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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1058/86
of 8 April 1986
imposing a definitive anti-dumping duty on imports of certain electronic scales
originating in Japan

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 presented after consultations within the Advisory Committee set up under the above Regulation,

Whereas :

A. Provisional action

1. By Regulation (EEC) No 2865/85⁽²⁾ the Commission imposed a provisional anti-dumping duty on imports of certain electronic scales originating in Japan and terminated the investigation as regards Yamato Scale Co. Ltd, Teraoka Seiko Co. Ltd and Kubota Ltd. This duty was extended for a period not exceeding two months by Regulation (EEC) No 265/86⁽³⁾.

B. Continuation of investigation

2. After the provisional anti-dumping duty had been imposed, one exporter and a number of Community producers which had lodged complaints asked for, and obtained, a Commission hearing. The Commission gave detailed information on the reasons for its provisional conclusions. The exporter also made known its views on the conclusions in writing.
3. At their request the parties concerned were also informed of the main facts and considerations on the basis of which the Commission intended to propose the establishment of definitive duties and the definitive collection of the amounts provided as security under a provisional anti-dumping duty. The Commis-

sion granted them a period during which they were able to make known their views. Their comments were taken into consideration.

C. Dumping

4. As regards the Ishida company, none of the parties concerned sent in any new evidence or put forward any arguments convincing enough to call into question the Commission's findings concerning the dumping as set out in Regulation (EEC) No 2865/85, so that these findings are henceforth considered to be definitive.
5. In the case of Tokyo Electric Co. (hereinafter referred to as 'TEC') the method used by the Commission to determine dumping was again disputed.

Irrespective of the points already made in this respect by the Commission in its Regulation (EEC) No 2865/85, which the Council endorses, the arguments put forward by TEC cannot be accepted for the following reasons.

D. Normal value

6. Normal value for imports of all scales from Ishida Scales Manufacturing Co. Ltd and for some imports of scales from TEC were based on the prices of domestic sales in Japan. With regard to the sales realized by TEC through its sales company, the Council confirms the conclusion of the Commission in the 15th recital of Regulation (EEC) No 2865/85 that, within the framework of TEC's organization, both the manufacturing firm and the sales company formed part of the one corporate structure, the sales company fulfilling functions substantially similar to those of a sales branch or sales department. The fact that the sales company in law constitutes an independent undertaking does not alter the fact that one is dealing here with a single economic entity. What is of relevance in this case is not the legal structure but the fact that the main function of the sales company is to sell, or promote the sale of, the corporate product and that it is controlled by the corporate parent company whether because of majority share ownership or otherwise.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 275, 16. 10. 1985, p. 5.

⁽³⁾ OJ No L 32, 7. 2. 1986, p. 4.

In the case of TEC, its sales company is controlled by the corporate parent company and its exclusive function is to sell the corporate products on the domestic market. The sales company is therefore to be seen as part of its corporate structure and only selling prices charged by this company to clients independent of it can be regarded as occurring in the ordinary course of trade and therefore be taken to reflect the product's true normal value.

Because TEC's sales company's sales to end-users were at higher prices than its sales to dealers only, the sales prices to dealers were taken into consideration to facilitate comparison of normal value and export prices at the same level of trade.

7. Normal value for imports of scales for which there were no sales on the domestic market of comparable models was constructed as set out in the 17th, 18th and 19th recitals of Regulation (EEC) No 2865/85. The conclusions of the Commission in this respect are confirmed by the Council.

TEC points out that on the basis of Article 2 (3) (b) (ii) of Regulation (EEC) No 2176/84 the constructed normal value is intended to determine the value of the product on export and that there is therefore no reason to include in the constructed value the general expenses of the sales subsidiary on the Japanese market.

The abovementioned provision stipulates that the constructed normal value should be determined by adding the cost of production and a reasonable profit margin. This means all costs in the ordinary course of trade in the country of origin, including selling costs, administrative and other general expenses. It follows clearly that the constructed normal value must be determined as if the sales had taken place on the domestic market. This is, moreover, the only possible method of constructing a normal value that is equivalent to the normal value in its usual form, namely the price actually paid in the ordinary course of trade on the market of the exporting country or country of origin.

8. According to TEC, the method adopted by the Community institutions is compatible with Article 2 (9) of Regulation (EEC) No 2176/84, in that the incorporation of general and selling expenses of a sales subsidiary conflicts with the requirement that comparison be made at the ex-works stage.

This argument cannot be accepted. In the first place, Article 2 (9) concerns allowances to be made after the

normal value has been determined in accordance with Article 2 (3) (b) (ii). In addition, the constructed value is a reconstruction of the price which would actually be paid in the ordinary course of trade on the market of the exporting country; it must inevitably, therefore, in the same way as this price, incorporate the general and selling expenses which are normally included in this price. Just like the market price, a normal value thus constructed may be subject subsequently to adjustments pursuant to Article 2 (9).

E. Export price

9. TEC also raised the point that since in the case of associated importers, all costs of the importer are taken into account for the purpose of constructing the export price, an identical approach should be followed where sales on the domestic market are being made indirectly through an associated sales company. This argument confuses two different issues, namely the construction of the export price on the basis of a resale price of a related importer, and the comparison between normal value and export price. For the purpose of constructing the export price, Regulation (EEC) No 2176/84 prescribes the deduction of all costs incurred between importation and resale. This is designed to arrive at an export price which is not influenced by the relationship between the exporting company and its associated importers. As to the comparison between normal value and export price other rules apply which have led to price adjustments for all allowable factors, as explained under the 23rd recital of Regulation (EEC) No 2865/85.

F. Comparison

10. According to TEC, an export price based on sales to a distributor, on the one hand, and a normal value including general expenses incurred by a distributor on the domestic market, on the other, are determined at different levels of trade and adjustment must accordingly be made in accordance with Articles 2 (9) and 10 (3) of Regulation (EEC) No 2176/84.

The adjustment requested for administrative and general expenses cannot be granted: this is because, generally speaking, no adjustment is made for differences in administrative and general expenses; none of the arguments produced by TEC would justify a departure from this general rule; in particular, it has not been demonstrated that, in the present case, differences in administrative and general expenses would have a direct and functional connection with the sales under consideration.

11. TEC points out that deducting all costs incurred by the subsidiary in the Community plus a profit margin gives an export price for a distributor, whereas including all general expenses incurred by the subsidiary in Japan gives a normal value at the level of sales to dealers and end users; from this TEC deduces that comparison is not made at the same level of trade.

