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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 325/86**of 14 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⁽¹⁾, as last amended by Regulation (EEC) No 3793/85⁽²⁾, 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⁽³⁾, 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⁽⁴⁾ 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 13 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 15 February 1986.

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

Done at Brussels, 14 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 285, 25. 10. 1985, p. 8.

ANNEX

to the Commission Regulation of 14 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	156,73
10.01 B II	Durum wheat	203,87 ⁽¹⁾ ⁽²⁾
10.02	Rye	135,10 ⁽⁶⁾
10.03	Barley	144,80
10.04	Oats	127,69
10.05 B	Maize, other than hybrid maize for sowing	124,49 ⁽³⁾ ⁽²⁾
10.07 A	Buckwheat	0
10.07 B	Millet	78,34 ⁽⁴⁾
10.07 C	Grain sorghum	132,94 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	234,30
11.01 B	Rye flour	203,83
11.02 A I a)	Durum wheat groats and meal	329,77
11.02 A I b)	Common wheat groats and meal	251,18

⁽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 326/86

of 14 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 ⁽¹⁾, as last amended by Regulation (EEC) No 3793/85 ⁽²⁾, 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 ⁽³⁾, 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 ⁽⁴⁾ 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 13 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 15 February 1986.

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

Done at Brussels, 14 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 11.

ANNEX

to the Commission Regulation of 14 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 2	1st period 3	2nd period 4	3rd period 5
10.01 B I	Common wheat, and meslin	0	0	0	0,51
10.01 B II	Durum wheat	0	0	0	3,09
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	2,08
10.05 B	Maize, other than hybrid maize for sowing	0	8,59	8,59	12,71
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	7,89
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0,71

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0,91	0,91
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0,68	0,68
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 327/86
of 12 February 1986
on the supply of one lot of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3331/82 of 3 December 1982 on food-aid policy and food-aid management and amending Regulation (EEC) No 2750/75⁽¹⁾, and in particular the first subparagraph of Article 3 (1) thereof,

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down implementing rules for 1985 for Regulation (EEC) No 3331/82 on food-aid policy and food-aid management⁽²⁾,

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⁽³⁾, as last amended by Regulation (EEC) No 3768/85⁽⁴⁾, and in particular Article 6 (7) thereof,

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to a beneficiary organization 500 tonnes of butteroil to be supplied fob, as emergency aid;

Whereas, therefore, supply should be effected in accordance with the rules laid down in 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⁽⁵⁾,

amended by Regulation (EEC) No 3812/85⁽⁶⁾; whereas, in particular, the periods and terms for supply and the procedure to be used to determine the costs arising therefrom should be laid down;

Whereas by Article 394 of the Act of Accession of Spain and Portugal application to the new Member States of the Community rules introduced for the production of and trade in agricultural products and for trade in certain processed agricultural products is postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies shall, in accordance with the provisions of Regulation (EEC) No 1354/83, supply butteroil as food aid on the special terms set out in the Annex.

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, 12 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽²⁾ OJ No L 54, 23. 2. 1985, p. 2.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 3.

ANNEX

Notice of invitation to tender⁽¹⁾

Description of the lot	A
1. Programme :	1985
(a) legal basis	Council Regulation (EEC) No 457/85
(b) purpose	Commission Decision of 22 November 1985
2. Recipient	Euronaid — Cebemo
3. Country of destination	Sudan
4. Stage and place of delivery	fob
5. Representative of the recipient ⁽²⁾ ⁽³⁾	—
6. Total quantity	500 tonnes
7. Origin of the butteroil	To be manufactured from intervention butter
8. Intervention agency holding the stocks	German
9. Specific characteristics	—
10. Packaging	5 kg ⁽⁴⁾
11. Supplementary markings on the packaging	'BUTTEROIL / 55000 / FOR FREE DISTRIBUTION' (no other inscription permitted)
12. Shipment period	Before 5 March 1986
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the Germany intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 ⁽⁴⁾ ⁽⁶⁾

⁽¹⁾ This Annex, together with the notice published in *Official Journal of the European Communities* No C 208 of 4 August 1983, page 9, shall serve as notice of invitation to tender.

⁽²⁾ See list published in *Official Journal of the European Communities* No C 229 of 26 August 1983, p. 2.

⁽³⁾ The successful tenderer shall contact the beneficiary without delay to determine the necessary shipping documents.

⁽⁴⁾ Commission delegate to be contacted by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.

⁽⁵⁾ To be delivered on standard pallets — 40 cartons each pallet — wrapped in plastic shrinked cover.

