

Official Journal

of the European Communities

ISSN 0378-6978

L 198

Volume 28

30 July 1985

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ Council Regulation (EEC) No 2109/85 of 25 July 1985 imposing a definitive anti-dumping duty on imports of certain kinds of polystyrene sheet originating in Spain 1
- ★ Council Regulation (EEC) No 2110/85 of 25 July 1985 amending the list in the Annex to Regulation (EEC) No 2763/83 as regards arrangements for processing under customs control 3
- Commission Regulation (EEC) No 2111/85 of 29 July 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal 5
- Commission Regulation (EEC) No 2112/85 of 29 July 1985 fixing the premiums to be added to the import levies on cereals, flour and malt 8
- ★ Commission Regulation (EEC) No 2113/85 of 29 July 1985 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia 10
- ★ Commission Regulation (EEC) No 2114/85 of 29 July 1985 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia 11
- ★ Commission Regulation (EEC) No 2115/85 of 29 July 1985 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia 12
- ★ Commission Regulation (EEC) No 2116/85 of 29 July 1985 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia 13
- ★ Commission Regulation (EEC) No 2117/85 of 29 July 1985 amending Regulation (EEC) No 3441/84 as regards the allocation of the quantity of preserved cultivated mushrooms which may be imported without payment of the additional amount during the period 1 January to 31 December 1985 14

(Continued overleaf)

Contents (continued)

★ Commission Regulation (EEC) No 2118/85 of 29 July 1985 on release of securities for import licences for certain Morello cherries	16
★ Commission Regulation (EEC) No 2119/85 of 29 July 1985 amending Regulation (EEC) No 2042/75 as regards the amount of the security for import licences for basic cereals in respect of which the levy is fixed in advance . .	18
★ Commission Regulation (EEC) No 2120/85 of 29 July 1985 allowing reduction of the duration of private storage contracts for pigmeat	19
Commission Regulation (EEC) No 2121/85 of 29 July 1985 on the purchase by the Belgian intervention agency, and providing for the grant of a special aid by tender for the processing by heat treatment, of pigmeat stored under Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 bearing the Community health mark	20
Commission Regulation (EEC) No 2122/85 of 29 July 1985 on the purchase by the Belgian intervention agency, and providing for the grant of a special aid by tender for the processing by heat treatment, of pigmeat stored under Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 bearing the national health mark .	25
Commission Regulation (EEC) No 2123/85 of 29 July 1985 on the issue of import licences on 30 July 1985 for sheepmeat and goatmeat products originating in certain non-member countries	30
★ Commission Regulation (EEC) No 2124/85 of 26 July 1985 on precautionary measures in the cereals sector other than durum wheat	31
Commission Regulation (EEC) No 2125/85 of 29 July 1985 fixing the export refunds on rice and broken rice	33
Commission Regulation (EEC) No 2126/85 of 29 July 1985 fixing the corrective amount applicable to the refund on rice and broken rice	36
Commission Regulation (EEC) No 2127/85 of 29 July 1985 fixing the import levies on products processed from cereals and rice	38

(Continued on inside back cover)

Contents (continued)

Commission Regulation (EEC) No 2128/85 of 29 July 1985 fixing the import levies on compound feedingstuffs	42
Commission Regulation (EEC) No 2129/85 of 29 July 1985 fixing the sluice-gate prices and levies for eggs	44
Commission Regulation (EEC) No 2130/85 of 29 July 1985 fixing the sluice-gate prices and levies for poultrymeat	47
Commission Regulation (EEC) No 2131/85 of 29 July 1985 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin	52
Commission Regulation (EEC) No 2132/85 of 29 July 1985 fixing the sluice-gate prices and levies for pigmeat	54
Commission Regulation (EEC) No 2133/85 of 29 July 1985 fixing the import levies on white sugar and raw sugar	59
Commission Regulation (EEC) No 2134/85 of 29 July 1985 abolishing the counter-vailing charge on cherries originating in Hungary	60
Commission Regulation (EEC) No 2135/85 of 29 July 1985 fixing the export refunds on pigmeat	61

I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 2109/85****of 25 July 1985****imposing a definitive anti-dumping duty on imports of certain kinds of polystyrene sheet originating in Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consulting the Advisory Committee established by the above Regulation,

Whereas :

A. Provisional measures

- (1) Commission Regulation (EEC) No 909/85⁽²⁾ imposed a provisional anti-dumping duty on imports of certain kinds of polystyrene sheet originating in Spain.

The investigation carried out has shown that the thickness of these sheets usually varied between 0,7 and 1,3 mm. These sheets constitute like products, similar to sheets produced in the Community.

B. Subsequent proceeding

- (2) Following the imposition of the provisional anti-dumping duty, a Spanish exporter, other than the two previously identified and known to be concerned, came forward. This exporter, Plásticos Celulosicos SA (Barcelona), presented in writing its point of view on the duty in question and requested that its case be reconsidered.
- (3) Since Plásticos Celulosicos SA did not come forward within the time limit laid down when the notice of initiation of the proceeding was

published⁽³⁾ it has not been possible to take into consideration the information presented by this exporter.

- (4) The two main exporters concerned by the proceeding, i.e. Coexpan SA and Envases del Valles SA, asked to be informed of the essential facts and considerations on the basis of which the Commission intended to recommend definitive measures. This request was granted.
- (5) The Council has examined the Commission's provisional conclusions as set out in Regulation (EEC) No 909/85.

C. Normal value

- (6) Normal value has been established on the basis of the comparable prices actually paid or payable in the ordinary course of trade for like products intended for consumption on the Spanish market. It was calculated by means of weighted, monthly averages.

D. Export price

- (7) Export prices have been calculated on the basis of prices actually paid or payable for products sold for export to the Community.

E. Dumping

- (8) The Council, having noted that no extra evidence of dumping has been received since the provisional duty was imposed and that the results of the investigation have not been contested, confirms the conclusions of the Commission set out in recitals 9 to 12 of Regulation (EEC) No 909/85 and notes definitively that large-scale dumping practices exist.

F. Injury

- (9) With regard to the injury caused to Community industry by exports which have been the subject

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 97, 4. 4. 1985, p. 30.

⁽³⁾ OJ No C 205, 4. 8. 1984, p. 10.

of dumping, the Council notes, on the basis of information resulting from the investigation, a substantial increase in imports into the Community of polystyrene sheets originating in Spain, an increase in the share of the Community market taken up by such imports, price undercutting as compared with Community prices, resulting in pressure on Community prices, and stagnation of Community sales as compared with imports.

The Council, having noted that no further information regarding injury has been communicated since the provisional duty was imposed, therefore confirms the conclusions of the Commission as set out in recitals 13 to 17 of Regulation (EEC) No 909/85.

G. Undertakings

- (10) After the two main exporters concerned by the proceeding, Coexpan SA and Envases del Valles SA, had been informed that the results of the preliminary investigation had been confirmed, they raised the possibility of offering a price undertaking or an undertaking on quantities. The Council shares the Commission's opinion that, regardless of other considerations, the two formulae for undertakings put forward are not appropriate to these case in point.

H. Community interest

- (11) Bearing in mind the foregoing, the Council takes the view that it is in the Community's interest to introduce a definitive anti-dumping duty on the import of polystyrene sheet originating in Spain. The Council thus confirms the conclusions of the Commission as set out in recitals 18 to 20 of Regulation (EEC) No 909/85.

I. Definitive duty

- (12) In the light of the foregoing conclusions, the amount of the definitive anti-dumping duty must be equal to that of the provisional anti-dumping duty. A definitive anti-dumping duty of 12,4 % on exports by Envases del Valles and 15,9 % on exports by Coexpan or other Spanish exporters, even though these figures are lower than the

dumping margins established, should be sufficient to remove the injury being caused to the Community industry by Spanish imports, bearing in mind the price level necessary to ensure that the complainant producers are no longer selling at a loss and are able to make a reasonable profit.

J. Collection of provisional duty

- (13) The amounts deposited as security in connection with the provisional anti-dumping duty must therefore be collected in full —

HAS ADOPTED THIS REGULATION :

Article 1

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

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

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

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

Article 2

The amounts secured by way of provisional anti-dumping duty pursuant to Regulation (EEC) No 909/85 shall be collected definitively.

Article 3

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, 25 July 1985.

For the Council

The President

J. POOS

COUNCIL REGULATION (EEC) No 2110/85

of 25 July 1985

amending the list in the Annex to Regulation (EEC) No 2763/83 as regards
arrangements for processing under customs control

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to 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⁾, as last
amended by Regulation (EEC) No 630/85 ⁽²⁾, and in
particular Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas certain processing operations which, before
the entry into force of Regulation (EEC) No 2763/83,
could be carried out on the basis of equivalent national
arrangements, are not included in the Annex to the
said Regulation; whereas the operations concerned
involve the processing of certain petroleum products
into products which may be given favourable tariff
treatment within the meaning of Commission Regu-
lations (EEC) No 1535/77 ⁽³⁾ and (EEC) No 1775/77 ⁽⁴⁾,
and the processing of dichromium trioxide into
chromium;

Whereas there exists an economic need for these kinds
of processing operations to be allowed to continue
under the arrangements for processing under customs
control because the Community industry concerned
has invested considerable sums in such operations;

whereas, in the case of dichromium trioxide, it is
necessary to ensure a sufficient supply of chromium
for Community industry, notably the aircraft industry;

Whereas it is necessary to maintain the competitive-
ness of the industries concerned in relation to proces-
sing firms in non-member countries in order to avoid
the danger of cessation of these economic activities
within the Community;

Whereas a need has arisen, furthermore, to include
under the arrangements for processing under customs
control the usual forms of handling which may be
carried out in a customs warehouse or a free zone, in
accordance with Directive 71/235/EEC ⁽⁵⁾;

Whereas therefore the list in the Annex to Regulation
(EEC) No 2763/83 should be supplemented by inclu-
ding in it the operations referred to in the temporary
measures adopted by means of Commission Regu-
lations (EEC) No 283/85 ⁽⁶⁾ and (EEC) No 630/85,
which were valid for six months only;

Whereas it is also necessary to make certain clarifi-
cations to the abovementioned list,

HAS ADOPTED THIS REGULATION:

Article 1

The list annexed to Regulation (EEC) No 2763/83 is
hereby amended as follows:

1. In columns I and II, the second to last entry concerning processing operations for tobaccos, is replaced as follows:

Column I	Column II
'Raw or unmanufactured tobacco falling within heading No 24.01 of the Common Customs Tariff	'Processing into tobaccos partially or totally stripped falling within heading No 24.01 of the Common Customs Tariff and into tobacco refuse, falling within subheading 24.01 B of the Common Customs tariff.'

⁽¹⁾ OJ No L 272, 5. 10. 1983, p. 1.

⁽²⁾ OJ No L 72, 13. 3. 1985, p. 23.

⁽³⁾ OJ No L 171, 9. 7. 1977, p. 1.

⁽⁴⁾ OJ No L 195, 2. 8. 1977, p. 5.

⁽⁵⁾ OJ No L 143, 29. 6. 1971, p. 28.

⁽⁶⁾ OJ No L 30, 2. 2. 1985, p. 5.

2. The following shall be added to columns I and II :

Column I	Column II
'Products falling within subheadings 27.07 B, 27.07 G, 27.10 A, 27.10 B, 27.10 C I, 27.10 C II and 27. 10 C III of the Common Customs Tariff	Processing into products falling within subheading 27.10 C II a) or 27.10 C II b) of the Common Customs Tariff
Crude oils falling within subheading 27.07 A of the Common Customs Tariff	Processing into products falling within subheading 27.07 B II and 29.01 D I b) of the Common Customs Tariff
Dichromium trioxide falling within heading No 28.21 of the Common Customs Tariff	Processing into chromium falling within subheading 81.04 D I b) of the Common Customs Tariff
Goods of any kind	Usual forms of handling permitted in customs warehouses or in free zones in accordance with Directive 71/235/EEC.'

