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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2913/86

of 16 September 1986

introducing a derogation to Regulation (EEC) No 2727/75 as regards the import levy applicable to certain quantities of maize and grain sorghum

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas, on 1 July 1986, an interim solution was found between the European Economic Community and the United States of America to alleviate any consequences arising in the cereals sector from the accession of Spain to the Community; this solution provides that, if, for the period 1 July to 31 December 1986, American exports of maize, grain sorghum, maize gluten, brewing dregs and citrus fruit pulp fall below an average of 234 000 tonnes per month, a reduced levy may be fixed for imports into the Community of maize and grain sorghum from third countries;

Whereas, in order to implement this solution, a derogation should be made to Article 13 of 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 1579/86⁽³⁾; whereas the said derogation should relate both to the fixing procedure and to the amount of the levy; whereas, however, the said amount should be determined in the light of real market conditions;

Whereas, for the purposes of the application of this Regulation, it is necessary that the Kingdom of Spain should supply all the information required by the Commission within a set time limit;

HAS ADOPTED THIS REGULATION:

Article 1

From the entry into force of this Regulation and until 28 February 1987, the levy applicable to imports of the

quantities of maize and grain sorghum referred to in Article 3 may, by way of derogation to Article 13 of Regulation (EEC) No 2727/75, be fixed:

- by means of an invitation to tender, and
- at a level other than that resulting from the application of the said Article.

Article 2

The levy referred to in Article 1 must be fixed at a level which avoids creating disturbances to the Community market.

Article 3

The maximum quantity of maize and grain sorghum which may be imported into the Community under the provisions of this Regulation shall be fixed at 1 404 000 tonnes.

It shall be reduced by the quantities of products originating in the United States referred to in the Annex imported into Spain during the period 1 July 1986 to 31 December 1986.

Article 4

1. The Commission shall keep an account of the tonnage of imports into Spain from the United States of the products referred to in the Annex for the period 1 July 1986 to 31 December 1986.

2. The Spanish authorities shall supply the Commission with all the information necessary to this effect by the 10th day of each month at the latest.

Article 5

The detailed rules for the application of this Regulation and in particular for the tendering procedure and the monthly distribution of the quantities to be imported shall be adopted by the Commission in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

Article 6

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

⁽¹⁾ Opinion delivered on 11 September 1986 (not yet published in the Official Journal).

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 29.

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

Done at Brussels, 16 September 1986.

For the Council

The President

M. JOPLING

ANNEX

CCT heading No	Description
ex 10.05 B	Maize other than hybrid maize for sowing
ex 10.07 C	Grain sorghum other than sorghum for sowing
ex 23.03 A II	Maize gluten
ex 23.03 B II	Brewing dregs
ex 23.06 A II	Citrus fruit pulp

COUNCIL REGULATION (EEC) No 2914/86**of 16 September 1986****on the rules for calculating the monetary compensatory amounts applicable in the eggs and poultrymeat sectors and amending Regulation (EEC) No 2062/86**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

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

Whereas Council Regulation (EEC) No 2062/86 ⁽³⁾ suspended application of part of the negative compensatory amounts in France and the United Kingdom until 30 September 1986 for products in the eggs and poultrymeat sectors ;

Whereas that temporary limitation had been introduced pending a Council decision on the calculation of the monetary compensatory amounts to be applied in the future for the products in question ;

Whereas no final solution could be worked out at the appropriate time ; whereas the current arrangements should therefore be extended by a period of time enabling a final decision to be adopted,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 2 of Regulation (EEC) No 2062/86 the date 30 September 1986 shall be replaced by 31 October 1986.

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, 16 September 1986.

For the Council

The President

M. JOPLING

⁽¹⁾ OJ No L 159, 26. 6. 1986, p. 6.

⁽²⁾ OJ No C 176, 14. 7. 1986, p. 191.

⁽³⁾ OJ No L 176, 1. 7. 1986, p. 15.

COUNCIL REGULATION (EEC) No 2915/86

of 16 September 1986

laying down socio-structural provisions applicable to agriculture in the Canary Islands

THE COUNCIL 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 25 (3) thereof,

Having regard to the proposal from the Commission,

Whereas the entire territory of the Canary Islands may be considered as a less-favoured area where permanent and serious natural handicaps hamper farming;

Whereas agricultural structures in the Canary Islands are also particularly inadequate;

Whereas the socio-structural measures at present applicable to all regions, and to all less-favoured areas in the Community in particular, should therefore be extended to cover the Canary Islands, in order to help develop agricultural structures in that region;

Whereas, however, the Council Decision referred to in Article 155 of the Act of Accession is required in order to determine whether fishery products should be covered by Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 3827/85 ⁽²⁾;

Whereas the application to the Canary Islands of the abovementioned socio-structural measures is compatible with the general objectives of the common agricultural policy,

HAS ADOPTED THIS REGULATION:

Article 1

1. The common measures introduced by Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽³⁾, Regulation (EEC) No 355/77 and Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof ⁽⁴⁾, shall apply to the Canary Islands.

2. Paragraph 1 shall not entail the application to fishery products of the common measure introduced by Regulation (EEC) No 355/77.

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 1 January 1986.

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

Done at Brussels, 16 September 1986.

For the Council

The President

M. JOPLING

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 372, 31. 12. 1985, p. 1.

⁽³⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁴⁾ OJ No L 166, 23. 6. 1978, p. 1.

COMMISSION REGULATION (EEC) No 2916/86

of 23 September 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 1579/86⁽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 2010/86⁽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 22 September 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 2010/86 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 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 23 September 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	—	170,03
10.01 B II	Durum wheat	21,32	243,44 ⁽¹⁾ ⁽²⁾
10.02	Rye	36,76	157,03 ⁽⁶⁾
10.03	Barley	6,07	172,22
10.04	Oats	70,45	147,02
10.05 B	Maize, other than hybrid maize for sowing	—	179,09 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	6,07	111,55 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	2,83	179,52 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	11,69	251,58
11.01 B	Rye flour	65,00	233,38
11.02 A I a)	Durum wheat groats and meal	46,21	390,50
11.02 A I b)	Common wheat groats and meal	12,03	271,11

⁽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 2917/86

of 23 September 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 1579/86 ⁽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 2011/86 ⁽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 22 September 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

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 originating in Portugal shall be zero.
2. 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 originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 23 September 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 9	1st period 10	2nd period 11	3rd period 12
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 II	Grain sorghum, other than hybrid sorghum for sowing	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 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2918/86

of 23 September 1986

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the fourth quarter of 1986

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 14 (4) (a) and (c) thereof,

Whereas the Council, under a special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1986, an estimate of 25 000 tonnes divided into two quantities of 16 670 tonnes and 8 330 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

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

For the fourth quarter of 1986 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 4 070 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 2 030 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import less 55 %.

