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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3145/85**of 12 November 1985****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2956/85⁽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 11 November 1985;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2956/85 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 13 November 1985.

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

Done at Brussels, 12 November 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 285, 25. 10. 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 12 November 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	123,88
10.01 B II	Durum wheat	173,73 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	110,50 ⁽⁶⁾
10.03	Barley	124,35
10.04	Oats	104,38
10.05 B	Maize, other than hybrid maize for sowing	100,00 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	68,31 ⁽⁴⁾
10.07 C	Grain sorghum	113,48 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	187,28
11.01 B	Rye flour	168,54
11.02 A I a)	Durum wheat groats and meal	282,62
11.02 A I b)	Common wheat groats and meal	201,33

⁽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 3146/85

of 12 November 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 11 November 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 13 November 1985.

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

Done at Brussels, 12 November 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 12 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	0	0	17,00
10.01 B II	Durum wheat	0	3,36	3,36	1,12
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	1,13	1,13	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	8,40
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	23,80

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	30,26	30,26
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	22,61	22,61
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 3147/85

of 12 November 1985

on the tariff classification of certain poultry cuts and amending Regulation (EEC) No 950/68 on the Common Customs Tariff

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, and in particular Articles 3 and 5 (3) thereof,

Whereas partly boned poultry, cuts have recently come to account for an important part of the world's trade in poultrymeat ;

Whereas according to the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽²⁾, as last amended by Regulation (EEC) No 3068/85⁽³⁾, unboned poultry cuts fall within subheading 02.02 B II ;

Whereas partly boned poultry cuts are not of the same type and value as unprocessed, unboned poultry cuts which fall within subheadings 02.02 B II a) to e) of the Common Customs Tariff ; whereas they should therefore be classified in subheading 02.02 B II g) ;

Whereas the tariff nomenclature applicable as a result of Regulation (EEC) No 2777/75 is set out in the Common Customs Tariff ; whereas it should therefore be amended ;

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

For the purposes of applying levies in the poultrymeat sector :

1. 'Poultry cuts, unboned (bone-in)', for the purposes of subheadings 02.02 B II a), b), c), d), and e) of the Common Customs Tariff shall be taken to mean the cuts specified therein, including all bones ;
2. Poultry cuts as referred to in paragraph 1 which have been partly boned shall be classified in subheading 02.02 B II g) of the Common Customs Tariff.

Article 2

The following Additional Note 7 is hereby added in Chapter 2 of the Common Customs Tariff set out in the Annex to Regulation (EEC) No 950/68 :

- '7. (a) For the purposes of subheadings 02.02 B II a), b), c), d) and e), "poultry cuts, boned (bone-in)", shall be taken to mean the cuts specified therein, including all bones.
- (b) Poultry cuts as referred to in (a) which have been partly boned shall fall within subheading 02.02 B II g).'

Article 3

This Regulation shall enter into force on 1 January 1986.

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

Done at Brussels, 12 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.⁽²⁾ OJ No L 172, 22. 7. 1968, p. 1.⁽³⁾ OJ No L 292, 2. 11. 1985, p. 1.

COMMISSION REGULATION (EEC) No 3148/85
of 12 November 1985
correcting Regulation (EEC) No 3050/85 fixing the export refunds on milk and
milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 3050/85 ⁽³⁾ fixed the export refunds on milk and milk products; whereas verification has shown that one amount does not correspond with the measures submitted to the Manage-

ment Committee for an opinion; whereas the Regulation in question must therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3050/85, '112,93' against subheading 04.04 E I b) ex 2 (dd) (99) (aaa), eighth indent, is hereby replaced by '122,93' ECU/100 kg.

Article 2

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

It shall apply from 1 November 1985.

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

Done at Brussels, 12 November 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 290, 1. 11. 1985, p. 50.

COMMISSION REGULATION (EEC) No 3149/85

of 12 November 1985

amending Regulation (EEC) No 2923/85 increasing to 600 000 tonnes the quantity of bread-making wheat held by the German 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⁾, as amended by Regulation (EEC) No 1806/85 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 2923/85 ⁽⁵⁾ opened a standing invitation to tender for the export of 300 000 tonnes of bread-making wheat held by the German intervention agency; whereas, in a communication of 30 October 1985, Germany informed the Commission of the intention of its intervention agency to increase by 300 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 600 000 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 2923/85 must therefore be amended;

Whereas the last partial invitation to tender under Regulation (EEC) No 2923/85 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 2923/85 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 600 000 tonnes of bread-making wheat to be exported to all third countries.

