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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 1999/85
of 16 July 1985
on inward processing relief arrangements**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 28, 43, 113 and 235 thereof,

Having regard to the proposal from the Commission,

Whereas, under the international division of labour, many Community undertakings use goods from non-member countries to manufacture products for export;

Whereas, in order to put these undertakings on an equal footing as regards supplies with the undertakings of non-member countries which manufacture the same goods in order thereby to promote exports from Community undertakings, it is essential that they be given the possibility of acquiring raw materials under the same conditions as the undertakings of non-member countries;

Whereas export manufactured products should not bear import duties where certain economic conditions are fulfilled, so as not to harm the essential interests of Community manufactures; whereas this result can be achieved either by not levying such duties when the non-Community goods are placed under inward processing relief arrangements, or by levying them on the goods in question and refunding or remitting such duties when the manufactured products are exported;

Whereas, in order to achieve the objective sought while avoiding abuse of this system, a set of rules must be laid down which constitute the inward processing relief arrangements;

Whereas undertakings should be allowed to complete these arrangements by means other than export, including release for free circulation where the circumstances so warrant;

Whereas inward processing relief arrangements are governed at Community level by Council Directive 69/73/EEC of 4 March 1969 on the harmonization of provisions laid down by law, regulation or administra-

tive action in respect of inward processing arrangements⁽¹⁾, as last amended by Directive 84/444/EEC⁽²⁾;

Whereas the importance of these arrangements in the customs union requires their more uniform application in the Community; whereas provision should, therefore, be made for, on the one hand, measures which are directly applicable in the Member States and, on the other hand, a Community procedure enabling the detailed arrangements for implementation to be adopted, the whole offering greater legal certainty for the individual;

Whereas the principles of the said Directive should be retained in this Regulation.

Whereas Directive 69/73/EEC concerns the non-levying of import duties only; whereas, however, it would appear desirable to allow the arrangements to be used likewise where the products manufactured during the processing operations are liable to export duties and to allow the procedures laid down in the Directive to be used where the imported goods are subject to commercial policy measures in cases of release for free circulation;

Whereas it is necessary to establish a Committee to organize close and effective collaboration in this field between Member States and the Commission,

HAS ADOPTED THIS REGULATION:

TITLE I

General principles

Article 1

1. This Regulation lays down the rules governing inward processing relief arrangements.

⁽¹⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽²⁾ OJ No L 245, 14. 9. 1984, p. 28.

2. Without prejudice to Article 2, inward processing relief arrangements shall, under the conditions laid down by this Regulation, enable the following goods to be used in the customs territory of the Community in one or more processing operations :

- (a) non-Community goods intended for re-export outside the customs territory of the Community in the form of compensating products, these goods not being subject to import duties ;
- (b) goods released for free circulation with refund or remission of the import duties levied on such goods if they are re-exported outside the customs territory of the Community in the form of compensating products.

3. For the purposes of this Regulation :

- (a) 'import goods' means non-Community goods which have undergone formalities for being placed under inward processing relief arrangements within the framework of the suspension system or which have undergone formalities for release for free circulation under Article 24 within the framework of the drawback system ;
- (b) 'Community goods' means goods :
 - entirely obtained in the customs territory of the Community, without the addition of goods from third countries or territories which are not part of the customs territory of the Community,
 - from countries or territories not forming part of the customs territory of the Community which have been released for free circulation in a Member State,
 - obtained in the customs territory of the Community either from the goods referred to exclusively in the second indent or from the goods referred to in the first and second indents ;
- (c) 'non-Community goods' means goods other than those referred to in (b).

Without prejudice to the agreements concluded with third countries for the implementation of the Community transit arrangements, goods which, while fulfilling the conditions laid down in (b), are reintroduced into the customs territory of the Community after export therefrom are also considered as non-Community goods ;

- (d) 'equivalent goods' means Community goods which are used instead of the import goods for the manufacture of compensating products ;
- (e) 'person' means :
 - a natural person,
 - a legal person, or
 - when this possibility is provided for in the rules in force, an association of persons recog-

nized as having legal capacity but lacking the legal status of a legal person ;

- (f) 'holder of the authorization' means a person to whom an inward processing authorization has been issued ;
- (g) 'operators' means persons who carry out all or part of the processing operations ;
- (h) 'processing operations' means :
 - the working of goods, including fitting or assembling them or adapting them to other goods,
 - the processing of goods,
 - the repair of goods, including their restoration,
 - the use of certain goods, defined in accordance with the procedure laid down in Article 31 (2) and (3), which are not to be found in the compensating products, but which allow or facilitate the production of those products, even if they are entirely or partially used up in the process ;
- (i) 'compensating products' means all products resulting from processing operations ;
- (j) 'goods in the unaltered state' means import goods which have not undergone a processing operation ;
- (k) 'import duties' means not only customs duties and charges having equivalent effect but also agricultural levies and other import charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products ;
- (l) 'export duties' means agricultural levies and other export charges provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products ;
- (m) 'customs authority' means any authority competent to apply customs rules, even if that authority is not part of the customs administration ;
- (n) 'suspension system' means the inward processing relief arrangements as provided for in paragraph 2 (a) ;
- (o) 'drawback system' means the inward processing relief arrangements as provided for in paragraph 2 (b) ;
- (p) 'rate of yield' means the quantity or percentage of compensating products obtained from the processing of a fixed quantity of import goods.

Article 2

1. Where the conditions laid down in paragraph 2 are fulfilled and subject to paragraph 4, the customs authority shall authorize :

- (a) compensating products to be obtained from equivalent goods ;
- (b) compensating products obtained from equivalent goods to be exported outside the Community before import of the import goods.

2. The equivalent goods shall be of the same quality and have the same characteristics as the import goods. However, in specific cases determined in accordance with the procedure referred to in Article 31 (2) and (3), the equivalent goods may be allowed to be at a more advanced stage of manufacture than the import goods.

3. Where paragraph 1 applies, the import goods shall be in the customs position of equivalent goods and the latter in the customs position of import goods.

4. Measures designed to prohibit or limit recourse to paragraph 1 may be adopted in accordance with the procedure laid down in Article 31 (2) and (3).

5. When paragraph 1 (b) is applied and the compensating products would be liable to export duties if they were not exported under an inward processing operation, the holder of the authorization shall provide a security to ensure payment of the duties should the import goods not be imported within the set time limit.

TITLE II

Issue of the authorization

Article 3

1. The use of inward processing relief arrangements shall be conditional on the issue, by the customs authority of the Member State in which the processing operations are to be carried out, of an inward processing authorization, hereinafter referred to as 'authorization'.

2. The authorization shall be issued at the request of the person who carries out processing operations or who arranges for them to be carried out.

This person shall supply, with his application, the information required for issue for the authorization.

3. The authorization may cover one or more processing operations as the case may be.

Article 4

The authorization shall be granted only :

- (a) to persons established in the Community. However, in the case of imports of a non-commercial nature, the authorization may be granted to persons established outside the Community ;
- (b) to persons who offer every guarantee which the customs authority considers necessary ;
- (c) where, without prejudice to the use of the goods referred to in the last indent of Article 1 (3) (h), it is possible to identify the import goods in the compensating products or, in the case referred to in Article 2, where it can be verified whether the conditions laid down in respect of equivalent goods have been complied with.

Article 5

The customs authority shall grant an authorization if inward processing relief arrangements may contribute towards creating the most favourable conditions for the export of compensating products, provided that the essential interests of Community producers are not affected (economic conditions).

Article 6

Economic conditions shall be considered fulfilled, where :

- 1. The goods which are intended to be processed :
 - (a) are not produced in the Community ;
 - (b) are not produced in the Community in sufficient quantity ;
 - (c) cannot be made available to the operator within a suitable time by producers established in the Community ;
 - (d) are produced in the Community but cannot be used because their price is such as to make the proposed commercial operation economically impracticable ;
 - (e) are produced in the Community but do not have the quality or characteristics necessary for the operator to produce the required compensating products ;
 - (f) are produced in the Community but cannot be used because they do not conform to the expressly stated requirements of the third-country purchaser of the compensating products ;
 - (g) are produced in the Community but cannot be used since the compensating products must be obtained from import goods in order to ensure that the provisions concerning the protection of industrial and commercial property are complied with ;

2. The goods which are intended to be processed :
 - (a) are supplied for the execution of a job-processing contract ;
 - (b) are imported as part of a transaction of a non-commercial nature ;
3. The processing operations involve :
 - (a) repairs to goods, including overhaul and adjustments ;
 - (b) the usual handling operations to which goods may be subject in pursuance of Community provisions on customs warehousing and free zones ;
 - (c) operations carried out successively in one or more Member States on the same import goods which have been the subject of an authorization issued after examination of the economic conditions referred to in point 1 ;
4. The value of each type of goods to be imported under an authorization does not, per operator and per calendar year, exceed an amount determined in accordance with the procedure laid down in Article 31 (2) and (3).

