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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2605/85

of 17 September 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 2159/85⁽⁵⁾ and subsequent amending
Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on
16 September 1985;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2159/85 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on 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 18
September 1985.

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

Done at Brussels, 17 September 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 203, 1. 8. 1985, p. 8.

⁽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 17 September 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	104,64
10.01 B II	Durum wheat	160,36 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	100,30 ⁽⁶⁾
10.03	Barley	107,09
10.04	Oats	77,10
10.05 B	Maize, other than hybrid maize for sowing	94,29 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	59,38 ⁽⁴⁾
10.07 C	Grain sorghum	117,42 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	159,78
11.01 B	Rye flour	153,70
11.02 A I a)	Durum wheat groats and meal	261,73
11.02 A I b)	Common wheat groats and meal	172,25

⁽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 2606/85

of 17 September 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 2160/85⁽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 16 September 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 18 September 1985.

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

Done at Brussels, 17 September 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 203, 1. 8. 1985, p. 11.

⁽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 17 September 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
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	2,88
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	2,38	2,38	0,38
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2607/85**of 16 September 1985****laying down, for the 1985/86 wine year, detailed implementing rules concerning the distillation provided for in Article 11 of Regulation (EEC) No 337/79**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 798/85 ⁽²⁾, and in particular Articles 11 (5) and 65 thereof,

Whereas Article 11 (1) of Regulation (EEC) No 337/79 provides that preventive distillation of table wines and wines suitable for producing table wines may be decided on whenever such measure seems necessary in the light of harvest forecasts or in order to improve the quality of products marketed; whereas initial harvest forecasts point to heavy production in terms of quantity and it is therefore appropriate, given the surpluses on the wine market, to implement this measure;

Whereas Article 6 of Regulation (EEC) No 337/79 lays down that only those producers who have fulfilled their obligations under Article 39 and, where appropriate, Articles 40 and 41 of the said Regulation for a reference period to be determined are entitled to benefit from the intervention measures; whereas the said reference period should therefore be fixed;

Whereas it is necessary to rationalize the market without exceeding the quantities compatible with sound market management; whereas for this purpose the maximum quantity of table wine which may be distilled by each producer should be limited according to the cultivated area devoted to the production of table wine; whereas, however, to take account of national provisions on the recognition of quality wines in some Member States, the maximum quantities of table wine which may be distilled in the zones concerned should be related not to the area devoted to the production of table wine but to each producer's total cultivated area; whereas, however, in cases in which it is not possible to relate the quantity precisely to the area from which the wine comes, the quantity

eligible for distillation should be limited to a percentage of the quantity of table wine produced during the 1985/86 wine year: whereas this percentage should be such as to achieve similar results to those obtained in the context of a limit related to the area cultivated; whereas the percentage should therefore be set by taking into account the recorded average yield per hectare; whereas the yield in the Greek parts of zone C III is considerably below that in the rest of the Community so that a different percentage should be set for these parts of the zone;

Whereas the quantity of table wine produced to which this percentage is to apply is that set down in the production declaration provided for in Commission Regulation (EEC) No 2102/84 of 13 July 1984 on harvest, production and stock declarations relating to wine-sector products ⁽³⁾, as last amended by Regulation (EEC) No 2391/85 ⁽⁴⁾, and the records provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers ⁽⁵⁾, as last amended by Regulation (EEC) No 3203/80 ⁽⁶⁾;

Whereas preventive distillation must be carried out in accordance with the provisions of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine making ⁽⁷⁾, as amended by Regulation (EEC) No 2687/84 ⁽⁸⁾; whereas, in addition, attention should be drawn in the context of such distillation to the consequences arising from non-submission of a declaration or from the submission of incomplete or incorrect declarations laid down by Regulation (EEC) No 2102/84;

Whereas it should be specified that delivery contracts and declarations must contain the information necessary for identification of the wines to which they relate;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 89, 29. 3. 1985, p. 1.

⁽³⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁴⁾ OJ No L 225, 23. 8. 1985, p. 13.

⁽⁵⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽⁶⁾ OJ No L 333, 11. 12. 1980, p. 18.

⁽⁷⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁸⁾ OJ No L 255, 25. 9. 1984, p. 1.