⁽⁶⁾ Supplier to send duplicate original invoice to:

De Keyzer en Schutz BV,
PO Box 1438, NL 3000 BK Rotterdam.

COMMISSION REGULATION (EEC) No 328/86**of 12 February 1986****on the supply of common wheat flour to the Republic of Lebanon as food aid**

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

Having regard to Council Regulation (EEC) No 3331/82 of 3 December 1982 on food-aid policy and food-aid management and amending Regulation (EEC) No 2750/75⁽¹⁾, and in particular the first subparagraph of Article 3 (1) thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 3768/85⁽³⁾, and in particular Article 28 thereof,

Whereas, by its Decision of 9 July 1985 on the supply of food aid to Lebanon, the Commission allocated to the latter country 8 000 tonnes of cereals to be supplied fob ;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁴⁾, as last amended by Regulation (EEC) No

3323/81⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs ;

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 intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 12 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁴⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁵⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1985
2. **Recipient :** Comité supérieure des secours libanais, Beirut
3. **Place or country of destination :** Republic of Lebanon
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 5 840 tonnes (8 000 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
VIB, Burgemeester Kessenplein 3, NL-6431 KM Hoensbroek (telex 56396)
8. **Method of mobilizing the product :** on the Community market
9. **Characteristics of the goods :**
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum ($N \times 6,25$ in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging :**
 - in new bags :
 - jute sacks of 370 g, lined with woven polypropylene sacks of 110 g. The top edge of the sacks will be sewn together
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
'FARINE DE FROMENT : DON DE LA COMMUNAUTÉ EUROPÉENNE À LA RÉPUBLIQUE LIBANAISE'
11. **Port of shipment :**
any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the port authorities attesting the existence of the service during the said period
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 25 February 1986
16. **Shipment period :** 10 March to 10 April 1986
17. **Security :** 12 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Lebanon, c/o 'Diplomatic Bag', Berlaymont 1/123, rue de la Loi, 200, B-1049 Brussels.

COMMISSION REGULATION (EEC) No 329/86

of 12 February 1986

on the supply of common wheat to the World Food Programme (WFP) as food aid

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

Having regard to Council Regulation (EEC) No 3331/82 of 3 December 1982 on food-aid policy and food-aid management and amending Regulation (EEC) No 2750/75⁽¹⁾, and in particular the first subparagraph of Article 3 (1) thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 3768/85⁽³⁾, and in particular Article 28 thereof,

Whereas, by its Decision of 6 May 1985 on the supply of food aid to the WFP, the Commission allocated to the latter organization 14 468 tonnes of cereals to be supplied fob ;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice⁽⁴⁾, as last amended by Regulation (EEC) No

3323/81⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs ;

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 intervention agency specified in Annex I hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the said Annex hereto.

Article 2

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

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

Done at Brussels, 12 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁴⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁵⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX I

1. **Programme :** 1985
2. **Recipient :** World Food Programme (WFP)
3. **Place or country of destination :** Ethiopia
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 14 468 tonnes
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Markttordnung (BALM), Adickesallee 40, D-6000 Frankfurt/Main, telex 411 475
8. **Method of mobilizing the product :** Intervention
9. **Characteristics of the goods :**
Common wheat of sound and fair merchantable quality, free from odour and pests, which :
 - has the minimum physical qualities required for common wheat of bread-making quality pursuant to Article 5 (2) of Commission Regulation (EEC) No 1629/77 (Official Journal No L 181 of 21 July 1977), as last amended by Regulation (EEC) No 2215/84 (Official Journal No L 203 of 31 July 1984), the moisture content not exceeding 14,5 %
 - meets the technological requirements set out in Commission Regulation (EEC) No 2062/81 (Official Journal No L 201 of 22 July 1981)
10. **Packaging :** in bulk and
 - 304 000 empty new composite sacks jute/polypropylene of a minimum weight of 335 g, of a capacity of 50 kilograms, 200 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high :
'ETHIOPIA 02488 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF WORLD FOOD PROGRAMME / ASSAB'
11. **Port of shipment :**
any Community port accessible to ocean-going vessels with a draught of 32 feet with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the port authorities attesting the existence of the service during the said period.
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 25 February 1986
16. **Shipment period :** 10 to 30 March 1986
17. **Security :** 6 ECU per tonne

Note

1. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.
 2. The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - certificate of origin
 - phytosanitary certificate
-

BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANEXO II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Número de la partida Numéro du lot Numero della partita Nummer van de partij Número do lote	Mængde (t) Menge (t) Τόνοι Tonnage Tonelaje Tonnage Tonnellaggio Hoeveelheid (t) Tonelagem	Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nombre y dirección del almacenista Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder Nome e direcção do armazenista	Lagerplads Ort der Lagerhaltung Τόπος αποθηκεύσεως Town at which stored Lugar de almacenamiento Lieu de stockage Luogo di accantonamento Adres van de opslagplaats Local de armazenagem
1	3 488	Emder Lagerhaus GmbH Nesserlander Straße 151 Postfach 367 2970 Emden	Emden
	4 144	Emder Lagerhaus GmbH Nesserlander Straße 151 Postfach 367 2970 Emden	Emden
	3 411	Cretschmar GmbH & Co. KG Spedition und Schiffahrt Franzulusstraße 2 Postfach 9109 4000 Düsseldorf 1	Neuss
	25	Cretschmar GmbH & Co. KG Spedition und Schiffahrt Franzulusstraße 2 Postfach 9109 4000 Düsseldorf 1	Neuss
	3 400	Theodor Müncker KG GmbH & Co. Hohenbudberger Straße 18 Postfach 346 4150 Krefeld 11	Krefeld 11

COMMISSION REGULATION (EEC) No 330/86**of 14 February 1986****allocating import quotas for 1986 fixed for certain products originating in the United States of America**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 241/86 of 27 January 1986 suspending tariff concessions and increasing duties pursuant to the Common Customs Tariff with regard to certain products originating in the United States of America, and establishing quantitative restrictions with regard to other products originating in that country⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas for administrative reasons the Council has decided that the quantities to which these imports have been limited by Regulation (EEC) No 241/86 should be distributed among the Member States; whereas it remains for the Member States to distribute the quantities which they have been allocated to importers, in accordance with the provisions of Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽²⁾;

Whereas the use of Community quotas, based on an allocation among Member States carried out in this manner would seem to respect the Community character of these quotas, when account is also taken of the setting up of a Community reserve;

Whereas a Community reserve permits the correction of certain effects of the method of allocation applied and ensures that the effects of the measures remain within the limits of the objectives pursued;

Whereas for the same reasons, it is essential that each Member State should return to the Community reserve the major part of its allocation which has not been used by a given date;

Whereas, in accordance with Article 2 (2) of Regulation (EEC) No 241/86, the distribution should be made on the basis of imports into Member States in the years 1984/85;

Whereas, in accordance with Article 2 (2) of the above-mentioned Regulation, the provisions of Regulation (EEC) No 1023/70, which sets out the administrative procedures

applying to the quotas, are applicable to the quotas fixed in the Annex to Regulation (EEC) No 241/84, it being understood that these quotas can be increased only by the Council acting by a qualified majority on a proposal from the Commission;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community quotas set out for 1986 in Regulation (EEC) No 241/86 shall be broken down into two parts, the first of which shall be distributed among the Member States in accordance with the Annex.

2. The second part shall constitute a Community reserve; details thereof are set out in column 3 of the Annex.

Article 2

Member States shall inform the Commission by 15 September 1986 at the latest of total imports effected and set against the Community quota on 31 August 1986.

They shall return to the reserve by 1 October 1986 at the latest that part of their allocation which has not been used up by 31 August 1986 and exceeds 30 % of the volume.

They may return a larger quantity if they have reason to believe that it will not be used.

Article 3

The reserve shall be distributed by 1 November 1986 at the latest, in accordance with the procedure provided for in Article 11 of Regulation (EEC) No 1023/70.

Article 4

This Regulation shall enter into force on 15 February 1986.

It shall apply until 31 December 1986.

⁽¹⁾ OJ No L 30, 5. 2. 1986, p. 1.

⁽²⁾ OJ No L 124, 8. 6. 1970, p. 2.

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

Done at Brussels, 14 February 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

ANNEX

(in tonnes)

NIMEXE code	Community quota	Reserve 10 %	Distributed quota	Quota distribution per Member State							
				D	F	I	BNL	UK	IRL	DK	GR
1	2	3	4	5	6	7	8	9	10	11	12
15.02-10	107 000	10 700	96 300	36 000	3 060	2 160	47 430	7 650	—	—	—
31.05-12	512 000	51 200	460 800	36 000	20 700	217 800	94 500	1 800	45 000	45 000	—
48.07-45	10 000	1 000	9 000	2 520	360	—	5 130	990	—	—	—

COMMISSION REGULATION (EEC) No 331/86

of 13 February 1986

introducing a temporary derogation from the Community reference price system for fishery products imported into Portugal

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 378 thereof,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Article 21 (3) thereof,

Whereas Article 21 (3) of Regulation (EEC) No 3796/81 makes it obligatory for Member States to notify regularly to the Commission the free-at-frontier prices of products imported into their territory; whereas the rules according to which such notifications must be made are set out in Commission Regulation (EEC) No 3191/82 of 29 November 1982 laying down detailed rules for the application of the reference price system for fishery products⁽²⁾;