Article 7

Cases other than those referred to in Article 6 in which the economic conditions will be deemed to be fulfilled may be determined in accordance with the procedure laid down in Article 31 (2) and (3).

The provisions so adopted may be modified or repealed in accordance with the same procedure.

Article 8

Where the customs authority considers that the economic conditions are fulfilled in cases other than those provided for in Articles 6 and 7, the authorization shall be granted for a limited period, which may not exceed nine months.

The parts of the request for authorization concerning economic conditions shall be communicated to the Commission, which shall inform the other Member States thereof; the period within which such a communication should be made to the Commission shall be fixed in accordance with the procedure laid down in Article 31 (2) and (3).

The customs authority may, at the request of the holder of the authorization, extend the period of validity of the latter, where the relevant provisions have not been adopted in good time in accordance with the procedure laid down in Article 31 (2) and (3).

Article 9

Where the customs authority considers that consultation at Community level is advisable in order to ensure that the economic conditions enabling an authorization to be issued are fulfilled, the Member State of the authority shall submit the case to the

Commission, which shall inform the other Member States thereof. The period within which such cases should be submitted to the Commission shall be fixed in accordance with the procedure laid down in Article 31 (2) and (3).

In such cases, Article 8 may be applied *mutatis mutandis*.

Article 10

The Committee for Customs Procedures with Economic Impact shall exchange information on the application of the provisions in respect of economic conditions.

Article 11

1. The conditions under which the arrangements are used shall be set out in the authorization.
2. The holder of the authorization is required to notify the customs authority of all factors arising after the issue of the authorization which are likely to influence its continuation or contents.
3. Where the circumstances under which the authorization was issued are found to have changed, the customs authority shall amend the authorization accordingly.

Article 12

Cases where the authorization is to be revoked and cases where it is decided that it is null and void, as well as the consequences deriving therefrom, shall be determined in accordance with the procedure laid down in Article 31 (2) and (3).

TITLE III

Functioning of the arrangements

Article 13

The conditions for the placing of goods under the inward processing relief arrangements shall be determined in accordance with the procedure laid down in Article 31 (2) and (3).

Article 14

1. The customs authority shall fix the time limit within which the compensating products must be dealt with in one of the days referred to in Article 18. This time limit shall be fixed having regard to the period necessary for completion of the processing operations and for disposal of the compensating products.
2. The time limits shall run from the date on which the non-Community goods are placed under inward processing relief arrangements. The customs authority may extend them on submission of a duly substantiated request by the holder of the authorization.

In order to simplify matters it may be decided that time limits which begin to run during a calendar month or quarter shall expire on the last day of a subsequent calendar month or quarter respectively.

3. Where Article 2 (1) (b) applies, the customs authority shall fix the time limit within which the non-Community goods must be declared for the relief arrangements. This time limit shall run from the date of export of the compensating products obtained from the corresponding equivalent goods.

4. Specific time limits may be established, in accordance with the procedure laid down in Article 31 (2) and (3), for certain processing operations or for certain import goods.

Article 15

1. Without prejudice to paragraph 2, the customs authority shall fix either the rate of yield of the operation or, where necessary, the method of determining such rate. This rate shall be determined on the basis of the actual circumstances in which the processing operation is, or is to be, carried out.

2. Where circumstances so warrant and, in particular, in the case of processing operations customarily carried out under clearly defined technical conditions involving goods of substantially uniform characteristics and resulting in the production of compensating products of uniform quality, standard rates may be fixed in accordance with the procedure laid down in Article 31 (2) and (3) on the basis of data previously ascertained.

Article 16

The customs authority may make the placing of goods under inward processing relief arrangements subject to the provision of a security in order to ensure that any customs debt which may be incurred in respect of these goods will be paid.

Article 17

The customs authority may take any measures of supervision or control which it considers necessary to ensure that the Regulation is implemented correctly by the holder of the authorization or by the operator where this is a different person.

Article 18

1. Inward processing relief arrangements for import goods shall be finally discharged when the compensating products have been exported outside the customs territory of the Community under customs control, provided that all the conditions for use of the relief arrangements have been complied with.

Where Article 2 (1) (b) applies, the arrangements shall be finally discharged when the customs authority has

accepted the declaration on the non-Community goods.

2. Inward processing relief arrangements shall also be finally discharged for imported goods when the compensating products are :

(a) placed under a free-zone procedure or one of the following customs procedures with a view to subsequent export outside the customs territory of the Community or being placed under a new inward processing relief arrangement :

- customs warehousing,
- temporary importation,
- Community transit (external procedure) or one of the international transport procedures referred to in Article 7 (1) of Council Regulation (EEC) No 222/77 of 13 December 1976 concerning Community transit⁽¹⁾, provided that the use of the latter procedures is allowed by Community law ;

(b) placed under a new inward processing relief arrangement ;

(c) released for free circulation ;

(d) placed under the system of processing under customs control ;

(e) destroyed under the supervision of the customs authority (waste and scrap resulting from this destruction may itself be re-exported outside the customs territory of the Community or be dealt with in one of the other ways for which provision is made in this paragraph) ;

(f) abandoned to the Exchequer where national regulations provide for this possibility.

3. The final discharge of the relief arrangements under the conditions referred to in paragraph 2 (c) to (f) shall be subject to the authorization of the customs authority, which shall grant this authorization where circumstances so warrant.

The customs authority may also authorize compensating products which have been placed under the free-zone procedure or one of the customs procedures referred to in paragraph 2 (a) to be dealt with in one of the ways referred to in points (c) to (f) of that paragraph.

4. Paragraphs 1, 2 and 3 shall also apply to goods in the unaltered state.

5. The cases in which, the conditions under which, and the moment at which the goods in the unaltered state or the compensating products subject to an authorization for release for free circulation shall be considered as having been released for free circulation may be determined in accordance with the procedure laid down in Article 31 (2) and (3).

⁽¹⁾ OJ No L 38, 9. 2. 1977, p. 1.

Article 19

1. The final discharge of the inward processing relief arrangements shall be carried out according to the quantities of import goods which correspond to the compensating products dealt with in one of the ways referred to in Article 18 (1) and (2) or of goods in the unaltered state dealt with in one of these ways.

2. The conditions under which the quantities of import goods referred to in paragraph 1 are to be determined may be adopted in accordance with the procedure laid down in Article 31 (2) and (3).

Article 20

1. Subject to paragraph 2 and Article 21, when a customs debt is incurred, the amount of this debt shall be determined on the basis of the taxation elements appropriate to the import goods at the time of acceptance of the declaration of placing of these goods under inward processing relief arrangements.

2. If at the time referred to in paragraph 1 the import goods fulfilled the conditions to qualify for preferential tariff treatment within tariff quotas or ceilings, they shall be eligible for any preferential tariff treatment existing in respect of identical goods at the time of acceptance of the declaration of release for free circulation.

Article 21

1. By way of derogation from Article 20 (1), compensating products :

(a) shall be subject to the import duties appropriate to them where :

- they are released for free circulation and appear on the list adopted in accordance with the procedure laid down in Article 31 (2) and (3) and to the extent that they correspond proportionally to the exported part of the compensating products not included in that list. However, the holder of the authorization may ask for the products to be taxed under the conditions referred to in Article 20,
- they are subject to charges established under the common agricultural policy and where provisions adopted in accordance with the procedure laid down in Article 31 (2) and (3) so provide ;

(b) which have been placed under a free-zone procedure or under one of the customs procedures referred to in Article 18 (2) (a), (b) or (d) shall be subject to import duties calculated in accordance

with the rules applicable to free zones or in the framework of the customs procedure in question.

However,

- the person concerned may apply for taxation in accordance with Article 20,
 - in the cases referred to in Article 18 (2) (a) and (b), the amount of import duty levied must be at least equal to the amount which would have been levied pursuant to Article 20 ;
- (c) may be made subject to the taxation rules laid down in Council Regulation (EEC) No 2763/83 of 26 September 1983 on arrangements permitting goods to be processed under customs control before being put into free circulation⁽¹⁾ if the import goods could have been placed under these arrangements ;
- (d) shall qualify for favourable tariff treatment on account of their end-use where such treatment is granted in respect of identical imported goods ;
- (e) shall be exempt from import duties where Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty⁽²⁾ provides for such exemption in respect of identical imported goods.
2. When released for free circulation, the waste and scrap referred to in Article 18 (2) (e) shall be subject to the import duties appropriate to it.

TITLE IV

Processing operations outside the customs territory of the Community*Article 22*

1. All or part of the compensating products or goods in the unaltered state may be temporarily exported for the purpose of further processing outside the customs territory of the Community if the customs authority so authorizes, in accordance with the conditions laid down in the outward processing provisions.