Whereas certain time limits for the operation should be laid down for both producers and distillers to ensure that the measure is as effective as possible ;

Whereas the price of wine for distillation normally prevents the sale of the products of distillation at market prices ; whereas an aid, fixed on the basis of the criteria set out in Article 8 of Regulation (EEC) No 2179/83 while taking into account also the current uncertainty over prices on the market for distillation products, is therefore needed ;

Whereas preventive distillation is open to all table wines and wines suitable for yielding table wine ; whereas, however, the minimum purchase prices of wines delivered for distillation are fixed as a percentage of the guide prices for the various types of table wine ; whereas the table wines which are in a close economic relationship with each type of table wine should therefore be defined ;

Whereas, in the absence of a Community definition of rosé wine and in the interests of clarity, it should be stated that rosé table wines must be treated in the same way as red table wines owing to the close economic relationship between them ;

Whereas it is necessary to avoid the risk of products of the distillation of certain wines disturbing the market in wine spirits with a designation of origin ; whereas to this end, pursuant to Article 3 (2) of Regulation (EEC) No 2179/83, provision should be made that products obtained from distilling such wine should not have an alcoholic strength of less than 92 % vol ;

Whereas provision should be made for the minimum price guaranteed to producers to be paid to them, as a general rule, within a period which will enable them to obtain a profit comparable to that which they would have obtained from a commercial sale ; whereas, in these circumstances, it is essential to pay the aid due to them for the distillation in question at the earliest opportunity, while guaranteeing that operations are correctly carried out by means of an appropriate system of securities ;

Whereas some wine delivered for preventive distillation can be fortified ; whereas the provisions applicable to distillation operations should be adapted accordingly, in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83 ;

Whereas, in order to draw up an accurate forward estimate, it is essential to know the quantities of wine likely to be the subject of preventive distillation ; whereas provisions should therefore be made to provide the Commission with information about these quantities in good time ;

Whereas the intervention agencies and the Commission should be informed of the progress of distillation operations and should in particular be aware of the quantities of wine distilled and the quantities of products obtained ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. This Regulation lays down detailed implementing rules for the 1985/86 wine year concerning the arrangements referred to in Article 11 of Regulation (EEC) No 337/79 for the preventive distillation of table wine and wines suitable for yielding table wine.

2. In accordance with Article 6 (1) of Regulation (EEC) No 337/79, producers who, during the 1984/85 wine year, were subject to the obligations laid down in Articles 39, 40 or 41 of that Regulation shall be entitled to benefit from the distillation measures provided for in this Regulation on condition that they furnish proof that they have fulfilled their obligations :

- under Article 39 and 40, between 1 September 1984 and the dates fixed in Articles 2 (1) and 11 (2) of Commission Regulation (EEC) No 2461/84⁽¹⁾ and Articles 2 (1) and 8 (2) of Commission Regulation (EEC) No 2462/84⁽²⁾ respectively or, where appropriate, by the dates fixed by the competent authority in accordance with Article 11 (2) of Regulation (EEC) No 2179/83,
- under Article 41, between 19 January 1985 and the dates fixed in Article 10 (5) of Commission Regulation (EEC) No 147/85⁽³⁾.

Article 2

1. The contracts and declarations referred to in Articles 4 (1) and 5 (1) respectively of Regulation (EEC) No 2179/83 shall be submitted for approval to the competent intervention agency not later than 15 January 1986.

2. Products who have obtained table wine during the 1985/86 wine year by processing in full the grapes intended for the production of table wine which they

⁽¹⁾ OJ No L 231, 29. 8. 1984, p. 12.

⁽²⁾ OJ No L 231, 29. 8. 1984, p. 18.

⁽³⁾ OJ No L 16, 19. 1. 1985, p. 25.

harvested on their own holding may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine which shall not exceed :

- 13 hectolitres per hectare of vineyard cultivated for the production of table wine in the French part of wine-growing zone B and in wine-growing zones C I, C II and C III,
- 6 hectolitres per hectare of vineyard cultivated in wine-growing zone A and the German part of wine-growing zone B.

Producers who have obtained table wine during the 1985/86 wine year by processing purchase products, or by processing part of the grapes intended for the production of table wine which they harvested on their own holding, and cooperative wineries and groups, may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine which shall not exceed :

- 26 % in the Greek part of wine-growing zone C III, and
- 13 % in the other wine-growing zones,

of the quantity of table wine produced by them during the wine year.