It should be remembered that under the terms of Article 2 (9) the export price and the normal value must normally be compared at the same level of trade, preferably at the ex-works stage, i.e., at the level of sale to the first independent buyer. In the present case, the normal value and the export price are compared at the same level, as the sales taken into consideration were sales to first independent buyers belonging to similar buyer categories. Moreover, this rule does not invalidate the special rule contained in Article 2 (8) (b) with regard to the construction of the export price applicable in the present case; besides, if all the costs and profit of an associated importer were not deducted when the export price was reconstructed, such an associated importer would be receiving more favourable treatment than an independent importer whose purchase price must normally allow for such costs plus a profit margin.

12. In order to make a fair comparison between the normal value and export prices, appropriate account was taken of the differences affecting price comparability, such as differences in the terms and conditions of sale where it could be demonstrated that there was a direct relationship between such differences and the sales in question. In this context, account was taken of additional information and evidence provided by TEC showing a direct relationship between certain costs incurred by the sales subsidiary in Japan and sales of scales or demonstrating that such costs were directly attributable to sales of other products by the parent company.

13. TEC requested adjustments in order to allow for the lower prices at which certain models, whose production was halted during the first period of investigation, were exported to the Community in the second period of investigation, pointing out that such price reductions would have been necessary also on the Japanese market. Appropriate adjustments were granted.

14. It was also accepted, on the basis of additional evidence, that certain costs incurred by the subsidiary in the United Kingdom should not be taken into account when determining export prices.

15. The additional adjustments granted involved amendment of the dumping margin as first determined in respect of TEC. The definitive dumping margin is

calculated as a weighted average of 8,4 % for the first period from October 1982 to August 1983 and 20,6 %, for the second period of investigation from September 1983 to June 1984.

G. Injury

16. The Commission's conclusions with regard to injury caused by the dumped imports, which appear in Regulation (EEC) No 2865/85 were contested by TEC.

17. TEC claims that most Community producers did not take part in the investigation, either because like the Italian producers, they did not support the complaint from the outset, or because they stopped cooperating by not answering the questionnaires sent to them by the Commission in order to obtain additional information for the updated investigation period. It is alleged, therefore, that since the Commission's conclusions are based on information from only three Community producers, they are not a true reflection of the general situation in the Community industry concerned.

First of all, it should be noted that the Commission made sure that the three producers which continued to play an active part in the investigation account for a major proportion of Community production, excluding producers who have links with the exporters. By this definition, the three producers account for the bulk of Community production — over 70 % in fact. Moreover, as regards the trend of market shares for the Community as a whole, the Commission used the information supplied by the European Committee of Weighing Instrument Manufacturers, supplemented by detailed, confidential information which was provided by the producers which lodged the complaint and was checked on the spot. Lastly, as regards the Italian market, Italy's legislation on weights and measures is such that production and sales of electronic scales incorporating a strain-gauge sensor the measuring weight — the only type of scales covered by this proceeding — are practically non-existent and so have no effect on the Commission's conclusions concerning the injury cause to the Community industry.

TEC has not, moreover, provided different information which could call into question the outcome of the investigation, particularly as regards the trend of imports of electronic scales originating in Japan and the trend of their market shares, both in the Community as a whole and in certain Member States referred to in the 32nd recital of Regulation (EEC) No 2865/85.

18. TEC also claims that the Community did not correctly assess the situation of certain producers which lodged a complaint, since the appreciable increase in their production and sales would suggest that they did not suffer injury as a result of imports of scales originating in Japan.

Although the production and sales of certain Community producers have continued to rise, despite the increasing pressure from Japanese imports, the growth of Community producers' sales on the Community markets most affected by Japanese imports has been very restrained compared with that of their sales in the Member States where the Japanese products have had little success owing to those States' legislation on weights and measures; the disparities in this legislation explain, moreover, why scales sold in one Member State are generally not exported to another Member State. Of the increase in the production and sales of three main Community producers between 1981 and 1984, 62 % was accounted for by sales in the Member States which do not import any appreciable quantity from Japan, and only 12 % by sales in the Member States where Japanese imports have their largest market shares, even though consumption in the latter Member States almost doubled over the same period. Although certain Community producers made greater inroads into markets where there was no competition from Japan, they nevertheless suffered significant injury on markets where they were directly confronted with competition from Japan.

19. TEC also asserts that the prices at which imports were sold in the Community could not be the cause of injury to Community industry, since the lowest prices on the markets of certain Member States were those charged by Community producers and in any event no undercutting of the prices of Community producers had been ascertained by the Commission.

The Commission analyzed in the 34th recital of Regulation (EEC) No 2865/85 the pattern of prices of electronic balances produced in the Community compared with the prices of scales imported from Japan.

The Council agrees with this analysis. The fact that the Commission did not find systematic and substantial price undercutting by Japanese producers of scales is not sufficient to dispel the injury. Community producers had in fact to align their prices on the prices of Japanese scales, i.e., set them at a level at which they only partially covered their costs, or in

some cases they had to stop competing altogether, while other producers had to allow a growing share of their market to be taken over by dumped imports.

In evaluating the injury, it is not relevant to establish whether, as alleged by TEC, in a number of transactions the prices of dumped imports were undercut by certain Community producers trying to defend their share of the market. It is obvious that in a situation where there is normal competition these imports at dumped prices are more than sufficient in terms of volume and market share, to determine the level of prices of the Community markets particularly affected. It has been clearly demonstrated that on these markets, namely the United Kingdom, Belgium, the Netherlands and Greece, the level of the prices is too low to cover Community producers' costs, much less secure a reasonable profit.

The pattern of the market shares held by imports dumped on the markets of the Member States referred to above clearly shows that whenever Community producers' market share drops the Japanese competitors move in, but this does not have any positive effect on the level of prices and hence does not improve the extent to which costs are covered. In such circumstances Community producers either have to withdraw from the market or defend their market position by setting their prices below the cost price. It is true that an undertaking can, over a limited period, to some extent stop making a profit and recouping all its costs; in longer term such a policy is bound to undermine seriously its viability. There is therefore no doubt that growing dumping margins combined with a sharp increase in the quantities imported, particularly by TEC, compel Community producers to adopt a ruinous commercial strategy and so causes them considerable injury.

20. None of the arguments presented by TEC calls into question the validity of the conclusion reached by the Commission in its preliminary findings concerning the injury suffered; this conclusion is consequently confirmed.

H. Community interest

21. In view of the particularly serious difficulties facing the Community industry, and given its economic, social and technological importance, the Council has reached the conclusion that it is in the Community's interest to take measures. In these circumstances it is necessary, in order to protect the Community's interests, to introduce a definitive anti-dumping duty on imports of electronic scales originating in Japan.

