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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 2190/82****of 6 August 1982****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1451/82<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2118/82<sup>(5)</sup> and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within

a band of 2.25 %, a rate of exchange based on their central rate,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 5 August 1982;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2118/82 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 7 August 1982.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSAGER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 164, 14. 6. 1982, p. 1.

<sup>(3)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 223, 31. 7. 1982, p. 44.

## ANNEX

to the Commission Regulation of 6 August 1982 fixing the import levies on cereals and on wheat or rye flour, groats and meal

| (ECU/tonne)    |                                           |                                      |
|----------------|-------------------------------------------|--------------------------------------|
| CCT heading No | Description                               | Levies                               |
| 10.01 B I      | Common wheat, and meslin                  | 109.16                               |
| 10.01 B II     | Durum wheat                               | 152.74 <sup>(1)</sup> <sup>(5)</sup> |
| 10.02          | Rye                                       | 65.76 <sup>(6)</sup>                 |
| 10.03          | Barley                                    | 96.80                                |
| 10.04          | Oats                                      | 61.00                                |
| 10.05 B        | Maize, other than hybrid maize for sowing | 97.87 <sup>(2)</sup> <sup>(3)</sup>  |
| 10.07 A        | Buckwheat                                 | 0                                    |
| 10.07 B        | Millet                                    | 34.49 <sup>(4)</sup>                 |
| 10.07 C        | Grain sorghum                             | 96.21 <sup>(4)</sup>                 |
| 10.07 D        | Canary seed; other cereals                | 0 <sup>(5)</sup>                     |
| 11.01 A        | Wheat or meslin flour                     | 165.82                               |
| 11.01 B        | Rye flour                                 | 105.09                               |
| 11.02 A I a)   | Durum wheat groats and meal               | 249.75                               |
| 11.02 A I b)   | Common wheat groats and meal              | 179.09                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

<sup>(2)</sup> In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1.81 ECU/tonne.

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

<sup>(5)</sup> Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0.60 ECU/tonne.

<sup>(6)</sup> The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

## COMMISSION REGULATION (EEC) No 2191/82

of 6 August 1982

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1451/82<sup>(2)</sup>, and in particular Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73<sup>(4)</sup>, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2119/82<sup>(5)</sup> and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2.25 % a rate of exchange based on their central rate,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community currencies referred to in the previous indent;

Whereas these exchange rates being those recorded on 5 August 1982;

Whereas on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 7 August 1982.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 164, 14. 6. 1982, p. 1.

<sup>(3)</sup> OJ No 106, 30. 10. 1962, p. 2553/62.

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 223, 31. 7. 1982, p. 47.

## ANNEX

to the Commission Regulation of 6 August 1982 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

| CCT heading No | Description                               | (ECU/tonne)  |                 |                  |                  |
|----------------|-------------------------------------------|--------------|-----------------|------------------|------------------|
|                |                                           | Current<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 |
| 10.01 B I      | Common wheat, and meslin                  | 0            | 0               | 0                | 0                |
| 10.01 B II     | Durum wheat                               | 0            | 0.52            | 0.52             | 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            | 4.20            | 4.20             | 4.20             |
| 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<br>8 | 1st period<br>9 | 2nd period<br>10 | 3rd period<br>11 | 4th period<br>12 |
| 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 2192/82****of 6 August 1982****laying down detailed rules for the application of the special measures for peas  
and field beans**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
1431/82 of 18 May 1982 laying down special measures  
for peas and field beans <sup>(1)</sup>, and in particular Article 3  
(7) thereof,

Whereas Article 4 of Council Regulation (EEC) No  
2036/82 <sup>(2)</sup> provides that in cases where the products  
are sold by the producer, the first purchaser must  
lodge with the agency appointed by the Member State  
in which the product is harvested, the contract made  
with the producer and a declaration certifying the  
quantity actually delivered by the latter; whereas, to  
facilitate controls by the Member States on entitlement  
to aid, the minimum information to be given in these  
contracts and declarations should be specified and it  
should be provided that the contracts be lodged before  
a certain date;