However, for the quantity of table wine or wine suitable for yielding table wine produced in 1985/86 on areas in respect of which their members were, at the time of entry into force of this Regulation, required to deliver their entire harvest, cooperative wineries or groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine which shall, in respect of those areas, not exceed :

- 13 hectolitres per hectare of vineyard cultivated for the production of table wine in the French part of wine-growing zone B and in wine-growing zones C I, C II and C III,
- 6 hectolitres per hectare in wine-growing zone A and in the German part of wine-growing zone B.

For the quantity of table wine or wine suitable for yielding table wine obtained during the 1985/86 wine year from areas in respect of which their members were not, at the time of entry into force of this Regulation, required to deliver their entire harvest, cooperative wineries or groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine which shall not exceed :

- 26 % in the Greek part of wine-growing zone C III, and

— 13 % in the other wine-growing zones,

of that portion of the quantity of table wine produced by them during the wine year.

The quantity of wine delivered for distillation may not be less than 5 hectolitres.

3. The quantity of table wine produced to which the percentages referred to in the second and fourth subparagraphs of paragraph 2 apply shall, for each producer, be the sum of the quantities entered as wine in the table wine column of the production declaration which he has submitted in accordance with Regulation (EEC) No 2102/84 and the quantities obtained by him after the date of submission of the said declaration and set down in the records provided for in Article 14 of Regulation (EEC) No 1153/75.

4. The contracts and declarations referred to in paragraph 1 shall specify at least :

- (a) the quantity, colour and actual alcoholic strength by volume of the wine to be distilled, stating whether it is table wine or wine suitable for yielding table wine ;
- (b) the name and address of the producer ;
- (c) the place where the wine is stored ;
- (d) the name of the distiller or of the distillery ;
- (e) the address of the distillery ;
- (f) the type of table wine in the case of types A II, A III and R III.

5. Approval shall be conditional on observance of the conditions set out in Article 10a of Regulation (EEC) No 2102/84.

6. The intervention agency shall notify the producer of the results of the approval procedure not later than 15 February 1986.

Article 3

1. Distillation operations may not be carried out after 31 August 1986.

2. Only a product with an alcoholic strength of not less than 92 % vol may be obtained by the direct distillation of wines obtained from grapes of varieties classified for the same administrative unit as both wine grape varieties and varieties for the production of wine spirits.

Article 4

1. Without prejudice to the application of Article 14b of Regulation (EEC) No 337/79, the minimum purchase price referred to in Article 11 (2) of that Regulation shall be :

- 2,22 ECU per % vol per hectolitre for red table wines of types R I and R II,

- 3,30 ECU per % vol per hectolitre for red table wines of type R III,
- 2,06 ECU per % vol per hectolitre for white table wines of type A I and for wines suitable for yielding table wine,
- 4,62 ECU per % vol per hectolitre for white table wines of type A II,
- 5,27 ECU per % vol per hectolitre for white table wines of type A III.

2. The minimum purchase price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the date of reception at the distillery of each lot of wine delivered.

Article 5

1. The amount of the aid referred to in Article 11 (3) of Regulation (EEC) No 337/79 shall be as follows:

(a) where the product of the distillation corresponds to the definition of neutral spirits given in the Annex to Regulation (EEC) No 2179/83:

- 1,72 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
- 2,82 ECU per % vol per hectolitre for products derived from red table wines of type R III,
- 1,56 ECU per % vol per hectolitre for products derived from white table wines of type A I and from wines suitable for yielding table wine,
- 4,16 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,82 ECU per % vol per hectolitre for products derived from white table wines of type A III;

(b) where the product of the distillation is a wine spirit having the quality characteristics provided for in the relevant national provisions:

- 1,61 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
- 2,71 per % vol per hectolitre for products derived from red table wines of type R III,
- 1,45 ECU per % vol per hectolitre for products derived from white table wines of type A I and from wines suitable for yielding table wine,
- 4,05 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,71 ECU per % vol per hectolitre for products derived from white table wines of type A III;

(c) where the product of the distillation is a distillate or raw alcohol, having an alcoholic strength of 52 % vol or more:

- 1,61 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
- 2,71 ECU per % vol per hectolitre for products derived from red table wines of type R III,
- 1,45 ECU per % vol per hectolitre for products derived from white table wines of types A I and from wines suitable for yielding table wine,
- 4,05 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,71 ECU per % vol per hectolitre for products derived from white table wines of type A III.

2. The aid shall be calculated on the basis of the amount corresponding to the wine actually delivered, allowance being made for the tolerances referred to in Article 6 (2) of Regulation (EEC) No 2179/83.

