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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3441/85**of 6 December 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 5 December 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 7 December 1985.

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

Done at Brussels, 6 December 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 6 December 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	131,93
10.01 B II	Durum wheat	178,75 ⁽¹⁾ ⁽²⁾
10.02	Rye	110,13 ⁽⁶⁾
10.03	Barley	131,33
10.04	Oats	111,81
10.05 B	Maize, other than hybrid maize for sowing	106,19 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	73,98 ⁽⁴⁾
10.07 C	Grain sorghum	120,73 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	198,83
11.01 B	Rye flour	167,52
11.02 A I a)	Durum wheat groats and meal	290,48
11.02 A I b)	Common wheat groats and meal	213,49

⁽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 3442/85

of 6 December 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 5 December 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 7 December 1985.

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

Done at Brussels, 6 December 1985.

For the Commission

Frans ANDRIESSEN

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 6 December 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 12	1st period 1	2nd period 2	3rd period 3
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	3,82	3,82	3,82
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	2,16	2,16	2,16
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	5,46	5,46	5,46
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
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 3443/85

of 5 December 1985

fixing the quantities of pigmeat to be offered for sale by invitation to tender and at a fixed price in December 1985 pursuant to Regulation (EEC) No 2858/85 and publishing the results of the invitation to tender of 26 November 1985

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,

Whereas Article 2 (2) of Commission Regulation (EEC) No 2858/85 of 11 October 1985 on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85⁽³⁾, as last amended by Regulation (EEC) No 3287/85⁽⁴⁾, provides that the quantities of meat to be sold in the monthly invitation to tender are to be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75; whereas the quantities for the invitation to tender of 31 December 1985 need to be fixed in accordance with the availability of meat and the current state of the market for pigmeat;

Whereas Article 8 (1) of Regulation (EEC) No 2858/85 further provides that the quantities not sold in a given invitation to tender are to be sold at a fixed price in accordance with the terms set out therein; whereas in order to accelerate the sale of this meat the conditions of Article 8 (1) should be relaxed; whereas Article 8 (2) provides that the quantities to be thus sold are to be published in the *Official Journal of the European*

Communities at the same time as the results of the invitation to tender relating thereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Belgian intervention agency shall put up for sale, in accordance with Article 3 (1) of Regulation (EEC) No 2858/85, 8 894 tonnes of pigmeat in the invitation to tender of 31 December 1985.

Article 2

1. In accordance with Article 2 (2) and 3 (1) of Regulation (EEC) No 2858/85, the results of the invitation to tender of 26 November 1985 appear in Annex I hereto.

2. By way of derogation from the provisions of Article 8 (1) of Regulation (EEC) No 2858/85 the quantities of meat remaining for sale at a fixed price as from 9 December 1985 appear in Annex II as well as the price applicable to the product in question.

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, 5 December 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ OJ No L 315, 26. 11. 1985, p. 8.

*ANNEX I***Results of 26 November 1985 invitation to tender in accordance with Articles 2 (2) and 3 (1)
of Regulation (EEC) No 2858/85**

Description of products	Quantities accepted (tonnes)	Minimum price (ECU/tonne)
Carcases, frozen (CCT subheading ex 02.01 A III a) 1)	10,000	758
Hams, frozen (CCT subheading ex 02.01 A III a) 2)	85,885	1 077
Shoulders or fore-ends, frozen (CCT subheading ex 02.01 A III a) 3)	79,000	861
Loins, frozen (CCT subheading ex 02.01 A III a) 4)	20,000	970

ANNEX II

Quantities of meat remaining for sale at fixed prices as from 9 December 1985 and in accordance with Article 8 (1) of Regulation (EEC) No 2858/85

