine, not grated or powdered, of a minimum fat content of 45 % by weight, in the dry matter, matured for at least two months in the case of Vacherin fribourgeois, and at least three months in the case of the others : — Whole cheeses with rind⁽¹⁾ (a), of a free-at-frontier value⁽²⁾, not less than 387,06 ECU per 100 kg net weight, — Pieces packed in vacuum or in inert gas⁽³⁾, with rind⁽¹⁾ (a) on at least one side, of a net weight of not less than 1 kg and of a free-at-frontier value⁽²⁾ not less than 411,24 ECU per 100 kg net weight, — pieces packed in vacuum or in inert gas⁽³⁾, of a net weight not exceeding 450 g and of a free-at-frontier value⁽²⁾ of not less than 445,09 ECU per 100 kg net weight	Switzerland	9,07
(d) ex 04.04 E I b) 1	Cheddar, made from unpasteurized milk, of a minimum fat content of 50 % by weight, in the dry matter, matured for at least nine months, of a free-at-frontier value⁽²⁾ per 100 kg net weight of not less than : — 293,86 ECU in the case of whole cheeses⁽¹⁾ (b), — 312,00 ECU in the case of cheeses of a net weight of not less than 500 g, — 324,09 ECU in the case of cheeses of a net weight of less than 500 g, subject to an annual tariff quota of 2 750 tonnes	Canada	12,09'

Article 2

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

It shall apply from 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1364/85

of 24 May 1985

fixing the adjustments to be made to certain refunds fixed in advance for milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽³⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas, under the third subparagraph of Article 5 (3) of Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EEC) No 2429/72 ⁽⁶⁾, it is possible for refunds fixed in advance to be adjusted where there is a change in the intervention prices and in certain forms of aid;

Whereas Council Regulation (EEC) No 1299/85 ⁽⁷⁾ fixed the new intervention prices applicable for milk and milk products for the 1985/86 milk year;

Whereas, on 29 January 1985, the Commission announced its intention at the beginning of the new marketing year to bring refunds fixed in advance into line with the new intervention prices ⁽⁸⁾;

Whereas it is necessary, as already announced, to limit operation of the adjustment to cases where the export licence was applied for on or before the day preceding that on which the Council decided on the new prices and measures applicable during the 1985/86 milk

year; whereas, moreover, account must also be taken, on a standard basis, of the dates of production of the different milk products;

Whereas, under the third subparagraph of Article 5 (2) of Council Regulation (EEC) No 3035/80 ⁽⁹⁾, as last amended by Regulation (EEC) No 1028/83 ⁽¹⁰⁾, refunds fixed in advance for the products specified in the Annex to that Regulation are adjusted according to the rules applicable to the advance fixing of the refund on basic products exported unprocessed; whereas it is necessary, therefore, to provide that refunds fixed in advance in respect of the said products may also be adjusted accordingly;

Whereas this Regulation will be supplemented by a Commission Regulation fixing the adjustments to be made to monetary compensatory amounts fixed in advance for milk and milk products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Refunds fixed in advance until 16 May 1985 inclusive in respect of the products listed in Annex I shall be the subject of adjustments fixed in accordance with the said Annex and the rules set out below.

Article 2

1. The positive adjustments shall be applicable, at the request of the party concerned, to:

- (a) — products falling within heading No 04.01 of the Common Customs Tariff, with the exception of UHT or sterilized milk or UHT or sterilized cream, and
- cottage cheese or cream cheese falling within subheading 04.04 E I c) of the Common Customs Tariff,

exported on or after 3 June 1985;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁶⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁷⁾ OJ No L 137, 27. 5. 1985, p. 6.

⁽⁸⁾ OJ No C 27, 29. 1. 1985, p. 6.

⁽⁹⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽¹⁰⁾ OJ No L 116, 30. 4. 1983, p. 9.

(b) products falling within subheading 04.04 D of the Common Customs Tariff exported on or after 8 July 1985;

(c) products falling within the following subheadings of the Common Customs Tariff:

04.02 A II a) 2,
04.02 A II a) 3,
04.02 A II a) 4,
04.02 A II b) 2,
04.02 A II b) 3,
04.02 A II b) 4,
04.02 B I b) 1 bb),
04.02 B I b) 1 cc),
04.02 B I b) 2 bb),
04.02 B I b) 2 cc),

exported on or after 17 June 1985;

(d) UHT or sterilized milk and UHT or sterilized cream and products other than those referred to under point (a), (b) or (c), exported on or after 26 August 1985;

2. However, for products other than those referred to under paragraph 1 (a) and (b), where evidence is produced to the satisfaction of the competent authorities that the product in question was manufactured during the 1985/86 milk year, the positive adjustments shall be applied to exports made on or after 3 June 1985.

For the products falling with subheading 23.07 B of the Common Customs Tariff, the production of evidence referred to above also concerns skimmed milk falling within subheading ex 04.01 A II or skimmed-milk powder incorporated in the products falling within subheading ex 04.02 A II.

Article 3

1. The negative adjustments shall be applicable to the products in question which are exported on or after 27 May 1985.

2. For products exported between 27 May and 26 June 1985 the negative adjustments shall not apply to products in cases where it can be proved to the satisfaction of the competent authorities that the product in question was manufactured before 27 May 1985.

For products falling within subheading 04.03 B of the Common Customs Tariff, the negative adjustment shall not be applied if proof is furnished that the

butter falling within subheading 04.03 A of the Common Customs Tariff used to manufacture the foregoing products was produced before 27 May 1985.

Article 4

No adjustment shall be applicable to refunds fixed in advance for:

- butter, butteroil or ghee exported in accordance with Regulations (EEC) No 2268/84 ⁽¹⁾, (EEC) No 2278/84 ⁽²⁾ or (EEC) No 2956/84 ⁽³⁾;
- cheeses exported to zone E and Canada,
- cheeses listed in Annex II b) to Regulation (EEC) No 2729/81 exported to Australia.

Article 5

For the milk products referred to in Annex II, the adjustments of refunds fixed in advance until 16 May 1985 inclusive shall apply in accordance with the same conditions as those for products exported in an unprocessed state referred to in Articles 2 and 3.

Article 6

1. The Member States shall make the necessary arrangements, including the appropriate supervision measures, concerning the supporting documents which may be used as the evidence referred to in Articles 2 (2) and 3 (2).

2. The date to be taken into account for determining:

- the date of the advance fixing shall be the day on which the application for the export licence was lodged, within the meaning of Article 14 (1) of Commission Regulation (EEC) No 3183/80 ⁽⁴⁾,
- the date of export shall be the date on which the customs formalities referred to in Article 22 (1) (b) of Regulation (EEC) No 3183/80 are completed.

Article 7

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

It shall apply from 27 May 1985.

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 35.

⁽²⁾ OJ No L 209, 4. 8. 1984, p. 8.

⁽³⁾ OJ No L 279, 23. 10. 1984, p. 4.

⁽⁴⁾ OJ No L 338, 13. 12. 1980, p. 1.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

List of the adjustments mentioned in Article 1 applicable to refunds fixed in advance for products specified in Article 1 of Regulation (EEC) No 804/68

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened : ex A. Other than whey, of a fat content, by weight, not exceeding 6 % ⁽¹⁾ : I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk : a) In immediate packings of a net capacity of two litres or less : (1) Of a fat content, by weight, not exceeding 1,5 % + 0,74 (2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 % + 0,61 (3) Of a fat content, by weight, exceeding 3 % + 0,48 b) Other : (1) Of a fat content, by weight, not exceeding 1,5 % + 0,74 (2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 % + 0,61 (3) Of a fat content, by weight, exceeding 3 % + 0,48 II. Other : a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1,5 % + 0,74 (bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 % + 0,61 (cc) Of a fat content, by weight, exceeding 3 % + 0,48 2. Exceeding 4 % + 0,39 b) Other, of a fat content, by weight : 1. Not exceeding 4 % : (aa) Of a fat content, by weight, not exceeding 1,5 % + 0,74 (bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 % + 0,61 (cc) Of a fat content, by weight, exceeding 3 % + 0,48 2. Exceeding 4 % + 0,39	

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight⁽¹⁾: ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	+ 0,23 — 0,19 — 0,79 — 1,13 — 2,32 — 2,65 — 3,17 — 5,12 — 6,15
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar⁽²⁾ : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 %	+ 8,16 + 8,16 + 6,53 + 5,35 + 4,15 + 3,99 + 3,82

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 % b) Other, of a fat weight content : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 %	+ 3,51 + 1,37 + 0,67 — 1,76 — 3,53 — 5,26 + 8,16 + 8,16 + 6,53 + 5,35 + 4,15 + 3,99 + 3,82 + 3,51 + 1,37 + 0,67 — 1,76 — 3,53 — 5,26