Article 2

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 25 July 1985.

For the Council

The President

J. POOS

COMMISSION REGULATION (EEC) No 2111/85

of 29 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 organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

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

Whereas 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 coeffi-
cient;

Whereas these exchange rates being those recorded on
26 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 30 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, 29 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 29 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	132,23
10.01 B II	Durum wheat	153,81 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	131,80 ⁽⁶⁾
10.03	Barley	129,95
10.04	Oats	106,04
10.05 B	Maize, other than hybrid maize for sowing	108,74 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	77,75 ⁽⁴⁾
10.07 C	Grain sorghum	132,49 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	200,94
11.01 B	Rye flour	200,34
11.02 A I a)	Durum wheat groats and meal	251,41
11.02 A I b)	Common wheat groats and meal	213,91

⁽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 2112/85

of 29 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 26 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 30 July 1985.

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

Done at Brussels, 29 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 29 July 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 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	0	0	3,69
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	4,76
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 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 2113/85

of 29 July 1985

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Article 1 of Council Regulation (EEC) No 3219/84 of 6 November 1984 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia ⁽²⁾;

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 18 of the Cooperation Agreement are subject to the annual ceiling indicated below, above which the customs duties applicable to third countries may be re-established:

(tonnes)		
CCT heading No	Description	Ceiling
73.02	Ferro-alloys : C. Ferro-silicon	5 255

Whereas imports into the Community of those products originating in Yugoslavia have reached that ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 2 August to 31 December 1985, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products:

CCT heading No	Description	Origin
73.02	Ferro-alloys : C. Ferro-silicon	Yugoslavia

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, 29 July 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 306, 23. 11. 1984, p. 53.

COMMISSION REGULATION (EEC) No 2114/85

of 29 July 1985

re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Cooperation Agreement between
the European Economic Community and the Socialist
Federal Republic of Yugoslavia ⁽¹⁾, and in particular
Protocol 1 thereto,

Having regard to Article 1 of Council Regulation
(EEC) No 3219/84 of 6 November 1984 establishing
ceilings and Community supervision for imports of
certain products originating in Yugoslavia ⁽²⁾;

Whereas Article 1 of the abovementioned Protocol
provides that the products listed below, imported
under reduced duty rates according to Article 15 of the
Cooperation Agreement are subject to the annual
ceiling indicated below, above which the customs
duties applicable to third countries may be
re-established:

(tonnes)

CCT heading No	Description	Ceiling
74.04	Wrought plates, sheets and strip, of copper	733

Whereas imports into the Community of those
products originating in Yugoslavia have reached that
ceiling; whereas the situation on the Community
market requires that customs duties applicable to third
countries on the products in question be
re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 2 August to 31 December 1985, the levying of
customs duties applicable to third countries shall be
re-established on imports into the Community of the
following products:

CCT heading No	Description	Origin
74.04	Wrought plates, sheets and strip, of copper	Yugoslavia

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, 29 July 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 306, 23. 11. 1984, p. 53.

COMMISSION REGULATION (EEC) No 2115/85

of 29 July 1985

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia ⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Article 1 of Council Regulation (EEC) No 3219/84 of 6 November 1984 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia ⁽²⁾;

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 15 of the Cooperation Agreement are subject to the annual ceiling indicated below, above which the customs duties applicable to third countries may be re-established :

(tonnes)		
CCT heading No	Description	Ceiling
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium ; wire	1 220

Whereas imports into the Community of those products originating in Yugoslavia have reached that ceiling ; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION :

Article 1

From 2 August to 31 December 1985, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products :

CCT heading No	Description	Origin
76.02	Wrought bars, rods, angles, shapes and sections, of aluminium ; wire	Yugoslavia

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, 29 July 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 306, 23. 11. 1984, p. 53.

COMMISSION REGULATION (EEC) No 2116/85

of 29 July 1985

re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1 thereto,

Having regard to Article 1 of Council Regulation (EEC) No 3219/84 of 6 November 1984 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia⁽²⁾;

Whereas Article 1 of the abovementioned Protocol provides that the products listed below, imported under reduced duty rates according to Article 15 of the Cooperation Agreement are subject to the annual ceiling indicated below, above which the customs duties applicable to third countries may be re-established:

(tonnes)		
CCT heading No	Description	Ceiling
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: B. Other machines and apparatus I. Generators, motors (whether or not equipped with speed-reducing, changing or step-up gear) and rotary converters	3 688

Whereas imports into the Community of those products originating in Yugoslavia have reached that ceiling; whereas the situation on the Community market requires that customs duties applicable to third countries on the products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 2 August to 31 December 1985, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products:

CCT heading No	Description	Origin
85.01	Electrical goods of the following descriptions: generators, motors, converters (rotary or static), transformers, rectifiers and rectifying apparatus, inductors: B. Other machines and apparatus I. Generators, motors (whether or not equipped with speed-reducing, changing or step-up gear) and rotary converters	Yugoslavia

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, 29 July 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 306, 23. 11. 1984, p. 53.

COMMISSION REGULATION (EEC) No 2117/85

of 29 July 1985

amending Regulation (EEC) No 3441/84 as regards the allocation of the quantity of preserved cultivated mushrooms which may be imported without payment of the additional amount during the period 1 January to 31 December 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁾,

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures applicable to imports of preserved cultivated mushrooms ⁽³⁾, and in particular Article 6 thereof,

Whereas Article 3 of Regulation (EEC) No 1796/81 lays down that the quantity which may be imported without payment of the additional amount must be allocated between the supplier countries with due regard for traditional trade flows and new suppliers ;

Whereas Article 2 of Commission Regulation (EEC) No 3441/84 ⁽⁴⁾ allocated the quantity in question for

the period 1 January to 31 December 1985 ; whereas Article 1 of Commission Regulation (EEC) No 3433/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 3441/84, provided for the possibility of reviewing the tonnages on the basis of the licences granted during the first six months of the year in question ; whereas the balance of licences issued up to 30 June 1985 is such as to justify a new allocation of these quantities,

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

The table set out in Article 2 of Regulation (EEC) No 3441/84 is hereby replaced by the following :

(net weight in tonnes)

Importing country	Country of origin					
	China	Korea	Taiwan	Hong Kong	Spain	Other
Belgium	262	—	42	—	—	—
Luxembourg		—	—	—	—	—
Denmark	836	20	—	—	—	—
Germany	25 359	2 960	1 589	434	960	1 565
Greece	15	5	120	—	126	20
France	10	—	16	—	—	2
Ireland	—	—	—	—	—	—
Italy	—	—	22	—	—	—
Netherlands	60	15	51	—	—	—
United Kingdom	85	—	176	—	—	—

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 81, 23. 3. 1985, p. 10.

⁽³⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽⁴⁾ OJ No L 318, 7. 12. 1984, p. 28.

⁽⁵⁾ OJ No L 346, 2. 12. 1981, p. 5.

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, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2118/85

of 29 July 1985

on release of securities for import licences for certain Morello cherries

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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 vege-
tables⁽¹⁾, as last amended by Regulation (EEC) No
746/85⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Commission Regulation (EEC) No 1626/85
of 14 June 1985 on protective measures applicable to
imports of certain Morello cherries⁽³⁾, as amended by
Regulation (EEC) No 1712/85⁽⁴⁾ provides that a
minimum price shall be respected on import into the
Community of certain Morello cherries; whereas the
products in question are subject to the import licence
system; whereas holders of such licences are obliged
to import the products covered by the licences;
whereas the conditions for imports have been changed
to an extent making it justified to release the holders
of licences from their obligations; whereas such
release would be compatible with the aim of the
protective measures;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Products Processed from Fruit and
Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. Import licences applicable to Morello cherries
listed in the Annex, issued not later than 17 June 1985
which were valid on or after that date may be
returned to the issuing authorities and the relevant
securities shall be released on receipt of the licences.

2. The provisions of paragraph 1 shall also apply to
import licences issued following an application lodged
not later than 14 June 1985.

Article 2

The provisions of Article 1 shall apply only in respect
of import licences returned to the competent authori-
ties not later than 15 September 1985.

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, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 81, 23. 3. 1985, p. 10.

⁽³⁾ OJ No L 156, 15. 6. 1985, p. 13.

⁽⁴⁾ OJ No L 163, 22. 6. 1985, p. 46.

ANNEX

Morello cherries referred to in Article 1 (1) are those falling within the following headings of the Common Customs Tariff and the NIMEXE code

CCT heading No	NIMEXE code
ex 08.10 D	ex 08.10-90
ex 20.03 A	ex 20.03-00
ex 20.03 B	ex 20.03-00
ex 20.06 B II a) 8	20.06-50
ex 20.06 B II b) 8	20.06-74
ex 20.06 B II c) 1 dd)	20.06-89
ex 20.06 B II c) 2 bb)	20.06-96

COMMISSION REGULATION (EEC) No 2119/85

of 29 July 1985

amending Regulation (EEC) No 2042/75 as regards the amount of the security for import licences for basic cereals in respect of which the levy is fixed in advance

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 12 (2) thereof,

Whereas Article 12 (1) (b) of Commission Regulation (EEC) No 2042/75⁽³⁾, as last amended by Regulation (EEC) No 3536/84⁽⁴⁾, determines the amount of the security for licences for products as specified in Article 1 of Regulation (EEC) No 2727/75 and Article 1 of Council Regulation (EEC) No 1418/76⁽⁵⁾;

Whereas Commission Regulation (EEC) No 2814/84⁽⁶⁾, as amended by Regulation (EEC) No 597/85⁽⁷⁾, increased temporarily the level of the securities for import licences for basic cereals in respect of which the levy is fixed in advance;

Whereas for market management reasons and given the present situation it is advisable to maintain the securities for those licences at this level; whereas Article 12 (1) (b) of Regulation (EEC) No 2042/75 should therefore be amended;

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

Article 12 (1) (b) of Regulation (EEC) No 2042/75 is replaced by the following:

'(b) for import licences in respect of which the levy is fixed in advance:

- 16 ECU per tonne for products falling within subheadings and headings 10.01 B I, 10.01 B II, 10.02, 10.03, 10.04, 10.05 B and 10.07 of the Common Customs Tariff,
- 3,63 ECU per tonne for other products.'

Article 2

This Regulation shall enter into force on 1 August 1985.

It shall apply until 31 July 1986.

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

Done At Brussels, 29 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No 330, 18. 12. 1984, p. 12.

⁽⁵⁾ OJ No 166, 25. 6. 1976, p. 1.

⁽⁶⁾ OJ No L 264, 5. 10. 1984, p. 14.

⁽⁷⁾ OJ No 68, 8. 3. 1985, p. 21.

COMMISSION REGULATION (EEC) No 2120/85

of 29 July 1985

allowing reduction of the duration of private storage contracts for pigmeat

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
Articles 4 (6), 5 (4) and 7 (2),

Whereas Commission Regulation (EEC) No
1081/85 ⁽³⁾ made provision for private storage aid for
pigmeat; whereas the market in pigmeat has deve-
loped in such a way that it is desirable to allow early
removal from storage of meat;

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

In the case of current private storage contracts the
period shall be reduced by one month on application
by the storer. The reduction shall apply to the entire
quantity covered by the contract and storage shall
terminate on the date stipulated by the storer, which
may not be earlier than the third working day follo-
wing that on which the application was received by
the intervention agency.