2. Where a customs debt is incurred in respect of re-imported products, the following shall be charged :

- (a) the import duties on the compensating products or goods in the unaltered state referred to in paragraph 1, calculated in accordance with Articles 20 and 21 ;

⁽¹⁾ OJ No L 272, 5. 10. 1983, p. 1.

⁽²⁾ OJ No L 105, 23. 4. 1983, p. 1.

- (b) the import duties on the products re-imported after processing outside the customs territory of the Community, the amount of which shall be calculated in accordance with the provisions relating to outward processing relief arrangements exactly as if the products exported under the latter system had been released for free circulation before such export took place.

TITLE V

Drawback system

Article 23

The drawback system may be used for all goods, with the exception of those which, at the time the declaration of release for free circulation is accepted :

- are subject to quantitative import restrictions,
- might qualify for preferential tariff arrangements within quotas or allocated ceilings,
- are subject to an agricultural levy or any other import charge provided for under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products.

Moreover, the drawback system may be used only if no export refund is determined for the compensating products at the time the declaration of release for free circulation of the import goods is accepted.

Permission to use the drawback system shall be granted only if, at the time the declaration of exportation of the compensating products is accepted :

- the import goods are not subject to one of the charges referred to in the third indent of the first paragraph,
- no export refund is determined for the compensating products.

Article 24

1. The declaration of release for free circulation must indicate that the drawback system is used and provide a reference to the authorization.

2. At the request of the customs authority, this authorization must be attached to the declaration of release for free circulation.

Article 25

Article 2 (1) (b), 2 (3) and 2 (5), Article 14 (3), Article 16, the second subparagraph of Article 18 (1), Article 18 (2) (c) to (f) and Article 18 (3), (4) and (5), Article 20,

the second indent of Article 21 (1) (a), Article 21 (1) (c), (d) and (e) and Article 21 (2) and Article 28 shall not apply.

Article 26

Temporary exportation of compensating products carried out as provided for in Article 22 (1), shall not be considered as exportation within the meaning of Article 27, except where such products are not re-imported into the Community within the set time limits.

Article 27

1. The holder of the authorization may ask for the import duty to be refunded or remitted in so far as he can establish to the satisfaction of the customs authority that compensating products obtained from import goods released for free circulation under the drawback system have been either :

- exported under customs control outside the customs territory of the Community, or
- placed, with a view to being subsequently exported, under a free-zone procedure, under customs warehousing, temporary importation, inward processing relief (suspension system), Community transit (external procedure) arrangements or under one of the international transport procedures within the meaning of Article 7 (1) of Regulation (EEC) No 222/77, provided that the use of the latter procedures is allowed by Community law,

all conditions for use of the arrangements having also been met.

The delivery of compensating products :

- (a) to persons eligible for relief from duty resulting from the application of the Vienna Convention of 18 April 1961 on Diplomatic Relations, the Vienna Convention of 24 April 1963 on Consular Relations, other consular conventions or the New York Convention on Special Missions of 16 December 1969 ;
- (b) to armed forces stationed on the territory of a Member State, in accordance with Article 136 of Regulation (EEC) No 918/83.

shall be considered equivalent to an export.

2. The time limit within which the application for a refund must be made shall be determined in accordance with the procedure laid down in Article 31 (2) and (3).

3. Where circumstances so warrant, the customs authority may authorize the release for free circulation of the compensating products placed under a free-zone procedure or under a customs procedure as provided

for in paragraph 1. In this case, without prejudice to Article 21 (1) (b), the amount of the import duty refunded or remitted shall be considered as constituting the amount of the customs debt.

4. For the purpose of determining the amount of the import duties to be refunded or remitted, the first indent of Article 21 (1) (a) shall apply *mutatis mutandis*.

TITLE VI

Final provisions

Article 28

1. Without prejudice to the provisions adopted in connection with the specific rules concerned, non-Community goods may be placed under inward processing relief arrangements, applying the suspension system, in order that the compensating products may qualify for exemption from the export duties to which identical products obtained from Community goods instead of import goods would be liable.

2. The procedures for which provision is made in this Regulation and which relate to the suspension system may also be used for implementation of common commercial policy non-tariff measures.

Article 29

1. The Member States and the Commission shall exchange statistical information concerning:

- (a) the import of goods placed under inward processing relief arrangements in the framework of the suspension system;
- (b) the import of goods placed under inward processing relief arrangements in the framework of the drawback system;
- (c) the export of compensating products and goods in the unaltered state in the framework of the suspension system;
- (d) the export of compensating products in the framework of the drawback system;
- (e) the quantities of import goods placed under inward processing relief arrangements in the framework of the suspension system and released for free circulation in the unaltered state or in the form of compensating products.

2. Where, in connection with the inward processing of certain products, specific needs so require, provisions relating to:

- the communication of additional data supplementing the information referred to in paragraph 1,
- the frequency of communication of this information and these additional data

may be adopted in accordance with the procedure laid down in Article 31 (2) and (3).

Article 30

1. A Committee for Customs Procedures with Economic Impact, hereinafter called 'the Committee', is hereby established; it shall be composed of representatives of the Member States; a representative of the Commission shall be chairman.

2. The Committee may examine any matter concerning the implementation of this Regulation raised by its chairman either on his own initiative or at the request of the representative of a Member State.

3. The Committee shall adopt its own rules of procedure.

Article 31

1. The provisions required for the implementation of this Regulation, with the exception of Articles 16 and 23, shall be adopted in accordance with the procedure laid down in paragraphs 2 and 3.

2. The representative of the Commission shall submit to the Committee a draft of the provisions to be adopted. The Committee shall deliver its opinion on the draft within a time limit set by the chairman, having regard to the urgency of the matter. Opinions shall be delivered by a majority of votes, as provided for in Article 148 (2) of the Treaty.

The chairman shall not vote.

- 3. (a) The Commission shall adopt the provisions envisaged where they are in accordance with the opinion of the Committee.
- (b) Where the provisions envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall without delay propose to the Council the provisions to be adopted. The Council shall act by a qualified majority.
- (c) If within three months of the proposal being submitted to it the Council has not acted, the proposed provisions shall be adopted by the Commission.

Article 32

This Regulation shall be without prejudice to the adoption of specific provisions relating to the common agricultural policy, which remain subject to the rules on the introduction of the aforesaid policy.

Article 33

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

It shall apply from 1 January 1987.

2. Directive 69/73/EEC and the Directives adopted for its implementation shall be repealed with effect from 1 January 1987. References to those Directives shall be construed as references to this Regulation.

The derogations from Directive 69/73/EEC provided for in Annex XXXII.I.1 to the 1985 Act of Accession shall also be deemed to apply to this Regulation.

Pending enactment of implementing provisions for this Regulation, the relevant national provisions in force before the date referred to in the preceding subparagraph and taken pursuant to Directive 69/73/EEC shall remain applicable.

3. Authorizations granted in accordance with provisions adopted pursuant to Directive 69/73/EEC before 1 January 1987 shall be revoked no later than 31 December 1987.

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

Done at Brussels, 16 July 1985.

For the Council

The President

M. FISCHBACH

COUNCIL REGULATION (EEC) No 2000/85**of 16 July 1985****fixing the Community contribution to the financing of compensation measures following the fall in farm income as a result of the dismantling of the Netherlands positive compensatory amounts**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 855/84 of 31 March 1984 on the calculation and the dismantlement of the monetary compensatory amounts applying to certain agricultural products⁽¹⁾, and in particular Article 6 thereof,

Having regard to the proposal from the Commission,

Whereas Article 6 of Regulation (EEC) No 855/84 authorized the Kingdom of the Netherlands to adopt national measures similar to those for the Federal Republic of Germany in order to compensate for the loss of farm income following the revaluation of the representative rate of the Dutch guilder, which took effect on 1 January 1985;

Whereas, in the framework of this authorization, the Government of the Netherlands has decided to adopt compensatory measures, to be distributed throughout the agricultural and horticultural sectors with the aim in particular of reducing production costs, improving infrastructure, agricultural research, advisory services and quality and introducing a system for purchasing milk quotas and measures to protect the environment;

Whereas the total amount of national expenditure for these measures amounts to 74 million ECU; whereas

the Community contribution towards the financing of these measures should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

The Community contribution to the financing of national aids granted by the Netherlands authorities to compensate for the fall in farm income due to the revaluation of the representative rate for the Dutch guilder provided for in Regulation (EEC) No 855/84, shall be fixed at 16,5 million ECU in 1985 and 13,5 million ECU in 1986.

Article 2

The Government of the Netherlands shall forward to the Commission a report on the effect of the implementation of the compensation measures. The Commission shall forward the report to the Council.

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, 16 July 1985.

For the Council

The President

M. FISCHBACH

⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 1.