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net content of 2,5 kg or less and of a fat content by weight not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8,9 % and of a non-fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight — (22) Exceeding 3 %, by weight + 0,48 (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight + 1,93 (22) Exceeding 3 %, by weight, but not exceeding 7,4 % + 1,57 (33) Exceeding 7,4 % + 0,96 2. Other, of a non fat lactic dry matter content : (aa) Of less than 15 %, by weight — 0,02 (bb) Of 15 % or more, by weight + 1,13 b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight — (22) Exceeding 3 %, by weight, but not exceeding 8,9 % + 0,48 (33) Exceeding 8,9 %, by weight, but not exceeding 11 % — 0,02 (44) Exceeding 11 %, by weight, but not exceeding 21 % — 0,28 (55) Exceeding 21 %, by weight, but not exceeding 39 % — 1,13 (66) Exceeding 39 % — 2,65 (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight + 1,93 (22) Exceeding 3 %, by weight, but not exceeding 7,4 % + 1,57 (33) Exceeding 7,4 %, by weight, but not exceeding 8,9 % + 0,96 (44) Exceeding 8,9 % + 1,13 2. Exceeding 45 % — 3,17	

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : aa) Not exceeding 1,5 % bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 % 2. Other, of a fat content, by weight : aa) Not exceeding 1,5 % bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 %	+ 0,0816 per kg (*) + 0,0816 per kg (*) + 0,0653 per kg (*) + 0,0535 per kg (*) + 0,0415 per kg (*) + 0,0399 per kg (*) + 0,0137 per kg (*) + 0,0816 per kg (*) + 0,0816 per kg (*) + 0,0653 per kg (*) + 0,0535 per kg (*) + 0,0415 per kg (*) + 0,0399 per kg (*) + 0,0137 per kg (*)

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.02 (cont'd)	ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In immediate packings of a net capacity of 2,5 kg or less and of a fat content by weight not exceeding 9,5 % : (1) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight — (22) Exceeding 3 % by weight + 0,0048 per kg (*) (bb) Of 15 % or more + 2,23 (*) (2) Of a fat content, by weight, exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more + 1,28 (*) b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more + 2,23 (*) (bb) Of a fat content, by weight, exceeding 6,9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more + 1,28 (*) (cc) Of a fat content by weight, exceeding 9,5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % — 0,0011 per kg (*) (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % — 0,0113 per kg (*) (ee) Of a fat content, by weight, exceeding 39 % — 0,0265 per kg (*) 2. Exceeding 45 % — 0,0317 per kg (*)	
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % — 4,91 (II) Of a fat content, by weight, of 78 % or more but less than 80 % — 6,18 (III) Of a fat content, by weight, of 80 % or more, but less than 82 % — 6,34 (IV) Of a fat content, by weight, of 82 % or more — 6,50 B. Other, of a fat content, by weight : (I) Not exceeding 99,5 % — 6,50 (II) Exceeding 99,5 % — 7,93	

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.04	Cheese and curd : ex A. Emmentaler and Gruyère, not grated or powdered ex C. Blue-veined cheese, not grated or powdered, other than Roquefort D. Processed cheese, not grated or powdered, of a fat content, by weight : I. Not exceeding 36 % and of a fat content, by weight, in the dry matter : ex a) Not exceeding 48 % and of a dry matter content, by weight : (1) Of 27 % or more but less than 33 % (2) Of 33 % or more but less than 38 % (3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter : (aa) Less than 20 % (bb) Of 20 % or more (4) Of 43 % or more and of a fat content, by weight, in the dry matter : (aa) Less than 20 % (bb) Of 20 % or more but less than 40 % (cc) Of 40 % or more ex b) Exceeding 48 % and of a dry matter content, by weight : (1) Of 33 % or more but less than 38 % (2) Of 38 % or more but less than 43 % (3) Of 43 % or more but less than 46 % (4) Of 46 % or more and of a fat content, by weight, in the dry matter : (aa) Less than 55 % (bb) Of 55 % or more II. Exceeding 36 % E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter : ex a) Not exceeding 47 % : (1) Grana Padano, Parmigiano Reggiano (2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk	+ 6,18 + 4,14 + 2,30 + 1,85 + 1,85 + 2,46 + 1,85 + 2,46 + 3,50 + 1,85 + 2,46 + 3,50 + 3,50 + 4,11 + 4,11 + 9,15 + 9,15

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.04 (cont'd)	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more + 9,15 b) Exceeding 47 % but not exceeding 72 % : ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more + 4,84 ex 2. Other, of a fat content, by weight, in the dry matter⁽⁶⁾ : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) + 10,01 (bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) + 8,98 (cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey) + 7,40 (dd) Of 39 % or more : (11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano + 4,84 (22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit + 5,44 (33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio + 4,70 (44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney + 4,53 (55) Salted ricotta, of a fat content, by weight, of 30 % or more — 2,33 (66) Feta + 4,07 (77) Colby, Monterey + 4,53 (88) Kefalotyri, Kefalograviera and Kasseri manufactured exclusively from sheep's and/or goats' milk + 4,84 (99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter : (aaa) Exceeding 47 % but not exceeding 52 % + 4,53 (bbb) Exceeding 52 % but not exceeding 62 % + 5,44 ex c) Exceeding 72 % (excluding cheeses produced from whey)⁽⁶⁾ : 1. In immediate packings of a net capacity not exceeding 500 grams : (aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 % + 3,86	

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
04.04 (cont'd)	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :	
	(11) Of 60 % or more but less than 69 %	+ 0,72
	(22) Of 69 % or more	— 0,28
	(cc) Other	—
	2. Other :	
	(aa) Cottage cheese	+ 3,86
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :	
	(11) Of 60 % or more but less than 69 %	+ 0,72
	(22) Of 69 % or more	— 0,28
	(cc) Other	—
	ex II. Other (excluding cheeses produced from whey) :	
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :	
	(1) Of 60 % or more but less than 80 %	+ 2,71
	(2) Of 80 % or more but less than 85 %	+ 3,61
	(3) Of 85 % or more but less than 95 %	+ 3,84
	(4) Of 95 % or more	+ 4,29
23.07	Sweetened forage ; other preparations of a kind used in animal feeding :	
	ex B. Other, containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs (?) :	
	I. Containing starch, or glucose or glucose syrup, or maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II :	
	a) Containing no starch or containing 10 % or less, by weight, of starch :	
	(3) Containing 50 % or more but less than 75 %, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of :	
	(aa) Less than 30 %	—
	(bb) 30 % or more but less than 40 %	+ 0,35 ⁽⁸⁾
	(cc) 40 % or more but less than 50 %	+ 0,46 ⁽⁸⁾

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight (unless otherwise indicated)
23.07 (cont'd)	(dd) 50 % or more but less than 60 %	+ 0,58 ⁽⁸⁾
	(ee) 60 % or more but less than 70 %	+ 0,70 ⁽⁸⁾
	(ff) 70 % or more	+ 0,81 ⁽⁸⁾
	(4) Containing 75 % or more, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of :	
	(aa) Less than 30 %	—
	(bb) 30 % or more but less than 40 %	+ 0,35 ⁽⁸⁾
	(cc) 40 % or more but less than 50 %	+ 0,46 ⁽⁸⁾
	(dd) 50 % or more but less than 60 %	+ 0,58 ⁽⁸⁾
	(ee) 60 % or more but less than 70 %	+ 0,70 ⁽⁸⁾
	(ff) 70 % or more but less than 75 %	+ 0,81 ⁽⁸⁾
	(gg) 75 % or more but less than 80 %	+ 0,87 ⁽⁸⁾
	(hh) 80 % or more	+ 0,93 ⁽⁸⁾
	ex II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, and containing 50 % or more milk products, by weight, and with a milk content in powder or granules (excluding whey), by weight, of :	
	(a) 30 % or more but less than 40 %	+ 2,45
	(b) 40 % or more but less than 50 %	+ 3,26
	(c) 50 % or more but less than 60 %	+ 4,08
	(d) 60 % or more but less than 70 %	+ 4,90
	(e) 70 % or more but less than 80 %	+ 5,71
	(f) 80 % or more but less than 88 %	+ 6,53
	(g) 88 % or more	+ 7,18

- (1) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no adjustment shall be granted.
- (2) The weight of the added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight.

When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of adjustment.

- (4) The weight of added non-lactic matter and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.

The adjustment per 100 kg of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
- (b) on or after 1 July 1985, the amount of the adjustment, if any, calculated for the saccharose content in accordance with the provisions of Article 15 of Regulation (EEC) No 2384/84 (OJ No L 221, 18. 8. 1984, p. 16).
- (5) The adjustment on 100 kg of product falling within this subheading is equal to the sum of the following elements :
- (a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :
- multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then,
 - divided by the weight of the lactic part contained in 100 kg of product ;
- (b) on or after 1 July 1985, the amount of the adjustment, if any, calculated for the saccharose content in accordance with the provisions of Article 15 of Regulation (EEC) No 2384/84 (OJ No L 221, 18. 8. 1984, p. 16).
- (6) This amount applies to the net weight, minus the weight of the brine.
- (7) 'Special compound feedingstuffs' are compound feedingstuffs, containing skimmed-milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.
- (8) When the refund for the milk powder or granules (excluding whey) incorporated in this product has been fixed in advance before 4 March 1985 and the amount of the aid referred to in Article 4 of Regulation (EEC) No 462/85 (OJ No L 54, 23. 2. 1985, p. 15) has been recovered, the amount of the adjustment is equal to the amount applicable to the product falling within subheading 23,07 ex B II in which the same quantity of milk powder or granules (excluding whey) is incorporated.