Whereas, to ensure effective control, it should be  
provided that a representative number of supply decla-  
rations should be checked;

Whereas, to ensure proper management of the aid  
scheme, the first purchaser should comply with certain  
conditions regarding controls;

Whereas, in cases where the products are sold by the  
producer, Article 4 (2) of Regulation (EEC) No  
2036/82 provides that the competent agency, after  
verifying the content of the contract concluded  
between the first purchaser and the producer, and in  
particular that the latter has obtained the minimum  
price, issues a certificate; whereas the entry into force  
of these rules requires the adoption of Community  
provisions on the drawing up and use of these certi-  
ficates, on the introduction of Community forms and  
on the setting up of methods of administrative colla-  
boration between the Communities and the Member  
States; whereas, pending a Community certificate,  
provision should be made for the use by the Member  
States of certificates of their choice;

Whereas, in line with normal trade practices with  
regard to peas and field beans, some tolerance should  
be permitted when comparing the quantity identified

by the competent agency with the quantity given on  
the certificate;

Whereas, in accordance with Article 5 of Regulation  
(EEC) No 2036/82, the aid is granted only for products  
which have actually been used for human consump-  
tion or animal feed; whereas, to ensure proper  
administrative management, the concept of products  
which are actually used should be defined;

Whereas Article 14 of Regulation (EEC) No 2036/82  
provides that the Member States in whose territory the  
products are actually used must set up a control system  
ensuring that only the products entitled to aid receive  
it; whereas, to ensure that the products actually used  
are those which were sold by the producer and that  
the actual use of these products takes place in under-  
takings, it is appropriate, for the purposes of effective  
control, that the concept of undertaking should be  
defined and detailed rules for this control should be  
adopted;

Whereas this control should be based in particular on  
the stock records of the undertaking;

Whereas, for reasons of efficient administrative man-  
agement, it is appropriate to provide that the peas and  
field beans be used within a certain period from the  
date when the products arrive at the undertaking  
where they are actually to be used; whereas, to  
simplify administrative procedures, notification by the  
undertaking to the competent body in the Member  
State of the arrival of the products should be consi-  
dered as an application to place the products in ques-  
tion under supervision;

Whereas, to ensure the uniform application of the aid  
system, the minimum information to be given in the  
application for aid and the detailed rules for payment  
of the aid to persons entitled to it should be laid  
down;

Whereas Article 10 of Regulation (EEC) No 2036/82  
provides that in cases where the products are sold by  
the producer, the aid may be paid in advance, as soon  
as the products are placed under supervision at the  
establishment where they are to be used, provided that  
an efficient security is provided; whereas, therefore,  
the rules concerning this security and the conditions  
under which it is entirely or partially forfeit should be  
laid down;

<sup>(1)</sup> OJ No L 162, 12. 6. 1982, p. 28.

<sup>(2)</sup> OJ No L 219, 28. 7. 1982, p. 1.

Whereas, in accordance with Article 8 of Regulation (EEC) No 2036/82, where the products are processed on behalf of the farmer to be fed to animals on his farm, aid is granted to approved bodies which must pass it on to the producer; whereas the conditions which these bodies must satisfy in order to be approved and the conditions for withdrawal of the approval should be laid down;

Whereas, in the case referred to above, in order to control entitlement to the aid, conditions must be determined which the approved bodies must satisfy with regard to controls; whereas, for that purpose, it should be provided that the stock records of these bodies must contain all the information needed to undertake this control;

Whereas, in order to ensure the uniform application of the aid system, where products are processed on behalf of the farmer, the detailed rules for payment of the aid to the approved bodies should be laid down;

Whereas, in view of the time needed to check that the conditions for approval are complied with, there is a danger that such checks will not be completed in good time; whereas, to resolve this problem, it is appropriate to provide for the possibility of granting provisional approval to the bodies concerned for the 1982/83 marketing year;

Whereas, to prevent Community aid being granted other than for products entitled to it, the Member States must be able to apply a control system both for peas and field beans produced in the Community and exported to non-member countries and for peas and field beans imported into the Community; whereas the control system should therefore be laid down;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

The contract referred to in Article 4 (1) of Regulation (EEC) No 2036/82 shall be lodged by the first buyer with the agency appointed for this purpose in the Member State in which the peas and field beans were produced not later than the day on which the declaration of delivery of the products by the producer to the first buyer is lodged.