COUNCIL REGULATION (EEC) No 2001/85**of 16 July 1985****amending Regulation (EEC) No 1943/81 on a common measure to improve the processing and marketing conditions in the cattlefeed sector in Northern Ireland**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

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

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

Whereas the agricultural production sectors which depend on animal feed continue to be of vital importance for the agricultural economy of Northern Ireland;

Whereas Article 7 (1) and (2) of Regulation (EEC) No 1943/81 ⁽³⁾ specify an estimated time required for carrying out the common measure of four years beginning on 1 January 1981, and an estimated cost of this measure of six million ECU;

Whereas the serious problems of the agricultural production sectors in Northern Ireland depending on animal feed have been solved only in part by the said common measure; whereas an appropriate extension of the time envisaged for the said measure is necessary and the estimated cost requires a corresponding revision;

Whereas Article 6 (2) of Regulation (EEC) No 1943/81 provides that projects which receive aid under Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products are processed and

marketed ⁽⁴⁾, as last amended by Regulation (EEC) No 1932/84 ⁽⁵⁾, or which may receive Community aid under other common measures shall not fall within the scope of Regulation (EEC) No 1943/81; whereas, during the period of extension of the said Regulation, projects which may receive aid under Regulation (EEC) No 355/77 should also be excluded from aid within the scope of Regulation (EEC) No 1943/81,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1943/81 is hereby amended as follows:

1. Article 6 (2) is replaced by the following:

'2. Projects which may receive Community aid under Regulation (EEC) No 355/77 ⁽¹⁾ or under other common measures within the meaning of Article 6 (1) of Regulation (EEC) No 729/70 shall not fall within the scope of this Regulation.'

2. Article 7 (1) and (2) are replaced by the following:

'1. The estimated time required for carrying out the common measure shall be seven years as from 1 January 1981.

2. The estimated cost of the common measure financed for the period 1 January 1981 to 31 December 1987 shall be 10,5 million ECU.'

Article 2

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

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

Done at Brussels, 16 July 1985.

For the Council

The President

M. FISCHBACH

⁽¹⁾ OJ No C 149, 19. 6. 1985, p. 5.

⁽²⁾ Opinion delivered on 12 July 1985 (not yet published in the Official Journal).

⁽³⁾ OJ No L 197, 20. 7. 1981, p. 23.

⁽⁴⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽⁵⁾ OJ No L 180, 7. 7. 1984, p. 1.

COMMISSION REGULATION (EEC) No 2002/85**of 19 July 1985****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

Whereas the 1985/86 marketing year for durum wheat begins on 1 July 1985; whereas the Council has not, to date, adopted the prices for this marketing year in respect of this product; whereas the Commission, in compliance with the tasks entrusted to it by the Treaty, is obliged to adopt the precautionary measures essential to ensure continuity of operation of the common agricultural policy as regards durum wheat;

Whereas, in order to ensure continuity of operation of the import arrangements for durum wheat and for durum wheat groats and meal, a price equal to the threshold price fixed for the 1984/85 marketing year and applicable as from 1 July 1984 should be taken into account in calculating the levies, namely 352,67 ECU per tonne for durum wheat, and 547,09 ECU per

tonne for durum wheat groats and meal; whereas these prices shall be adjusted as from 1 August 1985 by the same amounts as the monthly increments fixed by Regulation (EEC) No 1020/84⁽⁶⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁷⁾, as last amended by Regulation (EEC) No 855/84⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 18 July 1985;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3131/84 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 July 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 293, 10. 11. 1984, p. 1.

⁽⁶⁾ OJ No L 107, 19. 4. 1984, p. 6.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 19 July 1985.

For the Commission
Frans ANDRIESSEN
Vice-President

ANNEX

to the Commission Regulation of 19 July 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	132,64
10.01 B II	Durum wheat	145,14 ⁽¹⁾ ⁽²⁾
10.02	Rye	123,47 ⁽⁶⁾
10.03	Barley	114,13
10.04	Oats	95,51
10.05 B	Maize, other than hybrid maize for sowing	98,19 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	89,65 ⁽⁴⁾
10.07 C	Grain sorghum	127,42 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	201,52
11.01 B	Rye flour	188,68
11.02 A I a)	Durum wheat groats and meal	237,97
11.02 A I b)	Common wheat groats and meal	214,53

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 2003/85

of 19 July 1985

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas these exchange rates being those recorded on 18 July 1985;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 July 1985.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 205, 1. 8. 1984, p. 4.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 19 July 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	1,27	1,27	8,53
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	2,50	2,50	8,84
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	5,18
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2004/85**of 17 July 1985****amending quantitative limits fixed for imports of certain textile products
originating in Czechoslovakia and Hungary**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3589/82 of 23 December 1982 on common rules for
imports of certain textile products originating in third
countries ⁽¹⁾, as last amended by Regulation (EEC) No
1003/85 ⁽²⁾, and in particular Articles 7 and 9 (2)
thereof,

Whereas, by Regulation (EEC) No 3589/82, quantita-
tive limits agreed with third countries are shared
between the Member States for 1985;

Whereas, in the bilateral agreements, the Community
has given undertakings to the supplier countries to
adjust the allocation of limits among Member States in
such a way as to ensure optimum utilization and to
establish efficient and speedy procedures for adjusting
the allocations;

Whereas Czechoslovakia and Hungary have asked that
the allocation of Community quantitative limits
among the Member States be adjusted in order to take
account of the trend of trade flows, and to enable

suppliers to utilize agreed Community limits more
fully;

Whereas, under Article 9 (2) of Regulation (EEC) No
3589/82, quantitative limits may be increased where it
appears that additional imports are required;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantitative limits for textile products originating
in Czechoslovakia and Hungary, as fixed in Annex III
to Regulation (EEC) No 3589/82, are hereby amended
for 1985 as laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 17 July 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 374, 31. 12. 1982, p. 106.

⁽²⁾ OJ No L 116, 29. 4. 1985, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1985
2	55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics :	Czechoslovakia	BNL UK IRL DK EEC	Tonnes	265 297 455 1 400 6 480
2 a)		55.09-06, 07, 08, 09, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 70, 71, 73, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	a) Of which other than unbleached or bleached	Hungary	D I DK	Tonnes	621 110 330
3	56.07 A	56.07-01, 04, 05, 07, 08, 10, 12, 15, 19, 20, 22, 25, 29, 30, 31, 35, 38, 39, 40, 41, 43, 45, 46, 47, 49	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres : Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics :	Czechoslovakia	DK EEC	Tonnes	92 1 618
				Hungary	F I UK	Tonnes	163 32 167
6	61.01 B V d) 1 2 3 e) 1 2 3 61.02 B II e) 6 aa) bb) cc)	61.01-62, 64, 66, 72, 74, 76 61.02-66, 68, 72	Men's and boys' outer garments : Women's, girls' and infants' outer garments : B. Other : Men's and boys' woven breeches, shorts and trousers (including slacks); women's, girls' and infants' woven trousers and slacks, of wool, of cotton or of man-made textile fibres	Hungary	D BNL	1 000 pieces	64 131

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1985
12	60.03 A B I II b) C D	60.03-11, 19, 20, 27, 30, 90	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized: Other than women's stockings of synthetic textile fibres	Hungary	I BNL UK DK GR	1 000 pairs	50 310 58 1 044 9
15 B	61.02 B II e) 1 aa) bb) cc) 2 aa) bb) cc)	61.02-31, 32, 33, 35, 36, 37, 39, 40	Women's, girls' and infants' outer garments: B. Other: Women's, girls' and infants' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, other than garments of category 15A, of wool, of cotton or of man-made textile fibres	Hungary	D F I BNL UK GR	1 000 pieces	138 72 13 50 49 1
19	61.05 A C	61.05-10, 99	Handkerchiefs	Czechoslovakia Hungary	BNL EEC F I GR	1 000 pieces Tonnes	3 658 13 279 29 37 42
36	51.04 B III	51.04-55, 56, 58, 62, 64, 66, 72, 74, 76, 81, 89, 93, 94, 97, 98	Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip falling within heading No 51.01 or 51.02: B. Woven fabrics of regenerated textile fibres: Woven fabrics of regenerated textile fibres (continuous) other than those for tyres and those containing elastomeric yarn	Czechoslovakia	D F I	Tonnes	385 71 23
	62.02 B II a) c) III a) 2 c)	62.02-40, 42, 44, 46, 51, 59, 65, 72, 74, 77	Bed linen, table linen, toilet linen and kitchen linen; curtains and other furnishing articles: B. Other: Woven table linen, toilet and kitchen linen, other than of cotton terry fabric	Hungary	D I UK	Tonnes	166 42 160
91	62.04 A II B II	62.04-23, 73	Tarpaulins, sails, awnings, sunblinds, tents and camping goods: Tents	Czechoslovakia Hungary	BNL GR D I BNL UK	Tonnes Tonnes	324 44 60 127 20 108

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1985
110	62.04 A III B III	62.04-25, 75	Tarpaulins, sails, awnings, sunblinds, tents and camping goods : Woven pneumatic mattresses	Czechoslovakia	F I	Tonnes	145 485
				Hungary	F UK	Tonnes	542 595
117	54.05	54.05-21, 25, 31, 35, 38, 51, 55, 61, 68	Woven fabrics of flax or of ramie	Hungary	D F I UK	Tonnes	37 21 180 111

COMMISSION REGULATION (EEC) No 2005/85**of 19 July 1985****laying down to what extent applications for issue of export licences submitted during July 1985 for beef and veal products which may benefit from special import treatment in a third country may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country⁽¹⁾, and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by the Act of Accession of Greece,

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 552/85⁽⁴⁾, lays down, in Articles 14 and 15, detailed rules for export licence applications for the products referred to in Article 1 of Commission Regulation (EEC) No 2973/79⁽⁵⁾; whereas Article 15 (6) (c) of Regulation (EEC) No 2377/80 requires the Commission, where the quantities in respect of which licences are applied for exceed

the quantities available, to reduce the quantities requested by a fixed percentage;

Whereas Commission Regulation (EEC) No 3582/81 of 14 December 1981⁽⁶⁾, fixed the quantities of meat which might be exported on special terms for the third quarter of 1985;

Whereas the quantities for which licence applications have been lodged for the third quarter of 1985 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the third quarter of 1985 shall be met in full.