I. Undertaking

22. TEC offered a new undertaking concerning its future exports to the Community.

Following consultations, the Commission did not accept this undertaking. It informed TEC of the reasons for this Decision.

J. Observations made by the parties concerned on the measures proposed by the Commission

23. TEC argued that imposing an anti-dumping duty at the level of its definitive dumping margin was unjustified since it would allow Japanese competitors with a lower dumping margin to set prices lower than those TEC would have to set after introduction of the duty. In other words, the Commission would be establishing the normal value for TEC's products at a different level of trade from that taken into consideration for other exporters.

This argument cannot be accepted for the following reasons. First, contrary to what is claimed by TEC, the normal values for all the Japanese producers concerned were determined at the same level of trade (see 11th recital), the factors taken into consideration being, depending on the case, sales to independent dealers or production costs plus selling and administrative expenses and other general expenses incurred by independent dealers in marketing the product, together with a reasonable profit margin.

Secondly, although the Japanese competitors, Yamato and Teraoka, sold scales to certain companies in which they have holdings of 5 % or more, these sales did not account for more than 25 % of these two companies' sales in Japan. The normal values determined on the basis of at least 75 % of these companies' sales to independent dealers may be regarded as representative and non-discriminatory. The investigation did not reveal any sales to associate buyers in the case of Kubota and Ishida.

24. TEC also complained that the Commission had determined the dumping margin to be taken into consideration for the definitive duty using only the results of the second investigation period from September 1983 to June 1984, ignoring the results of the first period between September 1982 and August 1983, whereas in the case of the Kubota company only the results of the first investigation had been taken into account.

TEC requested that dumping be established on the basis of both investigation periods, or alternatively, that if production of certain models had stopped before September 1983, these models should be

excluded from the calculations based on the second investigation period.

This request cannot be granted. The case establishing dumping on the basis of the updated investigation period, as set out in Commission Regulation (EEC) No 2865/85 (38th recital) remains valid.

Furthermore, the dumping margins established in the case of TEC rose steadily in the course of the two investigation periods, and this was accompanied by a sharp increase in the quantities exported to the Community, which was not the case for the other Japanese producers concerned. This merely confirms the fact that the size of TEC's dumping margins, which rose from 4,8 % at the beginning of the first investigation period to 23,0 % at the end of the second period, is not the result of a discriminatory method of calculation, as TEC claims, but of a significant drop in the prices charged by this company on the Community market. On the question of models of scales no longer in production, but previously exported to the Community at very low prices, there is no reason for the Commission to exclude them from its calculations to establish dumping. These sales contributed to the injury caused to Community industry. However, due account was taken of these sales at reduced prices in the price comparison (see 13th recital).

Lastly, the argument that Kubota's price undertaking was accepted on the basis of dumping established during only part of the period considered in the case of TEC must be rejected.

In the first investigation period, Kubota exported to only one Member State and the quantities concerned were relatively small compared to those exported by the other Japanese firms. In the second investigation period, the Commission did not receive any information from either the complainants or the other parties concerned to the effect that Kubota had exported scales to the Community. Moreover, TEC's argument could not constitute grounds for re-examining the undertaking made by Kubota when no information has been made available to back up the argument.

25. One of the Community producer complainants disputed the method of calculation used for determining the proposed anti-dumping duty, the method being based on the weighted average of dumping margins for the whole Community. This complainant requested that the level of the anti-dumping duty be based on the highest known dumping margin on the markets of the Member States, so as to take account of the special nature of the electronic scales market.

This request cannot be granted. First, such a method would lead to excessive duties, as the Commission explained in Regulation (EEC) No 2865/85. Secondly, the aim of anti-dumping measures is not to eliminate

the injury caused to one individual Community producer; it is the situation of the whole Community industry affected by dumped imports which has to be taken into consideration.

K. Rate of duty

26. The results of the updated investigation period from September 1983 to June 1984 should be those which determine the rate of duty, since an average taken of the whole investigation period would not accurately reflect the real situation, notably as regards the injury caused most recently.

In view of the difference between the prices at which electronic scales originating in Japan are sold in the Community and the prices deemed necessary to cover Community producers' production costs and give an adequate profit margin, the anti-dumping duty should be set at the level of the overall dumping margin as definitively established for the updated investigation period.

In view of the price differences between the various models of scales in question, the anti-dumping duty should be set in the form of a percentage rate *ad valorem*.

There were other companies for which dumping margins were found comparable to that of Ishida Scales Manufacturing Co. Ltd, but those companies offered price undertakings which were considered acceptable by the Commission as set out in recitals 40 and 41 of Regulation (EEC) No 2865/85.

L. Collection of the provisional duty

27. Given that dumped imports of certain electronic scales originating in Japan have caused material injury to the Community industry concerned, the amounts secured by way of provisional anti-dumping duty should be definitively collected up to the

amount of the definitively established dumping margins,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of electronic scales for use in the retail trade which incorporate a digital display of the weight, unit price and price to be paid (whether or not including a means of printing these data) falling within heading No ex 84.20 of the Common Customs Tariff, corresponding to NIMEXE code ex 84.20-81, originating in Japan, with the exception of those produced by Yamato Scale Co. Ltd, Teraoka Seiko Co. Ltd, and Kubota Ltd.

2. The rate of the anti-dumping duty shall be 20,6 % of the net free-at-Community-frontier price before duty.

For imports of electronic scales produced by Ishida Scales Manufacturing Co. Ltd the rate of duty shall be 1,5 % of the net free-at-Community-frontier price before duty.

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

Article 2

The amounts secured by way of the anti-dumping duty under Regulation (EEC) No 2865/85 shall be definitively collected up to the amount of the definitively established dumping margins.

Article 3

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 Luxembourg, 8 April 1986.