2. The regions in which the 600 000 tonnes of bread-making wheat are stored are listed in Annex I hereto.'

Article 2

Annex I to Regulation (EEC) No 2923/85 is replaced by the Annex hereto.

Article 3

Article 4 (3) of Regulation (EEC) No 2923/85 is replaced by the following:

'3. The last partial invitation to tender shall expire on 29 January 1986.'

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, 12 November 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 169, 29. 6. 1985, p. 73.

⁽⁵⁾ OJ No L 280 22. 10. 1985, p. 22.

*ANNEX**'ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein/Hamburg	111 702
Niedersachsen/Bremen	231 825
Nordrhein Westfalen	101 336
Hessen	23 393
Baden Württemberg	33 336
Bayern	66 095
Rheinland-Pfalz	27 953
Saarland	5 054'

COMMISSION REGULATION (EEC) No 3150/85

of 12 November 1985

establishing a system of surveillance applicable to imports into France of yellowfin tuna intended for the industrial manufacture of products falling within heading No 16.04 of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾ and, in particular, Article 24 (2) thereof,

Whereas the French Republic has requested the Commission to take measures to suspend imports into France of yellowfin tuna intended for the industrial manufacture of products falling within heading No 16.04 of the Common Customs Tariff; whereas the Commission has requested further information, which was supplied on 8 November 1985;

Whereas the volume of the imports of the product in question into France between the beginning of 1985 and 15 October this year, which shows a 20 % increase compared with the same period of last year, and the price levels at which the said imports have been made, especially in recent months, have had an impact on the level of selling prices on the French market for yellowfin tuna in its most common presentation;

Whereas the stocks of yellowfin tuna available in certain third countries are very large and the price levels at which such stocks are offered on the international market are very few;

Whereas Community production of yellowfin tuna intended for industrial manufacture is concentrated in France; whereas the said Member State also possesses a large tuna-processing industry which traditionally obtains a large part of its supplies on the international market;

Whereas, in order to prevent any disturbance of the French yellowfin tuna market such as to jeopardize the aims of Article 39 of the Treaty, detailed advance knowledge is needed of the conditions relating to any imports of the product in question into France; whereas a system for the surveillance of French imports of yellowfin tuna intended for the industrial manufacture of products falling within heading No 16.04 of the Common Customs Tariff should therefore be introduced for a limited period;

Whereas, according to the information currently available, no such situation warranting special measures obtains on the markets of the other regions of the Community;

whereas the surveillance system should therefore be confined to imports into France;

HAS ADOPTED THIS REGULATION:

Article 1

1. Yellowfin tuna from third countries for the industrial manufacture of products falling within subheadings:

03.01 B I c) 1 aa) 11 aaa)
03.01 B I c) 1 aa) 11 bbb)
03.01 B I c) 1 bb) 11 aaa)
03.01 B I c) 1 bb) 11 bbb)
03.01 B I c) 1 cc) 11 aaa)
03.01 B I c) 1 cc) 11 bbb)

shall be allowed into free circulation in France subject to the submission of an import document. The said document shall be issued or endorsed by the French authorities in respect of all the quantities requested within not more than five working days after the lodging, depending on the national legislation in force, of either a declaration or a simple application by any Community importer regardless of his place of establishment in the Community, without prejudice to compliance with the other conditions laid down in the regulations in force.

2. The declaration or application to be made by the importer shall provide the following particulars:

- (a) name and address of the importer;
- (b) description of the product, including:
 - commercial name,
 - tariff heading according to the nomenclature of the Common Customs Tariff,
 - country of origin,
 - country of dispatch;
- (c) the value of the product expressed as the free-at-frontier cif price and the quantity of each category and form of presentation of the imported product;
- (d) the date(s) and place(s) of importation.