NATIONAL HEALTH MARK

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Carcases, frozen (CCT subheading ex 02.01 A III a) 1)	8. 4. 1985 to 14. 4. 1985	100,000	(a)	550
	8. 4. 1985 to 14. 4. 1985	100,000	(j)	
	8. 4. 1985 to 14. 4. 1985	157,382	(t)	
	15. 4. 1985 to 21. 4. 1985	97,600	(a)	
	15. 4. 1985 to 21. 4. 1985	73,158	(c)	
	15. 4. 1985 to 21. 4. 1985	97,328	(f)	
	15. 4. 1985 to 21. 4. 1985	213,100	(g)	
	15. 4. 1985 to 21. 4. 1985	100,000	(j)	
	15. 4. 1985 to 21. 4. 1985	780,455	(t)	
	22. 4. 1985 to 28. 4. 1985	20,000	(a)	
	22. 4. 1985 to 28. 4. 1985	50,000	(c)	
	22. 4. 1985 to 28. 4. 1985	17,130	(e)	
	22. 4. 1985 to 28. 4. 1985	46,220	(g)	
	22. 4. 1985 to 28. 4. 1985	659,074	(t)	
	29. 4. 1985 to 5. 5. 1985	325,800	(t)	
	6. 5. 1985 to 12. 5. 1985	364,403	(t)	
	6. 5. 1985 to 12. 5. 1985	183,549	(u)	
		3 385,199		
Hams, frozen (CCT subheading ex 02.01 A III a) 2)	1. 4. 1985 to 7. 4. 1985	14,702	(c)	1 000
	1. 4. 1985 to 7. 4. 1985	15,092	(p)	
	8. 4. 1985 to 14. 4. 1985	29,841	(c)	
	8. 4. 1985 to 14. 4. 1985	4,733	(k)	
	8. 4. 1985 to 14. 4. 1985	17,588	(r)	
	8. 4. 1985 to 14. 4. 1985	33,995	(a)	
	15. 4. 1985 to 21. 4. 1985	127,795	(a)	
	15. 4. 1985 to 21. 4. 1985	96,048	(c)	
	15. 4. 1985 to 21. 4. 1985	92,572	(q)	
	15. 4. 1985 to 21. 4. 1985	14,568	(r)	
	15. 4. 1985 to 21. 4. 1985	34,994	(a)	
	22. 4. 1985 to 28. 4. 1985	287,680	(a)	
	22. 4. 1985 to 28. 4. 1985	44,694	(i)	
	22. 4. 1985 to 28. 4. 1985	20,000	(j)	
	22. 4. 1985 to 28. 4. 1985	9,171	(k)	
	22. 4. 1985 to 28. 4. 1985	148,781	(g)	
	22. 4. 1985 to 28. 4. 1985	39,715	(r)	
	29. 4. 1985 to 5. 5. 1985	30,145	(r)	
	29. 4. 1985 to 5. 5. 1985	4,922	(d)	
	29. 4. 1985 to 5. 5. 1985	49,755	(c)	
	6. 5. 1985 to 12. 5. 1985	144,880	(a)	
	6. 5. 1985 to 12. 5. 1985	35,461	(v)	
	6. 5. 1985 to 12. 5. 1985	32,129	(w)	
	6. 5. 1985 to 12. 5. 1985	49,986	(c)	
	6. 5. 1985 to 12. 5. 1985	44,757	(i)	
	13. 5. 1985 to 19. 5. 1985	0,548	(r)	
		1 424,552		
Shoulders or fore-ends, frozen (CCT subheading ex 02.01 A III a) 3)	1. 4. 1985 to 7. 4. 1985	9,952	(c)	850
	1. 4. 1985 to 7. 4. 1985	4,528	(p)	
	8. 4. 1985 to 14. 4. 1985	70,579	(a)	
	8. 4. 1985 to 14. 4. 1985	34,760	(c)	
	15. 4. 1985 to 21. 4. 1985	86,031	(a)	
	15. 4. 1985 to 21. 4. 1985	213,692	(a)	
	15. 4. 1985 to 21. 4. 1985	43,130	(c)	

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Shoulders or fore-ends, frozen (CCT subheading ex 02.01 A III a) 3) (cont'd)	15. 4. 1985 to 21. 4. 1985	49,752	(q)	950
	15. 4. 1985 to 21. 4. 1985	14,826	(r)	
	22. 4. 1985 to 28. 4. 1985	351,933	(a)	
	22. 4. 1985 to 28. 4. 1985	20,000	(j)	
	22. 4. 1985 to 28. 4. 1985	4,720	(k)	
	22. 4. 1985 to 28. 4. 1985	39,420	(r)	
	29. 4. 1985 to 5. 5. 1985	169,831	(a)	
	29. 4. 1985 to 5. 5. 1985	12,184	(r)	
	29. 4. 1985 to 5. 5. 1985	9,710	(d)	
	29. 4. 1985 to 5. 5. 1985	37,798	(i)	
	6. 5. 1985 to 12. 5. 1985	44,602	(i)	
	6. 5. 1985 to 12. 5. 1985	4,720	(k)	
	6. 5. 1985 to 12. 5. 1985	3,274	(r)	
	6. 5. 1985 to 12. 5. 1985	128,082	(a)	
	6. 5. 1985 to 12. 5. 1985	28,639	(v)	
	6. 5. 1985 to 12. 5. 1985	15,887	(w)	
	13. 5. 1985 to 19. 5. 1985	3,605	(r)	
		1 401,655		
Loins, frozen (CCT subheading ex 02.01 A III a) 4)	1. 4. 1985 to 7. 4. 1985	14,547	(c)	400
	1. 4. 1985 to 7. 4. 1985	8,736	(p)	
	8. 4. 1985 to 14. 4. 1985	20,000	(c)	
	15. 4. 1985 to 21. 4. 1985	10,000	(c)	
	15. 4. 1985 to 21. 4. 1985	6,926	(r)	
	22. 4. 1985 to 28. 4. 1985	40,000	(j)	
	29. 4. 1985 to 5. 5. 1985	25,128	(r)	
	29. 4. 1985 to 5. 5. 1985	55,000	(d)	
	6. 5. 1985 to 12. 5. 1985	13,000	(h)	
	13. 5. 1985 to 19. 5. 1985	11,811	(r)	
		205,148		
Bellies with rind, frozen (CCT subheading ex 02.01 A III a) 5)	1. 4. 1985 to 7. 4. 1985	5,000	(c)	400
	8. 4. 1985 to 14. 4. 1985	15,000	(c)	
	15. 4. 1985 to 21. 4. 1985	5,328	(a)	
	15. 4. 1985 to 21. 4. 1985	10,000	(c)	
	15. 4. 1985 to 21. 4. 1985	8,082	(r)	
	22. 4. 1985 to 28. 4. 1985	3,670	(r)	
	22. 4. 1985 to 28. 4. 1985	5,000	(d)	
	29. 4. 1985 to 5. 5. 1985	10,805	(r)	
	13. 5. 1985 to 19. 5. 1985	3,186	(r)	
		66,071		
Bellies without rind, frozen (CCT subheading ex 02.01 A III a) 6 aa)	1. 4. 1985 to 7. 4. 1985	9,630	(c)	400
	1. 4. 1985 to 7. 4. 1985	4,931	(p)	
		14,561		
Total		6 497,186		