Article 2

This Regulation shall enter into force on 22 July 1985.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 63, 2. 3. 1985, p. 13.

⁽⁵⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁶⁾ OJ No L 359, 15. 12. 1981, p. 14.

COMMISSION REGULATION (EEC) No 2006/85

of 19 July 1985

on the supply of common wheat to the World Food Programme as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down the implementing rules for 1985 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management⁽⁶⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁷⁾, as last amended by Regulation (EEC) No 2543/73⁽⁸⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 3 July 1984 and 29 May 1985 the Commission of the European Communities decided to grant, under Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁹⁾, as last amended by Regulation (EEC) No 3323/81⁽¹⁰⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 124, 11. 5. 1984, p. 1.

⁽⁶⁾ OJ No L 54, 23. 2. 1985, p. 1.

⁽⁷⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁸⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁹⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽¹⁰⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX I

1. **Programme :** 1984 (13 000 tonnes) — 1985 (2 632 tonnes)
2. **Recipient :** World Food Programme (WFP)
3. **Place or country of destination :** Bangladesh
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 15 632 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee, 40, D-6000 Frankfurt/
Main, telex 411 475
8. **Method of mobilizing the product :** intervention
9. **Characteristics of the goods :**
the common wheat must be of fair and sound merchantable quality and correspond at least to
the minimum bread-making quality required for intervention (moisture : 14,5 % maximum)
10. **Packaging :** in bulk
11. **Port of shipment :**
any Community port accessible to ocean-going vessels with a shipping service to the recipient
country during the period for shipment laid down in point 16. The tender must be accompanied
by a statement from the port authorities attesting the existence of the service during the said
period
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 30 July 1985
16. **Shipment period :** 1 August to 10 September 1985
17. **Security :** 6 ECU per tonne

Note

The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.

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

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij	Mængde (t) Menge (t) Τόνοι Tonnage Tonnage Tonnellaggio Hoeveelheid (t)	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder	Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lieu de stockage Luogo di accantonamento Adres van de opslagplaats
1	4 030	Bayerische Lagerversorgung GmbH & Co. Bauerstraße 1 8700 Würzburg	Würzburg 7 018 801
	1 399	Bavaria Schifffahrts- und Speditionen AG Postfach 1 170 8700 Würzburg	Würzburg 1 017 301
	3 592	Vereinigte Landwarenkaufleute in Süddeutschland „Lagerland“ e. G. Briener Straße 27 Postfach 202 509 8000 München 2	Bergtheim 342 701
	3 699	Vereinigte Landwarenkaufleute in Süddeutschland „Lagerland“ e. G. Briener Straße 27 Postfach 202 509 8000 München 2	Kitzingen 342 702
	2 912	Rhenus-WTAG AG Zweigniederlassung Duisburg Schifferstraße 58 Postfach 210 164 4100 Duisburg	Duisburg 257 402

COMMISSION REGULATION (EEC) No 2007/85

of 19 July 1985

extending the duration of private storage contracts in the pigmeat sector,
concluded in Belgium pursuant to Regulations (EEC) No 772/85 and (EEC) No
978/85

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2759/75 of 29 October 1975 on the common organi-
zation of the market in pigmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 2966/80 ⁽²⁾, and in particular
Article 20 thereof,

Having regard to Council Regulation (EEC) No
2763/75 of 29 October 1975 laying down general rules
for granting private storage aid for pigmeat ⁽³⁾, and in
particular Article 3 thereof,

Whereas, because of the health situation in the
breeding sector in Belgium exceptional support
measures for the market in pigmeat were adopted by
the Commission in the form of private storage aid in
respect of that Member State among others by Regula-
tion (EEC) No 772/85 ⁽⁴⁾, as last amended by Regula-
tion (EEC) No 978/85 ⁽⁵⁾, and Regulation (EEC) No
978/85 itself, as amended by Regulation (EEC) No
1086/85 ⁽⁶⁾;

Whereas Article 3 of Regulation (EEC) No 2763/75
states that storage contracts may be extended under
conditions to be determined; whereas Article 3 (1) (f)
of Commission Regulation (EEC) No 1092/80 of 2
May 1980 laying down detailed rules for granting
private storage aid for pigmeat ⁽⁷⁾, as amended by
Regulation (EEC) No 201/85 ⁽⁸⁾, states that storage
contracts must include a provision that the storage
period may be curtailed or extended;

Whereas private storage aid contracts under Regula-
tions (EEC) No 772/85 and (EEC) No 978/85 will
expire as from the end of July 1985 without any final
decision having been taken on the treatment of the
meat in question on removal from storage; whereas a
further storage period of one month should therefore
be stipulated in order to enable the conditions in
which the meat is to be put back on the market to be
defined;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The storage period for pigmeat covered by
private storage aid contracts concluded under Regula-
tions (EEC) No 772/85 and (EEC) No 978/85 is
hereby extended by one month.

The amounts of aid shall be increased in accordance
with the tables annexed to the said Regulations.

2. Where, as a result of the extension of the storage
contract provided for in paragraph 1, it becomes
necessary to store the meat other than in the original
place of storage, Article 3 (2) (a) of Regulation (EEC)
No 1092/80 shall not apply as to the transfer of the
meat from one store to another. Transfers shall be
subject to the prior agreement of the Belgian interven-
tion agency.

Article 2

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

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 19.

⁽⁴⁾ OJ No L 86, 27. 3. 1985, p. 20.

⁽⁵⁾ OJ No L 105, 17. 4. 1985, p. 6.

⁽⁶⁾ OJ No L 114, 27. 4. 1985, p. 36.

⁽⁷⁾ OJ No L 114, 3. 5. 1980, p. 22.

⁽⁸⁾ OJ No L 23, 26. 1. 1985, p. 19.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2008/85
of 19 July 1985

**amending Regulation (EEC) No 1477/85 in respect of the final date for the
lodging of applications for private storage aid in the pigmeat sector**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2759/75 of 29 October 1975 on the common organi-
zation of the market in pigmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 2966/80 ⁽²⁾, and in particular
Article 20 thereof,

Whereas, because of the present health situation in the
breeding sector in Belgium, exceptional support
measures for the market in pigmeat have been laid
down in respect of that Member State among others by
Commission Regulation (EEC) No 1477/85 ⁽³⁾, as
amended by Regulation (EEC) No 1706/85 ⁽⁴⁾;

Whereas it is not yet certain that the outbreak of
African swine fever in the infection zone has been
contained; whereas, therefore, the infection zone
should be redefined and the final date for the lodging
of applications for aid under Regulation (EEC) No
1477/85 should be deferred;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EEC) No 1477/85 is hereby
amended as follows:

1. In the first subparagraph, '19 July 1985' is replaced
by '16 August 1985'.
2. In the second subparagraph, the names of the
communes 'Lendelede' and 'Staden' are deleted.

Article 2

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

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 145 4. 6. 1985, p. 17.

⁽⁴⁾ OJ No L 163, 22. 6. 1985, p. 36.

COMMISSION REGULATION (EEC) No 2009/85

of 19 July 1985

on the issue of import licences for high-quality fresh, chilled or 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 106/85 of 14 January 1985 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 142/85 of 18 January 1985 laying down detailed rules for the application of import arrangements provided for by Regulations (EEC) No 106/85 and (EEC) No 3688/84 in the beef and veal sector⁽²⁾, as amended by Regulation (EEC) No 951/85⁽³⁾, provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Regulation (EEC) No 2377/80 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁴⁾, as last amended by Regulation (EEC) No 552/85⁽⁵⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 142/85 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported

from the United States of America and Canada which may be imported on special terms in 1985 at 10 000 tonnes;

Whereas the applications received in July 1985 cover quantities less than the quota available; whereas, therefore, these applications can be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of July 1985 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 142/85 are hereby met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80 during the first 10 days of August 1985, the total quantity available being 9 696 tonnes.