In such case, the aid shall be reduced in conformity
with the provisions of Article 1 (2) of Regulation (EEC)
No 1081/85.

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, 29 July 1985.

For the Commission

Frans ANDRIESEN

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 114, 27. 4. 1985, p. 26.

COMMISSION REGULATION (EEC) No 2121/85

of 29 July 1985

on the purchase by the Belgian intervention agency, and providing for the grant of a special aid by tender for the processing by heat treatment, of pigmeat stored under Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 bearing the national health mark

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 organization 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, in the light of the health situation in the stockfarming sector in Belgium, provision is made in Commission Regulations (EEC) No 772/85⁽⁴⁾, as last amended by Regulation (EEC) No 978/85⁽⁵⁾, (EEC) No 978/85 itself, as amended by Regulation (EEC) No 1086/85⁽⁶⁾, and (EEC) No 1477/85⁽⁷⁾, as amended by Regulation (EEC) No 1706/85⁽⁸⁾, for exceptional support measures for the market in pigmeat in that Member State;

Whereas, the abovementioned measures provide *inter alia* for the buying in of meat stored by the Belgian intervention agency at the request of the interested party if the national health authorities decide that such meat cannot be released for consumption until it has undergone sufficient heat treatment and according to the conditions provided for in the abovementioned Regulations;

Whereas, the national health authorities have so determined and that the Belgian intervention agency is obliged to buy in such meat as is offered to it by interested parties and which has been stored pursuant to the aforesaid Regulations;

Whereas, the purchase prices provided for in Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 are only applicable in so far as the meat in question has been stored and/or treated in a

proper manner so as to preserve its normal merchantable quality;

Whereas in view of the particular circumstances of this intervention measure and the exceptional nature of the meat in question, an alternative method of disposal should be foreseen; whereas it is intended that storers should be granted a special aid if instead of offering their meat to the Belgian intervention agency they undertake to sell or otherwise dispose of their meat subject to certain stringent obligations as regards the storage, treatment and final disposal of the said meat;

Whereas, in order to ensure quality of treatment between storers and to fix the amount of the special aid it would be appropriate to have recourse to a tendering procedure;

Whereas, to prevent the transmission of any further infection or contamination in other Member States from meat emanating from the affected zones, it is not intended that such meat should leave the territory of the Kingdom of Belgium,

Whereas the aforesaid meat can be identified by virtue of the national health mark which has been applied by the competent national services;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Intervention purchases

Article 1

1. The Belgian intervention agency shall buy, subject to paragraphs 3 and 4, any meat stored pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 and duly offered in accordance with the provisions of Article 4b of Regulation (EEC) No 772/85, Article 7 of Regulation (EEC) No 978/85 and Article 7 of Regulation (EEC) No 1477/85.

⁽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 145, 4. 6. 1985, p. 17.

⁽⁸⁾ OJ No L 163, 22. 6. 1985, p. 36.

2. In all cases the quantity of product purchased by the Belgian intervention agency shall not exceed the quantity specified in the storage contract in question regardless of the quantities actually stored.

3. The quantities of meat which may be offered in accordance with paragraphs 1 and 2 may be purchased only after the expiry of the storage contract, and only if prevailing market conditions allow; where it appears necessary, the storage contract may be prolonged in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

4. The Belgian intervention agency shall buy meat properly offered in accordance with this Article no later than 15 days after receipt of the offer for sale.

Article 2

Any losses arising from poor or inappropriate handling, freezing or storing of the aforesaid meat and detected after purchase shall be borne by the storer.

TITLE II

Tender for special aid

Article 3

1. Special aid may be granted for any meat not offered for sale in accordance with Article 1 which could have been so offered and which bears the national health mark.

2. The amount of the special aid shall be fixed by means of a monthly invitation to tender.

3. The granting of the special aid shall be subject to the successful tenderer complying with the obligations listed in Article 10 in relation to the storage, treatment and disposal of the said meat.

Article 4

1. The Belgian intervention agency shall draw up a notice of invitation to tender stating in particular:

- (a) the time limit and place for the submission of tenders;
- (b) the formalities regarding provision of the security for tender and treatment and the obligations regarding storage, treatment and disposal;
- (c) where appropriate a statement that tenders may be submitted by telex.

2. The notice of invitation to tender shall be communicated to all storers of meat stored pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85.

The Belgian intervention agency shall also publish the notice of invitation to tender in the *Moniteur Belge* and wherever else considered appropriate.

Article 5

1. The time limit for submission of tenders shall expire each last Tuesday of the month at 12 noon. If that Tuesday falls on a public holiday, the time limit shall be extended to the following working day at 12 noon.

With respect to the first individual invitation to tender, the time limit for the submission of tenders shall expire on 6 August 1985 at 12 noon.

2. Tenders shall be submitted in writing by the storer to the intervention agency against acknowledgment or by registered letter addressed to the intervention agency. The intervention agency may allow a tender to be submitted by telex.

3. A tender shall not be valid unless it includes the following particulars:

- (a) the name and address of the tenderer and, if appropriate, of the processor;
- (b) the week of the conclusion of the storage contract for the product in question;
- (c) the level of aid proposed, expressed per tonne of product in ECU;
- (d) the quantity of meat to which the aid relates and which is to be treated within the time limit laid down in Article 10 (1) and which in any event shall not exceed the quantity specified in the storage contract;
- (e) a statement by the tenderer accepting responsibility in respect of any latent defect in the product not visible on inspection, arising from inappropriate handling, freezing or storage methods;
- (f) an undertaking to either store, treat and dispose of, pursuant to Article 10 and within the time limit laid down in Article 10 (1), the quantity of product specified in his tender or to ensure that such storage, treatment and disposal as laid down in Article 10 takes place.

4. The quantity referred to in (d) may not be less than four tonnes.

5. A tender shall further not be valid unless the following conditions are met:

- (a) proof must be supplied that before the expiry of the time limit for the submission of tenders, in response to the individual invitation to tender in question, the tenderer has lodged the security for the tender and treatment referred to in Article 6;
- (b) it must not contain any conditions and/or reservations that are not expressly authorized.

6. A tender may not be withdrawn.

Article 6

1. The security for tender and treatment shall be 100 ECU per tonne.

2. The security shall be lodged at the option of the tenderer, in cash or in the form of a guarantee provided by an establishment meeting the criteria fixed by the Belgian intervention agency, who may equally accept a banker's cheque as security.

Article 7

In accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75, a maximum amount of aid, expressed per tonne of product, shall be fixed for veterinary services. It may also be decided under the abovementioned procedure to make no award.

Article 8

1. A tender shall be refused if the level of aid proposed is above the maximum amount fixed for the individual invitation to tender in question.

2. Without prejudice to the provisions of paragraph 1, the successful tenderers shall be those who propose a level of aid below or equal to the maximum amount of aid fixed.

3. The right of a storer/tenderer to offer meat for sale in accordance with Article 1 expires upon his being adjudged successful in accordance with paragraph 2 of this Article for that quantity of meat.

Article 9

1. Each tenderer shall be informed without delay by the intervention agency, by registered letter, of the outcome of his tender.

2. If the tenderer is successful he shall be informed of the following:

- (a) the expiry of the time limit for the submission of tenders in response to the individual invitation to tender in question;

- (b) the expiry of the time limit for the treatment of the quantity of product stated in the tender;
- (c) the particulars specified in Article 5 (3) (c) and (d).

TITLE III

Treatment of meat for which special aid will be granted

Article 10

1. Within five months from the date of forwarding of the information to the tenderer specified in Article 9 the successful tenderer shall either himself treat or else ensure that treatment is carried out on the quantity of meat specified in the tender and further that the obligations as regards storage and disposal listed below are respected.

2. The obligations incumbent upon the successful tenderer shall be as follows:

The tenderer shall himself process and dispose, or if the meat is sold to a third party shall ensure that the third party processes and disposes, of the meat in the following fashion:

- (a) the meat shall undergo treatment as specified in the Annex hereto;
- (b) the meat shall be stored, transported and processed separately from all other meat and meat products; such activities shall, in any event, comply with the rules of the competent Belgian services governing the disposal of this meat and shall take place within the territory of the Kingdom of Belgium;
- (c) all waste products shall be collected and destroyed under the supervision specified in Article 10 (4).

3. The successful tenderer further undertakes to ensure that the final products from the meat for which a special aid is granted will not leave the territory of the Kingdom of Belgium, irrespective of whether or not he himself processes and disposes of the meat.

4. The control of the obligations listed in paragraph 2 shall include a permanent control on site of the treatment and processing of the meat for which a special aid is granted. This control will be carried out by the Belgian veterinary services without prejudice to any further controls provided for by national legislation.

5. If meat for which a special aid may be granted is subject to a storage contract at the time that a successful bid is notified to the tenderer in accordance with Article 9 then a curtailment of the storage contract may be agreed between the Belgian intervention agency and the tenderer.

If the storage contract is so curtailed, the amount of aid payable shall be reduced in accordance with the tables appearing in the Annexes to Regulations (EEC) No 772/85, (EEC) No 978/85 or (EEC) No 1477/85.

TITLE IV

General provisions

Article 11

1. After checking that the processing of the meat subject to a special aid has been effected in accordance with this Regulation the Belgian veterinary services shall issue to the person concerned a certificate specifying the quantity of meat that has been properly processed and treated.

2. Payment of the special aid shall be made on presentation of the certificate referred to in paragraph 1 to the Belgian intervention agency. The payment shall be made pro rata according to the quantity specified in the said certificate.

Article 12

1. Save in cases of *force majeure* the security for tender and treatment referred to in Article 6 shall be released only for that quantity of meat in respect of which :

(a) the tender was not accepted ; or

(b) a certificate as referred to in Article 11 (1) has been issued.

2. In the case of any failure to comply with any obligation incumbent upon a successful tenderer under this Regulation, the Belgian intervention agency shall declare the security totally or partially forfeit depending on the seriousness of the breach involved.

All such cases where the preceding subparagraph is applied shall be notified to the Commission giving full details of the circumstances involved and the action taken.

Article 13

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, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

*ANNEX***Obligations on the disposal of the meat stored pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 bearing the national health mark**

The pigmeat shall be fully deboned and the major lymphatic nodes removed.

The portion of pigmeat for heat treatment shall not exceed 5 kilograms in weight.

Before heating, each portion of the meat mentioned above shall be enclosed in a hermetically sealed container.

The meat in its container shall be subjected to a heat treatment according to the following criteria :

- the product shall retain a temperature of at least 60 °C for a minimum of four hours during which time the temperature shall be raised to at least 70 °C for a minimum of 30 minutes,
- the temperature of a representative number of samples of each batch of the product shall be monitored continuously by means of an automatic temperature recording device which records the temperature in the centre of the product and in the interior of the heating apparatus.

At all times during its processing, measures shall be taken to prevent any possible recontamination.