For the Council

The President

G. M. V. van AARDENNE

COUNCIL REGULATION (EEC) No 1059/86

of 8 April 1986

amending Regulation (EEC) No 1900/85 introducing Community export and import declaration forms

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Regulation (EEC) No 1900/85 ⁽⁴⁾ introduced Community export and import declaration forms; whereas those forms must correspond to the specimen single document form COM drawn up in accordance with Council Regulation (EEC) No 679/85 of 18 February 1985 introducing a specimen declaration form to be used in trade in goods within the Community ⁽⁵⁾;

Whereas the introduction of the single document requires the adoption of implementing provisions, particularly for the formulation of the codes to be used in trade between Member States; whereas Regulation (EEC) No 679/85 provided for that possibility;

Whereas no such provision was made in Regulation (EEC) No 1900/85 as regards trade between the Community and third countries; whereas, however, it became apparent, when the implementing provisions concerning the single document were being drawn up, that it is impossible in particular to establish Community codes for trade between Member States without taking account at the same time of requirements in respect of trade with third countries; whereas the need for provisions for applying Regulation (EEC) No 1900/85 may not be confined to the mere formulation of codes;

Whereas Regulation (EEC) No 1900/85 should be amended as a result,

Article 1

Regulation (EEC) No 1900/85 is hereby amended as follows:

1. The following Article shall be inserted:

'Article 3a

The lodging with a customs office of a declaration signed by the declarant or his representative shall indicate that the person concerned is declaring the goods in question for the procedure applied for and, without prejudice to the possible application of penal provisions, shall be equivalent to the engagement of responsibility, under the provisions in force in the Member States, in respect of:

- the accuracy of the information given in the declaration,
- the authenticity of the documents attached, and
- the observance of all the obligations inherent in the entry of the goods in question under the procedure concerned.'

2. Article 8 shall be replaced by the following:

'Article 8

Subject to Article 4, the provisions for applying this Regulation, and in particular, those relating to the codes to be used in connection with forms EX, EX/c, IM and IM/c for trade in goods between the Community and non-member countries and for trade between Member States in goods not complying with the conditions laid down in Article 9 (2) of the Treaty shall be adopted in accordance with the procedure referred to in Article 17 of Regulation (EEC) No 678/85.'

3. Article 8 shall become Article 9.

4. Article 9 shall become Article 10 and be worded as follows:

'Article 10

This Regulation shall enter into force on 1 April 1986. It shall apply from 1 January 1988.'

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*.

⁽¹⁾ OJ No C 348, 31. 12. 1985, p. 25.

⁽²⁾ Opinion delivered on 14 March 1986 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 27 February 1986 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 179, 11. 7. 1985, p. 4.

⁽⁵⁾ OJ No L 79, 21. 3. 1985, p. 7.

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

Done at Luxembourg, 8 April 1986.

For the Council

The President

G.M.V. van AARDENNE

COMMISSION REGULATION (EEC) No 1060/86

of 11 April 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 the Act of Accession of Spain and Portugal,

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 720/86⁽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 10 April 1986 ;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients ;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 720/86 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 12 April 1986.

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

Done at Brussels, 11 April 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 65, 7. 3. 1986, p. 31.

ANNEX

to the Commission Regulation of 11 April 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)	
		Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	—	168,26
10.01 B II	Durum wheat	19,55	216,07 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	37,69	157,64 ⁽⁶⁾
10.03	Barley	32,47	157,12
10.04	Oats	72,69	143,49
10.05 B	Maize, other than hybrid maize for sowing	—	151,88 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	32,47	58,14 ⁽⁴⁾
10.07 C	Grain sorghum	—	154,60 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	—	0 ⁽⁷⁾
11.01 A	Wheat or meslin flour	—	249,95
11.01 B	Rye flour	68,02	235,95
11.02 A I a)	Durum wheat groats and meal	44,06	348,66
11.02 A I b)	Common wheat groats and meal	—	267,46

⁽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 1061/86

of 11 April 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 the Act of Accession of Spain and Portugal,

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 10 April 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 Annexes 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 Annexes hereto.

Article 2

This Regulation shall enter into force on 12 April 1986.

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

Done at Brussels, 11 April 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 I

to the Commission Regulation of 11 April 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from Portugal

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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

ANNEX II

to the Commission Regulation of 11 April 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1,99	1,99	1,99
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 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 1062/86

of 11 April 1986

fixing the quantities of pigmeat to be offered for sale by invitation to tender and at a fixed price in April 1986 pursuant to Article 2 of Regulation (EEC) No 2858/85 and publishing the results of the invitation to tender of 25 March 1986

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 20 thereof,

Whereas Article 2(2) of Commission Regulation (EEC) No 2858/85 of 11 October 1985 on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85⁽³⁾, as last amended by Regulation (EEC) No 3698/85⁽⁴⁾, provides that the quantities of meat to be sold in the monthly invitation to tender are to be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75; whereas the quantities for the invitation to tender of 29 April 1986 need to be fixed in accordance with the availability of meat and the current state of the market for pigmeat;

Whereas Article 8(1) of Regulation (EEC) No 2858/85 further provides that the quantities not sold in a given invitation to tender are to be sold at a fixed price in accordance with the terms set out therein; whereas Article 8(2) provides that the quantities to be thus sold are to be published in the *Official Journal of the European Communities* at the same time as the results of the invitation to tender relating thereto;

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

Article 1

The Belgian intervention agency shall put up for sale, in accordance with Articles 2(2) and 3(1) of Regulation (EEC) No 2858/85, 6 000 tonnes of pigmeat in the invitation to tender of 29 April 1986.

Article 2

1. In accordance with Articles 2(2) and 3(1) of Regulation (EEC) No 2858/85, the results of the invitation to tender of 25 March 1986 appear in Annex I hereto.

2. In accordance with the provisions of Article 8(1) of Regulation (EEC) No 2858/85 the quantities of meat remaining for sale at a fixed price as from 14 April 1986 appear in Annex II as well as the price applicable to the product in question.

Article 3

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

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ OJ No L 351, 28. 12. 1985, p. 51.

ANNEX I

Results of 25 March 1986 invitation to tender in accordance with Articles 2 (2) and 3 (1) of Regulation (EEC) No 2858/85

NATIONAL HEALTH MARK

Description of products	Quantities accepted (tonnes)	Minimum price (ECU/tonne)
Hams, frozen (ex 02.01 A III a) 2)	19,500	800

COMMUNITY HEALTH MARK

Description of products	Quantities accepted (tonnes)	Minimum price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	50,000	330
Hams, frozen (ex 02.01 A III a) 2)	240,966	870
Shoulders or fore-ends, frozen (ex 02.01 A III a) 3)	192,984	510
Loins, frozen (ex 02.01 A III a) 4)	80,000	750
Bellies with rind, frozen (ex 02.01 A III a) 5)	19,996	320

ANNEX II

Quantities of meat remaining for sale at fixed prices as from 14 April 1986 in accordance
with Article 8 (1) of Regulation (EEC) No 2858/85