Article 3

This Regulation shall enter into force on 22 July 1985.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 14, 17. 1. 1985, p. 3.

⁽²⁾ OJ No L 16, 19. 1. 1985, p. 14.

⁽³⁾ OJ No L 102, 12. 4. 1985, p. 14.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 63, 2. 3. 1985, p. 13.

COMMISSION REGULATION (EEC) No 2010/85
of 19 July 1985

amending Regulation (EEC) No 1783/85 fixing the rates of the refunds applicable from 1 July 1985 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 1982/85⁽⁴⁾, and in particular Article 4 (7) thereof,

Whereas the rates of the refunds applicable from 1 July 1985 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EEC) No 1783/85⁽⁵⁾;

Whereas it is advisable to adjust the rates of the refunds applicable to exports of pasta products to the United States of America and Canada;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of refund contained in the Annex to this Regulation shall replace those indicated in Regulation (EEC) No 1783/85 for the same basic products exported to the United States of America and Canada in the form of goods falling within heading No 19.03 of the Common Customs Tariff.

2. The Annex to this Regulation shall be added as Annex II to Regulation (EEC) No 1783/85.

Article 2

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

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁵⁾ OJ No L 169, 29. 6. 1985, p. 22.

ANNEX

Rates of the refunds applicable to certain cereal products exported to the United States of America and Canada in the form of goods falling within heading No 19.03 of the Common Customs Tariff

<i>(ECU/100 kg)</i>		
CCT heading No	Description of products	Rate of refund
10.01 B I	Common wheat and meslin	3,802
10.01 B II	Durum wheat	4,208
11.01 A	Wheat or meslin flour	4,149
11.02 A I a)	Durum wheat groats and meal	6,552
11.02 A I b)	Common wheat groats and meal	4,149

COMMISSION REGULATION (EEC) No 2011/85

of 19 July 1985

repealing Regulation (EEC) No 1929/85 suspending advance fixing of export refunds on certain cereals exported in the form of macaroni, spaghetti and similar products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Concil Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) 1018/84 ⁽²⁾, and in particular the first paragraph of Article 16 (7) thereof,

Having regard to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1982/85 ⁽⁴⁾, and in particular the first subparagraph of Article 5 (3) thereof,

Whereas Commission Regulation (EEC) No 1929/85 ⁽⁵⁾ suspended advance fixing of export refunds on certain cereals exported in the form of macaroni, spaghetti and similar products;

Whereas under present circumstances suspension of advance fixing is no longer necessary; whereas Regulation (EEC) No 1929/85 should therefore be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1929/85 is hereby repealed.

Article 2

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

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁵⁾ OJ No L 180, 12. 7. 1985, p. 57.

COMMISSION REGULATION (EEC) No 2012/85

of 19 July 1985

introducing a countervailing charge on cherries originating in Bulgaria

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1332/84⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Article 25 (1) of Regulation (EEC) No
1035/72 provides that, if the entry price of a product
imported from a third country remains at least 0,6
ECU below the reference price for two consecutive
market days, a countervailing charge must be intro-
duced in respect of the exporting country concerned,
save in exceptional circumstances; whereas this charge
is equal to the difference between the reference price
and the arithmetic mean of the last two entry prices
available for that exporting country;

Whereas Commission Regulation (EEC) No 784/85 of
27 March 1985 fixing for the 1985 marketing year the
reference prices for cherries⁽³⁾ fixed the reference
price for products of class I for the month of July at
109,72 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country
is equal to the lowest representative prices recorded for
at least 30 % of the quantities from the exporting
country concerned which are marketed on all repre-
sentative markets for which prices are available less the
duties and the charges indicated in Article 24 (3) of
Regulation (EEC) No 1035/72; whereas the meaning
of representative price is defined in Article 24 (2) of
Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regula-
tion (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-
tion (EEC) No 3110/83⁽⁵⁾, the prices to be taken into

consideration must be recorded on the representative
markets or, in certain circumstances, on other
markets;

Whereas, for cherries originating in Bulgaria, the entry
price calculated in this way has remained at least 0,6
ECU below the reference price for two consecutive
market days; whereas a countervailing charge should
therefore be introduced for these cherries

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 34,65 ECU per 100 kilo-
grams net is applied to cherries (subheading 08.07 C
of the Common Customs Tariff) originating in
Bulgaria.

Article 2

This Regulation shall enter into force on 23 July 1985.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 88, 28. 3. 1985, p. 26.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2013/85

of 19 July 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

The coefficient for the drachma referred to in Article 2 (3) of Regulation (EEC) No 2742/82 is replaced by '1,153'.

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 746/85⁽²⁾, and in particular Article 14 (2) thereof,

Article 2

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

1. The amended coefficient provided for in Article 1 shall not apply to products for which it has been proved that they have left the supplier country before 22 July 1985.

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

Whereas Article 2 (3) of Commission Regulation (EEC) No 2742/82⁽⁵⁾, as last amended by Regulation (EEC) No 1942/85⁽⁶⁾, provides that the minimum price and the countervailing charge shall, after having been converted into national currency, be multiplied by a coefficient;

However, the competent authorities may regard the products as having left the supplier country before 22 July 1985 when one of the following documents is submitted:

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

— in the case of transport by sea or waterway, the bill of lading showing that loading took place before that day,

— in case of transport by rail, the consignment note accepted by the railways of the expediting country before that day,

Whereas the conversion rate of the drachma has changed;

— in case of transport by road, the TIR carnet presented to the first customs office before that day,

— in case of transport by air, the air consignment note showing that the airline received the products before that day.

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

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

Article 3

This Regulation shall enter into force on 22 July 1985.

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 81, 23. 3. 1985, p. 10.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 290, 14. 10. 1982, p. 28.

⁽⁶⁾ OJ No L 181, 13. 7. 1985, p. 33.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2014/85

of 19 July 1985

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

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⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽³⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country
which grants the variable slaughter premium, in region
5, within the meaning of Article 3 (5) of Regulation
(EEC) No 1837/80; whereas it is necessary therefore
for the Commission to fix, for the week beginning 24
June 1985, the level of the premium and the amount
to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commis-
sion;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 5 shall be fixed weekly by the Commis-
sion;

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No
1837/80 and in Article 4 (1) and (3) of Regulation

(EEC) No 1633/84 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
region 5 of the aforesaid Member State during the
week beginning 24 June 1985, shall be set out in the
Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the
United Kingdom in region 5, within the meaning of
Article 3 (5) of Regulation (EEC) No 1837/80, for the
variable slaughter premium during the week beginning
24 June 1985 the level of the premium shall be
equivalent to the amount fixed in Annex I.

Article 2

For products referred to in Article 1 (a) and (c) of
Regulation (EEC) No 1837/80 which left the territory
of region 5 during the week beginning 24 June 1985,
the amounts to be charged shall be equivalent to those
fixed in Annex II hereto.

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 with effect from 24 June 1985.

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

Done at Brussels, 19 July 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 154, 9. 6. 1984, p. 27.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 24 June 1985

Description	Premium
Certified sheep or sheepmeat	107,205 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by the United Kingdom.

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
24 June 1985

(ECU/100 kg)

CCT heading No	Description	Charge
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight
		50,386
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	107,205
	2. Short forequarters	75,044
	3. Chines and/or best ends	117,926
	4. Legs	139,367
	5. Other :	
	aa) Unboned (bone-in)	139,367
02.01 A IV b)	bb) Boned or boneless	195,113
	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	80,404
	2. Short forequarters	56,283
	3. Chines and/or best ends	88,444
	4. Legs	104,525
	5. Other :	
02.06 C II a)	aa) Unboned (bone-in)	104,525
	bb) Boned or boneless	146,335
	Meat of sheep or goats, salted in brine, dried or smoked :	
ex 16.02 B III b) 2 aa) 11)	1. Unboned (bone-in)	139,367
	2. Boned or boneless	195,113
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	— unboned (bone-in)	139,367
	— boned or boneless	195,113

COMMISSION REGULATION (EEC) No 2015/85

of 19 July 1985

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1734/85⁽⁷⁾, as last amended by Regulation (EEC) No 1994/85⁽⁸⁾;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽¹¹⁾ as last amended by Regulation (EEC) No 855/84⁽¹²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 18 July 1985;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹³⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 1734/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 July 1985.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

(¹) OJ No L 281, 1. 11. 1975, p. 1.
 (²) OJ No L 107, 19. 4. 1984, p. 1.
 (³) OJ No L 166, 25. 6. 1976, p. 1.
 (⁴) OJ No L 107, 19. 4. 1984, p. 13.
 (⁵) OJ No 106, 30. 10. 1962, p. 2553/62.
 (⁶) OJ No L 263, 19. 9. 1973, p. 1.
 (⁷) OJ No L 166, 26. 6. 1985, p. 19.
 (⁸) OJ No L 186, 19. 7. 1985, p. 31.
 (⁹) OJ No L 107, 19. 4. 1984, p. 15.
 (¹⁰) OJ No L 281, 1. 11. 1975, p. 65.