COMMISSION REGULATION (EEC) No 2122/85

of 29 July 1985

on the purchase by the Belgian intervention agency, and providing for the grant of a special aid by tender for the processing by heat treatment, of pigmeat stored under Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 bearing the Community health mark

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 organization 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, in the light of the health situation in the stockfarming sector in Belgium, provision is made in Commission Regulations (EEC) No 772/85⁽⁴⁾, as last amended by Regulation (EEC) No 978/85⁽⁵⁾, (EEC) No 978/85 itself, as amended by Regulation (EEC) No 1086/85⁽⁶⁾, and (EEC) No 1477/85⁽⁷⁾, as amended by Regulation (EEC) No 1706/85⁽⁸⁾, for exceptional support measures for the market in pigmeat in that Member State;

Whereas, the abovementioned measures provide *inter alia* for the buying in of meat stored by the Belgian intervention agency at the request of the interested party if the national health authorities decide that such meat cannot be released for consumption until it has undergone sufficient heat treatment and according to the conditions provided for in the abovementioned Regulations;

Whereas, the national health authorities have so determined and that the Belgian intervention agency is obliged to buy in such meat as is offered to it by interested parties and which has been stored pursuant to the aforesaid Regulations;

Whereas, the purchase prices provided for in Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 are only applicable in so far as the meat in question has been stored and/or treated in a proper

manner so as to preserve its normal merchantable quality;

Whereas in view of the particular circumstances of this intervention measure and the exceptional nature of the meat in question, an alternative method of disposal should be foreseen; whereas it is intended that stores should be granted a special aid if instead of offering their meat to the Belgian intervention agency they undertake to sell or otherwise dispose of their meat subject to certain stringent obligations as regards the storage, treatment and final disposal of the said meat;

Whereas, in order to ensure equality of treatment between storers and to fix the amount of the special aid it would be appropriate to have recourse to a tendering procedure;

Whereas the scope of this Regulation is limited to meat stored under the abovementioned Regulations and which bears the Community health mark as defined in Article 5a of Council Directive 72/461/EEC of 12 December 1972⁽⁹⁾, as last amended by Directive 85/322/EEC⁽¹⁰⁾;

Whereas to take account of the current trading situation in the pigmeat sector between the Community on the one hand and the United States of America, Canada and Australia on the other hand, it is not intended that meat for which this special aid has been granted should be exported to the aforesaid countries;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Intervention purchases

Article 1

1. The Belgian intervention agency shall buy, subject to paragraphs 3 and 4, any meat stored pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 and duly offered in

(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 145, 4. 6. 1985, p. 17.
 (⁸) OJ No L 163, 22. 6. 1985, p. 36.

(⁹) OJ No L 302, 31. 12. 1972, p. 24.
 (¹⁰) OJ No L 168, 28. 6. 1985, p. 41.

accordance with the provisions of Article 4b of Regulation (EEC) No 772/85, Article 7 of Regulation (EEC) No 978/85 and Article 7 of Regulation (EEC) No 1477/85.

2. In all cases the quantity of product purchased by the Belgian intervention agency shall not exceed the quantity specified in the storage contract in question regardless of the quantities actually stored.

3. The quantities of meat which may be offered in accordance with paragraphs 1 and 2 may be purchased only after the expiry of the storage contract, and only if prevailing market conditions allow; where it appears necessary, the storage contract may be prolonged in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

4. The Belgian intervention agency shall buy meat properly offered in accordance with this Article no later than 15 days after receipt of the offer for sale.

Article 2

Any losses arising from poor or inappropriate handling, freezing or storing of the aforesaid meat and detected after purchase shall be born by the storer.

TITLE II

Tender for special aid

Article 3

1. Special aid may be granted for any meat not offered for sale in accordance with Article 1 which could have been so offered and which bears the Community health mark.

2. The amount of the special aid shall be fixed by means of a monthly invitation to tender.

3. The granting of the special aid shall be subject to the successful tenderer complying with the obligations listed in Article 10 in relation to the storage, treatment and disposal of the said meat.

Article 4

1. The Belgian intervention agency shall draw up a notice of invitation to tender stating in particular:

- (a) the time limit and place for the submission of tenders;
- (b) the formalities regarding provision of the security for tender and treatment and the obligations regarding storage, treatment and disposal;

(c) where appropriate a statement that tenders may be submitted by telex.

2. The notice of invitation to tender shall be communicated to all storers of meat stored pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85.

The Belgian intervention agency shall also publish the notice of invitation to tender in the *Moniteur Belge* and wherever else considered appropriate.

Article 5

1. The time limit for submission of tenders shall expire each last Tuesday of the month at 12 noon. If that Tuesday falls on a public holiday, the time limit shall be extended to the following working day at 12 noon.

With respect to the first individual invitation to tender, the time limit for the submission of tenders shall expire on 6 August 1985 at 12 noon.

2. Tenders shall be submitted in writing by the storer to the intervention agency against acknowledgment or by registered letter addressed to the intervention agency. The intervention agency may allow a tender to be submitted by telex.

3. A tender shall not be valid unless it includes the following particulars:

- (a) the name and address of the tenderer and, if appropriate, of the processor;
- (b) the week of the conclusion of the storage contract for the product in question;
- (c) the level of aid proposed, expressed per tonne of product in ECU;
- (d) the quantity of meat to which the aid relates and which is to be treated within the time limit laid down in Article 10 (1) and which in any event shall not exceed the quantity specified in the storage contract;
- (e) a statement by the tenderer accepting responsibility in respect of any latent defect in the product not visible on inspection, arising from inappropriate handling, freezing or storage methods;
- (f) an undertaking to either store, treat and dispose of, pursuant to Article 10 and within the time limit laid down in Article 10 (1), the quantity of product specified in his tender or to ensure that such storage, treatment and disposal as laid down in Article 10 takes place.

4. The quantity referred to in (d) may not be less than four tonnes.

5. A tender shall further not be valid unless the following conditions are met :

- (a) proof must be supplied that before the expiry of the time limit for the submission of tenders, in response to the individual invitation to tender in question, the tenderer has lodged the security for the tender and treatment referred to in Article 6 ;
- (b) it must not contain any conditions and/or reservations that are not expressly authorized.

6. A tender may not be withdrawn.

Article 6

1. A security for tender and treatment shall be 100 ECU per tonne.

2. The security shall be lodged at the option of the tenderer, in cash or in the form of a guarantee provided by an establishment meeting the criteria fixed by the Belgian intervention agency, who may equally accept a banker's cheque as security.

Article 7

In accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75, a maximum amount of aid, expressed per tonne of product, shall be fixed for each individual invitation to tender. It may also be decided under the abovementioned procedure to make no award.

Article 8

1. A tender shall be refused if the level of aid proposed is above the maximum amount fixed for the individual invitation to tender in question.

2. Without prejudice to the provisions of paragraph 1, the successful tenderers shall be those who propose a level of aid below or equal to the maximum amount of aid fixed.

3. The right of a storer/tenderer to offer meat for sale in accordance with Article 1 expires upon his being adjudged successful in accordance with paragraph 2 of this Article for that quantity of meat.

Article 9

1. Each tenderer shall be informed without delay by the intervention agency, by registered letter, of the outcome of his tender.

2. If the tenderer is successful he shall be informed of the following :

- (a) the expiry of the time limit for the submission of tenders in response to the individual invitation to tender in question ;

(b) the expiry of the time limit for the treatment of the quantity of product stated in the tender ;

(c) the particulars specified in Article 5 (3) (c) and (d).

TITLE III

Treatment of meat for which special aid will be granted

Article 10

1. Within five months from the date of forwarding of the information to the tenderer specified in Article 9 the successful tenderer shall either himself treat or else ensure that treatment is carried out on the quantity of meat specified in the tender and further that the obligations as regards storage and disposal listed below are respected.

2. The obligations incumbent upon the successful tenderer shall be as follows :

The tenderer shall himself process and dispose, or if the meat is sold to a third party shall ensure that the third party processes and disposes, of the meat in the following fashion :

- (a) the meat shall undergo treatment as specified in the Annex hereto ;
- (b) the meat shall be stored, transported and processed separately from all other meat and meat products ; such activities shall, in any event, comply with the rules of the competent Belgian services governing the disposal of this meat and shall take place within the territory of the Kingdom of Belgium ;
- (c) all waste products shall be collected and destroyed under the supervision specified in Article 10 (4).

3. The successful tenderer further undertakes to ensure that the final products from the meat for which a special aid is granted will not be exported to the United States of America, Canada or Australia, irrespective of whether or not he himself processes and disposes of the meat.

4. The control of the obligations listed in paragraph 2 shall include a permanent control on site of the treatment and processing of the meat for which a special aid is granted. This control will be carried out by the Belgian veterinary services without prejudice to any further controls provided for by national legislation.

5. If meat for which a special aid may be granted is subject to a storage contract at the time that a successful bid is notified to the tenderer in accordance

with Article 9 then a curtailment of the storage contract may be agreed between the Belgian intervention agency and the tenderer.

If the storage contract is so curtailed, the amount of aid payable shall be reduced in accordance with the tables appearing in the Annexes to Regulations (EEC) No 772/85, (EEC) No 978/85 or (EEC) No 1477/85.

TITLE IV

General provisions

Article 11

1. After checking that the processing of the meat subject to a special aid has been effected in accordance with this Regulation the Belgian veterinary services shall issue to the person concerned a certificate specifying the quantity of meat that has been properly processed and treated.

2. Payment of the special aid shall be made on presentation of the certificate referred to in paragraph 1 to the Belgian intervention agency. The payment

shall be made pro rata according to the quantity specified in the said certificate.

Article 12

1. Save in cases of *force majeure* the security for tender and treatment referred to in Article 6 shall be released only for that quantity of meat in respect of which :

- (a) the tender was not accepted ; or
- (b) a certificate as referred to in Article 11 (1) has been issued.

2. In the case of any failure to comply with any obligation incumbent upon a successful tenderer under this Regulation, the Belgian intervention agency shall declare the security totally or partially forfeit depending on the seriousness of the breach involved.

All such cases where the preceding subparagraph is applied shall be notified to the Commission giving full details of the circumstances involved and the action taken.

Article 13

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, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

*ANNEX***Obligations on the disposal of the meat stored pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85 bearing the Community health mark**

The pigmeat shall be fully deboned and the major lymphatic nodes removed.

The portion of pigmeat for heat treatment shall not exceed 5 kilograms in weight.

Before heating, each portion of the meat mentioned above shall be enclosed in a hermetically sealed container.

The meat in its container shall be subjected to a heat treatment according to the following criteria :

- the product shall retain a temperature of at least 60° for a minimum of four hours during which time the temperature shall be raised to at least 70° for a minimum of 30 minutes,
- the temperature of a representative number of samples of each batch of the product shall be monitored continuously by means of an automatic temperature recording device which records the temperature in the centre of the product and in the interior of the heating apparatus,

At all times during its processing, measures shall be taken to prevent any possible recontamination,

The products shall be marketed beside the health mark with the special additional mark '3-85'.

COMMISSION REGULATION (EEC) No 2123/85

of 29 July 1985

on the issue of import licences on 30 July 1985 for sheepmeat and goatmeat products originating in certain non-member countries

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 871/84⁽²⁾,

Having regard to Council Regulation (EEC) No 3658/84 of 19 December 1984 concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector in 1985⁽³⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3668/84 of 19 December 1984⁽⁴⁾ laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3658/84, whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3668/84, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the third quarter of 1985;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3668/84, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence

applications have been lodged do not exceed the quantities provided for in Regulation (EEC) No 3668/84,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, on 30 July 1985, issue the import licences provided for in Regulation (EEC) No 3668/84 and applied for from 1 to 10 July 1985 subject to the following conditions:

- (a) for products falling within subheading 02.01 A IV a) of the Common Customs Tariff, the quantities applied for, originating:
 - in Spain shall be reduced by 95,238 %,
 - in other non-member countries shall be granted in full;
- (b) for products falling within subheading 02.01 A IV b) of the Common Customs Tariff, the quantities applied for, originating:
 - in Chile shall be granted in full,
 - in other non-member countries shall be granted in full;
- (c) for products falling within subheading 01.04 B of the Common Customs Tariff, the quantities applied for, originating in other non-member countries shall be reduced by 66,667 %.

Article 2

This Regulation shall enter into force on 30 July 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 35.

⁽³⁾ OJ No L 340, 28. 12. 1984, p. 10.

⁽⁴⁾ OJ No L 340, 28. 12. 1984, p. 35.