3. Paragraph 2 shall be no impediment to free circulation if the unit price at which the transaction is made or if the quantities of products presented for importation exceed, in total, the unit price or quantity stated in the import document respectively by less than 5 %.

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

Where, on presentation of the imported product for release into free circulation, the competent authority finds that the conditions printed on the import document by virtue of which the goods are allowed into free circulation have not been complied with, the importer shall be required to submit a new application for an import document for the operation in question in accordance with the conditions laid down in paragraphs 1 and 2.

Article 2

1. The French authorities shall notify the Commission forthwith by telex of the quantities, unit price, country of origin and country of dispatch in respect of:

- each request for an import document,
- the imports made under each import document.

2. For the duration of the application of this Regulation, the notification referred to in Article 2 (1) of Commission Regulation (EEC) No 3191/82⁽¹⁾ shall be suspended for the products in question.

Article 3

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

It shall apply until 31 January 1986.

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

Done at Brussels, 12 November 1985.

For the Commission

Frans ANDRIESEN

The President

⁽¹⁾ OJ No L 338, 30. 11. 1982, p. 13.

COMMISSION REGULATION (EEC) No 3151/85
of 12 November 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 Regula-
tion (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 3144/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1809/85 to the infor-
mation 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 Regula-
tion (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 13 November
1985.

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

Done at Brussels, 12 November 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 298, 12. 11. 1985, p. 15.

ANNEX

**to the Commission Regulation of 12 November 1985 fixing the import levies on white
sugar and raw sugar**

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	45,63
	B. Raw sugar	40,86 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 July 1985

derogating from High Authority Recommendation No 1-64 concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community (118th derogation)

(Only the Danish text is authentic)

(85/496/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 2 to 5, 8, 71 and 74 thereof,

Having regard to High Authority Recommendation No 1-64 of 15 January 1964 to the Governments of the Member States concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community ⁽¹⁾, as last amended by recommendation 81/772/ECSC ⁽²⁾, and in particular Article 3 thereof,

Whereas Denmark has shown the existence of exceptional and temporary difficulties in supplying its transforming industry on the Community market with special sheet for the manufacture of preserved-food cans; whereas such difficulties should have disappeared by the end of 1985;

Whereas the Danish Government has accordingly requested the Commission to authorize from 1 July to 31 December 1985 duty-free imports from third countries of the required amount of special sheet needed;

Whereas this exceptional importation is justified for the reasons of commercial policy provided for in Article 3 of the said Recommendation No 1-64; whereas the Commission may therefore grant a derogation from the said Recommendation;

Whereas the Governments of the Member States have been consulted on the abovementioned request,

Article 1

Denmark is hereby authorized to derogate from the obligations under Article 1 of Recommendation No 1-64 to the extent necessary to import duty-free from third countries 2 000 tonnes of cold-rolled non-alloyed steel plate of a thickness of less than 0,5 mm, electrolytically plated or coated on both sides with a layer of not more than 0,05 micrometres of metallic chromium of not less than 70 mg/m² but not more than 130 mg/m² and of chromium oxide containing not less than 10 mg/m² but not more than 25 mg/m² chromium.

The product in question falls within subheading ex 73.13 B IV d) of the Common Customs Tariff.

Article 2

The Danish Government shall take all necessary steps to avoid the possibility of products imported under the tariff quota being re-exported to other Member States in the same state as that in which they were imported.

Article 3

This Decision shall be valid from 1 July until 31 December 1985.

Article 4

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 10 July 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No 8, 22. 1. 1964, p. 99/64.

⁽²⁾ OJ No L 285, 7. 10. 1981, p. 33.

COMMISSION DECISION

of 22 October 1985

authorizing the United Kingdom to permit temporarily the marketing of rye seed not satisfying the requirements of Council Directive 66/402/EEC

(Only the English text is authentic)

(85/497/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Directive 81/561/EEC⁽²⁾, and in particular Article 17 thereof,

Having regard to the request submitted by the United Kingdom,

Whereas in the United Kingdom the production of seed of varieties of rye chiefly intended for use as fodder satisfying the requirements of Directive 66/402/EEC has been insufficient in 1985 and therefore is not adequate to meet that country's needs;

Whereas some other Member States are in a position to supply rye seed satisfying the requirements of that Directive;