NATIONAL HEALTH MARK

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	22. 4. 1985 — 28. 4. 1985	20,000	(a)	380
	22. 4. 1985 — 28. 4. 1985	49,962	(c)	
	22. 4. 1985 — 28. 4. 1985	17,468	(e)	
	22. 4. 1985 — 28. 4. 1985	46,220	(g)	
		<u>133,650</u>		
Hams, frozen (ex 02.01 A III a) 2)	1. 4. 1985 — 7. 4. 1985	14,702	(c)	850
	1. 4. 1985 — 7. 4. 1985	19,612	(p)	
	8. 4. 1985 — 14. 4. 1985	33,995	(a)	
	8. 4. 1985 — 14. 4. 1985	10,000	(c)	
	8. 4. 1985 — 14. 4. 1985	4,728	(k)	
	8. 4. 1985 — 14. 4. 1985	17,588	(r)	
	15. 4. 1985 — 21. 4. 1985	92,142	(a)	
	15. 4. 1985 — 21. 4. 1985	105,608	(a)	
	15. 4. 1985 — 21. 4. 1985	0,060	(a)	
	15. 4. 1985 — 21. 4. 1985	96,048	(c)	
	15. 4. 1985 — 21. 4. 1985	92,572	(q)	
	15. 4. 1985 — 21. 4. 1985	14,372	(r)	
	22. 4. 1985 — 28. 4. 1985	119,587	(a)	
	22. 4. 1985 — 28. 4. 1985	168,093	(a)	
	22. 4. 1985 — 28. 4. 1985	44,694	(i)	
	22. 4. 1985 — 28. 4. 1985	20,000	(j)	
	22. 4. 1985 — 28. 4. 1985	9,171	(k)	
	29. 4. 1985 — 30. 4. 1985	77,302	(r)	
	1. 5. 1985 — 5. 5. 1985	99,743	(c)	
	1. 5. 1985 — 5. 5. 1985	4,922	(d)	
	6. 5. 1985 — 12. 5. 1985	144,880	(a)	
	6. 5. 1985 — 12. 5. 1985	49,986	(c)	
	6. 5. 1985 — 12. 5. 1985	44,757	(i)	
	6. 5. 1985 — 12. 5. 1985	35,461	(v)	
	6. 5. 1985 — 12. 5. 1985	32,129	(w)	
	13. 5. 1985 — 19. 5. 1985	5,418	(r)	
		<u>1 357,570</u>		
Fore-ends or shoulders, frozen (ex 02.01 A III a) 3)	1. 4. 1985 — 7. 4. 1985	9,952	(c)	560
	1. 4. 1985 — 7. 4. 1985	4,528	(p)	
	8. 4. 1985 — 14. 4. 1985	70,579	(a)	
	8. 4. 1985 — 14. 4. 1985	54,601	(c)	
	15. 4. 1985 — 21. 4. 1985	213,692	(a)	
	15. 4. 1985 — 21. 4. 1985	114,947	(a)	
	15. 4. 1985 — 21. 4. 1985	43,130	(c)	
	15. 4. 1985 — 21. 4. 1985	49,752	(q)	
	15. 4. 1985 — 21. 4. 1985	14,826	(r)	
	22. 4. 1985 — 28. 4. 1985	149,736	(a)	
	22. 4. 1985 — 28. 4. 1985	152,542	(a)	
	22. 4. 1985 — 28. 4. 1985	20,000	(j)	
	22. 4. 1985 — 28. 4. 1985	4,720	(k)	
	22. 4. 1985 — 28. 4. 1985	39,420	(r)	
	28. 4. 1985 — 29. 4. 1985	37,798	(i)	
	29. 4. 1985 — 30. 4. 1985	183,751	(a)	
	29. 4. 1985 — 30. 4. 1985	9,710	(d)	
	29. 4. 1985 — 30. 4. 1985	12,184	(r)	
	6. 5. 1985 — 12. 5. 1985	44,602	(i)	
	6. 5. 1985 — 12. 5. 1985	43,220	(k)	
	6. 5. 1985 — 12. 5. 1985	11,274	(r)	
	6. 5. 1985 — 12. 5. 1985	28,639	(v)	
	13. 5. 1985 — 19. 5. 1985	3,605	(r)	
		<u>1 317,208</u>		

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Loins, frozen (ex 02.01 A III a) 4)	1. 4. 1985 — 7. 4. 1985	10,567	(c)	800
	1. 4. 1985 — 7. 4. 1985	8,736	(p)	
	15. 4. 1985 — 21. 4. 1985	10,000	(c)	
	15. 4. 1985 — 21. 4. 1985	15,164	(r)	
	22. 4. 1985 — 28. 4. 1985	40,000	(j)	
	29. 4. 1985 — 30. 4. 1985	50,000	(d)	
	29. 4. 1985 — 30. 4. 1985	16,890	(r)	
	1. 5. 1985 — 5. 5. 1985	5,000	(d)	
	12. 5. 1985 — 19. 5. 1985	11,811	(r)	
		168,168		
Bellies with rind, frozen (ex 02.01 A III a) 5)	8. 4. 1985 — 14. 4. 1985	20,000	(c)	370
	15. 4. 1985 — 21. 4. 1985	10,000	(c)	
	15. 4. 1985 — 21. 4. 1985	8,082	(r)	
	22. 4. 1985 — 28. 4. 1985	5,000	(d)	
	29. 4. 1985 — 30. 4. 1985	10,805	(r)	
	13. 5. 1985 — 19. 5. 1985	3,186	(r)	
		57,073		
Bellies without rind, frozen (ex 02.01 A III a) 6) aa)	1. 4. 1985 — 7. 4. 1985	9,630	(c)	370
	1. 4. 1985 — 7. 4. 1985	4,931	(p)	
		14,561		
Total		3 048,230		