Whereas pursuant to Article 378 (1) of the Act of Accession and notwithstanding the third subparagraph of Article 21 (3) of Regulation (EEC) No 3796/81, Portugal is authorized, until not later than 31 December 1988, to

notify information to the Commission in less detail than provided for in Regulation (EEC) No 3191/82 and at periods to be determined following procedure of Article 33 of Regulation (EEC) No 3796/81; whereas the periods in question should therefore be defined;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 2 of Regulation (EEC) No 3191/82, free-at-frontier prices may be notified by Portugal at the end of each week.

Article 2

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

It shall apply from 1 March 1986.

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

Done at Brussels, 13 February 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 338, 30. 11. 1982, p. 13.

COMMISSION REGULATION (EEC) No 332/86

of 14 February 1986

re-establishing the levying of customs duties applicable to antimony oxides falling within subheading No 28.28 ex N originating in China to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3599/85 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3599/85 of 17 December 1985 applying generalized tariff preferences for 1986 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Articles 1 and 10 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I;

Whereas, as provided for in Article 11 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of antimony oxides, falling within subheading No 28.28 ex N, originating in China, the individual ceiling was fixed at 365 700 ECU; whereas, on 12 February 1986, imports of these products into the Community originating in China reached the ceiling in

question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 18 February 1986, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3599/85 shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
28.28 ex N (NIMEXE code 28.28-91)	Antimony oxides

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, 14 February 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 333/86

of 14 February 1986

re-establishing the levying of customs duties applicable to oxalic acid and its salts and esters falling within subheading No 29.15 AJ originating in China to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3599/85 apply

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

Having regard to Council Regulation (EEC) No 3599/85 of 17 December 1985 applying generalized tariff preferences for 1986 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 1 and 10 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I;

Whereas, as provided for in Article 11 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of oxalic acid and its salts and esters falling within subheading 29.15 AI, originating in China, the individual ceiling was fixed at 166 400 ECU; whereas, on 12 February 1986, imports of these products into the Community originating in China reached the ceiling in

question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 18 February 1986, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3599/85 shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
29.15 A I (NIMEXE code 29.15-11)	Oxalic acid and its salts and esters

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, 14 February 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 334/86

of 14 February 1986

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 27 (4),

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 3772/85⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 191/86⁽⁷⁾ as last amended by Regulation (EEC) No 284/86⁽⁸⁾;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza and rape seed and in the absence of the amount of the monthly increase for March, April, May and June 1986 for colza and rape seed, the amount of the subsidy in the case of advance fixing for February, March, April, May and June 1986 for colza and rape seed has been obtainable only provisionally on the basis of the target price and the monthly increase as last proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1985/86 marketing year is known;

Whereas, in the absence of the indicative price for the 1986/87 marketing year for colza and rape seed, in case of

advance fixing for July 1986, the amount of the subsidy on these products has been obtainable only on the basis of the indicative price proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1986/87 marketing year is known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 191/86 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ shall be as set out in the Annexes hereto.
2. The amount of the subsidy in the case of advance fixing for February, March, April, May and June 1986 for colza and rape seed will, however, be confirmed or replaced as from 15 February 1986 to take into account the indicative price which is fixed for these products for the 1985/86 marketing year, and the amount of the monthly increase for March, April, May and June 1986 for colza and rape seed.
3. The amount of the subsidy in the case of advance fixing for July 1986 will, however, for colza and rape seed, be confirmed or replaced as from 15 February 1986 to take into account the indicative price which is fixed for these products for the 1986/87 marketing year.

Article 2

This Regulation shall enter into force on 15 February 1986.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 24.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 23, 30. 1. 1986, p. 21.

⁽⁸⁾ OJ No L 33, 8. 2. 1986, p. 19.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 14 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month (1)	2nd month (1)	3rd month (1)	4th month (1)	5th month (1)	6th month (2)
1. Gross aids (ECU)	29,109	29,771	26,524	26,524	28,693	24,419
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	70,82	72,39	64,92	65,07	70,08	60,32
— Netherlands (Fl)	79,79	81,56	73,12	73,28	78,93	67,88
— BLEU (Bfrs/Lfrs)	1 351,00	1 381,73	1 231,03	1 230,09	1 330,84	1 126,02
— France (FF)	201,64	206,29	182,80	182,11	197,62	165,46
— Denmark (Dkr)	244,95	250,52	223,20	223,20	241,45	205,03
— Ireland (£ Irl)	21,835	22,332	19,892	19,663	21,311	18,000
— United Kingdom (£)	16,618	17,038	14,772	14,772	16,262	13,461
— Italy (Lit)	41 580	42 570	37 281	37 100	40 514	33 570
— Greece (Dr)	2 209,96	2 283,06	1 808,86	1 808,86	2 112,54	1 670,83

(1) On the basis of the Commission's proposal concerning the indicative price for the 1985/86 marketing year and subject to confirmation by the Council's decision.