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

ANNEX II

List of the adjustments mentioned in Article 5 applicable to refunds fixed in advance in respect of certain products indicated in Annex A to Regulation (EEC) No 3035/80 and specified in Article 1 of Regulation (EEC) No 804/68 exported in the form of goods included in the Annex to the latter Regulation

CCT heading No	Description	Amount of adjustment ECU/100 kg net weight
ex 04.02 A II	Milk powder, obtained by the spray process, of a fat content, by weight, of less than 1,5 % and of a water content, by weight, of less than 5 % (PG 2)	+ 8,16
ex 04.02 A II	Milk powder, obtained by the spray process, of a fat content, by weight, of 26 % and of a water content, by weight, of less than 5 % (PG 3)	+ 4,15
ex 04.02 A III	Condensed milk, of a fat content, by weight of 7,5 % and of a weight referred to dry matter of 25 % (PG 4)	+ 0,96
ex 04.03	Butter of a fat content, by weight, of 82 % (PG 6)	— 6,50

COMMISSION REGULATION (EEC) No 1365/85

of 24 May 1985

amending Regulations (EEC) No 2191/81 and (EEC) No 2192/81 as regards the amount of aid for butter

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 1298/85 ⁽²⁾, and in particular Article 12 (3) thereof,

Whereas Commission Regulations (EEC) No 2191/81 ⁽³⁾ and (EEC) No 2192/81 ⁽⁴⁾, as last amended by Regulation (EEC) No 1375/84 ⁽⁵⁾, fixed the level of aid for the purchase of butter by non-profit-making institutions and organizations and by the armies and similar forces of the Member States; whereas, in view of market trends, it seems necessary to adjust the amount of this aid;

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 2 (1) of Regulation (EEC) No 2191/81 and in Article 2 (1) of Regulation (EEC) No 2192/81, '157 ECU' is in each case hereby replaced by '150,5 ECU'.

Article 2

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

It shall apply from 1 June 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 213, 1. 8. 1981, p. 20.

⁽⁴⁾ OJ No L 213, 1. 8. 1981, p. 24.

⁽⁵⁾ OJ No L 132, 18. 5. 1984, p. 30.

COMMISSION REGULATION (EEC) No 1366/85

of 24 May 1985

amending Regulation (EEC) No 2268/84 and (EEC) No 2278/84 as regards the selling price of intervention butter for export

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 1298/85 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Article 2 (1) of Commission Regulation (EEC) No 2268/84 of 31 July 1984 on special sales of intervention butter for export to various destinations and amending Regulation (EEC) No 1687/76 ⁽³⁾, as last amended by Regulation (EEC) No 1007/85 ⁽⁴⁾, provides that intervention butter for export which is six months old or more on the date of signature of the contract may be sold at the buying-in price applied by the intervention agency at the time the sales contract is concluded, less 34,50 ECU per 100 kilograms; whereas Article 2 (1) (b) of Commission Regulation (EEC) No 2278/84 of 31 July 1984 on the sale at a fixed price of butter to be exported to certain destinations in the form of ghee and amending Regulation (EEC) No 1687/76 ⁽⁵⁾, as last amended by Regulation (EEC) No 3480/84 ⁽⁶⁾, provides that intervention butter taken into store before 1 April 1983 and intended for export as pure butter ghee may be sold at the

buying-in price applied by the intervention agency at the time the sales contract is concluded, less 40 ECU per 100 kilograms;

Whereas, from the start of the 1985/86 milk year, the buying-in price of butter is to be reduced by 6,50 ECU per 100 kilograms; whereas, in order to avoid having to change export prices, the reduction in the selling price of intervention butter as laid down in the said Regulations should be cut by the same amount as the buying-in price;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. '34,50 ECU' in Article 2 (1) of Regulation (EEC) No 2268/84 is hereby replaced by '28 ECU'.
2. '40 ECU' in Article 2 (1) (b) of Regulation (EEC) No 2278/84 is hereby replaced by '33,50 ECU'.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 208, 3. 8. 1984, p. 35.

⁽⁴⁾ OJ No L 108, 20. 4. 1985, p. 7.

⁽⁵⁾ OJ No L 209, 4. 8. 1984, p. 8.

⁽⁶⁾ OJ No L 326, 13. 12. 1984, p. 13.

COMMISSION REGULATION (EEC) No 1367/85

of 24 May 1985

amending the provisions implementing monetary compensatory amounts with effect from 27 May 1985 in respect of intervention butter sold at a reduced price

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾, and in particular Article 6 thereof,

Whereas Article 7 (1) of Commission Regulation (EEC) No 1160/82 of 14 May 1982 providing for the advance fixing of monetary compensatory amounts ⁽³⁾, as last amended by Regulation (EEC) No 469/85 ⁽⁴⁾, provides that monetary compensatory amounts fixed in advance are to be adjusted if a new representative rate comes into effect while a certificate is valid; whereas the new rate must have been decided on before the application for advance fixing is lodged; whereas this situation will arise on 27 May 1985 in the case of France, Greece and Italy;

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 1343/85 ⁽⁵⁾; whereas Annex IV to the said Regulation sets out the coefficients to be applied to monetary compensatory amounts fixed in advance for milk and milk products to be exported on or after 27 May 1985;

Whereas, under Commission Regulation (EEC) No 2268/84 ⁽⁶⁾, as last amended by Regulation (EEC) No 1007/85 ⁽⁷⁾, Commission Regulation (EEC) No 2278/84 ⁽⁸⁾, as last amended by Regulation (EEC) No

3480/84 ⁽⁹⁾, and Commission Regulation (EEC) No 2956/84 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 3457/84 ⁽¹¹⁾, butter in public intervention storage has been made available to operators at a reduced price for export to non-member countries; whereas the said Regulations provide that the purchase price of this butter is not to be affected by any changes to representative rates during the life of a contract; whereas the adjustment of monetary compensatory amounts fixed in advance before 16 May 1985, as provided for in Article 7 (1) of Regulation (EEC) No 1160/82, should not be carried out in respect of intervention butter sold at a reduced price for export from France on or after that date;

Whereas the monetary compensatory amounts applying in the said Member States are to be adjusted from 27 May 1985 as a result of the introduction of new representative rates; whereas, however, monetary compensatory amounts should remain unchanged in respect of butter sold under Regulations (EEC) No 2268/84, (EEC) No 2278/84 and (EEC) No 2956/84 before 27 May 1985 and shipped to another Member State on or after that date for processing into butteroil prior to being exported;

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

Monetary compensatory amounts fixed in advance before 16 May 1985 in respect of intervention butter sold before that date under Regulations (EEC) No 2268/84, (EEC) No 2278/84 and (EEC) No 2956/84 for export on or after 27 May 1985 as butter or in the form of another product falling within heading No 04.03 of the Common Customs Tariff shall not be subject to the coefficients set out in Annex IV to Regulation (EEC) No 1343/85 for France.

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽³⁾ OJ No L 134, 15. 5. 1982, p. 22.

⁽⁴⁾ OJ No L 58, 26. 2. 1985, p. 5.

⁽⁵⁾ OJ No L 138, 27. 5. 1985, p. 2.

⁽⁶⁾ OJ No L 208, 3. 8. 1984, p. 35.

⁽⁷⁾ OJ No L 108, 20. 4. 1985, p. 7.

⁽⁸⁾ OJ No L 209, 4. 8. 1984, p. 8.

⁽⁹⁾ OJ No L 326, 13. 12. 1984, p. 13.

⁽¹⁰⁾ OJ No L 279, 23. 10. 1984, p. 4.

⁽¹¹⁾ OJ No L 319, 8. 12. 1984, p. 9.

Article 2

Monetary compensatory amounts applicable to France on 26 May 1985 for butter sold under Regulations (EEC) No 2268/84, (EEC) No 2278/84 and (EEC) No 2956/84 and in respect of which contracts of sale were concluded before 27 May 1985 shall remain valid for

the quantities shipped from this Member State to another Member State on or after 27 May 1985.

