

# Official Journal

## of the European Communities

ISSN 0378-6978

L 35

Volume 29

11 February 1986

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 289/86****of 10 February 1986****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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3793/85 <sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(3)</sup>, 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 Commission Regulation (EEC) No 2956/85 <sup>(4)</sup> 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 corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— 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 7 February 1986 ;

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 11 February 1986.

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

Done at Brussels, 10 February 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 367, 31. 12. 1985, p. 19.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 285, 25. 10. 1985, p. 8.

## ANNEX

to the Commission Regulation of 10 February 1986 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                  | 155,71                               |
| 10.01 B II     | Durum wheat                               | 202,91 <sup>(1)</sup> <sup>(2)</sup> |
| 10.02          | Rye                                       | 132,37 <sup>(6)</sup>                |
| 10.03          | Barley                                    | 143,96                               |
| 10.04          | Oats                                      | 126,70                               |
| 10.05 B        | Maize, other than hybrid maize for sowing | 121,49 <sup>(2)</sup> <sup>(3)</sup> |
| 10.07 A        | Buckwheat                                 | 0                                    |
| 10.07 B        | Millet                                    | 75,77 <sup>(4)</sup>                 |
| 10.07 C        | Grain sorghum                             | 131,90 <sup>(4)</sup>                |
| 10.07 D I      | Triticale                                 | <sup>(7)</sup>                       |
| 10.07 D II     | Canary seed ; other cereals               | 0 <sup>(5)</sup>                     |
| 11.01 A        | Wheat or meslin flour                     | 231,71                               |
| 11.01 B        | Rye flour                                 | 200,01                               |
| 11.02 A I a)   | Durum wheat groats and meal               | 328,10                               |
| 11.02 A I b)   | Common wheat groats and meal              | 248,38                               |

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

<sup>(2)</sup> 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'.

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

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

<sup>(5)</sup> 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.

<sup>(6)</sup> 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.

<sup>(7)</sup> 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 290/86

of 10 February 1986

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3793/85 <sup>(2)</sup>, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(3)</sup>, 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 Commission Regulation (EEC) No 2160/85 <sup>(4)</sup> 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 corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- 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 7 February 1986;

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 11 February 1986.

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

Done at Brussels, 10 February 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 367, 31. 12. 1985, p. 19.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 203, 1. 8. 1985, p. 11.

## ANNEX

to the Commission Regulation of 10 February 1986 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<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 |
| 10.01 B I      | Common wheat, and meslin                  | 0            | 0               | 0               | 0               |
| 10.01 B II     | Durum wheat                               | 0            | 0               | 0               | 3,37            |
| 10.02          | Rye                                       | 0            | 0               | 0               | 0               |
| 10.03          | Barley                                    | 0            | 0               | 0               | 0               |
| 10.04          | Oats                                      | 0            | 0               | 0               | 0               |
| 10.05 B        | Maize, other than hybrid maize for sowing | 0            | 2,98            | 2,98            | 12,75           |
| 10.07 A        | Buckwheat                                 | 0            | 0               | 0               | 0               |
| 10.07 B        | Millet                                    | 0            | 0               | 0               | 0               |
| 10.07 C        | Grain sorghum                             | 0            | 0               | 0               | 8,00            |
| 10.07 D        | Other cereals                             | 0            | 0               | 0               | 0               |
| 11.01 A        | Wheat or meslin flour                     | 0            | 0               | 0               | 0               |

## B. Malt

| CCT heading No | Description                                                                          | (ECU/tonne)  |                 |                 |                 |                 |
|----------------|--------------------------------------------------------------------------------------|--------------|-----------------|-----------------|-----------------|-----------------|
|                |                                                                                      | Current<br>2 | 1st period<br>3 | 2nd period<br>4 | 3rd period<br>5 | 4th period<br>6 |
| 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 291/86**  
**of 10 February 1986**  
**abolishing the countervailing charge on apples originating in Romania**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 3768/85<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 167/86 of<sup>(3)</sup> introduced a countervailing charge on apples originating in Romania;

Whereas for this product originating in Romania there were no prices for six consecutive working days; whereas the conditions specified in Article 26 (1) of Regulation

(EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of apples originating in Romania can be abolished,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 167/86 is hereby repealed.