(2) Contingent on the Council's decision on prices and related matters for the 1986/87 marketing year.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	37,779	39,206	36,981	36,981	36,981
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	91,65	94,99	89,86	90,01	90,01
— Netherlands (Fl)	103,26	107,04	101,23	101,39	101,39
— BLEU (Bfrs/Lfrs)	1 753,39	1 819,62	1 716,35	1 715,41	1 715,41
— France (FF)	262,11	272,18	256,01	255,32	255,32
— Denmark (Dkr)	317,91	329,92	311,19	311,19	311,19
— Ireland (£ Irl)	28,338	29,409	27,736	27,507	27,507
— United Kingdom (£)	21,831	22,769	21,241	21,241	21,241
— Italy (Lit)	54 259	56 433	52 777	52 596	52 596
— Greece (Dr)	3 013,48	3 190,12	2 878,59	2 878,59	2 878,59

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	2nd month	3rd month	4th month	5th month	6th month
DM	2,165960	2,157360	2,145640	2,135870	2,135870	2,114330
Fl	2,446220	2,438720	2,428160	2,419670	2,419670	2,402090
Bfrs/Lfrs	44,295600	44,343900	44,398400	44,420200	44,420200	44,504500
FF	6,634660	6,653660	6,693870	6,729280	6,729280	6,775570
Dkr	7,973560	7,962980	7,944150	7,931300	7,931300	7,920670
£ Irl	0,714929	0,719529	0,723782	0,727733	0,727733	0,736011
£	0,646985	0,648430	0,649368	0,650776	0,650776	0,656341
Lit	1 473,66	1 483,78	1 496,43	1 504,88	1 504,88	1 529,07
Dr	132,55460	132,48270	132,32280	132,20040	132,20040	132,12630

COMMISSION REGULATION (EEC) No 335/86
of 14 February 1986
fixing the aid for soya beans

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

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans⁽¹⁾, and in particular Article 2(7) thereof,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 3751/85⁽²⁾, as last amended by Regulation (EEC) No 217/86⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3751/85 to the information at present available to the Commission

that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1491/85 is hereby fixed at 35,098 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 February 1986.

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

Done at Brussels, 14 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 356, 31. 12. 1985, p. 42.

⁽³⁾ OJ No L 27, 1. 2. 1986, p. 34.

COMMISSION REGULATION (EEC) No 336/86
of 14 February 1986
fixing the amount of the aid for peas, field beans and sweet lupins used in the
feeding of animals

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas and field beans⁽¹⁾, as last amended by Regulation (EEC) No 1485/85⁽²⁾, and in particular Article 3 (6) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as amended by Regulation (EEC) No 3814/85⁽⁴⁾, and in particular Article 24 (1) thereof,

Whereas the amount of the aid referred to in Article 3 of Regulation (EEC) No 1431/82 was fixed by Commission Regulation (EEC) No 3747/85⁽⁵⁾, as last amended by Regulation (EEC) No 214/86⁽⁶⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3747/85 and in Article 105 of the Act of Accession of Greece to the information at present available to the Commission that the amount of the subsidy at present in force should be altered as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid referred to in Article 3 (1) of Regulation (EEC) No 1431/82 is fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 February 1986.

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

Done at Brussels, 14 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 9.

⁽⁵⁾ OJ No L 356, 31. 12. 1985, p. 32.

⁽⁶⁾ OJ No L 27, 1. 2. 1986, p. 28.

ANNEX

to Commission Regulation of 14 February 1986 fixing the amount of aid for peas, field beans and sweet lupins used in animal feed

Amounts of the aid applicable from 16 February 1986

(ECU/100 kg)		
Month of identification	Peas and field beans	Sweet lupins
February 1986	15,026 ⁽¹⁾	17,160
March 1986	15,026 ⁽¹⁾	17,160
April 1986	15,049 ⁽¹⁾	17,191
May 1986	15,049 ⁽¹⁾	17,191
June 1986	15,049 ⁽¹⁾	17,191
July 1986	13,969 ⁽²⁾	17,191 ⁽²⁾
August 1986	13,969 ⁽²⁾	17,191 ⁽²⁾

⁽¹⁾ Should a certificate of purchase at the minimum price include the terms : "The contract does not provide for any price adjustment in respect of the following quantity : ...", the amount of the aid shall be equal to 13,946 ECU per 100 kilograms in respect of the quantity concerned.