Whereas only seed of varieties comparable with those needed in the United Kingdom should be taken into account in determining whether the temporary difficulties in the United Kingdom can be overcome within the Community;

Whereas, having regard to the urgency of the matter, it is not possible to assess with certainty the comparability of the varieties available in other Member States with the varieties needed in the United Kingdom;

Whereas the United Kingdom should therefore be authorized only in respect of a part of the amount requested to permit, for a period expiring on 31 October 1985, the marketing of seed of the abovementioned species and varieties of the category 'certified seed' subject to less stringent requirements;

Whereas the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry

has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized to permit, for a period expiring on 31 October 1985, the marketing in its territory of a maximum of 250 tonnes of seed of rye (*Secale cereale* L.) of varieties chiefly intended for use as fodder of the category 'certified seed' which does not satisfy the requirements laid down in Annex II to Directive 66/402/EEC, with regard to the minimum germination, provided that the following requirements are satisfied:

- (a) the germination capacity is at least 75 % of pure seed;
- (b) the official label shall bear the following endorsements:
 - 'minimum germination capacity 75 %',
 - 'intended exclusively for the United Kingdom'.

Article 2

The United Kingdom shall notify the Commission before 1 January 1986 of the quantities of seed marketed in its territory pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 22 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 203, 23. 7. 1981, p. 52.

COMMISSION DECISION

of 28 October 1985

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

(85/498/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 85/320/EEC ⁽²⁾, and in particular Article 9 thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽³⁾, as last amended by Directive 85/322/EEC ⁽⁴⁾, and in particular Article 8 thereof,

Having regard to Council Directive 80/215/EEC of 22 January 1980 on health problems affecting intra-Community trade in meat products ⁽⁵⁾, as last amended by Directive 85/321/EEC ⁽⁶⁾, and in particular Article 7 thereof,

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

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

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

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 85/163/EEC of 6 February 1985 is hereby amended as follows:

1. In Article 1 (2), '6 September 1985' is replaced by '28 October 1985'.
2. In Article 2 (3), '6 September 1985' is replaced by '28 October 1985'.
3. In Article 3 (3), '6 September 1985' is replaced by '28 October 1985'.
4. The Annex is replaced by the Annex to this Decision.

Article 2

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

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 28 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

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

⁽²⁾ OJ No L 168, 28. 6. 1985, p. 36.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 168, 28. 6. 1985, p. 41.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁶⁾ OJ No L 168, 28. 6. 1985, p. 39.

⁽⁷⁾ OJ No L 63, 2. 2. 1985, p. 23.

ANNEX

1. Parts of the territory which are the subject of restrictions on the trade in live animals :
 - the provinces of Avellino, Bari, Campobasso, Caserta, Catanzaro, Cosenza, Ferrara, Firenze, Foggia, Napoli, Pistoia, Taranto, Trento and Verona,
 - any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 1 May 1985.
 2. Parts of the territory which are the subject of restrictions on the trade in fresh meat and meat products :
 - any part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 1 September 1985.
-

COMMISSION DECISION**of 4 November 1985****fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 2829/85 on the supply of one lot of butteroil as
food aid****(85/499/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1298/85 ⁽²⁾, and in particular Article 6 (7)
thereof,

Whereas, under Commission Regulation (EEC) No
2829/85 of 7 October 1985 on the supply of one lot of
butteroil as food aid ⁽³⁾, tenders have been invited for the
supply of 350 tonnes of butteroil to certain third coun-
tries and beneficiary organizations ;

Whereas Article 13 (1) of Commission Regulation (EEC)
No 1354/83 of 17 May 1983 laying down general rules for
the mobilization and supply of skimmed-milk powder,
butter and butteroil as food aid ⁽⁴⁾, as amended by Regula-
tion (EEC) No 1886/83 ⁽⁵⁾, specifies that in the light of
the tenders received a maximum amount shall be fixed
for each lot, or part thereof if the third subparagraph of
Article 11 (3) is used, or a decision shall be taken to make
no award ;

Whereas on the basis of the tenders received the
maximum amounts should be those specified below ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum amounts to be adhered to when awards are
made under the tendering procedure opened by Regula-
tion (EEC) No 2829/85 shall be :