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, 23 September 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.

COMMISSION REGULATION (EEC) No 2919/86

of 23 September 1986

fixing the quantity of young male bovine animals which may be imported on special terms in the fourth quarter of 1986

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 Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has established an estimate of 175 000 head under the new import arrangements for young male bovine animals for fattening, for the period 1 January to 31 December 1986; whereas, under Article 13 (4) (a) of Regulation (EEC) No 805/68, the quantity which may be imported each quarter and the rate of reduction of the import levy on these animals must be determined;

Whereas detailed rules for the practical application of the special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽³⁾, as last amended by Regulation (EEC) No 411/84 ⁽⁴⁾, and in Regulation (EEC) No 2377/80 ⁽⁵⁾, as last amended by Regulation (EEC) No 3815/85 ⁽⁶⁾;

Whereas the supply requirements of certain regions of the Community which have a serious deficit in bovine animals for fattening must be taken into account; whereas these requirements are apparent in Italy and in Greece and may be estimated for the fourth quarter of 1986 at 37 300 head and 5 800 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the fourth quarter of 1986, a higher rate of reduction of the levy for animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia;

Whereas the partial reduction of the levy is intended to help improve cattle rearing and beef and veal production structures in Italy and in Greece; whereas appropriate measures must therefore be taken to ensure that producers can, as far as possible, benefit directly from the arrangements without traditional trade being excluded; whereas this objective can be achieved by giving agricul-

tural producers and their organizations priority when issuing the licences conferring entitlement to benefit from the arrangements;

Whereas, according to Article 9 (1) of Regulation (EEC) No 2377/80, the applicant shall undertake either to carry out himself or to have carried out under his responsibility, the task of fattening; whereas, in the case of agricultural producers or their professional organization, it appears that the opportunity given to the applicant not to carry out himself the task of fattening could give rise to abuses in certain cases; whereas it seems appropriate consequently to abolish that opportunity for the quarter in question;

Whereas, in the case of import licence applications made by agricultural producers or their professional organizations, or the traditional trade, it is necessary, in order to permit a more equitable distribution of the quantities available, to limit the maximum quantity which each application may cover;

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

1. For the period 1 October to 31 December 1986, the maximum quantity referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 43 000 head of young male bovine animals for fattening, of a live weight of 300 kilograms or less, of which 37 300 head must be imported into and fattened in Italy and 5 700 head must be imported into and fattened in Greece.

2. The levy charged on imports of the young bovine animals referred to in paragraph 1 shall be equal to the levy applicable on the day of import less 60 %.

However, the levy applicable on the day of import shall be reduced by 70 % in respect of a maximum of 11 250 young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia.

This maximum quantity may be imported up to a maximum of:

- 9 750 head in Italy,
- 1 500 head in Greece.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 48, 18. 2. 1984, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 11.

3. The application for a licence and the licence shall be in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80 and shall relate to:

- either young bovine animals of a weight per head not exceeding 300 kilograms, or
- young bovine animals of a weight per head from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case, Sections 13 and 14 of the application for a licence and the licence shall include one of the following entries:

- 'Yugoslavia',
- 'Jugoslavien',
- 'Jugoslawien',
- 'Γιουγκοσλαβία',
- 'Yugoslavia',
- 'Yougoslavie',
- 'Jugoslavia',
- 'Joegoslavië',
- 'Jugoslāvia'.

The licence shall make it compulsory to import from the country indicated.

4. Member States shall specify in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 the category of live weight, and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 3.

5. Within the quantity reserved for Italy, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 25 000 head, including a maximum of 6 500 head originating in and coming from Yugoslavia;

Italy shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 12 300 head, including a maximum of 3 250 head originating in and coming from Yugoslavia.

6. Within the quantity reserved for Greece, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 3 850 head, including a maximum of 990 head originating in and coming from Yugoslavia;

Greece shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 1 850 head, including a maximum of 510 head originating in and coming from Yugoslavia.

Article 2

1. In the case of the quantity referred to in Article 1 (5) (a) and (6) (a):

- (a) notwithstanding Article 9 (1) (d) of Regulation (EEC) No 2377/80, the applications for import licences lodged:

- by agricultural producers, directly or through their professional organizations, shall be acceptable only if the agricultural producers undertake in writing to fatten on their farms the young bovine animals imported under this Regulation,
- by professional organizations, shall be acceptable only if they undertake in writing to have the young bovine animals imported under this Regulation fattened on the farms of those who are found to be members of the said organizations at the time the declaration referred to in Article 1 (1) (d) of Regulation (EEC) No 612/77 is made;

- (b) applications for import licences may not cover more than 100 head when made by individual applicants or more than 100 head per member when made by professional organizations. The total quantity applied for by a professional organization may not, however, exceed 2 500 head.

2. In the case of the quantity referred to in Article 1 (5) (b) and (6) (b), applications for import licences may not cover more than 10 % of that quantity.

3. Without prejudice to Article 1 (3) of Regulation (EEC) No 612/77, the security there referred to shall not be released, in whole or in part, unless proof is provided to the competent authorities of the Member State in question that the undertaking in paragraph 1 (a) has been complied with.

Article 3

For the purpose of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which relate to the same category of weight and the same rate of reduction of the levy shall be treated as one application.