⁽²⁾ Dependent on the initial activating price for the aid that is set for the 1986/87 marketing year.

COMMISSION REGULATION (EEC) No 337/86

of 14 February 1986

introducing a countervailing charge on apples originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1849/85 of 2 July 1985 fixing for the 1985/86 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of February 1986 at 48,83 ECU per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 3110/83⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas under the terms of Article 394 (3) of the Act of Accession of Spain and of Portugal⁽⁷⁾ the arrangements applicable to trade between a new Member State and the Community as constituted on 31 December 1985 are those that applied before accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 6,46 ECU per 100 kilograms net is applied to apples (subheading 08.06 A II of the Common Customs Tariff) originating in Spain.

Article 2

This Regulation shall enter into force on 18 February 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 174, 4. 7. 1985, p. 18.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 14 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COUNCIL REGULATION (EEC) No 338/86

of 14 February 1986

imposing a definitive anti-dumping duty on imports of roller chains for cycles originating in the People's Republic of China and definitively collecting the provisional anti-dumping duty imposed on those imports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the Commission proposal submitted after consultations within the Advisory Committee, as provided for under the abovementioned Regulation,

Whereas :

A. Provisional action

1. The Commission, by Regulation (EEC) No 2317/85⁽²⁾ imposed provisional anti-dumping duties on imports of roller chains for cycles originating in the Soviet Union and the People's Republic of China.

B. Subsequent procedure

2. Following the imposition of the provisional anti-dumping duty, a Chinese exporter representing a significant percentage of the trade involved requested the extension of the period of validity of the provisional anti-dumping duty for a further period of two months, which was granted by Council Regulation (EEC) No 3521/85⁽³⁾.

C. Dumping

3. No new evidence on dumping has been submitted by the Chinese exporters since the imposition of the provisional duty. The findings on dumping for the People's Republic of China as set out in Regulation (EEC) No 2317/85 should therefore be confirmed.

D. Injury

4. As no fresh evidence regarding injury to the Community industry was received and in particular no evidence was submitted that imports from other non-member countries have been sold at lower prices than those from the People's Republic of China or have been dumped, the findings on injury reached in Regulation (EEC) No 2317/85 should therefore be confirmed.

E. Community interest

5. No new evidence has been submitted by Community consumers since the extension of the provisional anti-dumping duty. The findings on Community interest as set out in Regulation 2317/85 should remain, therefore, unchanged.

F. Undertaking

6. The Chinese exporters concerned were informed that the main findings of the preliminary investigation had been confirmed. An undertaking was subsequently offered by one of the exporters which the Commission considered would eliminate the injury found and which was, therefore, considered acceptable.

G. Definitive duty

7. In the light of the above findings, the amount of the definitive anti-dumping duty for the exports not subject to the abovementioned undertaking should, in principle, be the same as the amount of the provisional anti-dumping duty. However, since the investigation with regard to the USSR exporter and one of the Chinese exporters resulted in the acceptance of a price undertaking and in order to ensure an equitable treatment of imports at different prices it is considered appropriate to impose on the product originating in the People's Republic of China a variable anti-dumping duty based on a minimum price with effect similar to the effect of the *ad-valorem* duty provisionally imposed. It would be sufficient to eliminate the injury if the amount of the duty corresponded to the amount by which the free-at-Community-frontier price, before duty, is less than 0,56 ECU per metre.

H. Collection of provisional duties

8. The amounts secured by way of the provisional anti-dumping duty imposed on imports of roller chains for cycles originating in the People's Republic of China should be definitively collected in full.

HAS ADOPTED THIS REGULATION :

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of $\frac{1}{2}$ in $\times \frac{1}{8}$ in roller chains for cycles falling within heading No ex 73.29 of the Common Customs Tariff, corresponding to NIMEXE code ex 73.29-11, originating in the People's Republic of China.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 217, 14. 8. 1985, p. 7.

⁽³⁾ OJ No L 335, 13. 12. 1985, p. 61.

2. The duty shall not apply to $\frac{1}{2}$ in $\times \frac{1}{8}$ in roller chains for cycles exported to the Community by China National Light Industrial Products Import and Export Corporation, Beijing.

3. The duty shall be equal to the amount by which the free-at-Community-frontier net price per metre, before duty, is less than 0,56 ECU.