COMMUNITY HEALTH MARK

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Carcases, frozen (CCT subheading ex 02.01 A III a) 1)	1. 4. 1985 to 7. 4. 1985	40,000	(s)	550
	8. 4. 1985 to 14. 4. 1985	10,000	(f)	
	8. 4. 1985 to 14. 4. 1985	199,979	(g)	
	8. 4. 1985 to 14. 4. 1985	159,290	(g)	
	15. 4. 1985 to 21. 4. 1985	22,752	(c)	
	15. 4. 1985 to 21. 4. 1985	232,245	(g)	
	15. 4. 1985 to 21. 4. 1985	400,000	(g)	
	22. 4. 1985 to 28. 4. 1985	132,870	(e)	

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Carcases, frozen (CCT subheading ex 02.01 A III a) 1) (cont'd)	6. 5. 1985 to 12. 5. 1985	49,384	(t)	
	6. 5. 1985 to 12. 5. 1985	161,711	(u)	
	13. 5. 1985 to 19. 5. 1985	17,952	(t)	
	13. 5. 1985 to 19. 5. 1985	50,000	(e)	
	20. 5. 1985 to 26. 5. 1985	44,970	(t)	
		1 521,153		
Hams, frozen (CCT subheading ex 02.01 A III a) 2)	1. 4. 1985 to 7. 4. 1985	50,000	(j)	1 000
	1. 4. 1985 to 7. 4. 1985	50,000	(q)	
	1. 4. 1985 to 7. 4. 1985	14,534	(m)	
	8. 4. 1985 to 14. 4. 1985	15,000	(a)	
	8. 4. 1985 to 14. 4. 1985	4,995	(h)	
	8. 4. 1985 to 14. 4. 1985	5,267	(k)	
	8. 4. 1985 to 14. 4. 1985	100,000	(n)	
	8. 4. 1985 to 14. 4. 1985	99,064	(q)	
	8. 4. 1985 to 14. 4. 1985	65,692	(m)	
	8. 4. 1985 to 14. 4. 1985	2,263	(r)	
	15. 4. 1985 to 21. 4. 1985	135,378	(a)	
	15. 4. 1985 to 21. 4. 1985	40,000	(d)	
	15. 4. 1985 to 21. 4. 1985	9,898	(h)	
	15. 4. 1985 to 21. 4. 1985	127,165	(m)	
	15. 4. 1985 to 21. 4. 1985	14,036	(r)	
	15. 4. 1985 to 21. 4. 1985	40,000	(s)	
	22. 4. 1985 to 28. 4. 1985	9,788	(b)	
	22. 4. 1985 to 28. 4. 1985	20,966	(m)	
	22. 4. 1985 to 28. 4. 1985	185,693	(q)	
	29. 4. 1985 to 5. 5. 1985	17,894	(r)	
	6. 5. 1985 to 12. 5. 1985	44,362	(r)	
	6. 5. 1985 to 12. 5. 1985	125,684	(v)	
	6. 5. 1985 to 12. 5. 1985	7,512	(o)	
	6. 5. 1985 to 12. 5. 1985	50,763	(i)	
	13. 5. 1985 to 19. 5. 1985	8,890	(r)	
	13. 5. 1985 to 19. 5. 1985	185,400	(v)	
	13. 5. 1985 to 19. 5. 1985	110,352	(w)	
	13. 5. 1985 to 19. 5. 1985	18,273	(o)	
		1 558,869		
Shoulders or fore-ends, frozen (CCT subheading ex 02.01 A III a) 3)	1. 4. 1985 to 7. 4. 1985	50,000	(j)	850
	8. 4. 1985 to 14. 4. 1985	15,000	(b)	
	8. 4. 1985 to 14. 4. 1985	15,000	(b)	
	8. 4. 1985 to 14. 4. 1985	30,000	(n)	
	8. 4. 1985 to 14. 4. 1985	5,000	(p)	
	8. 4. 1985 to 14. 4. 1985	21,938	(m)	
	15. 4. 1985 to 21. 4. 1985	29,000	(a)	
	15. 4. 1985 to 21. 4. 1985	10,000	(b)	
	15. 4. 1985 to 21. 4. 1985	10,000	(b)	
	15. 4. 1985 to 21. 4. 1985	32,219	(d)	
	15. 4. 1985 to 21. 4. 1985	49,999	(g)	
	15. 4. 1985 to 21. 4. 1985	100,000	(j)	
	15. 4. 1985 to 21. 4. 1985	48,395	(k)	
	15. 4. 1985 to 21. 4. 1985	63,734	(m)	
	15. 4. 1985 to 21. 4. 1985	70,000	(q)	
	15. 4. 1985 to 21. 4. 1985	9,566	(r)	
	22. 4. 1985 to 28. 4. 1985	21,328	(m)	
	29. 4. 1985 to 5. 5. 1985	7,333	(r)	
	6. 5. 1985 to 12. 5. 1985	10,000	(k)	
	6. 5. 1985 to 12. 5. 1985	44,322	(r)	
	6. 5. 1985 to 12. 5. 1985	99,192	(v)	
	6. 5. 1985 to 12. 5. 1985	6,517	(o)	
	6. 5. 1985 to 12. 5. 1985	45,713	(i)	
	6. 5. 1985 to 12. 5. 1985	58,726	(w)	
	13. 5. 1985 to 19. 5. 1985	6,177	(r)	
	13. 5. 1985 to 19. 5. 1985	70,719	(v)	
	13. 5. 1985 to 19. 5. 1985	104,176	(w)	
		929,878		