Article 4

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, 23 September 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2920/86

of 23 September 1986

fixing for the 1986/87 marketing year the minimum purchase price for oranges delivered for industrial processing and the financial compensation payable after processing

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 2601/69 of 18 December 1969 laying down special measures to encourage the processing of certain varieties of oranges ⁽¹⁾, as last amended by Regulation (EEC) No 987/84 ⁽²⁾, and in particular Articles 2 (3) and 3 (2) thereof,

Whereas, under Article 2 of Regulation (EEC) No 2601/69, the minimum price which processors must, under the terms of the contracts, pay to producers is to be calculated on the basis of the purchase price, plus 10 % of the basic price, of the varieties which, by reason of their characteristics, are usually sent for processing;

Whereas experience has shown that, besides oranges of the Biondo comune variety, the products concerned are class III or mixed blood oranges; whereas the minimum price should consequently be fixed on the basis of the average purchase price for the marketing year in progress, valid under Council Regulation (EEC) No 1352/86 ⁽³⁾, and Commission Regulation (EEC) No 1203/73 ⁽⁴⁾, as last amended by Regulation (EEC) No 1451/85 ⁽⁵⁾, for oranges

of those varieties, plus 10 % of the average basic price over the same period;

Whereas, under Article 3 of Regulation (EEC) No 2601/69, the financial compensation must be so fixed that the difference between the minimum price and the financial compensation does not vary, in relation to that for the previous marketing year, by an amount greater than the amount resulting from the increase in the minimum price; whereas the increase in the said difference must be not less than 50 % of the increase in the minimum price;

Whereas Articles 119 (2) and 305 (2) of the Act of Accession provide that, from the first move towards alignment, the minimum prices applicable, as the case may be, in Spain and Portugal are to be aligned on the common minimum price in accordance with the mechanism provided for in Articles 70 and 238 of the said Act and the financial compensation applicable in Spain and Portugal respectively at each move towards alignment is to be that of the Community as constituted at 31 December 1985 less the difference between on the one hand the common minimum price and on the other the minimum prices applicable, as the case may be, in Spain and Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1986/87 marketing year, the minimum prices to be paid to producers are hereby fixed at the levels set out below:

(a) for classes I, II and III, for oranges of the Biondo comune variety:

(ECU/100 kg net)		
Spain	Portugal	Other Member States
9,73	6,98	11,32

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 10.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 47.

⁽⁴⁾ OJ No L 123, 10. 5. 1973, p. 1.

⁽⁵⁾ OJ No L 144, 1. 6. 1985, p. 63.

(b) for class III or mixed oranges of the varieties :

(ECU/100 kg net)

	Spain	Portugal	Other Member States
Moro and Tarocco	15,07	10,81	17,53
Sanguinello	13,99	10,04	16,28
Sanguigno	11,83	8,50	13,78

2. These minimum prices shall be for goods ex-producers' packing stations.

Article 2

For the 1986/87 marketing year, the financial compensation granted to processors is hereby fixed at the levels set out below :

(a) for classes I, II and III, for oranges of the Biondo comune variety :

(ECU/100 kg net)

Spain	Portugal	Other Member States
4,92	2,17	6,51

(b) for class III or mixed oranges of the varieties :

(ECU/100 kg net)

	Spain	Portugal	Other Member States
Moro and Tarocco	10,26	6,00	12,72
Sanguinello	9,18	5,23	11,47
Sanguigno	7,02	3,69	8,97

Article 3

This Regulation shall enter into force on 1 October 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2921/86**of 23 September 1986****amending for the second time, for the 1986/87 marketing year Regulation (EEC)
No 988/86 applying quality class III to certain fruit**

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 1351/86⁽²⁾, and in particular Article
4(1) thereof,

Whereas Commission Regulation (EEC) No 379/71 of 19
February 1971 laying down common quality standards for
citrus fruit⁽³⁾, laid down a class III for the products
concerned;

Whereas, pursuant to the first subparagraph of Article
4(1) of Regulation (EEC) No 1035/72, the quality class III
may be applied only if the products concerned are needed
to meet consumer demand; whereas, this need, which has
already been recognized for a limited period for lemons of
the 'Verdelli' type by Commission Regulation (EEC) No
2194/86⁽⁴⁾, also appears to exist at present for certain
citrus fruits other than lemons; whereas, in view of the
considerable fluctuations in production from one marke-
ting year to another, the period of application of quality
class III should be limited;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 988/86 is hereby
amended by the addition of the following:

- oranges of the blonde variety ovale calabrese from
1 October 1986 to 31 December 1986.
- satsumas, clementines, tangerines and other
similar citrus hybrids other than mandarins from
1 October 1986 to 31 December 1986'.

Article 2

This Regulation shall enter into force on the day follo-
wing its publication in the *Official Journal of the Euro-
pean Communities*.

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

Done at Brussels, 3 September 1986

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 45, 24. 2. 1971, p. 1.

⁽⁴⁾ OJ No L 190, 12. 7. 1986, p. 58.

COMMISSION REGULATION (EEC) No 2922/86

of 23 September 1986

enabling Member States to authorize preventive withdrawals of apples

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 1351/86⁽²⁾, and in particular Article 15a (2) thereof,

Whereas Commission Regulation (EEC) No 1596/79 of 26 July 1979 on preventive withdrawals of apples and pears⁽³⁾, as last amended by Regulation (EEC) No 2762/84⁽⁴⁾, lays down the circumstances under which preventive withdrawals may be authorized;

Whereas, for the 1986/87 marketing year, apple production is estimated at 6 914 000 tonnes; whereas expected surpluses in relation to production of 6 200 000 tonnes amount to 714 000 tonnes; whereas preventive withdrawals may relate to no more than 40 % of this quantity, that is, 286 000 tonnes;

Whereas this quantity should be distributed among the various Member States in proportion to the surpluses anticipated in each one of them in respect of varieties subject to withdrawals;

Whereas the prices communicated in accordance with the provisions of the first subparagraph of Article 17 (1) of Regulation (EEC) No 1035/72 have stood on several representative markets of the Community below the basic price;

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

HAS ADOPTED THIS REGULATION:

Article 1

Member States may authorize producer organizations established on their territory to undertake preventive withdrawals of apples during the 1986/87 marketing year.

Article 2

1. Preventive withdrawals may not relate to more than 286 000 tonnes distributed by Member States in the following manner:

Belgium	9 200 tonnes
Denmark	900 tonnes
Germany	13 400 tonnes
Greece	18 100 tonnes
France	108 000 tonnes
Ireland	600 tonnes
Italy	113 000 tonnes
Luxembourg	100 tonnes
Netherlands	13 900 tonnes
United Kingdom	8 800 tonnes

2. Preventive withdrawals may relate only to apples of class II of the varieties referred to in the Annex.

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, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 189, 27. 7. 1979, p. 47.

⁽⁴⁾ OJ No L 260, 29. 9. 1984, p. 64.