Lot A : 86 664 ECU (D)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 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 271, 12. 10. 1985, p. 1.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION DECISION**of 4 November 1985****fixing maximum amounts for contracts awarded under the tendering procedure opened by Regulation (EEC) No 2830/85 on the supply of various lots of skimmed-milk powder as food aid****(85/500/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular Article 7 (5) thereof,Whereas, under Commission Regulation (EEC) No 2830/85 of 7 October 1985 on the supply of various lots of skimmed-milk powder as food aid ⁽³⁾ tenders have been invited for the supply of 5 201 tonnes of skimmed-milk powder to certain third countries and beneficiary organizations;Whereas Article 13 (1) of Commission Regulation (EEC) No 1354/83 of 17 May 1983 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food aid ⁽⁴⁾, as amended by Regulation (EEC) No 1886/83 ⁽⁵⁾, specifies that in the light of the tenders received a maximum amount shall be fixed for each lot, or part thereof if the third subparagraph of Article 11 (3) is used, or a decision shall be taken to make no award;

Whereas on the basis of the tenders received the maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards are made under the tendering procedure opened by Regulation (EEC) No 2830/85 shall be:

— Lot A:	1 099 034 ECU (B)
— Lot B:	550 557 ECU (F)
— Lot C:	1 102 780 ECU (F)
— Lot D:	369 485 ECU (D)
— Lot E:	882 890 ECU (D)
— Lot F:	880 891 ECU (F)
— Lot G:	1 084 971 ECU (D)
— Lot H:	625 746 ECU (UK)
— Lot I:	1 276 876 ECU (F)
— Lot L:	824 348 ECU (D)
— Lot M:	640 806 ECU (F)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 November 1985.

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.⁽³⁾ OJ No L 271, 12. 10. 1985, p. 6.⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION DECISION

of 11 November 1985

terminating the anti-dumping proceeding concerning imports of wire rod originating in Brazil, Portugal, Trinidad and Tobago and Venezuela

(85/501/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2177/84/ECSC of 27 July 1984 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community ⁽¹⁾, and in particular Article 9 thereof,

After consultations within the Advisory Committee as provided for by the above Decision,

Whereas :

A. Procedure

- (1) In May 1984 the Commission received a complaint lodged by the European Confederation of Iron and Steel Industries (Eurofer) on behalf of producers representing the majority of the Community production of wire rod. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities* ⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of wire rod falling within Common Customs Tariff subheading 73.10 A I, corresponding to NIMEXE code 73.10-11, originating in Brazil, Portugal, Trinidad and Tobago and Venezuela.
- (2) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting countries and the complainants and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) The Community producers who cooperated with the Commission represented only approximately 35 % of the Community production of wire rod.
- (4) The companies in Brazil, Portugal, Trinidad and Tobago and Venezuela having exported the product

concerned to the Community during the period under investigation made their views known in writing. None of them requested a hearing. Some importers also made written submissions.

- (5) The Commission sought and verified all information it deemed to be necessary and carried out investigations at the premises of the following :

(a) *Community producers :*

- Arbed Saarstahl GmbH, Völklingen (Federal Republic of Germany),
- Neue Hamburger Stahlwerke, Hamburg (Federal Republic of Germany),
- Thyssen AG, Duisburg (Federal Republic of Germany),
- Arbed, Luxembourg,

(b) *Producers/exporters :*

Brazil :

- Companhia Siderúrgica Belgo-Mineira (Belo Horizonte), related to the Arbed group,
- Companhia Siderúrgica da Guanabara — Cosigua (Rio de Janeiro), part of the Brazilian Gerdau group,

Portugal :

Siderúrgica Nacional EP (Lisboa),

Trinidad and Tobago :

Iron and Steel Company of Trinidad and Tobago Ltd (ISCOTT) (Port of Spain),

Venezuela :

CVG Siderúrgica del Orinoco CA (SIDOR) (Caracas).

- (6) The investigation of dumping and price undercutting covered the period 1 January 1984 to 31 January 1985.