COMMISSION REGULATION (EEC) No 2124/85

of 26 July 1985

on precautionary measures in the cereals sector other than durum wheat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 5 and 155 thereof,

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⁾,

Whereas the marketing year for cereals other than durum wheat begins on 1 August; whereas the Council has not, to date, adopted the prices for those products for the 1985/86 marketing year, in accordance with Article 3 (1) of Regulation (EEC) No 2727/75; 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 cereals; whereas these measures are taken as a precaution and are without prejudice to the Council's price decisions for the 1985/86 marketing year;

Whereas the retention, even on a provisional basis, of the intervention prices paid during the 1984/85 marketing year would definitely involve the threat of very heavy sales of cereals from the new crop to intervention in anticipation of a possible reduction in the prices that will be adopted for the new marketing year; whereas, in order to prevent the management of the cereals sector being disrupted, the buying-in prices fixed for the 1984/85 marketing year should be reduced as a precautionary and interim measure;

Whereas Article 3a of Regulation (EEC) No 2727/75 provides for a compulsory reduction in the target and intervention prices where the average actual production of the three most recent marketing years exceeds the guarantee thresholds set; whereas an automatic reduction of the prices in accordance with the provisions of that Article, on the basis of the amount by which the said thresholds were exceeded, would lead to a price reduction that would be excessive as a precautionary measure; whereas, accordingly, in the light of the positions adopted in the Council and in line with the Commission's amended proposal, this reduction should be limited to 1,8 %; whereas such a reduction leaves open the possibility of a later adjustment should the prices be fixed at a higher level;

Whereas the threshold prices are derived from the target prices, which are fixed by the Council; whereas, in order to ensure continuity of operation of the

import and export arrangements for cereals and for processed products, a price to be used as a basis for calculation both for the fixing of the levies and for the adjustments to be made in the event of advance-fixing of the levy and of the refund should be calculated; whereas that price must be calculated using, on the one hand, an intervention buying-in price lower than the intervention price applicable during the 1984/85 marketing year and, on the other, the same factors as were taken into account for derivation of the threshold prices fixed by Commission Regulation (EEC) No 1413/84⁽³⁾;

Whereas the intervention and threshold prices are the subject of monthly increments; whereas these monthly increments are one of the key factors in the operation of the current intervention arrangements and in external trade in cereals; whereas, accordingly, the arrangements laid down by Council Regulation (EEC) No 1020/84⁽⁴⁾ should be applied;

Whereas the purpose of the carry-over payment provided for in Article 9 of Regulation (EEC) No 2727/75 is to prevent massive inflows to intervention at the end of the marketing year; whereas the Council has before it a Commission proposal that payments be made in respect of common wheat and of rye; whereas large quantities of both products have been kept in storage instead of being delivered for intervention at the end of May; whereas in order to enable the Council to decide, where appropriate, on effective compensation in regard to those stocks it should, as a precautionary measure, be specified that the Member States shall make a payment;

Whereas the production refunds for starch products and the premium for potato starch have not been altered; whereas, however, given the correlation reaffirmed by the Council in its discussions on prices for the 1985/86 marketing year, between the level of the threshold price for maize and the minimum price to be paid by the potato starch producer, the effect of the reduction of the intervention buying-in prices for maize on the threshold price for that product must, in order for balance to be maintained in the starch products sector between maize starch and potato starch production, be reflected in an adjustment of the minimum price to be paid by the potato starch producer; whereas the amount of 266,81 ECU specified in Article 3 (1) of Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁵⁾, as last amended by Regulation (EEC) No 1026/84⁽⁶⁾, should accordingly be reduced to 262,54 ECU;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 136, 23. 5. 1984, p. 5.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 6.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁶⁾ OJ No L 107, 19. 4. 1984, p. 14.

Whereas for the sake of clarity, Commission Decision 85/309/EEC ⁽¹⁾ should be repealed;

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies shall, when buying in common wheat, barley, maize and sorghum, apply a price equal to the common single intervention price fixed by Council Regulation (EEC) No 1019/84 ⁽²⁾ less 3,29 ECU per tonne, and when buying in rye shall apply a price equal to the single intervention price fixed by that Regulation less 3,35 ECU per tonne. Those prices shall be adjusted on the basis of the premiums and penalties provided for by Commission Regulation (EEC) No 1570/77 ⁽³⁾.

Article 2

For calculation of the adjustments to be made in the event of advance fixing of the import levies and of the export refunds, the price to be used for the month of import or export shall be:

- 249,95 ECU per tonne for common wheat and meslin;
- 229,58 ECU per tonne for rye;
- 227,58 ECU per tonne for barley, maize, sorghum, buckwheat and millet;
- 218,93 ECU per tonne for oats;
- 376,68 ECU per tonne for wheat flour and meslin flour;
- 350,41 ECU per tonne for rye flour;
- 406,81 ECU per tonne for groats and meal of common wheat.

Article 3

The prices specified in Articles 1 and 2 shall be adjusted as from 1 September 1985 by the same amounts as the monthly increments fixed by Regulation (EEC) No 1020/84.

Article 4

1. The Member States shall make a payment for common wheat and rye intended for human consumption harvested in the Community and in storage there at the end of the 1984/85 marketing year.
2. The payment shall be equal to the difference between:

- in the case of common wheat, the single common intervention price valid on 1 August 1984 raised by seven monthly increases,
- in the case of rye, the single intervention price valid on 1 August 1984 raised by seven monthly increases, converted into national currency at the representative rate obtaining on 31 July 1985, and
- the buying-in prices specified in Article 1, converted into national currency at the representative rate obtaining on 1 August 1985.

If the calculation gives a negative amount, no payment shall be made.

3. The payment referred to in paragraph 1 shall not be made for common wheat and rye yielded by the 1985 harvest or meet meat the quality requirements called for at intervention during the 1984/85 marketing year.

For rye held by mills at the end of the marketing year, the milling thereof with a view to human consumption shall be taken as proof of sufficient quality. Proof of such milling shall be given by the end of 1985 at the latest.

4. The provisions of Commission Regulation (EEC) No 1821/81 ⁽⁴⁾ shall apply to the carry-over payment specified in this Article.

Article 5

For the purposes of Article 3(1) of Regulation (EEC) No 2742/75, the amount of the production refund shall be increased by an amount of not less than 262,54 ECU.

Article 6

The provisions of this Regulation shall apply without prejudice to decisions to be taken by the Council under Articles 3, 6, 9 and 11 of Regulation (EEC) No 2727/75.

Article 7

Decision No 85/309/EEC is hereby repealed.

Article 8

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

It shall apply from 1 August 1985.

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

Done at Brussels, 26 July 1985.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 163, 22. 6. 1985, p. 52.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 4.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁴⁾ OJ No L 182, 3. 7. 1981, p. 10.

COMMISSION REGULATION (EEC) No 2125/85

of 29 July 1985

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1025/84 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

Whereas the world market situation or the specific requirements of certain markets may make it necessary

to vary the refund for certain products according to destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71 ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1985.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ 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, 29 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 29 July 1985 fixing the export refunds on rice and broken rice

CCT heading No	Description	(ECU/tonne) Amount of refund
ex 10.06	Rice : B. I. Paddy rice ; husked rice : b) Husked rice : 1. Round grain 2. Long grain for export to : — Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italia — Other third countries II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain in bulk or packaged for export to : — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ — Zone I — Other third countries in immediate packings of 5 kg net or less for export to : — Zones I, II b) and VI — Zone V a) III. Broken rice	— 180,00 — — — — 225,00 — — 225,00 235,00 —

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

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

COMMISSION REGULATION (EEC) No 2126/85

of 29 July 1985

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 1025/84 ⁽²⁾, and in particular the second
subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the first subparagraph of Article 17 (4) of
Regulation (EEC) No 1418/76 provides that the export
refund applicable to rice and broken rice on the day
on which application for an export licence is made,
adjusted for the threshold price which will be in force
during the month of exportation, must be applied on
request to exports to be effected during the period of
validity of the licence;

Whereas Regulation No 474/67/EEC ⁽³⁾, as amended
by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down
detailed rules for the advance fixing of the export
refund on rice and broken rice;

Whereas that Regulation provides that the refund
applicable on the day on which application for an
export licence is made must, when it is fixed in
advance, be reduced by an amount no greater than the
difference between the cif forward delivery price and
the cif price, where the former exceeds the latter by
more than 0,30 ECU per tonne; whereas on the other
hand, the refund must be increased by an amount no
greater than the difference between the cif price and
the cif forward delivery price, where the former
exceeds the latter by more than 0,30 ECU per tonne;

Whereas the cif price is that determined in accordance
with Article 16 of Regulation (EEC) No 1418/76;
whereas the cif forward delivery price is that deter-
mined in accordance with Article 3 (2) of Regulation

(EEC) No 1428/76 ⁽⁵⁾, based in respect of each month
for which the export licence is valid, on the cif price
calculated on the basis of offers for shipment during
the month of exportation;

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

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

Whereas it follows from applying the provisions set
out above that the corrective amount must be as set
out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of
Regulation (EEC) No 1418/76 which is applicable to
the export refunds fixed in advance in respect of rice
and broken rice shall be as set out in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 August
1985.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽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, 29 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 29 July 1985 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)					
CCT heading No	Description	Current 8	1st period 9	2nd period 10	3rd period 11
ex 10.06	Rice :				
	B. I. Paddy rice, husked rice :				
	a) Paddy rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Husked rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Wholly milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	III. Broken rice	—	—	—	—

COMMISSION REGULATION (EEC) No 2127/85

of 29 July 1985

fixing 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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1027/84⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas the 1985/86 marketing year for cereals other than durum wheat begins on 1 August 1985; whereas the Council has not, to date, adopted prices for these

products for the 1985/86 marketing year; 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 in the cereals sector;

Whereas, in order to ensure continuity of operation of the import arrangements for cereals, the prices set in Article 2 of Regulation (EEC) No 2124/85⁽⁷⁾, should be used for calculation of the levies on processed products; whereas these prices will be adjusted, beginning on 1 September 1985, by amounts equal to the monthly increases fixed by Regulation (EEC) No 1020/84;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78⁽⁹⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75⁽¹⁰⁾, as amended by Regulation (EEC) No 2415/75⁽¹¹⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75⁽¹²⁾, as last amended by Regulation (EEC) No 1026/84⁽¹³⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

(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 L 281, 1. 11. 1975, p. 65.
(⁶) OJ No L 107, 19. 4. 1984, p. 15.