*ANNEX***List of varieties of apples which may be the subject of preventive withdrawals**

Golden Delicious
Imperatore
Red Delicious and mutations
Stark Delicious
Starkcrimson
Black Stayman
Staymanred
Stayman Winesap
Richared
Macintosh Red
Belle de Boskoop
Delicious Pilafa
Granny Smith
Bramley's Seedling

COMMISSION REGULATION (EEC) No 2923/86**of 23 September 1986****correcting Regulation (EEC) No 2409/86 on the sale of intervention butter
intended for incorporation in compound feedingstuffs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽¹⁾, as last amended by Regulation (EEC) No 3790/85 ⁽²⁾, and in particular Article 7a thereof,Whereas Commission Regulation (EEC) No 2409/86 ⁽³⁾ introduced arrangements for the sale of intervention butter intended for incorporation in compound feedingstuffs; whereas, as the result of a material error, the penultimate line of Article 6 (2) (b) contains an erroneous percentage; whereas the provision concerned should therefore be corrected by replacing '95 %' by '90';

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

In Article 6 (2) (b) the words '95 % minimum content of pelargonic acid' are hereby replaced by '90 % minimum content of pelargonic acid'.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 3 August 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No L 169, 18. 7. 1968, p. 1.⁽²⁾ OJ No L 367, 31. 12. 1985, p. 5.⁽³⁾ OJ No L 208, 31. 7. 1986, p. 29.

COMMISSION REGULATION (EEC) No 2924/86**of 23 September 1986****amending Regulation (EEC) No 2859/86 introducing a countervailing charge and
suspending the preferential customs duty on lemons originating in Turkey**

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2859/86 of 16 September 1986⁽³⁾, introduced a countervailing charge on lemons originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of lemons originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1, paragraph 1, of Regulation (EEC) No 2859/86, '4,94 ECU' is hereby replaced by '14,82 ECU'.

Article 2

This Regulation shall enter into force on 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 265, 17. 9. 1986, p. 7.

COMMISSION REGULATION (EEC) No 2925/86

of 23 September 1986

introducing a countervailing charge on pears originating in Poland

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2839/86⁽³⁾, introduced a countervailing charge on pears originating in Poland;

Whereas for pears originating in Poland there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of pears originating in Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2839/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 261, 13. 9. 1986, p. 14.

COMMISSION REGULATION (EEC) No 2926/86**of 23 September 1986****introducing a countervailing charge on certain varieties of plum originating in Hungary**

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 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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2818/86⁽³⁾, introduced a countervailing charge on certain varieties of plum originating in Hungary;

Whereas for plums originating in Hungary there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of certain varieties of plum originating in Hungary can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2818/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 260, 12. 9. 1986, p. 39.

COMMISSION REGULATION (EEC) No 2927/86

of 23 September 1986

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export amending Regulation (EEC) No 1687/76 and repealing Regulations (EEC) No 2232/86 and (EEC) No 49/86

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 Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾ has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold substantial stocks of boned intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain third countries for the products in question it is appropriate therefore to offer this meat for sale at a price fixed at a standard rate in advance in accordance with Commission Regulation (EEC) No 2539/84 and (EEC) No 2824/85⁽⁴⁾;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed in taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁵⁾, as last amended by Regulation (EEC) No 3815/85⁽⁶⁾;

Whereas the export of meat sold under this Regulation must be guaranteed by the lodging of a security, the amount of which may differ from that provided for in Article 15 of Commission Regulation (EEC) No 2173/79⁽⁷⁾; whereas such security shall be released when proof, as required by Article 12 of Commission Regulation (EEC) No 1687/76⁽⁸⁾, as last amended by Regulation (EEC) No 2232/86⁽⁹⁾, has been furnished within the time limit laid down in Article 31 of Commission Regulation

(EEC) No 2730/79⁽¹⁰⁾, as last amended by Regulation (EEC) No 2108/86⁽¹¹⁾;

Whereas it is appropriate to specify that, in view of the prices which have been fixed in the context of this sale in order to permit the disposal of certain cuts, exports of such cuts should not be eligible for the refunds periodically fixed in the beef and veal sector; whereas, for the same reason, footnote (7) to Part 3 of Annex I to Commission Regulation (EEC) No 1057/86 of 9 April 1986 fixing the monetary compensatory amounts applicable in the agricultural sector and certain coefficients and rates required for their application⁽¹²⁾, as last amended by Regulation (EEC) No 2758/86⁽¹³⁾, should also apply;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Regulation (EEC) No 1687/76; whereas, however, Annex I of the said Regulation setting out the entries to be made in control copies should be expanded;

Whereas Commission Regulations (EEC) No 2232/86⁽¹⁴⁾ and (EEC) No 49/86⁽¹⁵⁾ should be repealed;

Whereas the Management Committee for Beef and Veal has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. Part of the stocks of boned intervention beef held by the intervention agencies of Denmark, France, Germany, Ireland and the United Kingdom shall be sold.

This meat shall be for export.

Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulations (EEC) No 2539/84 and (EEC) No 2824/85.

The provisions of Regulation (EEC) No 985/81 shall not apply to this sale.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 268, 10. 10. 1986, p. 14.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 11.

⁽⁷⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁸⁾ OJ No L 190, 14. 7. 1986, p. 1.

⁽⁹⁾ OJ No L 194, 17. 7. 1986, p. 22.

⁽¹⁰⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽¹¹⁾ OJ No L 182, 5. 7. 1986, p. 9.

⁽¹²⁾ OJ No L 98, 12. 4. 1986, p. 1.

⁽¹³⁾ OJ No L 255, 8. 9. 1986, p. 1.

⁽¹⁴⁾ OJ No L 194, 17. 7. 1986, p. 22.

⁽¹⁵⁾ OJ No L 8, 11. 1. 1986, p. 18.

2. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

3. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 29 September 1986.

4. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The products referred to in Article 1 must be exported within six months from the date of conclusion of the contract of sale.

Article 3

The security provided for in Article 5 of Regulation (EEC) No 2539/84 is hereby fixed at:

- 460 ECU per 100 kilograms of the meat referred to under points 1 a), 2 a), 3 a), 4 a) and 5 a) in Annex I,
- 360 ECU per 100 kilograms of the meat referred to under points 1 b), 2 b), 3 b), 4 b) and 5 b) in Annex I.