B. The product

- (7) The type of wire rod concerned in this proceeding is generally known as the B-10 quality used by producers of welded wire mesh for construction purposes. The products originating in the exporting countries with regard to which this proceeding was initiated are of the same type and comparable to the type manufactured by the complainants.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 17.

⁽²⁾ OJ No C 48, 20. 2. 1985, p. 2.

C. Dumping

(a) *Brazil*

Normal value

- (8) Normal value was provisionally determined on the basis of the net ex-works domestic prices of those producers who exported to the Community and who provided sufficient evidence concerning the prices actually paid in the ordinary course of trade for the like product intended for consumption in Brazil. Account was taken, where appropriate, of transport costs within the country and payment terms.

Export price

- (9) The export prices were determined on the basis of the net ex-works prices actually paid for the products sold for export to the Community. Account was taken, where appropriate, of ocean freight, transport within the country, port charges, a tax incentive for exports and commissions.

Comparison and dumping margin

- (10) For both Brazilian producers/exporters, Cosigua and Belgo-Mineira, a comparison between the weighted average normal value and the export price of the comparable grade at a net ex-works level (only one export transaction was made by each company during the period under investigation) revealed no dumping margin.

(b) *Portugal*

- (11) The Portuguese producer/exporter argued that no dumping could have taken place because Article 20 (1) of the Agreement between the ECSC and the Portuguese Republic dated 22 July 1972 extends the application of Article 60 of the ECSC Treaty to a number of products, including wire rod, originating in Portugal. However, the Commission considers that this argument should be rejected because the application of rules such as those provided for in Article 60 of the ECSC Treaty does not necessarily prevent dumping from occurring and the Agreement between the ECSC and the Portuguese Republic provides explicitly for rules applicable when dumping situations arise.

- (12) Furthermore, this company argued that Article 20 (2) of the said Agreement authorized the alignment of its export prices to the Community on the prices charged by Community producers.

Pursuant to Article 20 of the Agreement between the ECSC and the Portuguese Republic, Portuguese companies may sell within the Community at their list prices or, if these are too high, they

may align their prices on the list prices of Community producers. Portuguese companies would not be free however to align their prices on any prices occurring on the market which were lower than the list prices, because such prices would be unlawful under the ECSC Treaty.

Normal value

- (13) Normal value was provisionally determined on the basis of the net ex-works domestic prices of the only producer which exported to the Community and which provided sufficient evidence concerning the prices actually paid in the ordinary course of trade for the like product intended for consumption in Portugal. Account was taken of payment terms.

Export price

- (14) The export prices were determined on the basis of the net ex-works prices actually paid for the product sold for export to the Community. Account was taken of transport within the country and payment terms.

Comparison and dumping margin

- (15) The export price of each individual transaction has been compared at an ex-works level with the normal value determined on the basis of sales during the same period of wire rod of a similar diameter corresponding to list prices which reflected the actual prices. The weighted average dumping margin so calculated amounts to 49 % on a cif Community frontier basis, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.

(c) *Trinidad and Tobago*

Normal value

- (16) Since during the entire period under investigation all domestic transactions were being made at a loss, the normal value was provisionally determined on the basis of the constructed value computed by adding all costs of production and a reasonable profit margin.

Export price

- (17) The export prices were determined on the basis of the net ex-works prices actually paid for the products sold for export to the Community. The request to exclude the second-grade product exported to the Community from the determination of the export price was not granted because insufficient evidence was submitted concerning the lower quality of these products. Account was taken, where appropriate, of inland and ocean freight, insurance, commissions and other charges such as overtime at loading.

Comparison and dumping margin

- (18) The export price of each individual transaction has been compared with the normal value at an ex-works level. The weighted average dumping margin calculated as such amounts to 44 % on a cif Community frontier basis, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.

(d) Venezuela

Normal value

- (19) All domestic transactions being made at a loss during the entire period under investigation, the normal value was provisionally determined on the basis of the constructed value computed by adding all costs of production and a reasonable profit margin.

Export price

- (20) The export price was determined on the basis of the price actually paid for the product sold for export to the Community at a net ex-works level (only one export transaction took place during the period under investigation).

Comparison and dumping margin

- (21) A comparison between the normal value and the export price at an ex-works level revealed a dumping margin of 0,3 %, which is considered *de minimis*.