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

4. The provisions in force concerning customs duties shall apply.

Article 2

The amounts secured by way of provisional anti-dumping duty pursuant to Regulation (EEC) No 2317/85 on imports of roller chains for cycles originating in the People's Republic of China shall be definitively collected.

Article 3

This Regulation shall enter into force on the day following that 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, 14 February 1986.

For the Council

The President

H. van den BROEK

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 February 1986

accepting an undertaking given in connection with the anti-dumping investigation concerning imports of roller chains for cycles originating in the People's Republic of China and terminating that investigation

(86/33/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Provisional action

1. The Commission, by Regulation (EEC) No 2317/85⁽²⁾ imposed provisional anti-dumping duties on imports of roller chains for cycles originating in the USSR and the People's Republic of China.

B. Subsequent procedure

2. Following the imposition of the provisional anti-dumping duty, a Chinese exporter representing a significant percentage of the trade involved requested the extension of the period of validity of the provisional anti-dumping duty for a further period of two months, which was granted by Council Regulation (EEC) No 3521/85⁽³⁾.

C. Dumping

3. No new evidence on dumping has been submitted by the Chinese exporters since the imposition of the provisional duty and the Commission therefore considers its findings on dumping for China as set out in Regulation (EEC) No 2317/85 to be definitive.

Consequently, the preliminary determinations on dumping are confirmed.

D. Injury

4. As no new fresh evidence regarding injury to the Community industry was received and, in particular, no proof that imports from other non-member countries have been sold at lower prices than those from the People's Republic of China or have been dumped was submitted, the Commission therefore confirms the conclusion on injury reached in Regulation (EEC) No 2317/85.

E. Community interest

5. No new evidence was submitted by Community consumers since the extension of the provisional anti-dumping duty. The Commission's conclusions on Community interest in Regulation 2317/85 remain, therefore, unchanged.

F. Undertaking

6. The Chinese exporters concerned were informed that the main findings of the preliminary investigation had been confirmed. An undertaking was subsequently offered by one of the exporters, China National Light

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 217, 14. 8. 1985, p. 7.

⁽³⁾ OJ No L 335, 13. 12. 1985, p. 61.

Industrial Products Import & Export Corporation, Beijing, concerning its exports of roller chains for cycles to the Community.

The effect of this undertaking will be to increase the export price by an amount equivalent to the anti-dumping duty provisionally imposed and will be sufficient to eliminate the injury caused by the dumped imports.

In these circumstances, the undertaking offered is considered acceptable and the anti-dumping investigation concerning the abovementioned exporter may, therefore, be terminated without imposition of a definitive anti-dumping duty.

No objection to this course of action was raised in the Advisory Committee.

The Council is to decide under Article 12 of Regulation (EEC) No 2176/84 on the collection of the amounts secured by way of provisional duty,

HAS DECIDED AS FOLLOWS:

Article 1

The undertaking given by China National Light Industrial Products Import & Export Corporation, Beijing, in connection with the anti-dumping investigation concerning imports of roller chains for cycles falling within heading No ex 73.29 of the Common Customs Tariff, corresponding to NIMEXE Code ex 73.29-11 originating in the People's Republic of China is hereby accepted.

Article 2

The anti-dumping investigation referred to in Article 1 is hereby terminated in respect of the exporter there named.

Done at Brussels, 13 February 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION DECISION

of 12 February 1986

terminating the anti-dumping proceeding concerning imports of electronic typewriters manufactured by Nakajima All Precision Co. Ltd and originating in Japan

(86/34/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾ and in particular Article 9 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Provisional action

1. The Commission, by Regulation (EEC) No 2812/85⁽²⁾, imposed a provisional anti-dumping duty on imports of electronic typewriters manufactured by Nakajima All Precision Co Ltd (Nakajima) and originating in Japan.

B. Subsequent procedure

2. Following the imposition of the provisional duty, Nakajima and one unrelated importer requested and were granted an opportunity to be heard by the Commission. The Commission informed them in detail of the facts on which it based its provisional findings. Nakajima and the unrelated importer also made written submissions making known their views on the findings.
3. Upon its request, Nakajima was also informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of a definitive duty and the definitive collection of amounts secured by way of a provisional duty. It was granted a period within which it could make representations subsequent to these disclosure meetings. Its comments were taken into consideration.
4. In view of the fact that a considerable amount of time has elapsed since the initiation of the proceeding in March 1984 and that the provisional findings were based on a 12-month period prior to that initiation and that the proceeding with regard to Nakajima had in the meantime been terminated and then re-opened,

it was considered appropriate to base the definitive findings on an updated period of investigation. The period therefore chosen was 1 May 1984 to 30 April 1985. To this end Nakajima submitted all relevant data and supporting documentation.