(⁷) See page 31 of this Official Journal.
(⁸) OJ No L 168, 25. 6. 1974, p. 7.
(⁹) OJ No L 202, 26. 7. 1978, p. 8.
(¹⁰) OJ No L 195, 26. 7. 1975, p. 25.
(¹¹) OJ No L 247, 23. 9. 1975, p. 22.
(¹²) OJ No L 281, 1. 11. 1975, p. 57.
(¹³) OJ No L 107, 19. 4. 1984, p. 14.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾;

Whereas, in respect of products falling within subheading 07.06 A of the Common Customs Tariff, Council Regulation (EEC) No 604/83 of 14 March 1983 on the import system applicable in 1983 to 1986 to products falling within subheading 07.06 A of the Common Customs Tariff and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽²⁾ lays down the terms on which the import levy may be charged at 6 % *ad valorem* and provides for the Common Customs Tariff to be amended accordingly;

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⁽³⁾, as last amended by Regulation (EEC) No 855/84⁽⁴⁾,

- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 72, 18. 3. 1983, p. 3.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 29 July 1985 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	77,19 ⁽¹⁾	75,38 ⁽¹⁾ ⁽²⁾
07.06 A II	80,21 ⁽¹⁾	75,38 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	144,98	138,94
11.01 D ⁽²⁾	114,98	108,94
11.01 E I ⁽²⁾	124,46	118,42
11.01 E II ⁽²⁾	70,13	67,11
11.01 F ⁽²⁾	93,86	90,84
11.01 G ⁽²⁾	96,72	93,70
11.02 A II ⁽²⁾	165,72	159,68
11.02 A III ⁽²⁾	144,98	138,94
11.02 A IV ⁽²⁾	114,98	108,94
11.02 A V a) 1 ⁽²⁾	89,52	83,48
11.02 A V a) 2 ⁽²⁾	124,46	118,42
11.02 A V b) ⁽²⁾	70,13	67,11
11.02 A VI ⁽²⁾	93,86	90,84
11.02 A VII ⁽²⁾	96,72	93,70
11.02 B I a) 1 ⁽²⁾	126,52	123,50
11.02 B I a) 2 aa)	64,75	61,73
11.02 B I a) 2 bb) ⁽²⁾	111,96	108,94
11.02 B I b) 1 ⁽²⁾	126,52	123,50
11.02 B I b) 2 ⁽²⁾	111,96	108,94
11.02 B II a) ⁽²⁾	125,07	122,05
11.02 B II b) ⁽²⁾	121,00	117,98
11.02 B II c) ⁽²⁾	108,28	105,26
11.02 B II d) ⁽²⁾	150,00	146,98
11.02 C I ⁽²⁾	149,85	146,83
11.02 C II ⁽²⁾	144,96	141,94
11.02 C III ⁽²⁾	199,02	192,98
11.02 C IV ⁽²⁾	99,85	96,83
11.02 C V ⁽²⁾	108,28	105,26
11.02 C VI ⁽²⁾	150,00	146,98
11.02 D I ⁽²⁾	96,63	93,61
11.02 D II ⁽²⁾	93,50	90,48
11.02 D III ⁽²⁾	81,75	78,73
11.02 D IV ⁽²⁾	64,75	61,73
11.02 D V ⁽²⁾	70,13	67,11
11.02 D VI ⁽²⁾	96,72	93,70
11.02 E I a) 1 ⁽²⁾	81,75	78,73
11.02 E I a) 2 ⁽²⁾	64,75	61,73
11.02 E I b) 1 ⁽²⁾	160,42	154,38
11.02 E I b) 2 ⁽²⁾	127,08	121,04
11.02 E II a) ⁽²⁾	171,23	165,19
11.02 E II b) ⁽²⁾	165,72	159,68
11.02 E II c) ⁽²⁾	124,46	118,42
11.02 E II d) 1 ⁽²⁾	160,30	154,26
11.02 E II d) 2 ⁽²⁾	171,39	165,35
11.02 F I ⁽²⁾	171,23	165,19
11.02 F II ⁽²⁾	165,72	159,68
11.02 F III ⁽²⁾	144,98	138,94
11.02 F IV ⁽²⁾	114,98	108,94

CCT heading No	Imports	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F V ⁽²⁾	124,46	118,42
11.02 F VI ⁽²⁾	93,86	90,84
11.02 F VII ⁽²⁾	96,72	93,70
11.02 G I	74,87	68,83
11.02 G II	55,38	49,34
11.04 C I	80,21	73,56 ⁽³⁾
11.04 C II a)	95,22	71,04 ⁽³⁾
11.04 C II b)	126,47	102,29 ⁽³⁾
11.07 A I a)	174,23	163,35
11.07 A I b)	132,93	122,05
11.07 A II a)	148,28 ⁽⁴⁾	137,40
11.07 A II b)	113,54	102,66
11.07 B	130,52 ⁽⁴⁾	119,64
11.08 A I	95,22	74,67
11.08 A II	124,75	93,92
11.08 A III	161,31	140,76
11.08 A IV	95,22	74,67
11.08 A V	95,22	37,33 ⁽⁵⁾
11.09	437,26	255,92
17.02 B II a) ⁽³⁾	194,12	97,40
17.02 B II b) ⁽³⁾	141,16	74,67
17.02 F II a)	198,76	102,04
17.02 F II b)	137,45	70,96
21.07 F II	141,16	74,67
23.02 A I a)	38,87	32,87
23.02 A I b)	76,43	70,43
23.02 A II a)	38,87	32,87
23.02 A II b)	76,43	70,43
23.03 A I	274,10	92,76

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

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

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

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

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

COMMISSION REGULATION (EEC) No 2128/85

of 29 July 1985

fixing the import levies on compound feedingstuffs

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 organiz-
ation 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 the opinion of the Monetary
Committee,

Whereas the rules to be applied in calculating the vari-
able component of the import levy on compound
feedingstuffs are laid down in Article 14 (1) (A) of
Regulation (EEC) No 2727/75; whereas Article 4 of
Council Regulation (EEC) No 2743/75 of 29 October
1975 on the system to be applied to cereal-based
compound feedingstuffs⁽³⁾), as amended by Regulation
(EEC) No 2560/77⁽⁴⁾), provides that the incidence on
the prime costs of these feedingstuffs of the levies
applicable to their basic products should be calculated
on the basis of the average of the levies applicable
during the first 25 days of the month preceding that
month of importation to the quantities of basic
products considered to have been used in the manu-
facture of such compound feedingstuffs, this average
being adjusted on the basis of the threshold price for
the basic products in question ruling during the
month of importation;

Whereas the 1985/86 marketing year for cereals other
than durum wheat begins on 1 August 1985; whereas
the Council has not, to date, adopted prices for these
products for the 1985/86 marketing year; whereas the
Commission, in compliance with the tasks entrusted
to it by the Treaty, is obliged to adopt the precau-
tionary measures essential to ensure continuity of
operation of the common agricultural policy in the
cereals sector;

Whereas, in order to ensure continuity of operation of
the import arrangements for cereals, the prices set in

Article 2 of Regulation (EEC) No 2124/85⁽⁵⁾), should
be used for calculation of the levies on processed
products; whereas these prices will be adjusted, begin-
ning on 1 September 1985, by amounts equal to the
monthly increases fixed by Regulation (EEC) No
1020/84;

Whereas the levy thus determined, increased by the
fixed component, is valid for one month; whereas the
amount of the fixed component of the levy is laid
down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the
interests of the African, Caribbean and Pacific States
and of the overseas countries and territories, the levy
relating to them in respect of certain products
processed from cereals must be reduced by the amount
of the fixed component and, in respect of some of
these products, by part of the variable component;
whereas this reduction must be made in accordance
with Article 12 of Council Regulation (EEC) No
486/85 of 26 February 1985 on the arrangements
applicable to agricultural products and certain goods
resulting from the processing of agricultural products
originating in the African, Caribbean and Pacific States
or in the 'overseas countries and territories'⁽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 Council Regula-
tion (EEC) No 974/71⁽⁷⁾), as last amended by Regu-
lation (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 over a given period in
relation to the Community currencies referred to
in the previous indent, and the aforesaid coeffi-
cient;

⁽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. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ See page 31 of this Official Journal.

⁽⁶⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 July 1985 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Third countries (other than ACP and OCT)	ACP and OCT
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup:		
	Containing no starch or containing 10 % or less by weight of starch:		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	21,41	10,53
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	603,02	592,14
	Containing more than 10 % but not more than 30 % by weight of starch:		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	43,78	32,90
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	625,39	614,51
	Containing more than 30 % by weight of starch:		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	76,67	65,79
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	658,28	647,40

COMMISSION REGULATION (EEC) No 2129/85

of 29 July 1985

fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3643/81⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

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⁽³⁾, as last amended by Council Regulation (EEC) No 1004/84⁽⁴⁾, and in particular Article 1 thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75; whereas levies were last fixed by Regulation (EEC) No 1025/85⁽⁵⁾ for the period ending 31 July 1985 and levies must therefore be fixed anew for the period 1 August to 31 October 1985;

Whereas, pursuant to Council Regulation (EEC) No 855/84, the central rate used under the common agricultural policy has been subjected to a corrective factor of 1,033651 with effect from the 1984/85 marketing year; whereas the corrected central rate has led to a change in the relationship between the Community price and the world market price; whereas account should therefore be taken of this fact by subjecting world market prices to a corrective factor of 0,967445 used for the calculation of levies and sluice-gate prices;

Whereas the levy on eggs in shell is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽⁶⁾, as last amended by Regulation (EEC) No 2300/77⁽⁷⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2773/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas one of the components required for use of the method of calculating the levies that is laid down in the abovementioned Regulations is the price in the Community of a given quantity of feed grain; whereas the Council has not so far adopted cereal-sector prices for the 1985/86 marketing year, as provided for in Article 3 (1) of Regulation (EEC) No 2727/75⁽⁸⁾; whereas the Commission in order to discharge the tasks incumbent on it under the Treaty must take whatever interim measures are indispensable to ensure the continued functioning of the common agricultural policy in the sector concerned;

Whereas the Commission under these circumstances has adopted prices to be used for determining the levies in the cereals sector; whereas those prices are given in Article 2 of Regulation (EEC) No 2124/85⁽⁹⁾; whereas these prices, which determine the food grain prices in the Community that are to be used in the pigmeat sector, must, using the traditional method of calculation, be used for determination of the levies in that sector;

Whereas the said Article 3 provides that the prices for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1985;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 May in each year;

Whereas the levy on eggs for hatching must be calculated in the same way as the levy on eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2773/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to eggs for hatching;

(¹) OJ No L 282, 1. 11. 1975, p. 49.

(²) OJ No L 364, 19. 12. 1981, p. 1.

(³) OJ No L 90, 1. 4. 1984, p. 1.

(⁴) OJ No L 101, 13. 4. 1984, p. 2.

(⁵) OJ No L 110, 23. 4. 1985, p. 16.

(⁶) OJ No L 282, 1. 11. 1975, p. 64.

(⁷) OJ No L 271, 22. 10. 1977, p. 6.

(⁸) OJ No L 281, 1. 11. 1975, p. 1.

(⁹) See page 31 of this Official Journal.

Whereas the levy on the products specified in Article 1 (1)(b) of Regulation (EEC) No 2771/75 must be derived from the levy on eggs in shell on the basis of the coefficients set out in the Annex to Commission Regulation No 164/67/EEC of 26 June 1967 fixing the factors for calculating levies and sluice-gate prices for derived egg products ⁽¹⁾, as last amended by Regulation (EEC) No 1775/74 ⁽²⁾;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 1025/85 for the period ending 31 July 1985 and prices must therefore be fixed anew for the period 1 August to 31 October 1985;

Whereas the sluice-gate price for eggs in shell is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain specified in Annex II to Regulation (EEC) No 2773/75;

Whereas the price for that quantity of grain must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2773/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1985;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2773/75;

Whereas the sluice-gate price for eggs for hatching must be calculated in the same way as the sluice-gate price for eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that specified in Annex II to Regulation (EEC) No

2773/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate prices for the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the sluice-gate prices for eggs in shell, taking into account the value of the basic product, the coefficients for those products fixed in accordance with Article 5 (2) of that Regulation and the standard amount fixed in the Annex to Regulation No 164/67/EEC;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for whole products, account must be taken of the absence of certain marketing costs specific to eggs in shell, and of a percentage reflecting the lower prices generally obtained for eggs intended for processing; whereas these marketing costs — to be deducted from the sluice-gate price for eggs in shell — may be assessed at 0,0967 ECU per kilogram; whereas the percentage to be deducted from that reduced sluice-gate price may be assessed at 20 %;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for separated products, the same reduction in marketing costs as for whole products should be allowed for; whereas, however, the percentage to be deducted should be lower than that taken for whole products, as the production of separated products requires the use of fresh eggs; whereas this percentage may be assessed at 7 %;

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

HAS ADOPTED THIS REGULATION:

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1) thereof, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1985.