*Article 2*

This Regulation shall enter into force on 11 February 1986.

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

Done at Brussels, 10 February 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 362, 31. 12. 1985, p. 8.

<sup>(3)</sup> OJ No L 21, 28. 1. 1986, p. 15.

**COMMISSION REGULATION (EEC) No 292/86**  
**of 10 February 1986**  
**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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3768/85 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1809/85 <sup>(3)</sup>, as last amended by Regulation (EEC) No 286/86 <sup>(4)</sup>;

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

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

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 11 February 1986.

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

Done at Brussels, 10 February 1986.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

- <sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.  
<sup>(2)</sup> OJ No L 362, 31. 12. 1985, p. 8.  
<sup>(3)</sup> OJ No L 169, 29. 6. 1985, p. 77.  
<sup>(4)</sup> OJ No L 33, 8. 2. 1986, p. 24.

ANNEX

to the Commission Regulation of 10 February 1986 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 | 47,78                |
|                | B. Raw sugar                                 | 41,90 <sup>(1)</sup> |

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

## COMMISSION REGULATION (EEC) No 293/86

of 10 February 1986

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<sup>(1)</sup> 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, 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, Commission Regulation (EEC) No 3150/85<sup>(2)</sup> has established a system of surveillance applicable, until 31 January 1986, to imports into France of yellowfin tuna intended for the industrial processing of products falling within heading No 16.04 of the Common Customs Tariff;

Whereas on 29 January 1986 the French Republic communicated a request for extension of this system because the situation which led to the adoption of the system of surveillance still exists in the French market; whereas this situation is not likely to develop favourably in the near future because of yellowfin tuna prices of the international market; 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;

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) 1 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 %.

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.

<sup>(1)</sup> OJ No L 379, 31. 12. 1981, p. 1.

<sup>(2)</sup> OJ No L 299, 13. 11. 1985, p. 9.

*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<sup>(1)</sup> 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 March 1986.

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

Done at Brussels, 10 February 1986.

*For the Commission*

António CARDOSO E CUNHA

*Member of the Commission*

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<sup>(1)</sup> OJ No L 338, 30. 11. 1982, p. 13.

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 20 January 1986

**approving the conclusion by the Commission of a Memorandum of Understanding between the European Atomic Energy Community and the Government of Canada concerning cooperation in the field of fusion research and development**

(86/28/Euratom)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 101 thereof,

Having regard to the recommendation from the Commission,

Whereas the Commission has carried out negotiations in accordance with Council directives and proposes concluding a Memorandum of Understanding between the European Atomic Energy Community and the Government of Canada concerning cooperation in the field of fusion research and development;

Whereas the conclusion by the Commission of that Memorandum of Understanding should be approved,

*Sole Article*

The conclusion by the Commission of the Memorandum of Understanding between the European Atomic Energy Community and the Government of Canada concerning cooperation in the field of fusion research and development is hereby approved.

The text of the Memorandum of Understanding is attached to this Decision.

Done at Brussels, 20 January 1986.

*For the Council*

*The President*

G. BRAKS

**MEMORANDUM OF UNDERSTANDING**

**between the European Atomic Energy Community represented by the Commission of the European Communities and the Government of Canada concerning cooperation in the field of fusion research and development**

*Article I***Scope and objectives of the Memorandum**

The Government of Canada and the European Atomic Energy Community represented by the Commission of the European Communities, hereinafter referred to as 'the Parties',

- recalling the Framework Agreement for Commercial and Economic Cooperation between Canada and the European Communities of 6 July 1976 which provides in Article III.2 for technological and scientific exchanges,
- recognizing the mutual benefits which may be derived from cooperation in the field of fusion research and development,
- considering that the Commission of the European Communities is coordinating on behalf of the European Atomic Energy Community an extensive European activity on fusion and that the National Research Council of Canada is coordinating a recently established Canadian activity on fusion, and
- having in mind the development of closer collaboration in the future;

hereby agree to cooperate in the field of fusion research and development and in particular on those areas which are listed in the Annex to this memorandum.