COMMUNITY HEALTH MARK

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	6. 5. 1985 — 12. 5. 1985	8,459	(t)	380
	6. 5. 1985 — 12. 5. 1985	183,549	(u)	
		192,008		
Hams, frozen (ex 02.01 A III a) 2)	1. 4. 1985 — 7. 4. 1985	50,000	(j)	920
	1. 4. 1985 — 7. 4. 1985	50,000	(q)	
	8. 4. 1985 — 14. 4. 1985	99,064	(q)	
	15. 4. 1985 — 21. 4. 1985	40,000	(d)	
	15. 4. 1985 — 21. 4. 1985	92,857	(m)	
	22. 4. 1985 — 28. 4. 1985	185,693	(q)	
	6. 5. 1985 — 12. 5. 1985	32,238	(r)	
	6. 5. 1985 — 12. 5. 1985	181,694	(v)	
	10. 6. 1985 — 16. 6. 1985	33,431	(v)	
	10. 6. 1985 — 16. 6. 1985	16,720	(y)	
	17. 6. 1985 — 23. 6. 1985	13,745	(e)	
	17. 6. 1985 — 23. 6. 1985	11,579	(v)	
	17. 6. 1985 — 23. 6. 1985	49,900	(y)	
		856,921		
Fore-ends or shoulders, frozen (ex 02.01 A III a) 3)	8. 4. 1985 — 14. 4. 1985	5,000	(p)	560
	15. 4. 1985 — 21. 4. 1985	58,799	(a)	
	15. 4. 1985 — 21. 4. 1985	32,219	(d)	
	15. 4. 1985 — 21. 4. 1985	49,999	(g)	
	15. 4. 1985 — 21. 4. 1985	0,092	(k)	
	15. 4. 1985 — 21. 4. 1985	70,000	(q)	
	6. 5. 1985 — 12. 5. 1985	45,713	(i)	
	6. 5. 1985 — 12. 5. 1985	6,517	(o)	
	6. 5. 1985 — 12. 5. 1985	3,832	(r)	
	6. 5. 1985 — 12. 5. 1985	162,068	(v)	
	13. 5. 1985 — 19. 5. 1985	62,402	(w)	
	10. 6. 1985 — 16. 6. 1985	29,681	(v)	
	10. 6. 1985 — 16. 6. 1985	71,520	(y)	
	12. 6. 1985 — 23. 6. 1985	116,918	(v)	
	17. 6. 1985 — 23. 6. 1985	28,882	(g)	
	17. 6. 1985 — 23. 6. 1985	44,803	(y)	
		788,445		

Description of products	Week of initial storage	Quantity (tonnes)	Warehouse	Price (ECU/tonne)
Loins, frozen (ex 02.01 A III a) 4)	25. 3. 1985 — 31. 3. 1985	14,969	(p)	800
	1. 4. 1985 — 7. 4. 1985	20,000	(g)	
	1. 4. 1985 — 7. 4. 1985	50,000	(k)	
	1. 4. 1985 — 7. 4. 1985	5,981	(p)	
	1. 4. 1985 — 7. 4. 1985	40,000	(p)	
	1. 4. 1985 — 7. 4. 1985	20,000	(s)	
	8. 4. 1985 — 14. 4. 1985	39,706	(g)	
	8. 4. 1985 — 14. 4. 1985	146,780	(j)	
	8. 4. 1985 — 14. 4. 1985	49,644	(p)	
	8. 4. 1985 — 14. 4. 1985	14,955	(p)	
	8. 4. 1985 — 14. 4. 1985	50,000	(q)	
	8. 4. 1985 — 14. 4. 1985	20,000	(s)	
	15. 4. 1985 — 21. 4. 1985	150,000	(j)	
	15. 4. 1985 — 21. 4. 1985	29,217	(m)	
	15. 4. 1985 — 21. 4. 1985	50,000	(q)	
	15. 4. 1985 — 21. 4. 1985	18,718	(r)	
	15. 4. 1985 — 21. 4. 1985	40,000	(g)	
	22. 4. 1985 — 28. 4. 1985	17,717	(a)	
	29. 4. 1985 — 30. 4. 1985	14,702	(r)	
	6. 5. 1985 — 12. 5. 1985	14,980	(m)	
	13. 5. 1985 — 19. 5. 1985	11,116	(r)	
	10. 6. 1985 — 16. 6. 1985	21,230	(y)	
	17. 6. 1985 — 23. 6. 1985	17,460	(e)	
	17. 6. 1985 — 23. 6. 1985	21,460	(y)	
		878,635		
Bellies with rind, frozen (ex 02.01 A III a) 5)	1. 4. 1985 — 7. 4. 1985	19,816	(p)	370
	8. 4. 1985 — 14. 4. 1985	18,892	(a)	
	8. 4. 1985 — 14. 4. 1985	5,000	(p)	
	8. 4. 1985 — 14. 4. 1985	49,690	(q)	
	15. 4. 1985 — 21. 4. 1985	94,672	(a)	
	15. 4. 1985 — 21. 4. 1985	5,000	(b)	
	15. 4. 1985 — 21. 4. 1985	39,416	(l)	
	15. 4. 1985 — 21. 4. 1985	59,921	(l)	
	15. 4. 1985 — 21. 4. 1985	28,858	(m)	
	15. 4. 1985 — 21. 4. 1985	39,780	(p)	
	15. 4. 1985 — 21. 4. 1985	9,505	(r)	
	22. 4. 1985 — 28. 4. 1985	9,570	(b)	
	22. 4. 1985 — 28. 4. 1985	90,834	(j)	
	22. 4. 1985 — 28. 4. 1985	29,150	(m)	
	22. 4. 1985 — 28. 4. 1985	2,690	(r)	
	29. 4. 1985 — 30. 4. 1985	6,629	(r)	
	6. 5. 1985 — 12. 5. 1985	59,529	(m)	
	6. 5. 1985 — 12. 5. 1985	29,186	(m)	
	13. 5. 1985 — 19. 5. 1985	5,382	(r)	
	10. 6. 1985 — 16. 6. 1985	10,000	(e)	
	10. 6. 1985 — 16. 6. 1985	9,990	(y)	
	17. 6. 1985 — 23. 6. 1985	8,610	(e)	
		632,120		
Total		3 348,129		

LIST OF WAREHOUSES

(a) Horafrost	Grote Veldstraat B-8140 Staden
(aa) NV Slachthuizen Goossens	Gentsesteenweg 137 B-8749 Waregem
(ab) PVBA Vanafrost	Lossing 11 B-3180 Westerlo
(b) Klaasen & Co.	Peelsestraat 50 B-2380 Ravels
(c) Van Soest	Houtelweg 1 B-2310 Rijkevorsel
(d) Segakor	Handzamestraat 84 B-8840 Kortemark
(e) Vanden Avenne	Hanestraat 172 B-9360 Buggenhout
(f) Noord-Natie	Kaai 320 B-2000 Antwerpen
(g) Eurefa-Gent	Port Arthurlaan Grootdokkaai 32/34 B-9000 Gent
(h) Foodimpex	A. Cahierstraat 8 B-9810 Drongen
(i) Begro	Tomburgstraat 8B B-8850 Aardooie
(j) Benmar	Groot Veerle 15 B-2168 Brecht
(k) Comelco	Brug Zuid 16 B-9880 Aalter
(l) NV Vlevico	Steenweg op Edingen 196 B-1500 Halle
(m) NV Goemaere	Drieslaan 29 B-8640 Moorsele
(n) Decoster	Bruggestraat 82 B-8080 Ruiselede
(o) Dion Vandewiele	Grote Steenweg 42 B-9870 Zulte
(p) Eurofrost	Izegemstraat 412 B-8710 Kortrijk
(q) De Jaeghere	Peperstraat 16 b B-8920 Langemark
(r) Coldstar — Primeur	Desselgemstraat 193 B-8798 Sint Elooïs Vijve
(s) Van Landschoot	Prins Boudewijnlaan 22 B-9991 Adegem
(t) Pinguin	Romenstraat 3 B-8699 Westrozebeke
(u) Ardovries	Wezestraat 61 B-8850 Aardooie
(v) Talpe	Amersveldstraat 12 B-8110 Kortemark
(w) Westvlees	Kosterstraat 1 B-8699 Staden
(x) Coldstar	Weverstraat 14 B-2900 Londerzeel
(y) De Beck	Mariemontkaai 45 B-1070 Brussel
(z) NV Colruyt	Steenweg op Edingen 136 B-1500 Halle