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Loins, frozen (CCT subheading ex 02.01 A III a) 4)	25. 3. 1985 to 31. 3. 1985	14,969	(p)	950
	1. 4. 1985 to 7. 4. 1985	50,000	(k)	
	1. 4. 1985 to 7. 4. 1985	15,981	(p)	
	1. 4. 1985 to 7. 4. 1985	20,000	(s)	
	1. 4. 1985 to 7. 4. 1985	20,000	(g)	
	8. 4. 1985 to 14. 4. 1985	19,659	(h)	
	8. 4. 1985 to 14. 4. 1985	97,068	(j)	
	8. 4. 1985 to 14. 4. 1985	49,644	(p)	
	8. 4. 1985 to 14. 4. 1985	50,000	(q)	
	8. 4. 1985 to 14. 4. 1985	20,000	(s)	
	8. 4. 1985 to 14. 4. 1985	14,955	(p)	
	8. 4. 1985 to 14. 4. 1985	39,706	(g)	
	15. 4. 1985 to 21. 4. 1985	129,898	(h)	
	15. 4. 1985 to 21. 4. 1985	100,000	(j)	
	15. 4. 1985 to 21. 4. 1985	29,217	(m)	
	15. 4. 1985 to 21. 4. 1985	50,000	(q)	
	15. 4. 1985 to 21. 4. 1985	18,718	(r)	
	15. 4. 1985 to 21. 4. 1985	40,000	(g)	
	22. 4. 1985 to 28. 4. 1985	97,717	(a)	
	22. 4. 1985 to 28. 4. 1985	10,000	(h)	
	29. 4. 1985 to 5. 5. 1985	14,702	(r)	
	6. 5. 1985 to 12. 5. 1985	14,980	(m)	
	13. 5. 1985 to 19. 5. 1985	11,116	(r)	
		928,330		
Bellies with rind, frozen (CCT subheading ex 02.01 A III a) 5)	1. 4. 1985 to 7. 4. 1985	40,000	(a)	400
	1. 4. 1985 to 7. 4. 1985	19,816	(p)	
	8. 4. 1985 to 14. 4. 1985	18,892	(a)	
	8. 4. 1985 to 14. 4. 1985	5,000	(p)	
	8. 4. 1985 to 14. 4. 1985	49,690	(q)	
	15. 4. 1985 to 21. 4. 1985	10,000	(b)	
	15. 4. 1985 to 21. 4. 1985	99,430	(l)	
	15. 4. 1985 to 21. 4. 1985	81,387	(l)	
	15. 4. 1985 to 21. 4. 1985	39,780	(p)	
	15. 4. 1985 to 21. 4. 1985	9,505	(r)	
	15. 4. 1985 to 21. 4. 1985	28,858	(m)	
	15. 4. 1985 to 21. 4. 1985	19,996	(g)	
	15. 4. 1985 to 21. 4. 1985	94,672	(a)	
	22. 4. 1985 to 28. 4. 1985	90,834	(j)	
	22. 4. 1985 to 28. 4. 1985	29,150	(m)	
	22. 4. 1985 to 28. 4. 1985	10,000	(b)	
	22. 4. 1985 to 28. 4. 1985	2,690	(r)	
	29. 4. 1985 to 5. 5. 1985	22,826	(s)	
	29. 4. 1985 to 5. 5. 1985	6,629	(r)	
	6. 5. 1985 to 12. 5. 1985	59,079	(m)	
	13. 5. 1985 to 19. 5. 1985	5,382	(r)	
	10. 6. 1985 to 16. 6. 1985	10,000	(e)	
	10. 6. 1985 to 16. 6. 1985	9,990	(y)	
	17. 6. 1985 to 23. 6. 1985	8,610	(e)	
	17. 6. 1985 to 23. 6. 1985	20,610	(y)	
		792,826		
Bellies without rind, frozen (CCT subheading ex 02.01 A III a) 6 aa)	25. 3. 1985 to 31. 3. 1985	10,000	(p)	400
	8. 4. 1985 to 14. 4. 1985	40,000	(p)	
	15. 4. 1985 to 21. 4. 1985	34,809	(p)	
	22. 4. 1985 to 28. 4. 1985	19,961	(p)	
		104,770		
Total		5 835,826		

LIST OF WAREHOUSES

(a) Horafrost	Grote Veldstraat B-8140 Staden
(b) Klaasen & Co.	Peelsestraat 50 B-2380 Ravels
(c) Van Soest	Houtelweg 1 B-2310 Rijkevorstel
(d) Segakar	Handzamestraat 84 B-8840 Kortemark
(e) Vanden Avenne	Hanestraat 172 B-9360 Buggenhout
(f) Noord-Natie	Kaai 320 B-2000 Antwerpen
(g) Eurefa-Gent	Port Arthurlaan Grootdokkaai 32/34 B-9000 Gent
(h) Foodimpex	A. Cahierstraat 8 B-9810 Drongen
(i) Begro	Tomburgstraat 8B B-8850 Aardooie
(j) Benmar	Groot Vierle 15 B-2168 Brecht
(k) Comelco	Brug Zuid 16 B-9880 Aalter
(l) NV Ulevico	Steenweg op Edingen 196 B-1500 Halle
(m) NV Goemaere	Drieslaan 29 B-8640 Moorsele
(n) Decoster	Bruggestraat 82 B-8080 Ruiselede
(o) Dion Vandewiele	Grote Steenweg 42 B-9870 Zulte
(p) Eurofrost	Izegemstraat 412 B-8710 Kortrijk
(q) De Jaeghere	Peperstraat 16 b B-8920 Langemark
(r) Coldstar Primeur	Desselgemstraat 193 B-8798 Sint Aloois Vijve
(s) Van Landschoot	Prins Boudewijnlaan 22 B-9991 Adegem
(t) Pinguin	Romenstraat 3 B-8699 Westrozebeke
(u) Ardovries	Wezestraat 61 B-8850 Ardooie
(v) Talpe	Amersveldstraat 12 B-8110 Kortemark
(w) Westvlees	Kosterstraat 1 B-8699 Staden
(x) Coldstar	Weverstraat 14 B-2900 Londerzeel
(y) De Beck	Quai de Mariemont 45 B-1070 Brussel
(z) NV Colruyt	Steenweg op Edingen 136 B-1500 Halle