Article 3

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, 24 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1368/85

of 24 May 1985

fixing the buying-in prices for forequarters in the beef and veal sector valid with effect from 27 May 1985 and repealing Regulation (EEC) No 1177/85

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) (c) thereof,

Having regard to Council Regulation (EEC) No 1308/85 of 23 May 1985 fixing for the 1985/1986 marketing year the guide price and intervention price for adult bovine animals ⁽²⁾, and in particular Article 3 (5) thereof,

Whereas, pursuant to the provisions of Council Regulation (EEC) No 1302/73 of 15 May 1973 laying down general rules for intervention on the market in beef and veal ⁽³⁾, the qualities and presentations of products bought in must be determined while taking account, on the one hand, of the need to ensure effective support for the market and balance between the market in question and that of rival animal products and, on the other hand, the Community's financial responsibilities in this field; whereas buying-in operations should therefore be restricted to certain presentations;

Whereas, by Regulation (EEC) No 869/84 of 31 March 1984 ⁽⁴⁾, the Council decided, by way of an experiment, to implement for a period of three years the Community scale for the classification of carcasses of adult bovine animals established under Regulation (EEC) No 1208/81 ⁽⁵⁾ in connection with intervention measures; whereas the categories and qualities of products which may be bought in by the intervention agencies must therefore be defined on the basis of the said scale;

Whereas Article 2 of Regulation (EEC) No 869/84 provides for the rapprochement of buying-in prices in three equal stages from the 1984/85 marketing year and the fixing of a single buying-in price throughout

the Community at the start of the 1986/87 marketing year; whereas the second stage should be commenced at the end of one year of application of the Community scale;

Whereas the maximum and minimum limits within which the Member States may vary the buying-in prices to take account of the classification subdivisions which they apply by virtue of Article 3 (3) of Regulation (EEC) No 1208/81 should be defined for each quality;

Whereas the joint presentation of the forequarter and hindquarter from the same half-carcass serves to facilitate controls carried out by the intervention agency as regards respect for the rules governing quality and the classification of meats presented; whereas, to this effect, provisions should be introduced enabling the intervention agencies to require that the two quarters be presented together;

Whereas Commission Regulation (EEC) No 1177/85 of 6 May 1985 fixing the buying-in prices for forequarters in the beef and veal sector valid with effect from 13 May 1985 ⁽⁶⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. With effect from 27 May 1985, the intervention agencies shall purchase the forequarters of certain qualities of adult bovine animals offered subject to the conditions laid down in Regulation (EEC) No 2226/78 ⁽⁷⁾ at prices fixed for each product in the Annex hereto.

2. The buying-in prices for each quality, referred to in paragraph 1, may be increased by a maximum of 2 ECU or reduced by a maximum of 5 ECU to take account of the possible subdivision of each classification under the Community scale referred to in Article 3 (3) of Regulation (EEC) No 1208/81.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 16.

⁽³⁾ OJ No L 132, 15. 5. 1973, p. 3.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 32.

⁽⁵⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽⁶⁾ OJ No L 122, 7. 5. 1985, p. 13.

⁽⁷⁾ OJ No L 261, 26. 9. 1978, p. 5.

3. The Member States which proceed with the subdivision of classes foreseen in paragraph 2 are authorized to limit purchases into intervention to some of these sub-classes.

4. Subject to the conditions referred to above, only meats from male animals shall be eligible for buying-in operations.

5. At the request of the intervention agency concerned, the operator shall present to the latter,

together with the forequarter offered, the hinquarter from the same half-carcase.

Article 2

Regulation (EEC) No 1177/85 is hereby repealed.

Article 3

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

It shall apply from 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

Kategori	A:	Slagtekroppe af unge ikke-kastrerede handyr på under to år,
Kategori	C:	Slagtekroppe af kastrerede handyr.
Kategorie	A:	Schlachtkörper von jungen männlichen, nicht kastrierten Tieren von weniger als 2 Jahren,
Kategorie	C:	Schlachtkörper von männlichen kastrierten Tieren.
Κατηγορία	A:	Σφάγια νεαρών μη ευνουχισμένων αρρένων ζώων κάτω των 2 ετών,
Κατηγορία	C:	Σφάγια ευνουχισμένων αρρένων ζώων.
Category	A:	Carcases of uncastrated young male animals of less than two years of age,
Category	C:	Carcases of castrated male animals.
Catégorie	A:	Carcasses de jeunes animaux mâles non castrés de moins de 2 ans,
Catégorie	C:	Carcasses d'animaux mâles castrés.
Categoria	A:	Carcasse di giovani animali maschi non castrati di età inferiore a 2 anni,
Categoria	C:	Carcasse di animali maschi castrati.
Categorie	A:	Geslachte niet-gecastreerde jonge mannelijke dieren minder dan 2 jaar oud,
Categorie	C:	Geslachte gecastreerde mannelijke dieren.

Opkøbspris i ECU pr. 100 kg af produkterne
 Ankaufspreis in ECU je 100 kg des Erzeugnisses
 Τιμή αγοράς σε ECU ανά 100 χγρ προϊόντων
 Buying-in price in ECU per 100 kg of product
 Prix d'achat en Écus par 100 kilogrammes de produits
 Prezzi di acquisto in ECU per 100 kg di prodotti
 Aankoopprijs in Ecu per 100 kg produkt

BELGIQUE/BELGIË

— Quartiers avant, découpe droite à 8 côtes, provenant des :

— Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :

Catégorie A classe U2 / Catégorie A classe U2	290,158
Catégorie A classe R2 / Catégorie A classe R2	278,958
Catégorie A classe R3 / Catégorie A classe R3	276,158
Catégorie A classe O2 / Catégorie A classe O2	267,358
Catégorie A classe O3 / Catégorie A classe O3	263,358
Catégorie C classe R3 / Catégorie C classe R3	269,060

DANMARK

— Forfjerdinger, udskåret, med 5 ribben, idet slag og bryst bliver siddende på forfjerdingeren, af:

Kategori A klasse R2	260,675
Kategori A klasse R3	258,050
Kategori A klasse O2	249,800
Kategori A klasse O3	246,050
Kategori C klasse R3	245,459
Kategori C klasse O3	237,959

— Forfjerdinger, lige udskåret med 8 ribben, af:

Kategori A klasse R2	278,053
Kategori A klasse R3	275,253
Kategori A klasse O2	266,453
Kategori A klasse O3	262,453
Kategori C klasse R3	261,822
Kategori C klasse O3	253,822

DEUTSCHLAND

— *Vorderviertel, auf 8 Rippen quergeschnitten, stammend von :*

Kategorie A Klasse U2	291,600
Kategorie A Klasse U3	289,200
Kategorie A Klasse R2	281,600
Kategorie A Klasse R3	278,800

ΕΛΛΑΔΑ

— *Εμπρόσθια τεταρτημόρια κοπής με 5 πλευρές —η λάπα να αποτελεί τμήμα του εμπροσθίου τεταρτημορίου— προερχόμενο από:*

Κατηγορία Α κλάση R2	271,505
Κατηγορία Α κλάση R3	268,880
Κατηγορία Α κλάση O2	260,630
Κατηγορία Α κλάση O3	256,880

— *Εμπρόσθια τεταρτημόρια κοπής με 8 πλευρές —η λάπα να αποτελεί τμήμα του εμπροσθίου τεταρτημορίου— προερχόμενα από:*

Κατηγορία Α κλάση R2	271,505
Κατηγορία Α κλάση R3	268,880
Κατηγορία Α κλάση O2	260,630
Κατηγορία Α κλάση O3	256,880

FRANCE

— *Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des :*

Catégorie A classe U2	275,467
Catégorie A classe U3	273,217
Catégorie A classe R2	265,529
Catégorie A classe R3	262,500
Catégorie A classe O2	254,654
Catégorie A classe O3	250,904
Catégorie C classe U2	274,819
Catégorie C classe U3	271,819
Catégorie C classe U4	264,131
Catégorie C classe R3	261,536
Catégorie C classe R4	256,256
Catégorie C classe O3	252,881

— *Quartiers avant, découpe droite à 10 côtes, provenant des :*

Catégorie A classe U2	293,831
Catégorie A classe U3	291,431
Catégorie A classe R2	283,231
Catégorie A classe R3	280,000
Catégorie A classe O2	271,631
Catégorie A classe O3	267,631
Catégorie C classe U2	293,140
Catégorie C classe U3	289,940
Catégorie C classe U4	281,740
Catégorie C classe R3	278,971
Catégorie C classe R4	273,340
Catégorie C classe O3	269,740

IRELAND

— *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from :*

Category C class U3	255,963
Category C class U4	249,588
Category C class R3	247,338
Category C class R4	242,463
Category C class O3	239,838

— *Forequarters, straight cut at 10th rib, from :*

Category C class U3	273,027
Category C class U4	266,227
Category C class R3	263,827
Category C class R4	258,627
Category C class O3	255,827

ITALIA

— *Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti dai:*

Categoria A classe U2	279,538
Categoria A classe U3	276,253
Categoria A classe R2	267,493
Categoria A classe R3	264,938
Categoria A classe O2	256,908
Categoria A classe O3	253,258

— *Quarti anteriori, taglio a 5 costole, il pancettone fa parte del quarto anteriore, provenienti dai:*

Categoria A classe U2	279,538
Categoria A classe U3	276,253
Categoria A classe R2	267,493
Categoria A classe R3	264,938
Categoria A classe O2	256,908
Categoria A classe O3	253,258