Article 6

1. The provisions of this Regulation relating to red wines shall also apply to rosé wines.

2. The provisions of this Regulation relating to a given type of table wine shall also apply to table wines which are in a close economic relationship with that type of table wine.

For the purposes of this Regulation, the following shall be considered to be in a close economic relationship with the type of table wine indicated:

- A I: white table wines which are not of types A I, A II or A III,
- R I: red table wines with an actual alcoholic strength of not more than 12,5 % vol which are not of types R I or R III,
- R II: red table wines with an actual alcoholic strength exceeding 12,5 % vol which are not of type R III.

Article 7

Within four months of the date of submission of proof that the total quantity of wine covered by the contract has been distilled, the distiller shall be required to supply the intervention agency with proof that he has paid the minimum purchase price referred to in Article 4 (1) within the period referred to in Article 4 (2).

If such proof is not submitted within the period set, the aid shall be recovered by the intervention agency. However, if this proof is submitted after expiry of that period but not later than 28 February 1987 the intervention agency shall recover 20 % of the aid paid.

If it is ascertained that the distiller has not paid the minimum purchase price to the producer, the intervention agency shall pay the producer, before 1 May 1987, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Article 8

1. The amount of the advance payment referred to in Article 9 (1) of Regulation (EEC) No 2179/83 shall be paid within three months of submission of proof that the security has been lodged.

2. Subject to Article 23 of Regulation (EEC) No 2179/83, the security referred to in the first paragraph shall be released only if proof that the total quantity of wine has been distilled and, where appropriate, proof of payment of the purchase price for the wine within the period set is provided before 1 November 1986.

If the proof referred to in the first subparagraph is provided after the deadline set in that subparagraph but before 1 February 1987, the amount to be released shall be 80 % of the security.

Article 9

1. In the case referred to in Article 26 of Regulation (EEC) No 2179/83, the contract or declaration relating to delivery for fortification shall be submitted for approval to the competent intervention agency not later than 15 January 1986.

The intervention agency shall inform the producer of the result of the approval procedure not later than 15 February 1986.

2. The wine may be fortified for distillation only after approval of the contract or declaration and not later than 31 July 1986.

3. Fortified wine may not be distilled after 31 August 1986.

4. The fortifier shall send to the intervention agency not later than the 10th of each month a state-

ment of the quantities of wine which were delivered to him during the previous month.

5. For wine fortified for distillation, the fortifier shall receive an aid, calculated per hectolitre and per % vol actual alcoholic strength before fortification, of :

- 1,58 ECU for red table wines of type R I and R II,
- 2,66 ECU for red table wines of type R III,
- 1,42 ECU for white table wines of type A I and for wines suitable for yielding table wine,
- 3,98 ECU for white table wines of type A II,
- 4,63 ECU for white table wines of type A III.

To receive the aid, the fortifier must submit an application to the competent intervention agency not later than 28 June 1986, attaching copies of the accompanying documents relating to the transport of the wine for which the aid is applied for or a summary of those documents.

Member States may require that the copies or summary referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid not later than three months after the date of submission of proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration has been approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, before 1 December 1986, proof is furnished :

- that the total quantity of wine covered by the contract or declaration has been fortified and distilled,
- that the purchase price of the wine has been paid to the producer within the period referred to in Article 4 (2),

in proportion to the quantities for which proof is furnished.

If the proof referred to in the first subparagraph is furnished after the date referred to in that subparagraph, but before 1 March 1987, the amount to be released shall be 80 % of the security.

If it is found that the fortifier has not paid the purchase price to the producer, the intervention agency shall pay the producer, before 1 April 1987, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Article 10

1. Member States shall notify the Commission :
 - not later than 20 January 1986 of the quantities of wine and fortified wine covered by delivery contracts submitted for approval,
 - not later than 25 February 1986 of the quantities of wine and fortified wine covered by approved delivery contracts.
2. Distillers shall send the intervention agency, not later than the 10th of each month, a statement of the quantities of wine distilled during the previous month, itemized according to the categories referred to in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.
3. Member States shall inform the Commission by telex, not later than the 20th of each month for the previous month, of the quantities, broken down by colour, of wine and fortified wine distilled and the quantities, expressed in pure alcohol, of products

obtained, distinguishing between the latter in accordance with paragraph 2.