COMMISSION REGULATION (EEC) No 3444/85
of 6 December 1985
concerning the stopping of fishing for sprat by Community vessels

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

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as amended by Regulation (EEC) No 1729/83 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 1/85 of 19 December 1984, fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1985 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2756/85 ⁽⁴⁾, fixes the Community share of the total allowable catch for sprat in the waters of ICES division III a for 1985 in conformity with the conclusions of the trilateral consultations with Norway and Sweden;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas and with the conclusions of the abovementioned consultations, it is necessary for the Commission to fix the date by which catches, made by vessels flying the flag of a Member State, are deemed to have exhausted the quota allocated to the Community;

Whereas, according to the information communicated to the Commission, catches of sprat in the waters of ICES

division III a by vessels flying the flag of a Member State or registered in a Member State, have reached the quota allocated for 1985,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of sprat in the waters of ICES division III a by vessels flying the flag of a Member State or registered in a Member State, are deemed to have exhausted the quota allocated to the Community for 1985.

Fishing for sprat in the waters of ICES division III a by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

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, 6 December 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.
⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.
⁽³⁾ OJ No L 1, 1. 1. 1985, p. 1.
⁽⁴⁾ OJ No L 259, 1. 10. 1985, p. 68.

COMMISSION REGULATION (EEC) No 3445/85

of 6 December 1985

amending Regulation (EEC) No 798/80 laying down detailed rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products

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 Articles 16 (6) and 24 thereof, and also to the corresponding provisions in the other Regulations on the common organization of the markets in agricultural products,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽³⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁵⁾, as last amended by Regulation (EEC) No 2026/83 ⁽⁶⁾,

Whereas Article 10 of Commission Regulation (EEC) No 798/80 ⁽⁷⁾, as last amended by Regulation (EEC) No 1663/81 ⁽⁸⁾, lays down provisions for the release of the security required under Article 6 of Regulation (EEC) No 565/80 ;

Whereas Article 7 (1) of Regulation (EEC) No 798/80 provides for a minimum security where this amount is greater than the amount calculated in accordance with Article 6 (3), taking account of any monetary compensatory amount, increased by 20 % ;

Whereas in certain cases this can lead to a disproportionate penalty when reimbursement becomes necessary ;

Whereas it is necessary to modify the rules governing the calculation of the reimbursement when the minimum security has been used in order to avoid a disproportionate penalty ;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant Management Committees,

HAS ADOPTED THIS REGULATION :

Article 1

Article 10 (4) of Regulation (EEC) No 798/81 is hereby replaced by the following :

'(4) Except in cases of *force majeure*, reimbursement of the following amounts shall be required :

(a) where the time limits laid down in Article 11 have not been complied with :

— an amount equal to the security ;

(b) where the time limits laid down in Article 11 have been complied with but the entitlement to refund covers a smaller amount than that referred to in paragraph 1 (b) and the minimum increase provided for in Article 7 (1), second sentence, has not been applied :

— where Article 7 (3) applies, an amount equal to the security, less the amount of the actual refund reduced by any negative monetary compensatory amount, increased by 20 %,

— in other cases, an amount equal to the security, less the amount of the actual refund and any positive monetary compensatory amount due, increased by 20 %,

(c) where the time limits laid down in Article 11 have been complied with but the entitlement to refund covers a smaller amount than that referred to in paragraph 1 (b) and where the minimum increase provided for in Article 7 (1), second sentence, has been applied :

— an amount equal to the difference between the amount advanced and the amount due, this difference being increased by the percentage which expresses the relationship between the minimum increase and the amount advanced'.

Article 2

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

At the request of those concerned the provisions of Article 1 shall apply to cases pending.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁶⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁷⁾ OJ No L 87, 31. 3. 1980, p. 42.

⁽⁸⁾ OJ No L 166, 24. 6. 1981, p. 9.

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

Done at Brussels, 6 December 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 3446/85

of 6 December 1985

amending Regulation (EEC) No 467/77 on the method and the rate of interest to be used for calculating the costs of financing intervention measures comprising buying in, storage and disposal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Article 1 (6) of Regulation (EEC) No 467/77 is hereby replaced by the following:

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, as last amended by Regulation (EEC) No 1716/84 ⁽²⁾, and in particular Article 5 thereof,

'(6) In respect of sales of butter, beef and cereals by intervention agencies under Commission Regulation (EEC) No 2268/84 ⁽¹⁾, as amended by Regulation (EEC) No 2955/84 ⁽²⁾, and under Title II of Commission Regulation (EEC) No 2956/84 ⁽³⁾ as well as those under Commission Regulations (EEC) No 2670/85 ⁽⁴⁾ and (EEC) No 3267/85 ⁽⁵⁾.