2. Without prejudice to Article 15 (2) and (3) of Regulation (EEC) No 2173/79 the security referred to in paragraph 1 shall be released when the proof provided for in Article 12 of Regulation (EEC) No 1687/76 is furnished.

3. The said proof shall be furnished within the time limit laid down in Article 31 of Regulation (EEC) No 2730/79.

Article 4

In respect of the meat referred to under 1 b), 2 b), 3 b), 4 b) and 5 b) in Annex I sold pursuant to this Regulation:

- no export refunds shall be granted, and
- footnote (7) to Part 3 of Annex I to Regulation (EEC) No 1057/86 shall apply.

Article 5

Regulation (EEC) No 1687/76 is hereby amended as follows:

In Part I of the Annex, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added:

- '24. Commission Regulation (EEC) No 2927/86 of 23 September 1986 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export ⁽²⁴⁾.

⁽²⁴⁾ OJ No L 272, 24. 9. 1986, p. 22.'

Article 6

Regulations (EEC) No 2232/86 and (EEC) No 49/86 are hereby repealed.

Article 7

This Regulation shall enter into force on 29 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

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

Precio mínimo expresado en ECUS por tonelada ⁽¹⁾ ⁽²⁾ — Mindestpreise in ECU/ton ⁽¹⁾ ⁽²⁾ —
Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Ελάχιστες τιμές πώλησεως εκφραζόμενες
σε ECU ανά τόνο ⁽¹⁾ ⁽²⁾ — Minimum prices expressed in ECU per tonne ⁽¹⁾ ⁽²⁾ — Prix mini-
maux exprimés en Écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi minimi espressi in ECU per tonnellata ⁽¹⁾ ⁽²⁾ —
Minimumprijzen uitgedrukt in Ecu per ton ⁽¹⁾ ⁽²⁾ — Preço mínimo expresso em
ECUs por tonelada ⁽¹⁾ ⁽²⁾

1. DANMARK

a) Mørbrad med bimørbrad	6 850
Filet med entrecôte og tyndsteg	3 350
Inderlår med kappe	2 100
Tykstegsfilet med kappe	2 100
Klump med kappe	2 100
Yderlår med lårtunge	2 100
b) Bryst og slag	850
Øvrigt kød af forfjerdinger	850
Skank og muskel sammen- hængende	850

2. FRANCE

a) Filet	6 850
Faux filet	3 350
Tende de tranche	2 100
Tranche grasse	2 100
Rumsteak	2 100
Bavette	2 100
Entrecôte	2 100
Boule de gîte	2 100
Gîte à la noix	2 100
b) Caisse B	850
Jarret	850
Caisse C	850
Boule de macreuse	850
Caisse A	850

3. IRELAND

a) Fillets	6 850
Striploins	3 350
Insides	2 100
Outsides	2 100
Knuckles	2 100
Rumps	2 100
Cube rolls	2 100
b) Shins and shanks	850
Shanks	850
Shins	850
Plates and flanks	850
Forequarters	850
Flanks	850
Plates	850
Briskets	850
Shanks and/or shins	850
Flanks and/or plates	850

4. BUNDESREPUBLIK DEUTSCHLAND

a) Roastbeef	3 350
Oberschalen	2 100
Unterschalen	2 100
Kugeln	2 100
Hüften	2 100
Kniekehlfleisch	2 100
b) Dünning	850
Hesse	850

5. UNITED KINGDOM

a) Fillets	6 850
Striploins	3 350
Topsides	2 100
Silversides	2 100
Thick flanks	2 100
Rumps	2 100
b) Hidequarter skirts	850
Shins and shanks	850
Clod and sticking	850
Ponies	850
Pony parts	850
Striploin flank-edge	850
Thin flanks	850
Forequarter flanks	850
Briskets	850
Foreribs	850

⁽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) nº 1805/77.

⁽²⁾ I tilfælde, hvor varerne er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽³⁾ 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.

⁽⁴⁾ 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.

⁽⁵⁾ 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 ressorteert, 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.
-

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

**Direcciones de los organismos de intervención — Interventionsorganer nes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως —
Addresses of the intervention agencies — Adresses des organismes d'intervention —
Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus — Endereços
dos organismos de intervenção**

DANMARK : Direktoratet for markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tlf. (01) 92 70 00, telex 151 37 DK

FRANCE : OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél : 4538 84 00, télex 26 06 43

**BUNDESREPUBLIK
DEUTSCHLAND :** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-6000 Frankfurt am Main 18
Tel. (06 9) 1 56 40 App. 772/702, Telex : 04 11 56

IRELAND : Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 2928/86
of 23 September 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 934/86 ⁽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 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 2912/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2051/86 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 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.
⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.
⁽⁴⁾ OJ No L 271, 23. 9. 1986, p. 18.

ANNEX

to the Commission Regulation of 23 September 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	51,07
	B. Raw sugar	46,84 ⁽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.

COMMISSION REGULATION (EEC) No 2929/86
of 23 September 1986
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽¹⁾, as last amended by Regulation (EEC) No 1976/85 ⁽²⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2699/86 ⁽³⁾, as last amended by Regulation (EEC) No 2854/86 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in amended Regulation (EEC) No 2699/86 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 71,867 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 24 September 1986.

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

Done at Brussels, 23 September 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.
⁽²⁾ OJ No L 186, 19. 7. 1985, p. 1.
⁽³⁾ OJ No L 246, 30. 8. 1986, p. 47.
⁽⁴⁾ OJ No L 264, 16. 9. 1986, p. 22.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 September 1986

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of certain acrylic fibres originating in Israel, Mexico, Romania and Turkey and terminating the investigation

(86/468/EEC)

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 10 thereof,

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

Whereas :

A. Procedure

- (1) In May 1985 the Commission received a complaint lodged by the Comité International de la Rayonne et des Fibres Synthétiques on behalf of Community producers representing substantially all Community production of the products in question.

The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning

imports into the Community of discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning falling within subheading ex 56.01 A of the Common Customs Tariff (NIMEXE code 56.01-15), continuous filament tow for the manufacture of discontinuous acrylic fibres falling within subheading ex 56.02 A of the Common Customs Tariff (NIMEXE code 56.02-15), and discontinuous acrylic fibres carded, combed or otherwise prepared for spinning falling within subheading ex 56.04 A of the Common Customs Tariff (NIMEXE code ex 56.04-15) originating in Israel, Mexico, Romania and Turkey and commenced an investigation.