D. Injury

- (22) With regard to the allegation of injury caused by the dumped imports the evidence available to the Commission shows that imports into the Community from Portugal amounted to 60 900 tonnes in 1983 and 72 700 tonnes in 1984 whereas no imports had taken place in 1981 and 1982. The imports originating in Trinidad and Tobago amounted to 2 000 tonnes in 1982, whereas no imports had taken place in 1981; in 1983 they increased to 30 700 tonnes and decreased to 24 600 tonnes in 1984.
- (23) Although the products originating in all exporting countries concerned in this proceeding are comparable, it is considered appropriate to determine an aggregated market share only with regard to imports originating in Portugal and Trinidad and Tobago for which dumping has been established. In 1983 and 1984 the combined market share of the imports of wire rod originating in these countries amounted to 0,9 % of the Community market.
- (24) In the course of the investigation it was found that the resale prices of the product originating in Portugal undercut the prices of the Community producers during the period under investigation by up to 13 %. Information relating to possible price

undercutting during the period under investigation with regard to the product originating in Trinidad and Tobago was not available.

- (25) It appears from the information available to the Commission that production by Community producers dropped from 10 506 000 tonnes in 1981 to 9 637 200 tonnes in 1982, but increased to 9 816 000 tonnes in 1983 and again to 10 650 000 tonnes in 1984. Average capacity utilization of Community producers of wire rod dropped from 54,7 % in 1981 to 50,7 % in 1982, but increased to 54 % in 1983 and to 64,1 % in 1984. Considering that most manufacturers of wire rod in the Community produce the product only after having received orders, stocks were insignificant and sales figures followed the trend of the production figures.
- (26) The market share held by Community producers dropped from 96,1 % in 1981 to 94,4 % in 1982 and to 92,4 % in 1983. In 1984 it increased to 93 %.
- (27) Although the figures concerning employment showed a negative trend between 1981 and 1984, it is considered that this is due to plant closures which were mainly carried out within the framework of the restructuring of the Community steel industry rather than to the imports of the dumped products.
- (28) When examining the impact of the dumped imports on the situation of the Community producers, the Commission took account of the fact that imports of the product concerned from other third countries (excluding Brazil and Venezuela) increased from 3,9 % in 1981 to 5,3 % in 1984. The volume of imports from those countries was significantly higher than that from the countries concerned in this proceeding.

E. Protective measures

- (29) Considering that with regard to imports of the product concerned originating in Brazil and Venezuela there was no dumping margin at all, or only a *de minimis* dumping margin, it is considered that protective measures cannot be envisaged with regard to those countries.
- (30) As far as the imports of the product concerned originating in Portugal and Trinidad and Tobago are concerned, with regard to which substantial dumping margins have been found, protective measures cannot be envisaged because it is considered that, even if the injury could be attributed to the imports under consideration, it could not be qualified as material injury to the Community industry in view of the facts mentioned in recitals 22 to 27. No positive findings concerning factors other than price undercutting for the purpose of determining injury could be made; the price undercutting found with regard to imports from Portugal is considered in the circumstances of this case not to be sufficient for determining material injury.

(31) With regard to the allegations of threat of injury it is considered that the conditions necessary for such a determination are not fulfilled for the following reasons :

- the absence of a further increase in 1984 of the combined market share held by imports of the product concerned originating in Portugal and Trinidad and Tobago,
- on the basis of the information available to the Commission there is no growing production or export capacity in the countries concerned; furthermore, with regard to Portugal, as of 1 January 1986 imports of steel products will be subject to special rules agreed upon in the Act of Accession.

The fact that protective measures have been taken or that proceedings have been initiated by an important importing country, which is one of the main trading partners of the Community, is not considered in itself to constitute sufficient grounds for determining that significant exports are likely to be deflected into the Community.