4. Member States shall report to the Commission, not later than 30 September 1986, any cases in which the distiller or fortifier has failed to meet his obligations and the measures taken in consequence.

Article 11

The amounts referred to in this Regulation shall be converted into national currency at the representative rates applying in the wine sector on 1 September 1985.

Article 12

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

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

Done at Brussels, 16 September 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2608/85

of 16 September 1985

fixing the quantity of young male bovine animals which may be imported on special terms in the fourth quarter of 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has established an estimate of 190 000 head under the new import arrangements for young male bovine animals for fattening, for the period 1 January to 31 December 1985; whereas, under Article 13 (4) (a) of Regulation (EEC) No 805/68, the quantity which may be imported each quarter and the rate of reduction of the import levy on these animals must be determined;

Whereas detailed rules for the practical application of the special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽²⁾, as last amended by Regulation (EEC) No 411/84 ⁽³⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁴⁾, as last amended by Regulation (EEC) No 552/85 ⁽⁵⁾;

Whereas the supply requirements of certain regions of the Community which have a serious deficit in bovine animals for fattening must be taken into account; whereas these requirements are apparent in Italy and in Greece and may be estimated for the fourth quarter of 1985 at 40 400 head and 6 200 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the fourth quarter of 1985, a higher rate of reduction of the levy for animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia;

Whereas the partial reduction of the levy is intended to help improve cattle rearing and beef and veal production structures in Italy and in Greece; whereas appropriate measures must therefore be taken to ensure that producers can, as far as possible, benefit directly from the arrangements without traditional trade being excluded; whereas this objective can be achieved by giving agricultural producers and their organizations priority when issuing the licences conferring entitlement to benefit from the arrangements;

Whereas, according to Article 9 (1) of Regulation (EEC) No 2377/80, the applicant shall undertake either to carry out himself or to have carried out under his responsibility the task of fattening; whereas, in the case of agricultural producers or their professional organization, it appears that the opportunity given to the applicant not to carry out himself the task of fattening could give rise to abuses in certain cases; whereas it seems appropriate consequently to abolish that opportunity for the quarter in question;

Whereas, in the case of import licence applications made by agricultural producers or their professional organizations, or the traditional trade, it is necessary, in order to permit a more equitable distribution of the quantities available, to limit the maximum quantity which each application may cover;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 October to 31 December 1985, the maximum quantity referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 46 600 head of young male bovine animals for fattening, of a live weight of 300 kilograms or less, of which 40 400 head must be imported into and fattened in Italy and 6 200 head must be imported into and fattened in Greece.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽³⁾ OJ No L 48, 18. 2. 1984, p. 12.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 63, 2. 3. 1985, p. 13.

2. The levy charged on imports of the young bovine animals referred to in paragraph 1 shall be equal to the levy applicable on the day of import, less 60 %.

However, the levy applicable on the day of import shall be reduced by 70 % in respect of a maximum of 12 750 young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia.

This maximum quantity may be imported up to a maximum of :

- 10 800 head in Italy,
- 1 950 head in Greece.

3. The application for a licence and the licence shall be in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80 and shall relate to :

- either young bovine animals of a weight per head not exceeding 300 kilograms, or
- young bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case, sections 13 and 14 of the application for a licence and the licence shall include one of the following entries :

- 'Joegoslavië',
- 'Jugoslawien',
- 'Γιουγκοσλαβία',
- 'Yugoslavia',
- 'Yougoslavie',
- 'Iugoslavia',
- 'Jugoslavien'.

The licence shall make it compulsory to import from the country indicated.

4. Member States shall specify in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 the category of live weight, and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 3.

5. Within the quantity reserved for Italy, import licences may be issued directly :

- (a) to agricultural producers or their organizations in respect of a maximum of 27 000 head, including a maximum of 7 300 head originating in and coming from Yugoslavia ;

Italy shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 ;

- (b) to other applicants, in respect of a maximum of 13 400 head, including a maximum of 3 500 head originating in and coming from Yugoslavia.

6. Within the quantity reserved for Greece, import licences may be issued directly :

- (a) to agricultural producers or their organizations in respect of a maximum of 4 150 head, including a maximum of 1 290 head originating in and coming from Yugoslavia ;

Greece shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 ;

- (b) to other applicants, in respect of a maximum of 2 050 head, including a maximum of 660 head originating in and coming from Yugoslavia.