- (2) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting countries and the complainants and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (3) All of the exporters and certain importers made their views known in writing. In addition, the exporters concerned requested and were granted hearings. Submissions were also made by a small number of Community processors of the products in question.
- (4) The Commission requested and received detailed written submissions from all complainant Community producers, all exporters and certain importers. All information deemed necessary for the purposes of a preliminary determination was verified and investigations were carried out at the premises of the following :

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 159, 29. 6. 1985, p. 2.

(a) *Community producers*

Anic Fibre SpA, San Donato Milanese (Italy),
 Bayer AG, Leverkusen (Federal Republic of Germany),
 Courtaulds PLC, London (United Kingdom),
 Courtaulds SA, Neuilly (France),
 Hoechst AG, Frankfurt (Federal Republic of Germany),
 Montefibre SpA, Milan (Italy),
 Snia Fibre SpA, Cesano Maderno (Italy);

(b) *Non-Community producers/exporters*

Israel Chemical Fibres Ltd, Ashdod (Israel),
 Celanese Mexicana SA, Mexico City (Mexico),
 Celulosa y Derivados SA, Guadalajara (Mexico),
 Akrilik Kimya Sanayii AS, Yalova (Turkey),
 AK-PA Tekstil Ihracat Pazarlama AS, Istanbul (Turkey);

(c) *Community importers*

Cofis Srl, Prato (Italy),
 Lafis, Calenzano (Italy),
 Montebianco Industrie Tessili SpA, Biella (Italy),
 Tessibel SAS, Prato (Italy),
 Rohtex Textil GmbH, Mönchengladbach (Federal Republic of Germany),
 Schaette Linder GmbH, Mönchengladbach (Federal Republic of Germany).

The investigation of dumping covered the calendar year 1984.

B. Normal value(a) *Turkey*

- (5) Normal value was provisionally determined on the basis of the domestic prices of the producer Akrilik Kimya Sanayii AS who provided sufficient evidence, and were considered to be representative of the domestic market concerned. Normal value was established only for continuous filament tow since there were no exports of the other types of acrylic fibres concerned by this procedure.

(b) *Israel*

- (6) The preliminary investigation to determine the existence of dumping showed that the prices of the like products marketed by the exporter on his domestic market had, over an extended period of time, been lower than all costs both fixed and variable ordinarily incurred in its production. The normal value was therefore determined on the basis

of constructed value which was computed by taking the company's total cost of materials and manufacture, including overheads, and adding a profit margin of 5 %, considered to be reasonable in the light of the industry's performance during a representative profitable period.

Normal value was established only for discontinuous acrylic fibres, not carded, combed or otherwise prepared and for continuous filament tow. Normal value was not established for discontinuous acrylic fibres, carded, combed or otherwise prepared because exports of this product to the Community were found to be occasional and considered to be *de minimis*.

(c) *Mexico*

- (7) The preliminary investigation to determine the existence of dumping showed that the prices of the like products marketed by the two Mexican exporters on their domestic market had, over an extended period of time, been lower than all costs both fixed and variable ordinarily incurred in their production. Normal value was therefore determined on the basis of constructed value.
- (8) For Celulosa y Derivados SA, the constructed value was computed by taking the company's total cost of materials and manufacture, including overheads, and adding a profit of 7 % considered to be reasonable in the light of the profitability of the company in the previous three-year period.

With regard to substandard fibres, normal value was determined on the basis of the selling prices on the domestic market, account being taken of the losses for the reference period and the abovementioned profit margin.

- (9) For Celanese Mexicana SA the constructed value was computed by taking the company's total cost of materials and manufacture including overheads, and adding a profit of 5 %, considered to be reasonable in the light of the industry's performance during a representative profitable period.

As far as substandard fibres are concerned, in seeking to determine the normal value for Celanese Mexicana, the Commission had to take account of the fact that no sales of the like product were made by Celanese Mexicana on the domestic market. The Commission therefore determined normal value for this company and these fibres on the basis of the selling prices on the domestic market of the other Mexican producer and exporter, i.e. Celulosa y Derivados SA.

(d) *Romania*

- (10) In order to establish whether the imports from Romania were dumped, the Commission had to take account of the fact that this country does not have a market economy and therefore had to base its determinations on the normal value in a market economy country. In this connection the complainants had suggested the Turkish market. There were no objections to this suggestion.

The Commission is satisfied that in Turkey there are no extraordinary differences in production processes with the exporting country or in the scale of production and that there is sufficient internal competition to ensure that price levels are in a reasonable proportion to production costs. The Commission, therefore, concluded that it would be appropriate and not unreasonable to determine normal value on the basis of domestic prices in Turkey.

- (11) Normal value was established only for discontinuous acrylic fibres, not carded, combed or otherwise prepared and for discontinuous acrylic fibres, carded, combed or otherwise prepared. Normal value was not established for continuous filament tow because exports of this product to the Community were found to be occasional and considered to be *de minimis*.

C. Export price

- (12) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

D. Comparison

- (13) In comparing normal value with export prices the Commission took appropriate account of the differences influencing the comparability of the prices, in so far as these were sufficiently substantial. Those differences concerned, in particular, the exemption of entry duties and domestic turnover tax on the raw materials used for manufacturing the exported acrylic fibres as well as in physical characteristics and payment terms.

In addition, adjustments were also proposed for differences in certain cost savings in producing large batches for export and for marketing expenses on the domestic market. However, the evidence submitted was not sufficient to prove the savings in the cost of producing different quantities or the existence of the alleged marketing expenses.

Finally, an adjustment was proposed by the Israeli exporter for amounts collected by him under an insurance contract intended to cover losses from

differences between the inflation rate in Israel and the rate of devaluation of the national Israeli currency. The Commission did not accept this claim since this insurance did not have any direct effect on the price paid by Community customers for the product exported by the Israeli exporter.

All comparisons were made at an ex-works level.