Whereas, on account of the exceptionally high levels of beef and veal and cereal stocks in intervention storage, provision has been made in Commission Regulation (EEC) No 2670/85 of 23 September 1985 on the sale at prices fixed at a standard rate in advance of certain bone-in beef held by certain intervention agencies and intended for export ⁽³⁾, and in Commission Regulation (EEC) No 3267/85 of 21 November 1985 on the transport and sale, for disposal in animal feed in certain drought-stricken regions of France, of cereals held by the French intervention agency ⁽⁴⁾, for a period in which payment may be made after the purchaser has removed the products from store;

Where the actual period before payment after removal of the butter, beef or cereals exceeds 30 days, the financing costs calculated pursuant to the provisions set out in the preceding paragraphs shall be increased by the amount given by the following formula:

$$\frac{M \times D \times i}{365}$$

Where

M = amount to be paid by the purchaser

D = number of days between removal of the product and receipt of payment, less 30,

i = interest rate specified in Article 2.

Whereas the present system for calculating interest charges in respect of funds immobilized at national level is based on the average quantity of products in store per month;

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 35.

⁽²⁾ OJ No L 279, 23. 10. 1984, p. 1.

⁽³⁾ OJ No L 279, 23. 10. 1984, p. 4.

⁽⁴⁾ OJ No L 253, 24. 9. 1985, p. 8.

⁽⁵⁾ OJ No L 311, 22. 11. 1985, p. 27.

Whereas it is appropriate, as an exceptional measure, to adjust the method of calculating interest charges for the sales concerned, in order to take account of such a period for payment; whereas Commission Regulation (EEC) No 467/77 ⁽⁵⁾, as last amended by Regulation (EEC) No 400/85 ⁽⁶⁾, should be amended accordingly;

Article 2

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

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

It shall apply from 16 November 1984 in respect of sales under Regulation (EEC) No 2956/84 and from 23 September 1985 in respect of sales under Regulations (EEC) No 2670/85 and (EEC) No 3267/85.

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 163, 21. 6. 1984, p. 1.

⁽³⁾ OJ No L 253, 24. 9. 1985, p. 8.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 27.

⁽⁵⁾ OJ No L 62, 8. 3. 1977, p. 9.

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

Done at Brussels, 6 December 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 3447/85

of 6 December 1985

amending Regulation (EEC) No 1836/82 laying down the procedure and conditions for the disposal of cereals held by intervention agencies

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 Articles 7 (5) and 8 (4) thereof,

Having regard to Council Regulation (EEC) No 2738/75 of 29 October 1975 laying down general rules for intervention on the market in cereals⁽³⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 1836/82⁽⁴⁾, as amended by Regulation (EEC) No 1806/85⁽⁵⁾, provides that the selling price is to be fixed in terms of the standard quality defined in Regulation (EEC) No 2731/75⁽⁶⁾; whereas, where the quality of the lot awarded differs from the standard, the price to be paid must be adjusted by that of the tender, taking into account the price increases or reductions relating to the lot;

Whereas this provision is in line with the economic conditions obtaining at a resale on the Community internal market; whereas there must be observance of parallel conditions between intervention buying in and resale since the guaranteed price is largely responsible for setting the level on the Community market;

Whereas, where cereals are resold for export, this provision is not in line with the rules governing the level on the world market in respect of which the bid submitted by the tenderer is compared; whereas, from this viewpoint the amount of the tender must include increases and reductions relating to the lot to which the tender refers and should no longer relate to the standard quality;

Whereas an adjustment of this sort in the level of the selling price on export must lead, with a view to avoiding distortions on the internal market, to an adjustment in the method for calculating the security referred to in Article 8 (2), which guarantees the obligations referred to

in Article 17 (3); whereas the security should consequently cover the difference between the price tendered and the intervention price or the reference price taking into account the increases or reductions relating to the lot to which the tender refers;

Whereas, for purposes of sound market management, provision should be made for a derogation to exclude optional bids submitted under Article 43 of Regulation (EEC) No 3183/80⁽⁷⁾;

Whereas the way tenders are submitted for each partial invitation to tender for the tendering procedures currently being organized should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second indent of the second subparagraph of Article 10 of Regulation (EEC) No 1836/82 is replaced by the following:

‘— in terms of the actual quality of the lot to which the tender relates.’

Article 2

Article 13 of Regulation (EEC) No 1836/82 is replaced by the following:

Article 13

1. In the case of disposal on the Community market, tenders shall be drawn up in terms of the standard quality defined in Regulation (EEC) No 2731/75.

Where the quality of the cereal differs from the standard, the successful tender price shall be adjusted by increases or reductions determined in accordance with Articles 7 (5) and 8 (4) of Regulation (EEC) No 2727/75, but excluding the specific adjustments referred to in Article 5 (1) of this Regulation.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 49.

⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁵⁾ OJ No L 169, 19. 6. 1985, p. 73.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽⁷⁾ OJ No L 338, 13. 12. 1980, p. 1.

2. In the case of disposal for export, tenders shall be drawn up in terms of the quality of the lot to which the tender relates, taking into account the increases or reductions determined in accordance with Articles 7 (5) and 8 (4) of Regulation (EEC) No 2727/75 but excluding the specific adjustments referred to in Article 5 (1) of this Regulation.

3. In the case of disposal for export, provision may be made for the inadmissibility of tenders submitted under Article 43 of Regulation (EEC) No 3183/80.