COMMISSION REGULATION (EEC) No 1063/86

of 11 April 1986

fixing the quantities of pigmeat to be offered for sale by invitation to tender and at a fixed price in April 1986 pursuant to Article 2 (a) of Regulation (EEC) No 2858/85 and publishing the results of the invitation to tender of 25 March 1986

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 20 thereof,

Whereas Article 2 (a) (3) of Commission Regulation (EEC) No 2858/85 of 11 October 1985 on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85⁽³⁾, as last amended by Regulation (EEC) No 3698/85⁽⁴⁾, provides that the quantities of meat to be sold in the monthly invitation to tender, for specific quantities to be processed into products intended for uses other than for human consumption, are to be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75; whereas the quantities for the invitation to tender of 29 April 1986 need to be fixed in accordance with the availability of meat and the current state of the market for pigmeat;

Whereas Article 8 (1) of Regulation (EEC) No 2858/85 further provides that the quantities not sold in a given invitation to tender are to be sold at a fixed price in accordance with the terms set out therein; whereas, however, the price needs to be fixed at the mean of the offered prices; whereas Article 8 (2) provides that the quantities to be thus sold are to be published in the *Official Journal of the European Communities* at the

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The Belgian intervention agency shall put up for sale, in accordance with Articles 2 (a) (3) and 3 (1) of Regulation (EEC) No 2858/85, 3 000 tonnes of pigmeat in the invitation to tender of 29 April 1986.

Article 2

1. In accordance with Articles 2 (a) (3) and 3 (1) of Regulation (EEC) No 2858/85, the results of the invitation to tender of 25 March 1986 appear in Annex I hereto.

2. By way of derogation from the provisions of Article 8 (1) of Regulation (EEC) No 2858/85 the quantities of meat remaining for sale at a fixed price as from 14 April 1986 appear in Annex II as well as the price applicable to the product in question.

Article 3

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

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ OJ No L 351, 28. 12. 1985, p. 51.

ANNEX I

Results of 25 March 1986 invitation to tender in accordance with Articles 2 (a) (3) and 3 (1) of Regulation (EEC) No 2858/85

Description of products	Quantities accepted (tonnes)	Minimum price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	} 6 500	10
Bellies with rind, frozen (ex 02.01 A III a) 5)		
Middles, frozen (ex 02.01 A III a) 6)		

ANNEX II

Quantities of meat remaining for sale at fixed prices as from 14 April 1986 in accordance with Article 8 (1) of Regulation (EEC) No 2858/85

Description of products	Quantities (tonnes)	Price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	} 500	12,5
Bellies with rind, frozen (ex 02.01 A III a) 5)		
Middles, frozen (ex 02.01 A III a) 6)		

COMMISSION REGULATION (EEC) No 1064/86

of 11 April 1986

amending Regulation (EEC) No 49/86 on the sale at prices fixed at a standard rate in advance of certain boned beef and veal held by certain intervention agencies and intended for export

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 49/86 ⁽³⁾, certain quantities of beef were released from intervention and were put up for sale for export; whereas further possible outlets for meat held by certain intervention agencies should be taken into account;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 49/86 is hereby amended as follows:

1. In Article 1, paragraph 1, second indent, the quantity of 2 900 tonnes is replaced by that of 5 100 tonnes.

2. In Article 1, paragraph 1, third indent, the quantity of 2 000 tonnes is replaced by that of 3 700 tonnes.

3. The following paragraph 4 is hereby added to Article 1:

'4. No export refund shall be granted in respect of meat referred to under 3 (b) of Annex I and sold pursuant to this Regulation.'

4. Annex I is hereby replaced by Annex I to this Regulation.

Article 2

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

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 8, 11. 1. 1986, p. 18.

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

Precio de venta expresado en ECUS por tonelada ⁽¹⁾ ⁽²⁾ — Salgspriser i ECU/ton ⁽¹⁾ ⁽²⁾ —
Verkaufspreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Τιμές πώλησεως εκφραζόμενες σε ECU
ανά τόνο ⁽¹⁾ ⁽²⁾ — Selling prices expressed in ECU per tonne ⁽¹⁾ ⁽²⁾ — Prix de vente exprimés
en Écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi di vendita espressi in ECU per tonnellata ⁽¹⁾ ⁽²⁾ — Verkoop-
prijzen uitgedrukt in Ecu per ton ⁽¹⁾ ⁽²⁾ — Preço de venda expresso em ECU per tonela-
da ⁽¹⁾ ⁽²⁾

1. IRELAND

Steers

Striploins	2 400
Insides	2 150
Outsides	2 150
Knuckles	2 150
Rumps	2 150
Cube rolls	2 150

2. DANMARK

Ungtyre 1 / Stude

Filet med entrecôte og tyndsteg	2 400
Inderlår med kappe	2 150
Tykstegsfilet med kappe	2 150
Yderlår med lårtunge	2 150

⁽¹⁾ En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención poseedor, estos precios se ajustarán con arreglo a lo dispuesto en el Reglamento (CEE) n° 1805/77.

⁽¹⁾ I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽¹⁾ Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

⁽¹⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽¹⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft resorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽¹⁾ No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.

⁽²⁾ Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

⁽²⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽²⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽²⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽²⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽²⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽²⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.

⁽²⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽²⁾ Estes preços aplicam-se a peso líquido, conforme o disposto no Regulamento (CEE) n° 2173/79.