Where more than one delivery declaration is lodged for a given contract, the contract shall be lodged not

later than the day on which the first delivery declaration is lodged.

#### *Article 2*

Any contract concluded between a producer and a first buyer shall include:

- (a) the names, forenames, addresses and signatures of the contracting parties;
- (b) the date of conclusion;
- (c) the marketing year of the harvest;
- (d) the quantity, in tonnes and fractions of tonnes, of the peas and field beans covered by the contract or the area, in hectares and ares, where the product covered by the contract is to be harvested;
- (e) the price to be paid to the producer per unit of weight and any reductions or increases to be applied under Article 3.

#### *Article 3*

1. The price to be paid under Article 2 (e) shall be for sound, genuine and merchantable goods of the quality specified in Article 11 of Regulation (EEC) No 2036/82, loaded onto the purchaser's vehicle at the farm gate.

2. (a) The selling price shall be reduced or increased by 1 % for each point of moisture or impurity content above or below the quality referred to in paragraph 1.

However, if the moisture content is more than 16 % but not more than 18 %, a reduction shall be applied to the selling price of between 1 % and 1.5 % for each point of moisture content above 16 %.

- (b) If the humidity content exceeds 18 % or the impurity content exceeds 5 %, the reduction to be applied to the sale price, for that part of those contents exceeding the above percentages, shall be agreed between the contracting parties.

3. For the purposes of this Article, 'impurity' shall mean any foreign body, organic or inorganic, other than the species in question.

#### *Article 4*

Delivery declarations as referred to in Article 4 (1) of Regulation (EEC) No 2036/82 shall include:

- (a) the names, forenames, addresses and signatures of the producer and the first buyer;
- (b) the contract reference referred to in Article 6 (4);
- (c) the quantity actually delivered by the producer and the date of delivery;

- (d) the moisture content and impurity content of the product delivered;
- (e) certification that the product delivered has not been accepted as benefiting under the provisions of Council Regulation (EEC) No 2358/71<sup>(1)</sup>.

#### Article 5

In order to enable checks to be made, every first buyer shall:

- keep separate stock accounts for products harvested in the Community and imported products, indicating at least the quantities entering and leaving, specifying the net weight of the product as it stands and, for products harvested in the Community, the moisture content and the impurity content,
- undertake to open his financial accounts to the competent agency,
- undertake to supply such other supporting documents as are necessary.

#### Article 6

##### 1. Producer Member States shall check:

- (a) that contracts meet the conditions set out in Article 2 and that the price shown is not less than the minimum price;
- (b) that delivery declarations meet the conditions set out in Article 4;
- (c) where a contract is concluded for a given area, that the quantity actually delivered corresponds to that capable of being produced on the area indicated in the contract.

2. The conversion rate to be applied for the purpose of checking that the minimum price has been complied with in the case of a product harvested during a given marketing year shall be the representative rate in force on the first day of the marketing year in question.

3. Producer Member States shall carry out spot checks on the accuracy of at least 5 % of delivery declarations.

4. After the checks referred to in paragraph 1 (a), the producer Member State shall mark the contract with a serial number, preceded by the following letter or letters indicating the country in which the contract was concluded: B for Belgium, D for Germany, DK

for Denmark, E for Greece, F for France, I for Italy, IR for Ireland, L for Luxembourg, NL for the Netherlands and UK for the United Kingdom.

#### Article 7

1. At the request of the first buyer, the competent agency of the Member State in which the peas and field beans are harvested shall issue a certificate as referred to in Article 4 (2) of Regulation (EEC) No 2036/82.