4. Once tenders have been submitted, they may neither be amended nor withdrawn.

Tenders shall be valid only if they are accompanied by evidence that the tenderer has provided a security of 5 ECU per tonne.'

Article 3

Annex II to Commission Regulations (EEC) No 1892/85 ⁽¹⁾, (EEC) No 2923/85 ⁽²⁾, (EEC) No 2924/85 ⁽³⁾, (EEC) No 2946/85 ⁽⁴⁾, (EEC) No 2964/85 ⁽⁵⁾, (EEC) No 3052/85 ⁽⁶⁾, (EEC) No 3072/85 ⁽⁷⁾, (EEC) No 3142/85 ⁽⁸⁾, (EEC) No 3187/85 ⁽⁹⁾ and (EEC) No 3217/85 ⁽¹⁰⁾, relating to certain standing invitations to tender for the export of cereals held by intervention agencies is hereby amended as follows :

ANNEX II

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (—) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.'

Article 4

Article 8 (2) (c) of Regulation (EEC) No 1836/82 is replaced by the following :

'(c) Where the price tendered is less than the intervention or reference price, it is accompanied by a written undertaking by the tenderer, endorsed by a credit institution to provide, not later than two working days after receipt of the statement of

⁽¹⁾ OJ No L 178, 10. 7. 1985, p. 6.

⁽²⁾ OJ No L 280, 22. 10. 1985, p. 22.

⁽³⁾ OJ No L 280, 22. 10. 1985, p. 24.

⁽⁴⁾ OJ No L 283, 24. 10. 1985, p. 19.

⁽⁵⁾ OJ No L 285, 25. 10. 1985, p. 30.

⁽⁶⁾ OJ No L 290, 1. 11. 1985, p. 71.

⁽⁷⁾ OJ No L 293, 5. 11. 1985, p. 7.

⁽⁸⁾ OJ No L 298, 12. 11. 1985, p. 7.

⁽⁹⁾ OJ No L 301, 15. 11. 1985, p. 23.

⁽¹⁰⁾ OJ No L 303, 16. 11. 1985, p. 38.

award of contract referred to in Article 15, a security covering the difference between the two prices, adjusted by the amount of the increases or reductions determined in accordance with Articles 7 (5) and 8 (4) of Regulation (EEC) No 2727/75 but excluding the specific adjustments referred to in Article 5 (1) of this Regulation.'

Article 5

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, 6 December 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3448/85

of 6 December 1985

concerning the stopping of fishing for flatfish by vessels flying the flag of France

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

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States⁽¹⁾, as amended by Regulation (EEC) No 1729/83⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 6/85 of 19 December 1984 allocating catch quotas between Member States for vessels fishing in Faroese waters⁽³⁾, as amended by Regulation (EEC) No 97/85⁽⁴⁾, provides for flatfish quotas for 1985;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of flatfish in Faroese waters by

vessels flying the flag of France or registered in France have reached the quota allocated for 1985,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of flatfish in Faroese waters by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1985.

Fishing for flatfish in Faroese waters by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

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, 6 December 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.

⁽³⁾ OJ No L 1, 1. 1. 1985, p. 62.

⁽⁴⁾ OJ No L 13, 16. 1. 1985, p. 5.

COMMISSION REGULATION (EEC) No 3449/85

of 6 December 1985

re-establishing the levying of customs duties applicable to polyethylene falling within subheading 39.02 C I, originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3562/84 apply

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

Having regard to Council Regulation (EEC) No 3562/84 of 18 December 1984 applying generalized tariff preferences for 1985 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 1 of that Regulation, duties on the products listed in Annex II originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 12;

Whereas, as provided for in Article 12, where the increase of preferential imports of these products, originating in one or more beneficiary countries, threatens to cause economic difficulties in a region of the Community, the levying of Customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas, for this purpose, the reference base to be considered shall be, as a general rule, 165 % of the highest maximum amount valid for 1980;

Whereas, in the case of polyethylene, falling within subheading 39.02 C I, the reference base is fixed at 6 103 400 ECU; whereas, on 5 December 1985, imports of these products into the Community, originating in Brazil, reached the reference base in question after being

charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference causes economic difficulties in the Community; whereas, therefore, customs duties in respect of the products in question must be re-established against Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 10 December 1985, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3562/84, shall be re-established on imports into the Community of the following products originating in Brazil:

CCT heading No	Description
39.02 C I (NIMEXE-code 39.02-03 — 13)	Polyethylene

Article 2

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

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

Done at Brussels, 6 December 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 338, 27. 12. 1984, p. 1.

COMMISSION REGULATION (EEC) No 3450/85
of 6 December 1985
concerning the stopping of fishing for plaice by Community vessels

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

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as amended by Regulation (EEC) No 1729/83 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 1/85 of 19 December 1984, fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1985 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 2756/85 ⁽⁴⁾, fixes the Community share of the total allowable catch for plaice in the waters of ICES division III a (Skagerak) for 1985 in conformity with the conclusions of the trilateral consultations with Norway and Sweden;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas and with the conclusions of the abovementioned consultations, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated to the Community;

Whereas, according to the information communicated to the Commission, catches of plaice in the waters of ICES

division III a (Skagerak) by vessels flying the flag of a Member State or registered in a Member State, have reached the quota allocated for 1985,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of plaice in the waters of ICES division III a (Skagerak) by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1985.