(¹¹) OJ No L 106, 12. 5. 1971, p. 1.
 (¹²) OJ No L 90, 1. 4. 1984, p. 1.
 (¹³) OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 19 July 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 G ⁽²⁾	132,27	129,25
11.02 A VII ⁽²⁾	132,27	129,25
11.02 B II d) ⁽²⁾	205,77	202,75
11.02 C VI ⁽²⁾	205,77	202,75
11.02 D VI ⁽²⁾	132,27	129,25
11.02 E II d) 2 ⁽²⁾	234,14	228,10
11.02 F VII ⁽²⁾	132,27	129,25

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

COMMISSION REGULATION (EEC) No 2016/85
of 19 July 1985
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1482/85⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1809/85⁽³⁾, as last amended by Regulation (EEC) No 1995/85⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 to the information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 July 1985.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.
⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.
⁽⁴⁾ OJ No L 186, 19. 7. 1985, p. 34.

ANNEX

to the Commission Regulation of 19 July 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	48,94
	B. Raw sugar	46,06 ⁽¹⁾

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

**COMMISSION REGULATION (EEC) No 2017/85
of 19 July 1985**

**altering the basic amount of the import levies on syrups and certain other
products in the sugar sector**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common organization
of the markets in the sugar sector⁽¹⁾, as last amended
by Regulation (EEC) No 1482/85⁽²⁾, and in particular
Article 16 (8) thereof,

Whereas the import levies on syrups and certain other
sugar products were fixed by Regulation (EEC) No
1778/85⁽³⁾, amended by Regulation (EEC) No
1954/85⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1778/85 to the
information known to the Commission that the basic

amount of the levy on syrups and certain other sugar
products at present in force should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The basic amounts of the import levy on the products
listed in Article 1 (1) (d) of Regulation (EEC) No
1785/81, as fixed in the Annex to amended Regulation
(EEC) No 1778/85 are hereby altered to the amounts
shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 20 July 1985.

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

Done at Brussels, 19 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 9.

⁽⁴⁾ OJ No L 183, 16. 7. 1985, p. 17.

ANNEX

to the Commission Regulation of 19 July 1985 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
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 :		
	C. Maple sugar and other syrup	0,4894	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	58,23
	ex II. Other	0,4894	—
	E. Artificial honey, whether or not mixed with natural honey	0,4894	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4894	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	58,23
	IV. Other	0,4894	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 December 1984

concerning aid granted by the Netherlands Government to an engineering undertaking

(Only the Dutch text is authentic)

(85/351/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice to the parties concerned to submit their comments in accordance with the above provision, and having regard to those comments,

Whereas :

I

By letter dated 20 July 1982, the Netherlands Government notified the Commission that it had had to grant aid amounting to Fl 294 million to an engineering undertaking to prevent it from becoming insolvent, as this would have led to its being wound up with the loss of many jobs.

The undertaking in question had been receiving State aids since 1977 as part of a restructuring programme aimed at terminating some of its shipbuilding, ship-repair and heavy engineering activities.

The Commission decided on 24 March 1979 and 16 March 1981 to raise no objection to the aids which the Netherlands Government proposed granting to the undertaking on the grounds that the restructuring

programme submitted was such as to render the undertaking competitive and capable of operating without assistance, the aids would enable it to concentrate on developing profitable activities without seeing its results affected by the losses occasioned in the past mainly by shipbuilding and ship-repair, the restructuring was taking place without any increase in production in any of the various sectors of activity, and an analysis of the undertaking's product range and of trading patterns produced no indication at that time that trading conditions would be affected to an extent contrary to the common interest.

The aids which were the subject of the notification of 20 July 1982 were intended to cover losses incurred by the undertaking in the offshore sector, from which it proposed to withdraw. They were an extension of the aids granted in 1981, the total amount of which had exceeded the agreed limit by Fl 294 million. owing to the cancellation of a contract for a special type of dredging platform, the undertaking had sustained an unexpected loss of Fl 600 million *inter alia* because its contractual liability was incurred, which meant that the Government had to extend the commitment it had entered into in 1979 to make good a percentage of the undertaking's losses.

The Commission also established that the case in point involved the rescue of an undertaking experiencing difficulties as a result of mismanagement and unfavourable market conditions and that the aid in

question seemed to pursue no objective of rationalization with a view to ensuring the future viability of the firm. By enabling the undertaking to pay off its debts, the aid made it possible to retain uneconomic production units in a market suffering from overcapacity.

It was considered, therefore, that the aid did not qualify for application of any of the exceptions provided for in Article 92 (3) of the EEC Treaty and on 14 October 1982 the Commission initiated the procedure provided for in Article 93 (2).

The aid was actually paid on 2 April 1982.

When it initiated the Article 93 (2) procedure on 14 October 1982, the Commission found that, although the aid had been implemented, the procedure provided for in Article 93 (3) of the Treaty had not been complied with by the Netherlands Government.

II

In its reply of 7 December 1982 to the letter of formal notice within the meaning of Article 93 (2) of the EEC Treaty, the Netherlands Government confirmed that the aid had been paid, arguing that the measure had had to be taken owing to exceptional and urgent circumstances in order to prevent the liquidation of the undertaking and of the other party to the contract which had ordered the special type of platform. Their liquidation would have meant the loss of 25 000 jobs in the Netherlands.

The Netherlands Government also maintained that the aid in question was not likely to distort competition or affect trade between Member States because of the special and unique circumstances of the platform deal at the root of the undertaking's offshore division had been wound up and its assets liquidated.

Lastly, the Netherlands Government pointed out that administrative negligence was to blame for the failure to give prior notice of the assistance measure in accordance with the requirements of Article 93 (3) of the EEC Treaty.

III

By letter dated 10 November 1982, the Commission gave notice to the other Member States to submit their comments on the aid granted by the Netherlands Government to an undertaking in the engineering sector.

The Danish Government made known its opinion on this case on 8 December 1982, stating that it considered the aid question to be a rescue measure in the form of aid for continued operation. As such it was likely to affect trade within the Community and therefore had to be considered incompatible with the common market in accordance with Article 92 (1); nor did it qualify for application of any of the exceptions provided for in paragraphs 2 and 3 of that Article.

IV

The Netherlands Government has been unable to give, or the Commission to discover, any justification for a finding that the aid in question fulfils the conditions necessary for application of one of the exceptions provided for in Article 92 (3) of the EEC Treaty. The aid has merely resulted in a temporary improvement in the recipient undertaking's financial situation without contributing to the attainment of the objectives provided for in Article 92 (3) of the Treaty.

The compatibility of the aid with the common market must be assessed from a Community point of view rather than from that of a single Member State.

More particularly as regards the argument put forward by the Netherlands Government of the need to safeguard jobs, the Commission considers that a lasting increase in employment is generally the consequence of increased investment and an improvement in the competitiveness of undertakings, and it has always expressed strong reservations about schemes to assist employment as such which are in the nature of aid for continued operation, and in particular about aids to maintain employment.

By granting aid to an undertaking in financial difficulties, the Netherlands Government has maintained excess capacity in the offshore engineering sector and delayed the sector's adjustment to market conditions. According to the information which the Commission has in its possession concerning the sector, which is in serious difficulties, the recipient undertaking's competitors, both in the Netherlands and in the other Member States, have been prevented for more than two years from bidding for one or more offshore struc-

tures for the market which the recipient undertaking has set its sights on. As a result, attempts by the Community shipbuilding industry to diversify have been hampered.

At the time the aid was granted it was not accompanied by any restructuring plan capable of contributing to a Community objective within the meaning of Article 92 (3) of the EEC Treaty.

The Netherlands Government was informed long in advance of the difficulties facing the undertaking. It therefore had sufficient time in which to notify the proposed assistance to the Commission in compliance with the procedure provided for in Article 93 (3) of the Treaty.

In view of the above, the measure implemented by the Netherlands Government constitutes an aid within the meaning of Article 92 (1) of the EEC Treaty. The aid does not fulfil the conditions necessary for application of one of the exceptions provided for in Article 93 (3) of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The aid granted by the Netherlands to an engineering undertaking, which the former notified to the

Commission on 20 July 1982, is incompatible with the common market pursuant to Article 92 of the EEC Treaty.

Article 2

The aid granted in breach of Articles 92 and 93 of the EEC Treaty shall be withdrawn.

Article 3

The Netherlands shall inform the Commission within two months of the date of notification of this Decision of the measures it has taken to comply therewith.