2. The certificate shall be issued for the quantities supplied under one or more contracts.

However, where there is more than one delivery under a given contract, the certificate may be issued for the quantity indicated in each delivery declaration.

3. The certificate shall state the serial number preceded by the letter or letters appearing on each contract and the quantity, as adjusted in accordance with the method laid down in the Annex, of the product appearing in the relevant delivery declaration or declarations.

4. Provided that sufficient security is furnished by the party concerned, Member States may issue a certificate before the delivery declaration is lodged, for at most 80 % of the quantity indicated in the contract lodged.

Where it has not been possible for the delivery declaration to be lodged solely because the information referred to in the fourth indent of Article 4 was temporarily not available, Member States may also issue the certificate for at most 80 % of the quantity actually delivered.

The certificate for the remainder shall be issued when all the conditions laid down in Articles 4 and 6 of this Regulation have been complied with.

Should Member States discover that under this paragraph they have issued certificates for more than the actual quantities involved, they shall recover the certificates for the excess quantities, failing which they shall require the first buyer to pay an amount equal to the highest aid applicable on the date the certificate was issued, multiplied by the excess quantity.

#### Article 8

1. The form of certificate shall be determined by 31 December 1982 in accordance with the procedure provided for in Article 12 of Council Regulation (EEC) No 1117/78<sup>(2)</sup>.

<sup>(1)</sup> OJ No L 246, 5. 11. 1971, p. 1.

<sup>(2)</sup> OJ No L 142, 30. 5. 1978, p. 1.

2. Until a Community certificate is adopted, Member States shall use certificates of their choice. They may be used until 30 June 1983.

3. After 30 June 1983, Member States shall, as soon as possible, communicate a list indicating the references of the certificates lodged with them to the Member States which issued them.

4. Each Member State of issue shall check that the certificates lodged in other Member States correspond to those it has issued.

#### *Article 9*

1. The certificate shall be valid throughout the Community.

2. Each Member State shall transmit to the Commission the stamp and, where applicable, the authorized signature appearing on each certificate. The Commission shall communicate them to the other Member States.

#### *Article 10*

In any case of doubt as to the authenticity of a certificate or of the statements or stamps thereon, the competent national authorities shall return the disputed document or a photocopy thereof to the issuing body to be checked.

#### *Article 11*

1. At the request of any holder of a certificate as referred to in Article 7, and after that certificate has been lodged by the holder, any issuing body shall replace it with certificates for smaller amounts of peas and field beans equal in total to the quantity shown on the certificate lodged.

Certificates issued to replace a lodged certificate shall be equivalent in effect to that certificate, up to the quantity for which they are issued.

2. Each replacement certificate shall be marked with the same number and letter or letters as the original certificate together with a supplementary serial number.

#### *Article 12*

1. In order to be approved within the meaning of Article 8 of Regulation (EEC) No 2036/82, a body must:

- include at least 150 producers of peas and field beans each of whom has sufficient livestock to use

the quantities produced and guarantees to use the products concerned only for feeding that livestock,

- process at least 400 tonnes of peas and field beans,
- keep stock and financial accounts,
- submit to such checks as are necessary,
- guarantee to pass on the full amount of the aid to the producer.

2. The competent agency of the Member State shall grant approval to a body applying therefor after checking that the conditions laid down in paragraph 1 are complied with. However, for the marketing year 1982/83, provisional approval may be granted as soon as an application is received. If checks then reveal that the conditions laid down in paragraph 1 are not complied with, this provisional approval shall be withdrawn retroactively.

#### *Article 13*

Producer Member States shall set up systems of control to check that the products are delivered by the producer to the approved body and that they are then processed.

#### *Article 14*

For the purpose of Article 7 of Regulation (EEC) No 2036/82, 'processing by an approved body' shall mean any operation by that body which, by milling or any other similar process, modifies the nature of the produce which is to be used for feeding livestock.