LUXEMBOURG

— *Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des:*

Catégorie A classe R2	262,433
Catégorie A classe O2	251,558
Catégorie C classe R3	252,327
Catégorie C classe O3	244,827

— *Quartiers avant, découpe droite à 8 côtes, provenant des:*

Catégorie A classe R2	279,929
Catégorie A classe O2	268,329
Catégorie C classe R3	269,149
Catégorie C classe O3	261,149

NEDERLAND

— *Voorvoeten, afgesneden op 5 ribben, waarbij de flank, de platte ribben en de naborst aan de voorvoet vastzitten, afkomstig van:*

Categorie A klasse R2	261,832
Categorie A klasse R3	259,207

— *Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:*

Categorie A klasse R2	279,287
Categorie A klasse R3	276,487

UNITED KINGDOM

A. Great Britain

— *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:*

Category C class U2	259,580
Category C class U3	256,580
Category C class U4	250,205
Category C class R3	247,205
Category C class R4	242,330

— *Forequarters, straight cut at 10th rib, from:*

Category C class U2	276,886
Category C class U3	273,686
Category C class U4	266,886
Category C class R3	263,686
Category C class R4	258,486

B. Northern Ireland

— *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from :*

Category C class U3	255,963
Category C class U4	249,588
Category C class R3	247,338
Category C class R4	242,463
Category C class O3	239,838

— *Forequarters, straight cut at 10th rib, from :*

Category C class U3	273,027
Category C class U4	266,227
Category C class R3	263,827
Category C class R4	258,627
Category C class O3	255,827

COMMISSION REGULATION (EEC) No 1369/85**of 24 May 1985****fixing the import levies on live cattle and on beef and veal other than frozen**

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 ⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under subheadings 02.01 A II a) 1 to 3, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3114/83 ⁽⁴⁾;

Whereas the guide prices for adult bovine animals to be applied from 27 May 1985 were fixed by Council Regulation (EEC) No 1308/85 of 23 May 1985 ⁽⁵⁾;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 303, 5. 11. 1983, p. 16.

⁽⁵⁾ OJ No L 137, 27. 5. 1985, p. 16.

when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation ;

Whereas if the free-at-frontier offer price differs by less than 0,60 ECU per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty ;

Whereas Commission Regulation (EEC) No 611/77 of 18 March 1977 ⁽¹⁾, as amended by Regulation (EEC) No 925/77 ⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries ; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77 ;

Whereas the average price is not to be used for calculating the special levy unless it is at least 1,21 ECU per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68 ;

Whereas if the average price differs by less than 0,60 ECU per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained ;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories

of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the appropriate coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage ; whereas, until 6 April 1986, the price of adult bovine animals recorded on the representative market or markets of the United Kingdom shall be corrected by the amount of the premium granted to producers under Regulation (EEC) No 1311/85 ⁽³⁾ ; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽⁴⁾, as last amended by Regulation (EEC) No 2019/84 ⁽⁵⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 109, 30. 4. 1977, p. 1.

⁽³⁾ OJ No L 137, 27. 5. 1985, p. 20.

⁽⁴⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁵⁾ OJ No L 187, 14. 7. 1984, p. 48.

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas, moreover, account should be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾, of Council Regulation (EEC) No 287/82 of 3 February 1982 establishing the arrangements applicable to imports of products originating in Yugoslavia to take account of the accession of the Hellenic Republic to the Community ⁽²⁾, and of Council Regulation (EEC) No 3349/81 of 24 November 1981 providing for a reduction in the levy applicable to imports into the Community of certain beef and veal products originating in and coming from Yugoslavia ⁽³⁾ ;

Whereas Council Regulation (EEC) No 486/85 ⁽⁴⁾ lays down the arrangements applicable on 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 ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

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 Council 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 coefficient ;

Whereas, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 30, 6. 2. 1982, p. 1.

⁽³⁾ OJ No L 339, 26. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽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 24 May 1985 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾ for the period beginning 27 May 1985

(ECU/100 kg)

CCT heading No	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
01.02 A II (a)	— Live weight —		
	56,110	23,576	127,931
	— Net weight —		
02.01 A II a) 1	106,609	44,795	243,069
02.01 A II a) 2	85,287	35,836	194,454
02.01 A II a) 3	127,931	53,754	291,683
02.01 A II a) 4 aa)	—	67,193	364,603
02.01 A II a) 4 bb)	—	76,859	417,054
02.06 C I a) 1	—	67,193	364,603
02.06 C I a) 2	—	76,859	417,054
16.02 B III b) 1 aa)	—	76,859	417,054

⁽¹⁾ In accordance with Regulation (EEC) No 435/80, 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.

⁽²⁾ This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1725/80 (OJ No L 170, 3. 7. 1980, p. 4).

(a) The levy which is to be applied to young male bovine animals, intended for fattening, of a live weight of 300 kg or less, imported under the conditions set out in Article 13 of Council Regulation (EEC) No 805/68 of 27 June 1968, and in the provisions adopted for its application, is totally or partially suspended in accordance with those provisions.

COMMISSION REGULATION (EEC) No 1370/85

of 24 May 1985

fixing the import levies on frozen beef and veal

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 ⁽²⁾, and in particular Article 12 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 9 of Regulation (EEC) No 805/68 a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under subheading 02.01 A II b) 1, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3114/83 ⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1.69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at 6.65 ECU;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals to be applied from 27 May 1985 have been fixed by Council Regulation (EEC) No 1308/85 of 23 May 1985 ⁽⁵⁾;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under subheadings 02.01 A II b) 2 to 4 is equal to the basic levy fixed for the product falling within subheading 02.01 A II b) 1, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 291, 29. 11. 1979, p. 17.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 303, 5. 11. 1983, p. 16.

⁽⁵⁾ OJ No L 137, 27. 5. 1985, p. 16.

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the prices of adult bovine animals recorded on the representative market or markets of each Member State are equal to the average, weighted by the relevant coefficients, of the prices for the various qualities of adult bovine animals or meat of such animals over a period of seven days in that Member State at a particular wholesale marketing stage; whereas, until 6 April 1986, the price of adult bovine animals recorded on the representative market or markets of the United Kingdom shall be corrected by the amount of the premium granted to producers under Regulation (EEC) No 1311/85⁽¹⁾; whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽²⁾, as last amended by Regulation (EEC) No 2019/84⁽³⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in

the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled;

Whereas Council Regulation (EEC) No 486/85⁽⁴⁾ lays down the arrangements applicable on 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;

Whereas the various cuts of frozen meat are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets;

⁽¹⁾ OJ No L 137, 27. 5. 1985, p. 20.

⁽²⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽³⁾ OJ No L 187, 14. 7. 1984, p. 48.

⁽⁴⁾ OJ No L 61, 1. 3. 1985, p. 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 Council Regulation (EEC) No 974/71 ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾,
- 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, having regard to the provisions of the aforementioned Regulations, and in particular to the infor-

mation and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 24 May 1985 fixing the import levies on frozen beef and veal ⁽¹⁾ for the period beginning 27 May 1985

<i>(ECU / 100 kg)</i>	
CCT heading No	Levy
	— Net weight —
02.01 A II b) 1	205,467
02.01 A II b) 2	164,373 (a)
02.01 A II b) 3	256,834
02.01 A II b) 4 aa)	308,200
02.01 A II b) 4 bb) 11	256,834 (a)
02.01 A II b) 4 bb) 22 (b)	256,834 (a)
02.01 A II b) 4 bb) 33	353,402 (a)

(¹) In accordance with Regulation (EEC) No 435/80, 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.

(a) Where products are imported under the conditions set out in Article 14 of Council Regulation (EEC) No 805/68 of 27 June 1968 and in provisions adopted for its application, the levy is totally or partially suspended in accordance with those provisions.