Article 4

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 19 December 1984.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION DECISION

of 19 June 1985

authorizing the French Republic to apply intra-Community surveillance to imports of apricots originating in Spain which have been put into free circulation in the other Member States

(Only the French text is authentic)

(85/352/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Articles 2 and 3 thereof,

Whereas the French Government has applied to the Commission of the European Communities, under the first subparagraph of Article 115 of the Treaty, for authorization to apply protective measures in respect of apricots falling within subheading 08.07 A, originating in Spain and put into free circulation in another Member State ;

Whereas imports of the products in question originating in Spain are subject in France to national measures based on Article 22 of Regulation (EEC) No 1035/72 ⁽²⁾ on the common organization of the market in fruit and vegetables ; whereas, in this context France forbids the importation from 5 June to 31 July each year of apricots originating in Spain ;

Whereas because of these measures, there are disparities in the conditions that are applied to imports of the products in question in different Member States ;

Whereas as regards the situation of growers in France, the information received by the Commission indicates that French imports of the products in question originating in non-member countries totalled 11 407 tonnes in 1981 (of which 8 906 tonnes originated in Spain), 5 494 tonnes in 1982 (of which 4 019 tonnes originated in Spain), 12 472 tonnes in 1983 (of which 9 776 tonnes originated in Spain) and 10 140 tonnes in

1984 (of which 9 353 tonnes originated in Spain) ; whereas the share of the market taken by these imports was 11,5 % in 1981, 6,5 % in 1982 and 12 % in 1983 and in 1984 ;

Whereas French marketed production was 85 200 tonnes in 1981, 72 600 tonnes in 1982, 92 000 tonnes in 1983 and 75 000 tonnes in 1984 ;

Whereas France's domestic consumption of apricots was 100 000 tonnes in 1981, 85 000 tonnes in 1982, 104 000 tonnes in 1983 and 83 733 tonnes in 1984 ;

Whereas, according to the Commission's information, 87 % of France's apricot production is put onto its domestic market in June and July ;

Whereas Spanish apricots are exported to the Community essentially in the period referred to above and their volume of exports has increased from 18 435 tonnes in 1982 to 30 879 tonnes in 1983 and this increasing trend appears to have continued in 1984 ;

Whereas the French authorities have pointed out that any imports of Spanish apricots coming in via other Member States in June and July would be likely to cause serious disturbances on the French market ;

Whereas apricots which are subject to the common organization of the market established by Council Regulation (EEC) No 1035/72 referred to above, are produced in such quantities in the Community that the Commission has, under Regulation (EEC) No 783/85 ⁽³⁾, fixed reference prices for the 1985 crop year, specifically for the period June and July ;

Whereas, since the entry prices into the Community of Spanish apricots are lower than the reference prices fixed by Commission Regulation (EEC) No 783/85 referred to above, the Commission has imposed a compensatory tax on imports of apricots originating in Spain with Regulation (EEC) No 1541/85 of 5 June 1985 ⁽⁴⁾ ;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 88, 28. 3. 1985, p. 24.

⁽⁴⁾ OJ No L 147, 6. 6. 1985, p. 28.

Whereas in order to determine whether the conditions for applying Article 115 of the Treaty have been met and to lay down the arrangements for so doing, it is necessary to take into account firstly the sensitivity of the national production concerned and secondly the conditions under which intra-Community trade is carried on; whereas the measures to be authorized should be geared to the specific circumstances of both the production and the trade in question;

Whereas, given the above information regarding the major economic trends affecting French domestic production, the impact of Commission Regulations on the conditions under which imports into the Community from non-member countries will take place, and the fact that the marketing period is only just under way, there are as yet no grounds under Article 3 of Decision 80/47/EEC for applying measures under Article 115 of the Treaty to restrict the import into France of apricots originating in Spain and put into free circulation in another Member State;

Whereas in view of the rising trend in imports into the Community of apricots originating in Spain and the risk of trade deflection which could develop unpredictably causing economic difficulties for French growers, it would be appropriate to authorize France, in accordance with Article 2 of Decision 80/47/EEC, to apply intra-Community surveillance to imports of these products until 31 July 1985 in order to allow

prompt detection of any trends which would justify the application of the protective measures referred to above,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is authorized to apply intra-Community surveillance to apricots falling within subheading 08.07 A of the Common Customs Tariff, originating in Spain and put into free circulation in another Member State, in accordance with Article 2 of Decision 80/47/EEC, until 31 July 1985.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 19 June 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION DECISION

of 28 June 1985

**amending for the sixth time Decision 85/163/EEC on certain protective measures
against foot-and-mouth disease in Italy**

(85/353/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 64/432/EEC of 26
June 1964 on animal health problems affecting intra-
Community trade in bovine animals and swine ⁽¹⁾, as
last amended by Directive 84/644/EEC ⁽²⁾, and in
particular Article 9 thereof,

Having regard to Council Directive 72/461/EEC of 12
December 1972 on health problems affecting intra-
Community trade in fresh meat ⁽³⁾, as last amended by
Directive 84/643/EEC ⁽⁴⁾, and in particular Article 8
thereof,

Having regard to Council Directive 80/215/EEC of 22
January 1980 on health problems affecting intra-
Community trade in meat products ⁽⁵⁾, as last amended
by Directive 81/476/EEC ⁽⁶⁾, and in particular Article 7
thereof,

Whereas an outbreak of foot-and-mouth disease has
occurred in Italy; whereas that outbreak is such as to
constitute a danger to the livestock of the other
Member States, owing to the large volume of trade
both in animals and fresh meat and in certain meat-
based products;

Whereas, following that outbreak of foot-and-mouth
disease the Commission adopted several Decisions,
particularly 85/163/EEC on certain protective
measures against foot-and-mouth disease in Italy ⁽⁷⁾;

Whereas the outbreaks have, as a result of the
measures introduced and the action taken by the
Italian authorities, in particular as regards vaccination
against foot-and-mouth disease, been confined to
certain parts of Italy's territory;

Whereas it seems necessary to amend the scope of the
restrictive measures to take account of the develop-

ment of the disease and of measures carried out locally
by the Italian authorities;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 85/163/EEC is hereby amended as follows:

1. In Article 1 (2), '5 June 1985' is replaced by '28 June 1985'.
2. In Article 2 (3), '5 June 1985' is replaced by '28 June 1985'.
3. In Article 3 (3), '5 June 1985' is replaced by '28 June 1985'.
4. The Annex is replaced by the Annex to this Decision.

Article 2

The Member States shall amend the measures which
they apply to trade so as to bring them into compli-
ance with this Decision three days after its notifica-
tion. They shall immediately inform the Commission
thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 28 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁶⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽⁷⁾ OJ No L 63, 2. 2. 1985, p. 23.

ANNEX

1. Parts of the territory which are the subject of restrictions on the trade in live animals :
 - the provinces of Avellino, Bari, Benevento, Campobasso, Caserta, Catanzaro, Cosenza, Ferrara, Foggia, Massa Carrara, Modena, Napoli, Ravenna, Taranto, Trento and Salerno,
 - any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 1 February 1985.
 2. Parts of the territory which are the subject of restrictions on the trade in fresh meat and meat products :
 - (a) the province of Bari : in the case of meat obtained from animals slaughtered after 3 June 1985 and products prepared using such meats ;
 - (b) the provinces of Avellino and Catanzaro : in the case of meat obtained from animals slaughtered after 24 June 1985 and products prepared using such meats ;
 - (c) any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 10 May 1985.
-

COMMISSION DECISION**of 4 July 1985****amending Decision 85/96/EEC concerning animal health conditions and veterinary certification for imports of fresh meat from Uruguay****(85/354/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 83/91/EEC ⁽²⁾, and in particular
Articles 16 and 28 thereof,

Whereas animal health conditions and veterinary certi-
fication requirements for imports of fresh meat from
Uruguay have been established by Commission
Decision 85/96/EEC ⁽³⁾;

Whereas it is necessary to extend the period
mentioned in Article 5 of Decision 85/96/EEC
concerning the use of animal health certificates;

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

HAS ADOPTED THIS DECISION :

Article 1

In Article 5 of Decision 85/96/EEC, '31 March 1985'
is hereby replaced by '31 July 1985'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 36, 8. 2. 1985, p. 34.

COMMISSION OF THE EUROPEAN COMMUNITIES

REPORT ON SOCIAL DEVELOPMENTS

YEAR 1984

BRUSSELS — LUXEMBOURG / MARCH 1985

ADDENDUM TO THE 'EIGHTEENTH GENERAL REPORT ON THE ACTIVITIES OF THE EUROPEAN COMMUNITIES' IN ACCORDANCE WITH ARTICLE 122 OF THE EEC TREATY

Every year the Commission publishes its annual Social Report, which gives an outline of the main developments in the social field which have taken place in the countries of the European Community during the past year.

The introduction, which has a general and political character, provides a summary of the Community's main activities in the social field in 1984 and outlines the prospects for the near future.

In the contents:

- A. Introduction
- B. Social developments in the Community in 1984
- C. Statistical appendix

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