⁽¹⁾ OJ No 129, 28. 6. 1967, p. 2578/67.

⁽²⁾ OJ No L 186, 10. 7. 1974, p. 14.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 July 1985 fixing the sluice-gate prices and levies for eggs

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : a) Eggs for hatching (a) : 1. Of turkeys or geese 2. Other b) Other B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	ECU/100 units	ECU/100 units
		45,72	7,08
		12,35	2,47
		ECU/100 kg	ECU/100 kg
		102,85	24,05
		410,67	108,71
		108,23	27,90
		220,31	49,06
		234,86	52,43
		490,20	112,55

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 2130/85

of 29 July 1985

fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

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⁽³⁾, as last amended by Council Regulation (EEC) No 1004/84⁽⁴⁾, and in particular Article 1 thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75; whereas levies were last fixed by Regulation (EEC) No 1026/85⁽⁵⁾ for the period ending 31 July 1985 and levies must therefore be fixed anew for the period 1 August to 31 October 1985;

Whereas, pursuant to Council Regulation (EEC) No 855/84, the central rate used under the common agricultural policy has been subjected to a corrective factor of 1,033651 with effect from the 1984/85 marketing year; whereas the corrected central rate has led to a change in the relationship between the Community price and the world market price; whereas account should therefore be taken of this fact by subjecting world market prices to a corrective factor of 0,967445 used for the calculation of levies and sluice-gate prices;

Whereas the levy on slaughtered poultry is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽⁶⁾, as last amended by Regulation (EEC) No 750/81⁽⁷⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accord-

ance with Article 2 of Regulation (EEC) No 2778/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas one of the components required for use of the method of calculating the levies that is laid down in the abovementioned Regulations is the price in the Community of a given quantity of feed grain; whereas the Council has not so far adopted cereal-sector prices for the 1985/86 marketing year, as provided for in Article 3 (1) of Regulation (EEC) No 2727/75⁽⁸⁾; whereas the Commission in order to discharge the tasks incumbent on it under the Treaty must take whatever interim measures are indispensable to ensure the continued functioning of the common agricultural policy in the sector concerned;

Whereas the Commission under these circumstances has adopted prices to be used for determining the levies in the cereals sector; whereas these prices are given in Article 2 of Commission Regulation (EEC) No 2124/85⁽⁹⁾; whereas these prices, which determine the feed grain prices in the Community that are to be used in the poultrymeat sector, must, using the traditional method of calculation, be used for determination of the levies in that sector;

Whereas the said Article 3 provides that the price for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1985;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 May in each year;

Whereas the levy on chicks must be calculated in the same way as the levy on slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2778/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to chicks;

Whereas the levy on the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the levy on slaughtered poultry on the basis of the coefficients set out in the Annex to Commission Regulation (EEC) No 3011/79 of 20 December 1979 fixing the coefficients for calculating levies on derived poultrymeat products and repealing

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁴⁾ OJ No L 101, 13. 4. 1984, p. 2.

⁽⁵⁾ OJ No L 110, 23. 4. 1985, p. 18.

⁽⁶⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁷⁾ OJ No L 80, 26. 3. 1981, p. 1.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁹⁾ See page 31 of this Official Journal.

Regulation No 199/67/EEC ⁽¹⁾, as amended by Regulation (EEC) No 1507/82 ⁽²⁾;

Whereas, in the case of products falling within heading No 02.03 and within subheadings 15.01 B or 16.02 B I of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levies must not exceed the amount resulting from that binding;

Whereas, sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 1026/85 for the period ending 31 July 1985, and prices must therefore be fixed anew for the period 1 August to 31 October 1985.

Whereas the sluice-gate price for slaughtered poultry is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain shown in Annex II to Regulation (EEC) No 2778/75;

Whereas the price for that quantity of cereals must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2778/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1985;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2778/75;

Whereas the sluice-gate price for chicks must be calculated in the same way as the sluice-gate price for slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex II to Regulation (EEC) No 2778/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate price for the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the sluice-gate prices for slaughtered poultry on the basis of the coefficients fixed for these products in accordance with Article 5 (3) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1), shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within heading No 02.03 and within subheadings 15.01 B or 16.02 B I of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 337, 29. 12. 1979, p. 65.

⁽²⁾ OJ No L 168, 15. 6. 1982, p. 5.

ANNEX

to the Commission Regulation of 29 July 1985 fixing the sluice-gate prices and levies for poultrymeat

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
		ECU/100 units	ECU/100 units
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea-fowls : A. Of a weight not exceeding 185 g, known as 'chicks' : I. Turkeys and geese II. Other	87,54 24,60	11,58 4,30
		ECU/100 kg	ECU/100 kg
	B. Other : I. Fowls II. Ducks III. Geese IV. Turkeys V. Guinea-fowls	82,82 109,03 128,04 111,91 139,25	15,80 23,56 23,32 18,59 27,26
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea-fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, not drawn or gutted, with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as '63 % ducks' III. Geese : a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese' b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese' IV. Turkeys a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys' V. Guinea-fowls	104,05 118,31 128,91 128,27 155,75 173,06 182,91 175,79 159,87 175,19 198,93	19,85 22,57 24,59 27,72 33,66 37,41 33,32 34,73 26,56 29,10 38,94

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
02.02 (cont'd)	B. Poultry cuts (excluding offals): I. Boned or boneless: a) Of geese b) Of turkeys c) Of other poultry II. Unboned (bone-in): a) Halves or quarters: 1. Of fowls 2. Of ducks 3. Of geese 4. Of turkeys 5. Of guinea-fowls b) Whole wings, with or without tips c) Backs, necks, backs with necks attached, rumps and wing tips d) Breasts and cuts of breasts: 1. Of geese 2. Of turkeys 3. Of other poultry e) Legs and cuts of legs: 1. Of geese 2. Of turkeys: aa) Drumsticks and cuts of drumsticks bb) Other 3. Of other poultry f) Goose or duck paletots (!) g) Other C. Offals	ECU/100 kg 369,16 335,73 331,09 141,80 190,37 193,37 192,71 218,82 105,12 72,78 263,69 255,79 195,21 254,90 119,90 215,82 183,38 232,08 323,46 72,78	ECU/100 kg 72,93 55,78 66,61 27,05 41,15 38,20 32,01 42,83 20,34 14,08 52,10 42,50 37,24 50,36 19,92 35,86 34,98 47,88 62,58 14,08
02.03	Poultry liver, fresh, chilled, frozen, salted or in brine: A. Fatty liver of goose or duck B. Other	1 829,10 185,99	333,20 35,98
02.05	Pig fat, free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked: C. Poultry fat	161,73	31,29
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted: B. Poultry fat	194,08	37,55

- (1) For the purposes of subheading 02.02 B II f, 'goose or duck paletots' shall be taken to mean geese or ducks plucked and completely drawn, without heads or feet, with carcase bones (breastbone, ribs, backbone and sacrum) removed but with the femurs, tibias and humeri.
- (2) For the purpose of determining the percentage of poultrymeat, weight of any bones shall be disregarded.

COMMISSION REGULATION (EEC) No 2131/85

of 29 July 1985

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

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⁽²⁾, as last amended by Council Regulation (EEC) No 1004/84⁽³⁾, and in particular Article 1 thereof,

Whereas the sluice-gate prices and import duties for the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance;

Whereas, since the sluice-gate prices and import duties for ovalbumin and lactalbumin were last fixed by Regulation (EEC) No 1027/85⁽⁴⁾ for the period ending 31 July 1985, they must be fixed anew for the period 1 August to 31 October 1985; whereas they must be fixed by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;

Whereas, pursuant to Council Regulation (EEC) No 855/84, the central rate used under the common agricultural policy has been subjected to a corrective factor of 1,033651 with effect from the 1984/85 marketing year; whereas the corrected central rate has led to a

change in the relationship between the Community price and the world market price; whereas account should therefore be taken of this fact by subjecting world market prices to a corrective factor of 0,967445 used for the calculation of levies and sluice-gate prices;

Whereas these have been fixed by Commission Regulation (EEC) No 2129/85 of 29 July 1985 fixing the sluice-gate prices and levies for eggs⁽⁵⁾;

Whereas the methods for calculating sluice-gate prices and import duties are laid down in Regulation No 200/67/EEC⁽⁶⁾; whereas these methods should be used to calculate the sluice-gate prices and import duties for the coming quarter;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties provided for in Article 2 of Regulation (EEC) No 2783/75 and the sluice-gate prices provided for in Article 5 thereof, in respect of the products specified in Article 1, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽³⁾ OJ No L 101, 13. 4. 1984, p. 2.

⁽⁴⁾ OJ No L 110, 23. 4. 1985, p. 20.

⁽⁵⁾ See page 44 of this Official Journal.

⁽⁶⁾ OJ No 134, 30. 6. 1967, p. 2834/67.

ANNEX

to the Commission Regulation of 29 July 1985 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

CCT heading No	Description	Sluice-gate price	Import duty
1	2	3	4
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (than unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other	ECU/100 kg	ECU/100 kg
		463,06	97,64
		62,17	13,23

COMMISSION REGULATION (EEC) No 2132/85
of 29 July 1985
fixing the sluice-gate prices and levies on pigmeat

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 organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 2966/80⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75; whereas levies were last fixed by Commission Regulation (EEC) No 1078/85 of 25 April 1985⁽³⁾ for the period 1 May to 31 July 1985 and levies must therefore be fixed anew for the period 1 August to 31 October 1985;

Whereas the levy on pig carcasses is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Article 1 of Council Regulation (EEC) No 2764/75 of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcasses⁽⁴⁾, as last amended by Regulation (EEC) No 2791/82⁽⁵⁾, the composition whereof is indicated therein;

Whereas the value within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2764/75; whereas the value for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the prices for each type of feed grain on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the

quarter in respect of which the said component is calculated; whereas that period is 1 February to 30 June 1985;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 May in each year;

Whereas the levies on the products specified in Article 1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other than pig carcasses must be derived from the levy on pig carcasses on the basis of the coefficients fixed for such products pursuant to Article 10 (4) of Regulation (EEC) No 2759/75 in Annex I to Commission Regulation (EEC) No 3602/82 of 21 December 1982 fixing coefficients for calculating levies on pigmeat products other than pig carcasses, amending the Annex to Council Regulation (EEC) No 950/68 on the Common Customs Tariff and repealing Regulation (EEC) No 747/79⁽⁶⁾;

Whereas the levies on the products specified in Article 1 (1) (c) of Regulation (EEC) No 2759/75 are made up of two components;

Whereas the first component must be derived from the levy on pig carcasses on the basis of the coefficients fixed in Annex II to Regulation (EEC) No 3602/82;

Whereas the second component must be equal to 7 %, and for products falling within heading No ex 16.02 of the Common Customs Tariff, to 10 %, of the average offer prices for imports during the 12 months to 1 May; whereas these averages should be determined bearing in mind all the information available relating to imports into the Community from third countries, taking into account the representative character of prices;

Whereas, in the case of products falling within sub-headings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A and 16.02 A II of the Common Customs Tariff, in respect of which the rate of duty has been bound with GATT, the levies must not exceed the amount resulting from that binding;

Whereas, for pig carcasses and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 114, 27. 4. 1985, p. 18.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 21.

⁽⁵⁾ OJ No L 295, 21. 10. 1982, p. 4.