3. BUNDESREPUBLIK DEUTSCHLAND

Bullen A / Ochsen A

a) Roastbeef	2 400
Oberschalen	2 150
Unterschalen	2 150
Kugeln	2 150
Hüften	2 150
Kniekehlfleisch	2 000
b) Dünnung	525

4. UNITED KINGDOM

Steers

Fillets	6 000
Striploins	2 400
Topsides	2 150
Foreribs	2 150

COMMISSION REGULATION (EEC) No 1065/86

of 11 April 1986

determining the mountain areas in which the premium for goatmeat producers
is granted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 882/86 ⁽²⁾, and in particular Article
5 (1) thereof,

Whereas the second indent of the first subparagraph of
Article 5 (1) of Regulation (EEC) No 1837/80 provides for
the granting of a premium in order to offset, to the extent
necessary, income loss by goatmeat producers in moun-
tain areas within the meaning of Article 3 (3) of Directive
75/268/EEC, other than the areas specified in Annex III
to Regulation (EEC) No 1837/80, provided that it is
established that the production of those areas meets the
two criteria set out in the second indent of the first
subparagraph of Article 5 (1) of Regulation (EEC) No
1837/80; whereas the mountain areas in question should
therefore be determined;

Whereas in the case of the Member States of the Commu-
nity as constituted at 31 December 1985 all of France's
and Italy's mountain areas within the meaning of the
Directive are deemed to meet those criteria; whereas,
given that mountain areas within the meaning of Article
3 (3) of the Directive have not yet been laid down in the
case of Portugal and Spain, determination of the areas in
those two Member States in which goatmeat producers
will be eligible for the premium should be deferred;

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

HAS ADOPTED THIS REGULATION:

Article 1

The criteria referred to in the second indent of the first
subparagraph of Article 5 (1) of Regulation (EEC) No
1837/80 are hereby deemed to be met in the case of the
following regions:

1. France: All the mountain areas within the
meaning of Article 3 (3) of Directive
75/268/EEC other than the areas
specified in Annex III to Regulation
(EEC) No 1837/80.
2. Italy: All the mountain areas within the
meaning of Article 3 (3) of Directive
75/268/EEC, other than the areas
specified in Annex III to Regulation
(EEC) No 1837/80.

Article 2

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

It shall apply with effect from the marketing year which
begins in 1986.

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 82, 27. 3. 1986, p. 3.

COMMISSION REGULATION (EEC) No 1066/86
of 11 April 1986

amending Regulation (EEC) No 2906/85 on the sale at prices fixed at a standard rate in advance of certain beef from intervention stocks for processing in the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2906/85 ⁽³⁾, as last amended by Regulation (EEC) No 908/86 ⁽⁴⁾, provides for the sale of certain quantities bought in 1983 ; whereas, in order to improve sales prospects, the quantities put up for sale should be increased ;

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

Article 1

Regulation (EEC) No 2906/85 is hereby amended as follows :

1. In Article 1 (1), fourth indent, '11 000 tonnes' is replaced by '14 000 tonnes'.
2. Annex I is replaced by Annex I to this Regulation.

Article 2

This Regulation shall enter into force on 15 April 1986.

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 279, 19. 10. 1985, p. 10.

⁽⁴⁾ OJ No L 82, 27. 3. 1986, p. 83.

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidades (toneladas)	Precios de venta Salgspris Verkaufspreise Τιμές πώλησεως Selling prices Prix de vente Prezzi di vendita Verkoopprijzen Preço de venda ECUS/tonelada — ECU/ton — ECU/t — ECU/τόνο — ECU/tonne — Écus/t — ECU/t — Ecu/ton ECUs/tonelada
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Carne sin deshuesar — Ikke-udbenet kød — Fleisch mit Knochen — Κρέας μη αποσπωμένο — Unboned beef — Viande avec os — Carni con osso — Vlees met been — Carne com osso

Belgique/België	— Quartiers arrière, découpe droite à 5 côtes, provenant des : — Achtervoeten, recht afgesneden op 5 ribben, afkomstig van : Taureaux 55 % / Stieren 55 % Bœufs 55 % / Ossen 55 %	800	1 550
Danmark	— Bagfjærdinger, udskåret med 8 ribben, såkaldte »pistoler«, af : Ungtyre 1 Type P	1 100	1 550
Deutschland	— Hinterviertel, auf 5 Rippen geschnitten, stammend von : Bullen A	1 000	1 550
France	— Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des : Bœufs U, R, O Jeunes bovins U, R, O — Quartiers arrière, découpe à 8 côtes, dite « pistola », provenant des : Bœufs U, R et O Jeunes bovins U, R et O — Quartiers arrière, découpe à 3 côtes, provenant des : Bœufs U, R et O Jeunes bovins U, R et O	6 700 7 400 100	950 1 550 1 550
Ireland	— Forequarters, straight cut at 10th rib, from : Steers 1 Steers 2 — Hindquarters, straight cut at third rib, from : Steers 1 Steers 2	4 880 5 120	950 1 550
Italia	— Quarti posteriori, taglio a 5 costole, detto pistola, provenienti dai : Vitelloni 1 Vitelloni 2	13 000	1 550
Nederland	— Voorvoeten, recht afgesneden op 8 ribben, afkomstig van : Stieren, 1e kwaliteit — Achtervoeten, recht afgesneden op 5 ribben, afkomstig van : Stieren, 1e kwaliteit	750 3 000	950 1 550

COMMISSION REGULATION (EEC) No 1067/86

of 11 April 1986

amending Regulation (EEC) No 142/86 on the sale at prices fixed at a standard rate in advance of certain bone-in beef and veal held by certain intervention agencies and intended for export

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 142/86 ⁽³⁾, as amended by Regulation (EEC) No 822/86 ⁽⁴⁾, certain quantities of beef were released from intervention and were put up for sale for export; whereas account should be taken of certain limitations in outlets for meat held by certain intervention agencies;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second indent of Article 1 (1) of Regulation (EEC) No 142/86, '4 500 tonnes' is hereby replaced by '1 500 tonnes'.

Article 2

This Regulation shall enter into force on 15 April 1986.

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 19, 25. 1. 1986, p. 8.

⁽⁴⁾ OJ No L 76, 21. 3. 1986, p. 15.

COMMISSION REGULATION (EEC) No 1068/86
of 11 April 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 the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, 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 ⁽³⁾, as last amended by Regulation (EEC) No 1054/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 April 1986.

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

Done at Brussels, 11 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.

⁽⁴⁾ OJ No L 96, 11. 4. 1986, p. 30.

ANNEX

to the Commission Regulation of 11 April 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	43,34
	B. Raw sugar	35,91 ⁽¹⁾

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

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