Article 2

1. In the case of the quantity referred to in Article 1 (5) (a) and (6) (a) :

- (a) notwithstanding Article 9 (1) (d) of Regulation (EEC) No 2377/80, the applications for import licences lodged :

- by agricultural producers, directly or through their professional organizations, shall be acceptable only if the agricultural producers undertake in writing to fatten on their farms the young bovine animals imported under this Regulation,
- by professional organizations, shall be acceptable only if they undertake in writing to have the young bovine animals imported under this Regulation fattened on the farms of those who are found to be members of the said organizations at the time the declaration referred to in Article 1 (1) (d) of Regulation (EEC) No 612/77 is made ;

- (b) applications for import licences may not cover more than 100 head when made by individual applicants or more than 100 head per member when made by professional organizations. The total quantity applied for by a professional organization may not, however, exceed 2 500 head.

2. In the case of the quantity referred to in Article 1 (5) (b) and (6) (b), applications for import licences may not cover more than 10 % of that quantity.

3. Without prejudice to Article 1 (3) of Regulation (EEC) No 612/77, the security there referred to shall

not be released, in whole or in part, unless proof is provided to the competent authorities of the Member State in question that the undertaking in paragraph 1 (a) has been complied with.

Article 3

For the purpose of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which

relate to the same category of weight and the same rate of reduction of the levy shall be treated as one application.

Article 4

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

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

Done at Brussels, 16 September 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2609/85

of 16 September 1985

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the fourth quarter of 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 14 (4) (a) and (c) thereof,

Whereas the Council, under the special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1985, an estimate of 50 000 tonnes divided into two equal quantities of 25 000 tonnes each, according to the type of product to be obtained ;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter, as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the fourth quarter of 1985, the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows :

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 6 250 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 8 000 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import, less 55 %.

Article 3

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

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

Done at Brussels, 16 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

COMMISSION REGULATION (EEC) No 2610/85

of 17 September 1985

amending Regulation (EEC) No 2213/76 on the sale of skimmed-milk powder
from public storageTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular
Article 7 (5) thereof,Whereas Commission Regulation (EEC) No
2213/76 ⁽³⁾, as last amended by Regulation (EEC) No
771/85 ⁽⁴⁾, limited the quantity of skimmed-milk
powder put up for sale by the Member States' interven-
tion agencies to that taken into storage before
1 January 1984;Whereas, having regard to the market situation and
the amounts in storage, that date should be replaced
by 1 January 1985 and the increment provided for in
Article 2(1) should be reduced;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Management
Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*Regulation (EEC) No 2213/76 is hereby amended as
follows:

1. In Article 1 '1 January 1984' is replaced by '1
January 1985'.
2. In Article 2:
 - '3 ECU per 100 kg' is replaced by '1,50 ECU
per 100 kg';
 - '0,50 ECU per 100 kg' is replaced by '1,50 ECU
per 100 kg'.

*Article 2*This Regulation shall enter into force on the day
following its publication in the *Official Journal of the
European Communities*.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 17 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.⁽³⁾ OJ No L 249, 11. 9. 1976, p. 6.⁽⁴⁾ OJ No L 86, 27. 3. 1985, p. 18.

COMMISSION REGULATION (EEC) No 2611/85**of 17 September 1985****amending Regulation (EEC) No 1892/85 increasing to 250 000 tonnes the quantity of durum wheat held by the Italian intervention agency for which a standing invitation to tender for export has been opened**

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 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾,

Whereas Commission Regulation (EEC) No 1892/85⁽⁴⁾ opened a standing invitation to tender for the export of 150 000 tonnes of durum wheat held by the Italian intervention agency; whereas, in a communication of 10 September 1985, Italy informed the Commission of the intention of its intervention agency to increase by 100 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of durum wheat held by the Italian intervention agency for which a standing invitation to tender for export has been opened should be increased to 250 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1892/85 must therefore be amended;

Whereas the last partial invitation to tender under Regulation (EEC) No 1892/85 should be postponed;

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 2 of Regulation (EEC) No 1892/85 is replaced by the following:

Article 2

1. The invitation to tender shall relate to a maximum quantity of 250 000 tonnes of durum wheat to be exported to all third countries.
2. The regions in which the 250 000 tonnes of durum wheat are stored are listed in Annex I.

Article 2

Annex I to Regulation (EEC) No 1892/85 is replaced by the Annex hereto.