C. Normal value

5. As had already been established provisionally, it was finally found that Nakajima's sales on the domestic Japanese market were not sufficiently large to allow the determination of normal value on that basis. Consequently, normal value for all models of electronic typewriters was established on the basis of constructed value.

Nakajima claimed again that a profit margin lower than that referred to in recital 16 of Council Regulation (EEC) No 1698/85⁽³⁾ and recital 8 of Regulation (EEC) No 2812/85 should be used and justified this claim on the basis of Nakajima's particular structure.

For this purpose, Nakajima submitted evidence which showed that Nakajima, contrary to all other Japanese firms involved in the proceeding concerning electronic typewriters from Japan, was basically a factory only without a conventional sales force or sales structure for any of the very limited number of products it manufactured. Nakajima only sold to a handful of customers worldwide.

It was therefore considered unreasonable to apply to Nakajima the same profit margin, as that referred to in Regulation (EEC) No 1698/85, which was determined for a firm with completely different characteristics.

No other exporter involved in this proceeding for which a profit margin on its domestic sales could be established was structured in a way comparable to Nakajima.

In view of the foregoing, Nakajima proposed that a profit margin of 26 % on turnover should be used for the determination of normal value. In view of the company's performance and its pricing policy this margin was considered reasonable.

Nakajima submitted further evidence with regard to certain other aspects of the normal value computation,

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 266, 9. 10. 1985, p. 5.

⁽³⁾ OJ No L 163, 22. 6. 1985, p. 1.

especially cost elements, direct and indirect labour and research and development. After examination, the data submitted were found acceptable.

D. Export price

6. Export prices have been definitively determined on the basis of the prices actually paid by the importers in the Community.

E. Dumping margin

7. The definitive comparison made at ex-factory level between normal value and export price on a transaction by transaction basis, shows the existence of dumping in respect of exports to the Community of electronic typewriters manufactured by Nakajima, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community. The weighted average dumping margin for all exports to the Community was found to be 1,48 %.

In view of the characteristics of the market for the product concerned, this dumping margin should be regarded as *de minimis*.

8. Consequently no protective action should be taken against imports of electronic typewriters manufactured by Nakajima,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding in respect of electronic typewriters manufactured by Nakajima All Precision Co. Ltd originating in Japan is hereby terminated.

Done at Brussels, 12 February 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3714/85 of 19 December 1985 concerning Annexes III and VII to Council Regulation (EEC) No 2072/84 on common rules for imports of certain textile products originating in the People's Republic of China

(Official Journal of the European Communities No L 357 of 31 December 1985, page 1)

On page 9, under 'Category 17' in the last column, for Italy:

for: 62,

read: 65.

Corrigendum to Council Regulation (EEC, Euratom, ECSC) No 123/86 of 20 January 1986 amending Regulation (ECSC, EEC, Euratom) 1826/69 laying down the form of the 'laissez-passer' to be issued to members and servants of the institutions

(Official Journal of the European Communities No L 18 of 24 January 1986, page 1)

The following changes should be made:

Throughout the Annex the entries in Spanish are to appear first;

Page 6, final block:

for: 'Siderne 7 til og med 18 er blanke
Seiten 7 bis einschließlich 18: leer
Σελίδες 7 έως και 18 λευκές
Pages 7 to 18 inclusive blank
Páginas 7 a 18 inclusive en blanc
Pages 7 à 18 inclues en blanc
Pagine da 7 a 18 compresa in bianco
Bladzijden 7 tot en met 18 blanco
Páginas 7 a 18 inclusive em branco',

read: 'Páginas 10 a 22 inclusive en blanco
Siderne 10 til og med 22 er blanke
Seiten 10 bis einschließlich 22: leer
Σελίδες 10 έως και 22 λευκές
Pages 10 to 22 inclusive blank
Pages 10 à 22 inclues en blanc
Pagine da 10 a 22 compresa in bianco
Bladzijden 10 tot en met 22 blanco
Páginas 10 a 22 inclusive em branco'.

GUIDE TO THE COUNCIL OF THE EUROPEAN COMMUNITIES

I/1985

The Council is at the heart of the Community deliberative process.

This guide gives an outline of its structure, its powers and its method of functioning. Updated twice yearly, it provides readers with a list of the Representatives of the Governments of the Member States who regularly take part in Council meetings, a list of the members of the Permanent Representatives Committee, an organigram of the Permanent Representation of each Member State, and the structure of the General Secretariat of the Council. It also contains useful information on the Committees working within the Council, the joint Association and Cooperation Councils, the ACP-EEC Council of Ministers and the Representations of the ACP States to the Community.

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