E. Margins

- (14) Dumping margins were established by comparing the normal value determined as described above with export prices on a transaction-by-transaction basis, exports at identical prices being grouped together. The above examination shows the existence of dumping in respect of all the exporters involved. The dumping margins vary according to the exporter, the importing Member State and the type and quality of the product concerned. The weighted average margins for each of the exporters investigated were as follows:

	(%)
— AK-PA Tekstil Ihracat Pazarlama AS, Istanbul (NIMEXE code 56.02-15):	5,50
— Israel Chemical Fibres Ltd, Ashdod (NIMEXE code 56.01-15):	10,60
— Israel Chemical Fibres Ltd, Ashdod (NIMEXE code 56.02-15):	6,60
— Celanese Mexicana SA, Mexico City (NIMEXE code 56.01-15):	28,85
— Celulosa y Derivados SA, Guadalajara (NIMEXE code 56.01-15):	58,47
— Celulosa y Derivados SA, Guadalajara (NIMEXE code 56.02-15):	78,04
— Celulosa y Derivados SA, Guadalajara (NIMEXE code ex 56.04-15):	78,28
— Danubiana, Bucharest (NIMEXE code 56.01-15):	36,60
— Danubiana, Bucharest (NIMEXE code ex 56.04-15):	18,50

F. Injury

- (15) With regard to the injury caused by the dumped imports the evidence available to the Commission shows that imports into the Community from Israel, Mexico, Romania and Turkey of:

- (a) discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning (NIMEXE code 56.01-15) increased from 892 tonnes in 1981 to 4 735 tonnes in 1984, and were 2 520 tonnes during 1985;

- (b) continuous filament tow for the manufacture of discontinuous acrylic fibres (NIMEXE code 56.02-15) increased from 9 506 tonnes in 1981 to 12 534 tonnes in 1984 and to 17 468 tonnes in 1985;
- (c) discontinuous acrylic fibres, carded, combed or otherwise prepared for spinning (NIMEXE code ex 56.04-15) increased from 901 tonnes in 1981 to 3 802 tonnes in 1984 and were 1 865 tonnes during 1985.
- (16) Total imports of all fibres in question into the Community from the four countries under consideration increased from 11 299 tonnes in 1981 to 21 071 tonnes in 1984 and to 21 853 tonnes during 1985 with a consequent increase in market share held by the exporting countries from 3 % in 1981 to 5,1 % in 1984 and to 5,4 % in 1985.
- (17) Imports into the Community from countries other than Israel, Mexico, Romania and Turkey have decreased from 24 396 tonnes in 1981 to 16 552 tonnes in 1984 and to 7 925 tonnes during the first half of 1985 with a consequent decrease in market share from 6,5 % in 1981 to 4 % in 1984 and to 3,7 % in 1985.
- (18) The weighted average resale prices to the first independent buyer of the imports from Israel, Mexico, Romania and Turkey undercut those of the Community producers during the investigation period, depending on the exporter, the importing Member State, the type and the quality of the product concerned. The weighted average undercutting margins were as follows:
- | | % |
|---|-------------------|
| — AK-PA Tekstil Ihracat Pazarlama, Istanbul (NIMEXE code 56.02-15): | from 0,8 to 4,3 |
| — Israel Chemical Fibres Ltd, Ashdod (NIMEXE code 56.01-15): | from 1,0 to 10,0 |
| — Israel Chemical Fibres Ltd, Ashdod (NIMEXE code 56.02-15): | from 3,7 to 10,8 |
| — Celanese Mexicana SA, Mexico City (NIMEXE code 56.01-15): | from 28,7 to 35,3 |
| — Celulosa y Derivados SA, Guadalajara (NIMEXE code 56.01-15): | from 9,3 to 20,2 |
| — Celulosa y Derivados SA, Guadalajara (NIMEXE code 56.02-15): | from 9,3 to 20,2 |
| — Celulosa y Derivados SA, Guadalajara (NIMEXE code ex 56.04-15): | from 7,5 to 20,3 |
| — Danubiana, Bucharest (NIMEXE code 56.01-15): | from 21,4 to 28,6 |
| — Danubiana, Bucharest (NIMEXE code ex 56.04-15): | from 7,4 to 20,1 |
- (19) The Community industry concerned has increased its production of the acrylic fibres in question from 529 696 tonnes in 1981 to 642 357 tonnes in 1984 and to 668 800 tonnes in 1985. Utilization of capacity has progressed from 72,7 % in 1981 to 84,3 % in 1984 and to 83,3 % in 1985.
- (20) However, the evidence available to the Commission shows that prices obtained by Community producers for the same fibres as those that are being dumped are not sufficient to cover the full cost of production of these fibres and allow them a modest profit. In many cases Community producers have had to reduce their prices in order to meet the prices of the dumped imports, thus avoiding reductions in production which would have resulted in further increases in unit costs.
- Community producers have had to align their prices on a generally very low and insufficient level which has led certain of them to incur substantial losses for the product sector in question since 1981 and has left the others with an insufficient profit margin.
- (21) The Commission also considered whether the Community industry faced a threat of injury. Anti-dumping action concerning acrylic fibres began in 1981 when an anti-dumping duty was imposed on exports of certain acrylic fibres originating in the United States of America. The rate of the duty, which is still in force, is 13,7 % for discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning and 17,6 % on continuous filament tow for the manufacture of discontinuous acrylic fibres.
- Imports originating in the United States of America have decreased substantially since then and Community producers, who had suffered heavy losses since 1979, took advantage of this decrease in imports to start a restructuring process which involved reducing capacities and becoming more efficient, until finally, in 1984, some of them realized a small profit.

(22) Imports from Israel, Mexico, Romania and Turkey virtually started in 1980 and reached their highest level in 1984 and 1985. Although the volume of these imports represents only about 6 % of Community consumption, the prices at which these fibres were imported have prevented the restructuring programme of the Community from being completely achieved. The price-depressing effect of these imports has not allowed certain of the Community producers to become as profitable as was planned. Given the recent increase in imports and the price undercutting established, Community producers now run the risk of finding themselves in the same situation as in 1980 to 1981. In addition the Commission had to take account of the following factors:

- (a) the significant rate of increase in imports of the dumped products into the Community market (93 % between 1981 and 1985) indicating the likelihood of substantially increased imports thereof;
- (b) the capacities, freely available, of the exporters (Mexico, Romania and Turkey) and the announcement of additional capacities in 1987 (Mexico and Turkey) indicating the likelihood of substantially increased dumped exports to the Community market taking into account the existing price level of Community producers in their market, which is considerably higher than the price level of the other possible export markets of the four countries in question;
- (c) the fact that imports from these countries are entering at prices that have a significant depressing effect on domestic prices and would most likely, as has been the case until now, increase demand for further imports.