(b) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 1371/85

of 24 May 1985

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1312/85⁽²⁾, and in
particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas, under Article 10 (2) of Regulation (EEC) No
1837/80, a levy is applicable to the products specified
in Article 1 (a) of that Regulation;

Whereas the levy on products falling within subhead-
ing 02.01 A IV a) 1 listed in Annex I to Regulation
(EEC) No 1837/80 is to be equal to the difference
between the seasonally-adjusted basic price and the
Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in
Article 2 of Regulation (EEC) No 1313/85⁽³⁾ for the
1985/86 marketing year;

Whereas the Community free-at-frontier offer price is
determined in the light of the most representative
purchasing possibilities, as regard quality and quantity,
recorded over the period from the 21st day of the
preceding month to the 20th day of the month during
which the levies are determined, taking particular
account of the supply and demand situation for fresh
or chilled meat, the world market price for frozen
meat of a category which is competitive with fresh or
chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be deter-
mined, if necessary, on the basis of the most represent-
ative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC)
No 2668/80⁽⁴⁾ the free-at-frontier offer prices are to be
based *inter alia* on the prices shown in the customs

documents which accompany products imported from
non-member countries or on other information
concerning the export prices applied by those non-
member countries; whereas offer prices which do not
correspond to actual purchasing possibilities or which
relate to unrepresentative quantities and offer prices
which, in view of general price movements or other
information available, may be considered not to be
representative of actual price trends in the country of
origin are to be disregarded;

Whereas a special levy may be fixed for products origi-
nating in or coming from one or more non-member
countries if exports of the said products are made at
abnormally low prices;

Whereas the levy on live animals within subheading
01.04 B and on the meat falling within subheadings
02.01 A IV a) 2, 3, 4 and 5 and 02.06 C II a) listed in
Annex I to Regulation (EEC) No 1837/80 is to be
equal to the levy determined for carcasses, multiplied
by a standard coefficient fixed for each of the products
in question; whereas these coefficients are fixed in
Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obliga-
tions arising from international agreements concluded
by the Community continue to be fulfilled; whereas,
moreover, account should be taken of the voluntary
restraint arrangements made by the Community with
certain non-member countries;

Whereas Council Regulation (EEC) No 486/85⁽⁵⁾ lays
down the arrangements applicable on agricultural
products and certain goods resulting from the proces-
sing of agricultural products originating in the African,
Caribbean and Pacific States or in the overseas coun-
tries and territories;

Whereas the levies are fixed before the 27th day of
each month for each week during the following
month; whereas they are applicable from Monday to
Sunday; whereas they can be altered within that
period if necessary;

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

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 22.

⁽³⁾ OJ No L 137, 27. 5. 1985, p. 23.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.

- 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 ⁽¹⁾ as last amended by Regulation (EEC) No 855/84 ⁽²⁾,
- 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and

goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 24 May 1985 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CCT heading No	Week No 9 from 27 May to 2 June 1985
01.04 B	84,600 ⁽¹⁾
02.01 A IV a) 1	180,000 ⁽²⁾
2	126,000 ⁽²⁾
3	198,000 ⁽²⁾
4	234,000 ⁽²⁾
5 aa)	234,000 ⁽²⁾
bb)	327,600 ⁽²⁾
02.06 C II a) 1	234,000 ⁽³⁾
2	327,600 ⁽³⁾

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3658/84 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3658/84 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 1372/85

of 24 May 1985

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1312/85⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products falling within subheading 02.01 A IV b) listed in Annex I to that Regulation;

Whereas, pursuant to Article 13 of Regulation (EEC) No 1837/80, the levy on frozen carcasses and half-carcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the basic price for the 1985/86 marketing year is fixed in Article 1 of Regulation (EEC) No 1313/85⁽³⁾; whereas the coefficient referred to in Article 13 (1) (a) of Regulation (EEC) No 1837/80 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80⁽⁴⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen

meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within subheadings 02.01 A IV b) 2, 3, 4 and 5 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 486/85⁽⁵⁾ lays down the arrangements applicable on 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;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 22.

⁽³⁾ OJ No L 137, 27. 5. 1985, p. 23.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 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 Council Regulation (EEC) No 974/71 ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾,
- 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the infor-

mation and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 24 May 1985 fixing the import levies on frozen
sheepmeat and goatmeat

(ECU/100 kg)

CCT heading No	Week No 9 from 27 May to 2 June 1985 ⁽¹⁾
02.01 A IV b) 1	135,250
2	94,675
3	148,775
4	175,825
5 aa)	175,825
bb)	246,155

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3658/84 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 1373/85

of 24 May 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 683/85 ⁽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 Regula-
tion (EEC) No 1297/85 ⁽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 1121/85 ⁽⁷⁾, as last amended by
Regulation (EEC) No 1340/85 ⁽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 and October 1985 for colza
and rape seed, the amount of the subsidy in the case of
advance fixing for July, August, September and
October 1985 for colza and rape seed and August and
September 1985 for sunflower seed has been obtain-
able 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 15 to 21 May 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 percen-
tage 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 percen-
tage adopted for the previous fixing;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1121/85 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 ⁽⁹⁾ shall be as set out in the
Annexes hereto.
2. The amount of the subsidy in the case of advance
fixing for July, August, September and October 1985
for colza and rape seed and August and September
1985 for sunflower seed will, however, be confirmed or
replaced as from 27 May 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 and October 1985 for
colza and rape seed.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, 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 118, 1. 5. 1985, p. 32.

⁽⁸⁾ OJ No L 134, 23. 5. 1985, p. 28.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 24 May 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)	10,747	10,747	4,091 (¹)	8,773 (¹)	9,610 (¹)	11,016 (¹)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	28,39	28,39	12,61 (¹)	23,69 (¹)	25,66 (¹)	29,63 (¹)
— Netherlands (Fl)	32,00	32,00	14,17 (¹)	26,64 (¹)	28,86 (¹)	33,26 (¹)
— BLEU (Bfrs/Lfrs)	498,79	498,79	189,87 (¹)	405,73 (¹)	444,59 (¹)	499,45 (¹)
— France (FF)	64,17	64,17	23,65 (¹)	55,94 (¹)	61,85 (¹)	71,84 (¹)
— Denmark (Dkr)	90,44	90,44	34,43 (¹)	73,82 (¹)	80,87 (¹)	91,96 (¹)
— Ireland (£ Irl)	8,061	8,061	3,062 (¹)	6,508 (¹)	7,137 (¹)	8,037 (¹)
— United Kingdom (£)	7,492	7,492	3,391 (¹)	6,191 (¹)	6,702 (¹)	7,313 (¹)
— Italy (Lit)	13 191	13 187	5 584 (¹)	12 300 (¹)	13 546 (¹)	15 332 (¹)
— Greece (Dr)	503,43	503,43	408,98 (¹)	889,25 (¹)	974,99 (¹)	1 119,09 (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)	17,706	17,840	18,242	13,414 (¹)	13,414 (¹)
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	45,23	45,54	46,51	35,29 (¹)	35,29 (¹)
— Netherlands (Fl)	50,97	51,32	52,37	39,71 (¹)	39,71 (¹)
— BLEU (Bfrs/Lfrs)	821,77	827,99	846,64	620,85 (¹)	620,85 (¹)
— France (FF)	111,13	112,08	114,28	87,37 (¹)	87,37 (¹)
— Denmark (Dkr)	149,00	150,12	153,51	112,88 (¹)	112,88 (¹)
— Ireland (£ Irl)	13,281	13,382	13,677	9,976 (¹)	9,976 (¹)
— United Kingdom (£)	11,871	11,951	12,191	9,210 (¹)	9,210 (¹)
— Italy (Lit)	22 966	23 160	23 427	19 042 (¹)	19 042 (¹)
— Greece (Dr)	1 092,66	1 106,33	1 147,37	1 362,56 (¹)	1 362,56 (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	2,241130	2,234900	2,228970	2,223060	2,223060	2,206070
Fl	2,531360	2,527800	2,524030	2,519800	2,519800	2,507030
Bfrs/Lfrs	45,103500	45,112300	45,123400	45,134100	45,134100	45,167400
FF	6,838610	6,844540	6,851550	6,858460	6,858460	6,882070
Dkr	8,060550	8,061660	8,064740	8,069280	8,069280	8,074980
£ Irl	0,716247	0,718359	0,720254	0,722027	0,722027	0,727491
£	0,576024	0,577952	0,579653	0,581336	0,581336	0,585519
Lit	1 432,28	1 436,82	1 441,33	1 446,28	1 446,28	1 462,94
Dr	98,880800	98,854300	98,837200	98,820300	98,820300	98,814100

COMMISSION REGULATION (EEC) No 1374/85
of 24 May 1985
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

consists in adding together the various components defined in those Articles;

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 1298/85 ⁽²⁾, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 1300/85 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1985/86 milk year by Council Regulation (EEC) No 1301/85 of 23 May 1985 ⁽⁵⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 11 of that Regulation respectively; whereas this method

Whereas Commission Regulation (EEC) No 1073/68 of 24 July 1968 laying down detailed rules for determining free-at-frontier prices and for fixing levies in respect of milk and milk products ⁽⁶⁾, provides that the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk powder contained in the product and the product itself is, for the products falling within subheading 04.02 B I b), calculated by multiplying the basic amount by the quantity of milk powder contained in the product; whereas the same applies to products falling within subheading 04.02 B II b) as regards the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk components contained in the product and the product itself;

Whereas the basic amount must be equal to one hundredth part of the levy set out for each product in the second subparagraph of Article 9 (1) and the second subparagraph of Article 9 (2) of Regulation (EEC) No 1073/68;

Whereas Annex II to Regulation (EEC) No 2915/79 listed certain products of Group 11 originating in and consigned from certain non-member countries; whereas the levy applicable to these products is set out in Annex I to Regulation (EEC) No 1767/82 ⁽⁷⁾, as last amended by Regulation (EEC) No 212/85 ⁽⁸⁾;

Whereas Commission Regulation (EEC) No 3700/81 of 23 December 1981 ⁽⁹⁾ laid down detailed interim rules in respect of the cheese agreements with Austria and Finland;

Whereas, within the tariff quotas referred to in Annex I to Regulation (EEC) No 1767/82, the levy on 100 kilograms of a product of Group 10 or 11 or falling within subheadings 04.04 E I b) 1 and b) 2 shall be the amount fixed in that Annex;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 7.