⁽⁶⁾ OJ No L 376, 31. 12. 1982, p. 23.

price for pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 1905/83 ⁽²⁾, the sluice-gate prices must be fixed in advance for each quarter; whereas sluice-gate prices were last fixed by Regulation (EEC) No 1078/85 for the period 1 May to 31 July 1985 and prices must therefore be fixed anew for the period 1 August to 31 October 1985;

Whereas the sluice-gate price for pig carcasses is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas one of the components required for use of the method of calculating the levies that is laid down in the abovementioned Regulations is the price in the Community of a given quantity of feed grain; whereas the Council has not so far adopted cereal-sector prices for the 1985/86 marketing year, as provided for in Article 3 (1) of Regulation (EEC) No 2727/75 ⁽³⁾; whereas the Commission in order to discharge the task incumbent on it under the Treaty must take whatever interim measures are indispensable to ensure the continued functioning of the common agricultural policy in the sector concerned;

Whereas the Commission under these circumstances has adopted prices to be used for determining the levies in the cereals sector; whereas these prices are given in Article 2 of Commission Regulation (EEC) No 2124/85 ⁽⁴⁾; whereas these prices which determine the feed grain prices in the Community that are to be used in the pigmeat sector, must, using the traditional method of calculation, be used for determination of the levies in that sector;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif

prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 February to 30 June 1985;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accordance with Article 3 (2) of Regulation (EEC) No 2766/75, be 38-69 ECU per 100 kilograms of pig carcasses;

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcasses, must be derived from the sluice-gate price for pig carcasses on the basis of the coefficients laid down by Regulation (EEC) No 3602/82;

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. For the period 1 August to 31 October 1985 the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof and the sluice-gate prices provided for in Article 12 thereof for the products referred to in Article 1 of Regulation (EEC) No 2766/75 shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A and 16.02 A II of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽²⁾ OJ No L 190, 14. 7. 1983, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁴⁾ See page 31 of this Official Journal.

[illegible]

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :			
	B. Of domestic swine :			
	I. Meat :			
	a) Salted or in brine :			
	1. Bacon sides or spencers	191,90	52,07	—
	2. ¾ sides or middles	209,89	56,95	—
	3. Hams and parts thereof	217,39	58,99	—
	4. Fore-ends or shoulders ; parts thereof	167,91	45,56	—
	5. Loins and parts thereof	242,87	65,91	—
	6. Bellies and parts thereof	130,43	35,39	—
	7. Other :			
	aa) Boned or boneless	242,87	65,91	—
	bb) Other	—	65,91	—
	b) Dried or smoked :			
	1. Hams and parts thereof	422,78	114,73	—
	2. Fore-ends or shoulders ; parts thereof	332,83	90,32	—
	3. Loins and parts thereof	418,28	113,51	—
	4. Bellies and parts thereof	217,39	58,99	—
	5. Other :			
	aa) Boned or boneless	422,78	114,73	—
	bb) Other	—	114,73	—
	II. Offals :			
	a) Heads and parts thereof	—	13,02	—
	b) Feet or tails	—	3,66	—
	c) Kidneys	—	42,72	—
	d) Livers	—	49,23	—
	e) Hearts, tongues or lungs	—	24,41	—
	f) Livers, hearts, tongues and lungs with windpipe and gullet all attached	—	35,80	—
	g) Other	—	35,80	—
15.01	Lard, other pig fat and poultry fat, rendered or solvent extracted :			
	A. Lard and other pig fat :			
	I. For industrial uses other than the manufacture of foodstuffs for human consumption (a)	—	13,02	3
	II. Other	47,97	13,02	—
16.01	Sausages and the like, of meat, meat offal or animal blood :			
	A. Liver sausages	—	73,46	24
	B. Other (b) :			
	I. Sausages, dry or for spreading, uncooked	352,31	129,00	—
	II. Other	—	89,89	—

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
16.02	Other prepared or preserved meat or meat offal :			
	A. Liver :			
	II. Other	—	89,19	25
	B. Other :			
	III. Other :			
	a) Containing meat or offal of domestic swine :			
	1. Containing bovine meat, uncooked	—	230,23	—
	2. Other, containing by weight :			
	aa) 80 % or more of meat or offal, of any kind, including fats of any kind or origin :			
	11. Hams or loins, (excluding collars); parts thereof	367,31	142,27	—
	22. Collars or shoulders ; parts thereof	307,34	119,70	—
	33. Other	—	77,52	—
	bb) 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin	—	65,16	—
	cc) Less than 40 % of meat or offal, of any kind, including fats of any kind or origin	—	52,86	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The levy on sausages imported in containers which also contain preserving liquid shall be charged on the net weight, i. e. minus the weight of the liquid.

COMMISSION REGULATION (EEC) No 2133/85
of 29 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 2104/85⁽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 Regu-
lation (EEC) No 1785/81 shall be, in respect of white
sugar and standard quality raw sugar, as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 30 July 1985.

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

Done at Brussels, 29 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 197, 27. 7. 1985, p. 42.

ANNEX

**to the Commission Regulation of 29 July 1985 fixing the import levies on white sugar and
raw sugar**

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	47,80
	B. Raw sugar	41,85 ⁽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 2134/85**of 29 July 1985****abolishing the countervailing charge on cherries originating in Hungary**

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 Commission Regulation (EEC) No 1962/85
of 16 July 1985⁽³⁾ introduced a countervailing charge
on cherries originating in Hungary;

Whereas for this product originating in Hungary there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled
and the countervailing charge on imports of cherries
originating in Hungary can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1962/85 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 July 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 184, 17. 7. 1985, p. 14.

COMMISSION REGULATION (EEC) No 2135/85
of 29 July 1985
fixing the export refunds on pigmeat

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 organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 2966/80⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of live pigs falling within subheading 01.03 A II b), and for certain products falling within subheading 02.01 A III; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas, in the case of products falling within subheading 02.06 B I, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within this subheading and of the foreseeable trend of production costs on the world market; whereas it is important

that the Community should continue to take part in international trade in the case of certain typical Italian products falling within subheadings 02.06 B I b) 1 and B I b) 5 aa);

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within subheadings ex 16.01 A and B, ex 16.02 A II and B III a) 2, the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

Whereas Article 4 of Regulation (EEC) No 2768/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

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

The list of products on which the export refund referred to in Article 15 of Regulation (EEC) No 2759/75 is granted, and the amount of that refund, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 July 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

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 282, 1. 11. 1975, p. 39.

to the Commission Regulation of 29 July 1985 fixing the export refunds on pigmeat

[illegible]

		(ECU/100 kg)
CCT heading No	Description	Refund
		net weight
02.01 (cont'd)	(22) Fore-ends or shoulders, and parts thereof, derinded and defatted, with a maximum layer of 3 mm fat, frozen or vacuum-packed (a) for export to : — the United States of America and Canada — other destinations (33) Other legs, fore-ends, shoulders or loins ; parts thereof (a) for export to : — the United States of America and Canada — other destinations (44) Bellies and parts thereof, derinded and defatted, with a maximum layer of 7 mm fat, frozen or vacuum-packed (a) for export to : — the United States of America and Canada — other destinations (55) Other bellies and parts thereof, derinded (a) for export to : — the United States of America and Canada — other destinations	5,00 30,00 5,00 28,00 5,00 28,00 4,00 22,00
02.06	Meat and edible meat offal (except poultry liver), salted, in brine, dried or smoked : B. Of domestic swine : I. Meat : a) Salted or in brine : 3. Hams and parts thereof 5. Loins and parts thereof 6. Bellies and parts thereof 7. Other : ex aa) Boned or boneless : (11) Hams, fore-ends, shoulders or loins, parts thereof (a) (22) Bellies and parts thereof, derinded (a) b) Dried or smoked : 1. Hams and parts thereof : (aa) 'Prosciutto di Parma', 'Prosciutto di San Daniele' (b) (bb) Other	32,00 32,00 20,00 32,00 20,00 64,00 47,00

		(ECU/100 kg)
CCT heading No	Description	Refund
		net weight
02.06 (cont'd)	4. Bellies and parts thereof	22,00
	5. Other :	
	ex aa) Boned or boneless :	
	(11) 'Prosciutto di Parma, Prosciutto di San Daniele'; parts thereof (b)	64,00
	(22) Hams, fore-ends, shoulders or loins, parts thereof (a)	47,00
ex 16.01	Sausages and the like, of meat, meat offal or animal blood, suitable for human consumption :	
	A. Liver sausages (f)	28,00
	B. Other (c) :	
	I. Sausages, dry or for spreading, uncooked (d) (f)	50,00
	II. Other (f)	34,00
ex 16.02	Other prepared or preserved meat or meat offal, suitable for human consumption :	
	A. Liver :	
	II. Other	24,00
	B. Other :	
	III. Other :	
	a) Containing meat or offal of domestic swine :	
	2. Other, containing by weight :	
	aa) 80 % or more of meat or offal, of any kind, including fats of any kind or origin :	
	11. Hams or loins (excluding collars); parts thereof :	
	(aaa) Uncooked ; mixtures of cooked and uncooked meat (e) (g)	22,00
	(bbb) Other (g)	
	for export to :	
	— the United States of America, Canada and Australia	6,00
	— other destinations	37,00
	22. Collars or shoulders ; parts thereof :	
	(aaa) Uncooked ; mixtures of cooked and uncooked meat (e) (g)	22,00
	(bbb) Other (g)	
	for export to :	
	— the United States of America, Canada and Australia	5,00
	— other destinations	34,00

CCT heading No	Description	(ECU/100 kg)
		Refund
ex 16.02 (cont'd)	33. Other :	net weight
	(aaa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal (e) (g)	17,00
	(bbb) Other (g)	
	for export to :	
	— the United States of America, Canada and Australia	4,00
	— other destinations	24,00
	bb) 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin (g)	
	for export to :	
	— the United States of America, Canada and Australia	4,00
	— other destinations	19,00
	cc) Less than 40 % of meat or offal, of any kind, including fats of any kind or origin (g)	10,00

- (a) The cuts are classified in this subheading only if they can be identified as originating from the primary cuts mentioned.
- (b) Only those products for which the name is certified by the competent authorities of the producing Member State can benefit from this refund.
- (c) The refund on sausages presented in containers with a preservative liquid is granted on net weight after deduction of weight of this liquid.
- (d) The weight of a coating of paraffin corresponding to normal use in the trade is considered as part of the net weight of the sausage.
- (e) The term 'uncooked' shall apply to products which have not been subjected to any heat-treatment or which have been subjected to a heat-treatment insufficient to ensure the coagulation of meat proteins in the whole of the product and which therefore show traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.
- (f) If composite food preparations (including prepared dishes) containing sausages, are classified under heading No 16.01 because of their composition, the refund is granted only on the net weight of the sausages, the meat and the offal, including fats of any kind or origin, which make part of these preparations.
- (g) The refund on products containing bones is granted on the net weight of the product after deduction of the weight of the bones.

COMMISSION OF THE EUROPEAN COMMUNITIES

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Commentaries and guidelines for contracting in industrial projects

October 1984

Document

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ISBN 92-825-5332-9

CB-43-85-684-EN-C

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Price (excluding VAT) in Luxembourg:

BFR 400	IRL 6,40	UKL 5,30	USD 6,50	FF 61	DM 20	LIT 12 700
HFL 23	DKR 72	DRA 865				

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ISBN 92-825-4872-4

CB-41-84-822-EN-C

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BFR 500 IRL 8,10 UKL 6,80 USD 9

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**REPORT ON SOCIAL DEVELOPMENTS
YEAR 1984**

BRUSSELS — LUXEMBOURG / MARCH 1985

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ISBN 92-825-5348-5

CB-43-85-733-EN-C

Published in: Danish, Dutch, English, French, German, Greek, Italian

Price (excluding VAT) in Luxembourg:

BFR 800 IRL 12,80 UKL 10,50 USD 13

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