All these factors lead the Commission to the conclusion that further dumped imports from Israel, Mexico, Romania and Turkey are imminent and that protective action is necessary, otherwise material injury will occur.

(23) In establishing the impact of the dumped imports on the Community industry the Commission had considered the effect of all dumped imports from all countries and companies concerned. Certain exporters argued that the impact of the individual exports should be looked at in isolation and considered that there was no threat of injury in view of the low level of their market share in the Community.

In analysing whether aggregation was appropriate in each case, the Commission considered whether

the dumped imports in question contributed to the threat of injury sustained by the Community industry. In reaching its conclusion, the Commission considered the comparability of the imported products in terms of physical characteristics, the increase in volume of imports from previous comparable periods and the low level of prices attributable to the products of all supplying companies and the extent to which each of the imported product competed in the Community with the like product of the Community industry. On the basis of such analysis the Commission took the view that the dumped imports from the companies concerned could be considered as contributing to the threat of injury suffered and that these imports have been made under such conditions that, should the Commission treat any company in isolation, it would be acting in a discriminatory manner against the rest. Accordingly, the Commission concluded that for the purposes of establishing the level of the threat of injury sustained by the Community industry, regard should be had to the effect of the dumped imports aggregated from all exporting companies concerned.

G. Community interest

- (24) Community processing industries have argued that the introduction of protective measures would not be in the Community interest because it would make them less competitive with processed products imported from third countries.
- (25) In view of the economic and social importance of the Community industry on the one hand and the relatively low incidence of a price increase on the costs of the processing industry on the other hand, the Commission has nevertheless come to the conclusion that it is in the Community's interests that action be taken.
- (26) However, since discontinuous acrylic fibre carded, combed or otherwise prepared, is among the products covered by the agreement between the European Community and Romania on trade in textile products⁽¹⁾ which establishes agreed quantitative limits for this category of products as well as special procedures, this category of products should, for the time being, be excluded from any measures to be taken with regard to Romania.

⁽¹⁾ Referred to in Council Regulation (EEC) No 3589/82 of 23 December 1982 (OJ No L 374, 31. 12. 1982, p. 106).

H. Disclosure

- (27) The exporters concerned were informed of the main findings of the preliminary investigation and commented on them. The evidence and the calculations were re-examined in the light of these comments. Adjustments were made where necessary to take account of the exporters' arguments wherever these were justified (see paragraph 13).

I. Undertakings

- (28) Undertakings were subsequently offered by all exporters with regard to their exports of acrylic fibres to the Community.
- (29) The effect of the said undertakings will be to increase export prices to the Community to the level necessary to eliminate the margin of dumping or undercutting established in the course of the investigation, whichever is the lower.

In these circumstances, the undertakings offered are considered acceptable and the investigation may therefore be terminated without the imposition of anti-dumping duties.

- (30) As objections to this course of action were raised in the Advisory Committee by one Member State, the investigation was not terminated by the Commission with respect to the companies in question but a proposal is being submitted to that effect by the Commission to the Council.

HAS DECIDED AS FOLLOWS:

Article 1

The Council hereby accepts the undertakings given by:

- (a) AK-PA Tekstil Ihracat Pazarlama AS, Istanbul, Turkey, in connection with the anti-dumping proceeding concerning continuous filament tow for the manufacture of discontinuous acrylic fibres falling within subheading ex 56.02 A of the Common Customs Tariff (NIMEXE code 56.02-15) originating in Turkey;
- (b) Israel Chemical Fibres Ltd, Ashdod, Israel, in connection with the anti-dumping proceeding concerning discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning falling within subheading ex 56.01 A of the Common Customs Tariff

(NIMEXE code 56.01-15) and continuous filament tow for the manufacture of discontinuous acrylic fibres falling within subheading ex 56.02 A of the Common Customs Tariff (NIMEXE code 56.02-15) originating in Israel;

- (c) Celanese Mexicana SA, Mexico City, Mexico, in connection with the anti-dumping proceeding concerning discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning falling within subheading ex 56.01 A of the Common Customs Tariff (NIMEXE code 56.01-15), continuous filament tow for the manufacture of discontinuous acrylic fibres falling within subheading ex 56.02 A of the Common Customs Tariff (NIMEXE code 56.02-15), and discontinuous acrylic fibres, carded, combed or otherwise prepared for spinning falling within subheading ex 56.04 A of the Common Customs Tariff (NIMEXE code ex 56.04-15) originating in Mexico;
- (d) Celulosa y Derivados SA, Guadalajara, Mexico, in connection with the anti-dumping proceeding concerning discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning falling within subheading ex 56.01 A of the Common Customs Tariff (NIMEXE code 56.01-15), continuous filament tow for the manufacture of discontinuous acrylic fibres falling within subheading ex 56.02 A of the Common Customs Tariff (NIMEXE code 56.02-15), and discontinuous acrylic fibres, carded, combed or otherwise prepared for spinning falling within subheading ex 56.04 A of the Common Customs Tariff (NIMEXE code ex 56.04-15) originating in Mexico;
- (e) Danubiana, Bucharest, Romania, in connection with the anti-dumping proceeding concerning discontinuous acrylic fibres, not carded, combed or otherwise prepared for spinning falling within subheading ex 56.01 A of the Common Customs Tariff (NIMEXE code 56.01-15) originating in Romania.

Article 2

The anti-dumping investigation concerning imports of certain acrylic fibres originating in Israel, Mexico, Romania and Turkey is hereby terminated.

Done at Brussels, 22 September 1986.

For the Council

The President

M. JOPLING

COMMISSION OF THE EUROPEAN COMMUNITIES

THE AGRICULTURAL SITUATION IN THE COMMUNITY

1985 REPORT

Report published in conjunction with the 'Nineteenth General Report on the Activities of the European Communities'

This report is the eleventh published version of the annual Report on the Agricultural Situation in the Community. It contains analyses and statistics on the general situation (economic environment and world market), the factors of production, the structures and situation of the markets in the various agricultural products, the obstacles to the common agricultural market, the position of consumers and producers, and the financial aspects. The general prospects and the market outlook for agricultural products are also dealt with.

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