Fishing for plaice in the waters of ICES division III a (Skagerak) by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

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, 6 December 1985.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.
⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.
⁽³⁾ OJ No L 1, 1. 1. 1985, p. 1.
⁽⁴⁾ OJ No L 259, 1. 10. 1985, p. 68.

COMMISSION REGULATION (EEC) No 3451/85

of 6 December 1985

amending Regulation (EEC) No 1633/84 laying down detailed rules for applying the variable slaughter premium for sheep

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1312/85⁽²⁾, and in particular Article 9 (4) thereof,

Whereas Article 1 (1) of Commission Regulation (EEC) No 1633/84 laying down detailed rules for applying the variable slaughter premium for sheep⁽³⁾ determines which animals of the ovine species may qualify for the variable slaughter premium; whereas paragraph 2 of the same Article stipulates that the United Kingdom shall determine the categories, qualities and weight limits of animals in respect of which the premium is to be payable; whereas, in the light of experience gained, the categories, qualities and weight limits in respect of which the variable premium may be paid should also be defined at the Community level;

Whereas the sheep market is characterized and dominated by the production and marketing of lambs; whereas, therefore, a premium granted for the slaughter of the said animals automatically has an effect on the prices of other animals of the ovine species; whereas it has emerged in the past that an additional reduction in the prices of such other animals in region 5 can potentially cause serious disturbances in trade with the other regions of the Community and, in particular, in traditional trade with region 2; whereas the premium should therefore be restricted to animals with a carcass weight not exceeding 24,5 kilograms, with the exception of rams or carcasses of rams or other comparable male sheep and ewes or carcasses of ewes;

Whereas Article 9 (3) of Regulation (EEC) No 1837/80 lays down that, where the variable premium is paid, the Commission shall adopt the necessary measures to ensure that an amount equivalent to that premium is charged in respect of the products referred to in Article 1 (a) and (c) of the said Regulation when such products leave region 5; whereas, for the reasons set out above, the said amount has to be charged even in respect of exported products which do not benefit directly from the variable premium;

Whereas, however, a coefficient should be introduced for ewes and meat obtained therefrom which takes account of

the benefit indirectly derived in respect of such products from the granting of the variable premium for lambs;

Whereas, to prevent disturbances through artificial trade between region 5 and the other regions of the Community, a coefficient of 0,5 seems appropriate; whereas, however, the said coefficient should be kept regularly under review so as to take account of the development of such trade;

Whereas, pending an appropriate solution, which should be introduced following a thorough examination by the beginning of the 1986 marketing year, for trade in products other than ewes not qualifying for the premium for lambs, the United Kingdom should be authorized to maintain the arrangements currently applying to exports;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1633/84 is hereby amended as follows;

1. Paragraphs 1 and 2 of Article 1 are replaced by the following:

'1. The premium referred to in Article 9 of Regulation (EEC) No 1837/80 shall be granted only in respect of sheep which:

- (a) correspond to the quality standards laid down in the Annex;
- (b) attain an estimated carcass weight of not less than 8 kilograms; furthermore, the premium shall be granted in respect of a maximum of 24,5 kilograms carcass weight only; and
- (c) originate in region 5 where the premium is granted or have been raised in that region for at least two months.

2. The following shall not qualify for the premium:

- (a) rams or carcasses of rams or other male sheep or their carcasses having the characteristics of that of a ram;
- (b) ewes or their carcasses.

2a. However, the United Kingdom may provide for the granting of the premium in respect of animals for export other than those referred to in paragraphs 1 and 2 (b), provided that such animals satisfy the criterion

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 22.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

laid down in paragraph 1 (c) and that proof is furnished that they, or the meat obtained therefrom, have left the territory of region 5. The United Kingdom shall notify the Commission of any use it makes of this facility and of the administrative control measures taken.'

2. The following paragraph 4 is added to Article 4:

'4. In the case of carcasses of animals referred to in Article 1 (2) (b) the amounts referred to in paragraphs 1 and 2 shall be calculated on the basis of a coefficient of 0,5. This coefficient shall be applied without prejudice to the coefficients referred to in paragraph 3.

The Commission shall review the said coefficient forthwith if there is any disruption to intra-Community trade.

Furthermore, the said coefficient shall be reviewed every six months in the light of the development of trade between region 5 and the other regions of the Community and the trend in prices. Any decision to adjust the said coefficient shall be taken in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 1837/80.'

3. The second subparagraph of Article 5 (3) is replaced by the following:

'In particular, the competent authorities of the United Kingdom:

- shall make it compulsory for the operators concerned to inform the departments empowered to this effect of the quantities and description of

the products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80 which are to be dispatched from region 5, where the premium is granted, to another region, either directly or via another region or a third country,

- shall introduce an administrative procedure entailing systematic inspection relating in particular to the individual marking of carcasses and, where appropriate, the cuts thereof, so as to prevent the amounts referred to in Article 4 (4) from being charged in respect of products obtained from animals having qualified for the premium, mixtures of products obtained from animals which have and which have not qualified for the premium or any other product not subject to the reduced amount.'

4. The following sentence is added to Article 6 (1):

'Notification of the measures taken in application of the second indent of the second subparagraph of Article 5 (3) shall be sent to the Commission forthwith.'

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 9 December 1985.

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

Done at Brussels, 6 December 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3452/85
of 6 December 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 3420/85 ⁽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 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 7 December 1985.

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

Done at Brussels, 6 December 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 324, 5. 12. 1985, p. 17.

ANNEX

to the Commission Regulation of 6 December 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	46,50
	B. Raw sugar	41,26 ⁽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.

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