*Article II***Modalities of cooperation**

The forms of cooperation will comprise essentially the following:

- exchange of information, including progress reports and other non-confidential scientific results which the parties have the right to disclose and which are either in their possession or available to them;
- mutual participation in scientific meetings organized by either Party;
- exchange of experts, for which each Party will bear the personnel expenses for the secondment of its own experts;
- conduct of joint experiments, studies and projects as agreed by the Joint Committee mentioned below, especially with regard to NET (Next European Torus) and other facilities of both Parties;

- exchange of materials, equipment and instrumentation.

*Article III***Implementation and programme review**

In order to implement the cooperative activities referred to above, the Parties agree to establish a joint committee composed of two representatives from each Party. On the Canadian side, the National Research Council is hereby designated as the executing agency which will appoint the Canadian representatives to the joint committee.

Implementation and details regarding the cooperative activities will be established by unanimous agreement of the joint committee. These activities will be compatible with those undertaken in the framework of the International Energy Agency and in which both Parties participate. Progress reports may be submitted to the preparatory and general cooperation subcommittee of the joint cooperation committee, under the Framework Agreement mentioned above.

The joint committee will meet as necessary and at least once a year, alternately in Europe and Canada. In the interval between meetings, the joint committee may make decisions by an exchange of correspondence.

One year's notice of termination of any cooperative activity will be given to the Parties through the joint committee.

*Article IV***Source of funds**

The activities carried out under this memorandum will be subject to and dependent on funds and manpower available to each party. Each party will bear the costs of its own participation in cooperative activities under this memorandum.

*Article V***Effective date**

This Memorandum of Understanding will be effective commencing with the later of the two dates on which it is signed and subject to Article III will remain in force for a period of five years from the effective date unless previously extended by agreement between the parties.

Signed at ..... on .....

in duplicate in English and French, both texts being equally authentic.

*For the European Atomic Energy  
Community represented  
by the Commission of the European  
Communities*

*For the Government of Canada*

—

#### ANNEX

##### **Fusion R & D topics which have been identified in particular for EAEC/Canada cooperation**

- Tokamak physics including auxiliary heating, refuelling, diagnostics, data acquisition, and control instrumentation
- Fusion fuels including requirements for the managing of tritium and possible arrangements for its supply
- Remote manipulation
- Safety and environment problems related to fusion
- High-power electrotechnology.

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**CORRIGENDA****Corrigendum to Council Regulation (EEC) No 1208/81 of 28 April 1981 determining the Community scale for the classification of carcasses of adult bovine animals**

*(Official Journal of the European Communities No L 123 of 7 May 1981, page 3)*

On page 3, Article 2 (2), first subparagraph, the fifth indent should read as follows:

‘— without cod fat’.

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**Corrigendum to Council Regulation (EEC) No 3806/85 of 20 December 1985 opening, allocating and providing for the administration of Community tariff quotas for tomatoes, cucumbers and aubergines falling within heading ex 07.01 of the Common Customs Tariff and originating in the Canary Islands**

*(Official Journal of the European Communities No L 367 of 31 December 1985, page 44)*

Page 46, Article 2(3), second indent:

for: ‘5733’,

read: ‘5553’.

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**Corrigendum to Council Regulation (EEC) No 3808/85 of 20 December 1985 opening, allocating and providing for the administration of a Community tariff quota for certain live plants falling within subheadings ex 06.01 A, 06.02 A II and ex 06.02 D of the Common Customs Tariff and originating in the Canary Islands (1986)**

*(Official Journal of the European Communities No L 367 of 31 December 1985, page 52)*

Page 54, Article 2(1):

for: ‘2750’,

read: ‘2753’.

Page 54, Article 2(2):

for: ‘696’,

read: ‘693’.

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