⁽⁵⁾ OJ No L 137, 27. 5. 1985, p. 8.

⁽⁶⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽⁷⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁸⁾ OJ No L 24, 29. 1. 1985, p. 15.

⁽⁹⁾ OJ No L 369, 24. 12. 1981, p. 33.

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Regulation (EEC) No 1073/68 provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 (a) 2 and (b) to (g) of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated

product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas, if the levy 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 ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾,

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

- 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 these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 (1) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 24 May 1985 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Description	Code	Import levy
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	A. Of a fat content, by weight, not exceeding 6 % :		
	I. Yoghourt, kephir, curdled milk, whey, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less	0110	26,91
	b) Other	0120	24,50
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less, and of a fat content, by weight :		
	1. Not exceeding 4 %	0130	24,50
	2. Exceeding 4 %	0140	29,84
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 %	0150	23,29
	2. Exceeding 4 %	0160	28,63
	B. Other, of a fat content, by weight :		
	I. Exceeding 6 % but not exceeding 21 %	0200	58,35
	II. Exceeding 21 % but not exceeding 45 %	0300	123,44
	III. Exceeding 45 %	0400	190,77
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar :		
	I. Whey	0500	16,30
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight :		
	1. Not exceeding 1.5 %	0620	125,42
	2. Exceeding 1.5 % but not exceeding 27 %	0720	166,65
	3. Exceeding 27 % but not exceeding 29 %	0820	169,07
	4. Exceeding 29 %	0920	241,42
	b) Other, of a fat content, by weight :		
	1. Not exceeding 1.5 %	1020	118,17
	2. Exceeding 1.5 % but not exceeding 27 %	1120	159,40
	3. Exceeding 27 % but not exceeding 29 %	1220	161,82
	4. Exceeding 29 %	1320	234,17

CCT heading No	Description	Code	Import levy
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8.9 % 2. Other b) Other, of a fat content, by weight : 1. Not exceeding 45 % 2. Exceeding 45 % B. Containing added sugar : I. Milk and cream, in powder or granules : a) Special milk for infants ⁽¹⁾, in hermetically sealed containers of a net capacity of 500 g or less and of a fat content, by weight, exceeding 10 % but not exceeding 27 % ⁽²⁾ b) Other : 1. In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight : aa) Not exceeding 1.5 % ⁽³⁾ bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾ cc) Exceeding 27 % ⁽³⁾ 2. Other, of a fat content, by weight : aa) Not exceeding 1.5 % ⁽³⁾ bb) Exceeding 1.5 % but not exceeding 27 % ⁽³⁾ cc) Exceeding 27 % ⁽³⁾ II. Milk and cream, other than in powder or granules : a) In immediate packings of a net capacity of 2.5 kg or less and of a fat content, by weight, not exceeding 9.5 % b) Other, of a fat content, by weight : 1. Not exceeding 45 % ⁽³⁾ 2. Exceeding 45 % ⁽³⁾	1420 1520 1620 1720 1820 2220 2320 2420 2520 2620 2720 2820 2910 3010	27,57 37,22 123,44 190,77 36,27 1,1817 ⁽⁴⁾ per kg 1,5940 ⁽⁴⁾ per kg 2,3417 ⁽⁴⁾ per kg 1,1817 ⁽⁵⁾ per kg 1,5940 ⁽⁵⁾ per kg 2,3417 ⁽⁵⁾ per kg 52,91 1,2344 ⁽⁵⁾ per kg 1,9077 ⁽⁵⁾ per kg
04.03	Butter : A. Of a fat content, by weight, not exceeding 85 % B. Other	3110 3210	224,43 273,80
04.04	Cheese and curd : A. Emmentaler, Gruyère, Sbrinz, Bergkäse, Appenzell, Vacherin fribourgeois and Tête de moine, not grated or powdered B. Glaurus herb cheese (known as Schabziger), made from skimmed milk and mixed with finely-ground herbs ⁽²⁾ C. Blue-veined cheese, not grated or powdered	3300 3900 4000	189,59 ⁽⁶⁾ 206,31 ⁽⁷⁾ 162,97 ⁽⁸⁾

CCT heading No	Description	Code	Import levy
04.04 (cont'd)	D. Processed cheese, not grated or powdered, of a fat content, by weight : I. Not exceeding 36 % and of a fat content, by weight, in the dry matter : a) Not exceeding 48 % b) Exceeding 48 % II. Exceeding 36 % E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight of the non-fatty matter : a) Not exceeding 47 % b) Exceeding 47 % but not exceeding 72 % : 1. Cheddar : 2. Other : c) Exceeding 72 % : 1. In immediate packings of a net capacity not exceeding 500 g 2. Other II. Other : a) Grated or powdered b) Other	4410 4510 4610 4710 4800 5000 5210 5250 5310 5410	168,22 (?) 174,63 (?) 271,35 206,31 181,27 ⁽¹⁰⁾ 181,14 ⁽¹¹⁾ 135,86 277,86 206,31 277,86
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel : A. Lactose and lactose syrup : II. Other (than those containing, in the dry state, 99 % or more by weight of the pure product) ⁽¹²⁾	5500	41,80
21.07	F. Flavoured or coloured sugar syrups : I. Lactose syrup	5600	41,80
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : B. Other, containing starch, glucose or glucose syrup falling within sub-headings 17.02 B and 21.07 F II, or milk products ⁽¹³⁾ : I. Containing starch or glucose or glucose syrup : a) Containing no starch or containing 10 % or less by weight of starch : 3. Containing not less than 50 % but not more than 75 % by weight of milk products 4. Containing not less than 75 % by weight of milk products b) Containing more than 10 % but not more than 30 % by weight of starch : 3. Containing not less than 50 % by weight of milk products c) Exceeding 30 % : 3. Containing 50 % or more by weight of milk products II. Containing no starch, glucose or glucose syrup, but containing milk products	5700 5800 5900 6000 6100	91,05 118,23 110,02 89,06 118,23

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 24,04 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 24,04 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to:
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria, for products listed under (s) of that Annex imported from Finland and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.

COMMISSION REGULATION (EEC) No 1375/85

of 24 May 1985

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of :

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports ;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of :

- (a) prices ruling on third country markets ;
- (b) the most favourable prices in third countries of destination for third country imports ;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries ; and
- (d) free-at-Community-frontier offer prices ;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination ;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks ; whereas the amount of the refund may, however, remain at the same level for more than four weeks ;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2283/81 ⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose ; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community ;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 223, 8. 8. 1981, p. 10.

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9,5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product ; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question ; whereas this basic amount is the refund on one kilogram of milk products contained in the product ;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾ ;

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⁽²⁾, as last amended by Regulation (EEC) No 855/84⁽³⁾,
- 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 the level of refund for cheeses is calculated for products intended for direct consumption ; whereas the cheese rinds and cheese wastes are not products

intended for this purpose ; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04 ;

Whereas Commission Regulation (EEC) No 896/84⁽⁴⁾, as amended by Regulation (EEC) No 2881/84⁽⁵⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another ; whereas those provisions provide for different refunds according to the date of manufacture of the products ;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 27 May 1985.

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

Done at Brussels, 24 May 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁴⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁵⁾ OJ No L 272, 13. 10. 1984, p. 16.

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % (1) :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 05	6,76
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 15	8,94
	(3) Of a fat content, by weight, exceeding 3 %	0110 20	10,85
	b) Other :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 25	6,76
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 35	8,94
	(3) Of a fat content, by weight, exceeding 3 %	0110 40	10,85
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0130 10	6,76
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0130 22	8,94
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	10,85
	2. Exceeding 4 %	0140 00	12,12
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0150 10	6,76
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0150 21	8,94
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	10,85
	2. Exceeding 4 %	0160 00	12,12

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight (1): ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	14,68 20,93 29,85 34,94 52,82 57,93 67,83 94,91 110,23
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar (2) : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 %	0620 00 0720 00 0720 20 0720 30 0720 40 0820 20 0820 30	78,60 78,60 91,50 95,28 101,16 101,81 102,59

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 % b) Other, of a fat weight content : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 %	0920 10 0920 30 0920 40 0920 50 0920 60 0920 70 1020 00 1120 10 1120 20 1120 30 1120 40 1220 20 1220 30 1320 10 1320 30 1320 40 1320 50 1320 60 1320 70	103,62 110,03 111,19 118,05 123,07 128,07 78,60 78,60 91,50 95,28 101,16 101,81 102,59 103,62 110,03 111,19 118,05 123,07 128,07