F. Termination

- (32) In these circumstances, therefore, the proceeding concerning imports of wire rod originating in Brazil, Portugal, Trinidad and Tobago and Venezuela should be terminated.
- (33) The complainant was informed of the essential facts and considerations on the basis of which the Commission intended to terminate this proceeding. Subsequently, the complainant requested and was granted additional information.
- (34) At the disclosure conference it was suggested by the complainant that a new investigation should be carried out in order to cover the period 1 January

1983 to 31 December 1983. However, this request cannot be granted because the period under investigation was already much longer (see recital 6) than the minimum standard of six months set in Article 7 (1) (c) of Decision No 2177/84/ECSC. Furthermore, the Community producers were aware of the fact that the original period under investigation (1 July 1984 to 31 January 1985) had already been extended shortly after the initiation of the proceeding in order to cover the first six months of 1984.

The complainant also argued at the disclosure conference that protective measures could be based only on the impact of the pricing of the dumped imports on the Community industry. This cannot be accepted, however, because Article 4 (2) of Decision No 2177/84/ECSC provides for a list of factors which should be taken into consideration when injury is assessed. It is therefore not appropriate to justify protective measures on the basis of data relating to prices only, while at the same time ignoring other data indicating that the Community industry did not suffer material injury caused by the dumped imports.

HAS DECIDED AS FOLLOWS :

Sole Article

The anti-dumping proceeding in respect of wire rod originating in Brazil, Portugal, Trinidad and Tobago and Venezuela is hereby terminated.

Done at Brussels, 11 November 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2473/85 of 29 August 1985 fixing the free-at-frontier reference prices applicable to wine imports from 1 September 1985

(Official Journal of the European Communities No L 234 of 31 August 1985)

Page 54, Annex I, column headed 'Morocco/Tunisia', last line :

for: '103,38',

read: '108,38'.

Page 63, Annex I, column headed 'Morocco/Tunisia', second line :

for: '105,55',

read: '100,55'.

Pages 57 to 64, Annex I, and pages 71 to 75, Annex II, column headed 'Description':

The coding is always to be read in such a way as to correspond to the alphanumeric system, e.g. :

for: 'ex C. III. a) 1. (bb) (1)',

read: 'ex C. III. a) (1) (bb) (11)'; or

for: 'ex C. IV. a) 2. (aa) (11) (1)',

read: 'ex C. IV. a) (2) (aa) (11) (aaa); or

for: 'ex C. IV. b) (1) (cc) (33) (aa),

read: 'ex C. IV. b) (1) (cc) (33) (aaa)'.

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EUROPEAN PERSPECTIVES

THE EUROPEAN MONETARY SYSTEM

Origins, operation and outlook

by J. van Ypersele

with the collaboration of J.-C. Koeune

Preface by Robert Triffin

Since 13 March 1979, the exchange rates of the European Community currencies (with the exception of sterling and the drachma) have been regulated by the European Monetary System. The creation of the EMS arose from two complementary concerns: to stabilize exchange relationships between European currencies and to base this external stability on a better convergence of the Community's economies toward internal stability.

This book tries to answer the questions likely to be raised by the educated person over the mechanisms and the economic significance of the EMS, as well as its first results and its prospects.

Chapter I explains the motives behind this European initiative in a world where, following the demise of the Bretton Woods system, the 'floating' of the major currencies was accompanied in practice by enormous international monetary instability that hindered investment and economic recovery.

The creation, through the EMS, of a 'zone of monetary stability in Europe' was only the latest in the succession of efforts, in the monetary area, to pursue European economic integration. Chapter II recalls those previous attempts, from the statement of a number of objectives in the Rome Treaty to the concerted floating of European currencies in the 'snake'.

Chapter III examines the substance of the EMS and its machinery (exchange rate and intervention mechanism, role of the ECU, credit mechanisms), explaining the new elements in these mechanisms compared with the snake, and analysing the conditions required in theory for their proper functioning.

Chapter IV illustrates, with the help of statistical analyses, how the EMS actually operated during its first five years. Despite an international environment more volatile than ever, the performance has been good as far as exchange rates are concerned, and on the convergence front, though much still remains to be done, definite progress has been made towards internal stability since the last two parity realignments. In conclusion, the chapter looks at the recent rapid development in the private use of the ECU.

Finally, Chapter V deals with the future of the EMS. It describes the transition to the institutional phase (which has been put off) and underlines the urgent need for a better convergence of the participating economies. A number of possible reforms that would be likely to reinforce the system and to improve its capacity to withstand outside shocks are also set out.

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