Article 3

Article 4 (3) of Regulation (EEC) No 1892/85 is replaced by the following:

- '3. The last partial invitation to tender shall expire on 31 October 1985.'

Article 4

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

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

Done at Brussels, 17 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 178, 10. 7. 1985, p. 6.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Cuneo	4 313
Ferrarra	5 831
Macerata	969
Catanzaro	15 785
Cagliari	7 650
Messina	2 163
Pescara	25
Livorno	22 849
Grosseto	10 116
Viterbo	5 607
Roma	8 673
Napoli	33 188
Ragusa	1 030
Foggia	91 572
Catania	4 001
Palermo	7 420
Caltanissetta	500
Ravenna	5 000
Reggio Emilia	16 313
Ancona	7 000

COMMISSION REGULATION (EEC) No 2612/85

of 17 September 1985

on the duration of private storage contracts in the pigmeat sector concluded in Belgium under Regulations (EEC) No 772/85 and (EEC) No 978/85

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common 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 breeding sector in Belgium, the Commission adopted in respect of that country exceptional support measures for the market in pigmeat in the form of private storage aid, in particular by Regulations (EEC) No 772/85⁽⁴⁾, as last amended by Regulation (EEC) No 978/85⁽⁵⁾, and (EEC) No 978/85 itself, as amended by Regulation (EEC) No 1086/85⁽⁶⁾;

Whereas the private storage aid contracts concluded under Regulations (EEC) No 772/85 and (EEC) No 978/85 were extended for the second time by Commission Regulation (EEC) No 2506/85⁽⁷⁾; whereas in order to speed up the disposal on the market of the meat in storage and in the light of the

experience gained in connection with the special aid scheme for the processing of that meat provided for in Commission Regulations (EEC) No 2121/85⁽⁸⁾ and (EEC) No 2122/85⁽⁹⁾, the extension of the duration of the storage contracts which is provided for in Regulation (EEC) No 2506/85 should be terminated;

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. Regulation (EEC) No 2506/85 is hereby repealed.
2. The contracts which were concluded pursuant to Regulations (EEC) No 772/85 and (EEC) No 978/85 and extended in accordance with Regulation (EEC) No 2506/85 shall expire on the fifth working day following the entry into force of this Regulation.

The amounts of aid shall be reduced accordingly.

Article 2

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

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

Done at Brussels, 17 September 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. 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 238, 5. 9. 1985, p. 31.

⁽⁸⁾ OJ No L 198, 30. 7. 1985, p. 20.
⁽⁹⁾ OJ No L 198, 30. 7. 1985, p. 25.

COMMISSION REGULATION (EEC) No 2613/85

of 17 September 1985

introducing a countervailing charge on certain varieties of plums originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 786/85 of 27 March 1985 fixing for the 1985 marketing year the reference prices for plums⁽³⁾ fixed the reference price for class I, group I, at 58,18 ECU per 100 kilograms net for September 1985;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3110/83⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative

markets or, in certain circumstances, on other markets;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 29,45 ECU per 100 kilograms net is applied to plums (subheading 08.07 D of the Common Customs Tariff), of varieties other than the following: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosniche, originating in Poland.

Article 2

This Regulation shall enter into force on 19 September 1985.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 88, 28. 3. 1985, p. 30.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 17 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2614/85
of 17 September 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 2603/85⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 18 September 1985.

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

Done at Brussels, 17 September 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 248, 17. 9. 1985, p. 16.

ANNEX

to the Commission Regulation of 17 September 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	43,87
	B. Raw sugar	40,18 ⁽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 2615/85

of 17 September 1985

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2418/85⁽⁷⁾, as last amended by Regulation (EEC) No 2596/85⁽⁸⁾;

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

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

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

Whereas these exchange rates being those recorded on 16 September 1985;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 2418/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 September 1985.

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

Done at Brussels, 17 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 13.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 229, 28. 8. 1985, p. 12.

⁽⁸⁾ OJ No L 247, 14. 9. 1985, p. 19.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽¹³⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 17 September 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 G ⁽²⁾	122,03	119,01
11.02 A VII ⁽²⁾	122,03	119,01
11.02 B II d) ⁽²⁾	189,71	186,69
11.02 C VI ⁽²⁾	189,71	186,69
11.02 D VI ⁽²⁾	122,03	119,01
11.02 E II d) 2 ⁽²⁾	216,06	210,02
11.02 F VII ⁽²⁾	122,03	119,01

⁽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.

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