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net content of 2,5 kg or less and of a fat content by weight not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8,9 % and of a non-fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7,4 % (33) Exceeding 7,4 % 2. Other, of a non fat lactic dry matter content : (aa) Of less than 15 %, by weight (bb) Of 15 % or more, by weight b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 8,9 % (33) Exceeding 8,9 %, by weight, but not exceeding 11 % (44) Exceeding 11 %, by weight, but not exceeding 21 % (55) Exceeding 21 %, by weight, but not exceeding 39 % (66) Exceeding 39 % (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7,4 % (33) Exceeding 7,4 %, by weight, but not exceeding 8,9 % (44) Exceeding 8,9 % 2. Exceeding 45 %	1420 12 1420 22 1420 50 1420 60 1420 70 1520 10 1520 20 1620 70 1630 00 1630 10 1630 20 1630 30 1630 40 1630 50 1630 60 1630 70 1630 80 1720 00	— 10,85 17,99 21,51 25,33 18,37 30,02 — 10,85 18,37 22,58 34,94 57,93 17,99 21,51 25,33 30,02 67,83

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2,5 kilo-grams or less and of a fat content, by weight :		
	aa) Not exceeding 1,5 %	2220 00	0,7860 (*) per kg
	bb) Exceeding 1,5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0,7860 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0,9150 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0,9528 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	1,0116 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	1,0181 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1,1003 (*) per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1,5 %	2520 00	0,7860 (*) per kg
	bb) Exceeding 1,5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0,7860 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0,9150 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0,9528 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	1,0116 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	1,0181 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1,1003 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In immediate packings of a net capacity of 2,5 kg or less and of a fat content by weight not exceeding 9,5 % : (1) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 % by weight (bb) Of 15 % or more (2) Of a fat content, by weight, exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6,9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9,5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2810 11 2810 12 2810 15 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	— (*) per kg 0,1085 (*) per kg 20,75 (*) 31,40 (*) 20,75 (*) 31,40 (*) 0,1964 (*) per kg 0,3494 (*) per kg 0,5793 (*) per kg 0,6783 (*) per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % (II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 03 3110 16	94,69 ⁽¹⁰⁾ 119,12 ⁽¹⁰⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	122,18 ⁽¹⁰⁾
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	125,23 ⁽¹⁰⁾
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99,5 %	3210 10	125,23 ⁽¹⁰⁾
	(II) Exceeding 99,5 %	3210 20	181,00 ⁽¹⁰⁾ ⁽¹¹⁾
04.04	Cheese and curd ⁽⁶⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	(I) Pieces packed in vacuum or in inert gas, of a net weight of less than 7,5 kg	3800 40	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		46,73
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		134,81
	(II) Other	3800 60	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		46,73
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		134,81
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		85,06
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		25,78
	— Other destinations		109,29
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex a) Not exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 27 % or more but less than 33 %	4410 05	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		6,36
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		21,52

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Of 33 % or more but less than 38 % for exports to :	4410 10	
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 20	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(bb) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		60,40
	(4) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 40	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(bb) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		60,40
	(cc) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,87
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,74

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex b) Exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(2) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		60,40
	(3) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,87
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,74
	(4) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 55 %	4510 40	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,87
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,74
	(bb) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		36,63
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		105,28
	II. Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		36,63
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		105,28

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana Padano, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		115,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		90,00
	— Other destinations		173,67
	(2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk	4710 17	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		135,00
	— Zone E		160,00
	— Canada		102,52
	— Norway and Finland		—
	— Switzerland		105,03
	— Other destinations		200,79
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more	4710 22	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		85,00
	— Zone E		50,00
	— Canada		50,00
	— Norway and Finland		—
	— Switzerland		60,00
	— Other destinations		125,21
	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		32,27
	— Switzerland		—
	— Other destinations		113,66
	ex 2. Other, of a fat content, by weight, in the dry matter (7) :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 12	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		27,70
	— Zone E		—
	— Canada		—
	— Norway and Finland		13,50
	— Switzerland		—
	— Other destinations		71,09

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,33
	— Zone E		—
	— Canada		—
	— Norway and Finland		20,00
	— Switzerland		—
	— Other destinations		93,92
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		35,65
	— Zone E		—
	— Canada		—
	— Norway and Finland		24,00
	— Switzerland		—
	— Other destinations		105,02
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano :		
	(aaa) Provolone	5120 32	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		78,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		144,46
	(bbb) Others	5120 36	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		71,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		116,72
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		78,49
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		32,61
	— Switzerland		—
	— Other destinations		116,72

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		78,49
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		100,88
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney	5120 58	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		116,04
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more		
	(aaa) Manufactured exclusively from sheep milk	5120 60	
	for exports to :		
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Other destinations		40,11
	(bbb) Other	5120 65	
	for exports to :		
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Other destinations		40,11
	(66) Feta	5120 82	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		32,10
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,00
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		116,04

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Kefalotyri, Kefalograviera and Kasseri manufactured exclusively from sheep's and/or goats' milk	5120 84	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		78,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		144,46
	(99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia	5120 92	31,93
	— Switzerland		—
	— Other destinations		116,04
	(bbb) Exceeding 52 % but not exceeding 62 %		
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		78,49
	— Zone E		—
	— Canada		—
	— Norway and Finland		27,50
	— Australia		32,61
	— Switzerland		—
	— Other destinations		116,72
	ex c) Exceeding 72 % (excluding cheeses produced from whey) (7) :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		21,45
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(11) Of 60 % or more but less than 69 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 20	— — — — — — 28,48
	(22) Of 69 % or more For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 30	— — — — — — 34,15
	(cc) Other	5121 40	—
	2. Other :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 51	— — — — — — 21,45
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter : (11) Of 60 % or more but less than 69 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 60	— — — — 7,50 — 28,48
	(22) Of 69 % or more For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 70	— — — — — — 34,15
	(cc) Other	5121 80	—

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex II. Other (excluding cheeses produced from whey): ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight: (1) Of 60 % or more but less than 80 % For exports to: — Zone E — — Canada — — Norway and Finland — — Other destinations 64,19 (2) Of 80 % or more but less than 85 % For exports to: — Zone E — — Canada — — Norway and Finland — — Other destinations 85,58 (3) Of 85 % or more but less than 95 % For exports to: — Zone E — — Canada — — Norway and Finland — — Other destinations 90,93 (4) Of 95 % or more For exports to: — Zone E — — Canada — — Norway and Finland — — Other destinations 101,62	5310 05 5310 11 5310 22 5310 31	
23.07	Sweetened forage; other preparations of a kind used in animal feeding: ex B. Other, containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs^(*): I. Containing starch, or glucose or glucose syrup, or maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II: a) Containing no starch or containing 10 % or less, by weight, of starch: (3) Containing 50 % or more but less than 75 %, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of^(*): (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62	— — — — 3,47 4,03

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(4) Containing 75 % or more, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of (*) :		
	(aa) Less than 30 %	5800 13	—
	(bb) 30 % or more but less than 40 %	5800 23	—
	(cc) 40 % or more but less than 50 %	5800 32	—
	(dd) 50 % or more but less than 60 %	5800 42	—
	(ee) 60 % or more but less than 70 %	5800 52	3,47
	(ff) 70 % or more but less than 75 %	5800 62	4,03
	(gg) 75 % or more but less than 80 %	5800 72	4,31
	(hh) 80 % or more	5800 82	4,59
	ex II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, and containing 50 % or more milk products, by weight, and with a milk content in powder or granules (excluding whey), by weight, of (*) :		
	(a) 30 % or more but less than 40 %	5900 01	25,15
	(b) 40 % or more but less than 50 %	5900 05	33,01
	(c) 50 % or more but less than 60 %	5900 12	40,87
	(d) 60 % or more but less than 70 %	5900 22	48,73
	(e) 70 % or more but less than 80 %	5900 32	56,59
	(f) 80 % or more but less than 88 %	5900 42	64,45
	(g) 88 % or more	5900 52	70,74

- (¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose have been added to the product.

- (²) The weight of the added non-lactic matter and/or added whey and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the actual content by weight of whey and/or lactose added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁴) The weight of added non-lactic matter and/or added whey and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.

The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the actual content by weight of whey and/or lactose added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁵) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :

- (a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :
 - multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then
 - divided by the weight of the lactic part contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the actual content by weight of whey and/or lactose added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁶) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund and the monetary compensatory amount, in the exporting Member State, is less than 140 ECU per 100 kilograms. This limitation to 140 ECU per 100 kilograms does not apply to cheeses falling within subheading 04.04 E I ex c) of the Common Customs Tariff.

- (⁷) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.

- (⁸) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the skimmed-milk powder content, by weight,
- the content by weight of the added whey and/or lactose, and
- the lactose content of the added whey per 100 kg of finished product.

- (⁹) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.

- (¹⁰) Amount applicable only in the cases indicated in Article 10 (3) to (5) of Regulation (EEC) No 2729/81.

- (¹¹) The amount of the refund indicated is also applicable to ghee exported in accordance with the provisions of Regulation (EEC) No 2278/84.

N.B.: Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 2283/81.

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

NOTICE

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