#### *Article 15*

1. Where a contract was lodged by the first buyer before 1 August 1982, Commission Regulation (EEC) No 3075/78 <sup>(1)</sup> shall apply as regards the contract and any increases or reductions in the minimum price.

2. Where a certificate as referred to in Article 10 (2) of Regulation (EEC) No 3075/78 was issued before 1 August 1982, it may be used instead of the certificate referred to in Article 7 above until 31 March 1983.

3. Until 31 December 1982 Member States may make derogations from Articles 4 and 5, if this is necessary. Member States shall forthwith inform the Commission of any measures which they take pursuant to this paragraph.

<sup>(1)</sup> OJ No L 367, 28. 12. 1978, p. 9.

### Article 16

For the purposes of Article 5 (2) of Regulation (EEC) No 2036/82, products shall be considered actually to have been used if, respectively in relation to points (a), (b), (c), (d) and (e) of the abovementioned provision, they :

- (a) have been incorporated together with other products into animal feedingstuffs after being milled, and possibly toasted or processed into flakes ;
- (b) — have left the undertaking, unprocessed, after being put up in new packages of 12.5 kilograms or less, provided that they contain no more than 0.25 % of impurities and no more than 1 % of broken or damaged seed of the same species,  
— have left the undertaking, unprocessed, after being mixed with at least three other species of seed and put up in new packages of 25 kilograms or less, provided that they contain no more than 0.25 % of inorganic matter and no more than 1 % of broken or damaged peas and field beans ;
- (c) have been processed with a view to the production of protein concentrates ;
- (d) have been processed as follows :
  - skinning and, possibly, separation of the cotyledons,
  - skinning and milling with a view to the preparation of flour for human consumption,
  - soaking in water and packaging, with the liquid, in hermetically sealed packages ;
- (e) have left the undertaking, unprocessed, after being put up in new packages of 12.5 kilograms or less, provided that they contain no more than 0.25 % of impurities and no more than 1 % of broken or damaged seeds of the same species.

### Article 17

1. For the purposes of this Regulation, 'undertaking' shall mean any premises or other place within the precincts of an establishment where the products are actually used.

2. In addition, if the products are intended to be incorporated into animal feedingstuffs in accordance with Article 16 (a), and if they cannot be stored within the precincts referred to in paragraph 1, 'undertaking' shall mean any premises outside these precincts which offer sufficient guarantees as regards checking the stored products and which have been approved in advance by the agency responsible for supervision.

### Article 18

1. When the products enter the undertaking, the party concerned shall immediately inform the competent agency of the Member State in writing. This noti-

fication shall constitute an application to place the products under supervision.

2. The weighing and sampling referred to in Article 11 (2) of Regulation (EEC) No 2036/82 shall be carried out when the peas and field beans enter the undertaking.

3. The taking of samples, the reduction of laboratory samples to samples for analysis and the determination of the moisture and impurity contents shall be carried out by a uniform method for the whole Community.

However, until a Community method is adopted, Member States shall use methods of their choice.

4. Except in cases of *force majeure*, and with the exception of the products referred to in Article 16 (b) and (e), products placed under supervision may not leave the undertaking until they have been processed.

However, at the request of the party concerned, products to be incorporated into animal feed may be authorized to undergo milling, flaking or toasting outside the undertaking.

### Article 19

1. The appointed agency in the Member State in which the procedure is actually used shall check that the quantity indicated on the certificate referred to in Article 7 corresponds to that placed under supervision in the undertaking. The weight of the quantity placed under supervision shall be determined by the method set out in the Annex.

2. If the quantity placed under supervision is not more than 102 % of the quantity indicated on the certificate, the competent agency shall accept it as qualifying for the aid.

3. If the quantity placed under supervision is more than 102 % of the quantity indicated on the certificate, the competent agency shall accept as qualifying for the aid only 102 % of the quantity indicated on the certificate.

### Article 20

Except in cases of *force majeure*, an application to place products under supervision shall carry with it the obligation actually to use the products within the meaning of Article 16 within 150 days of the date on which the application is lodged.

The obligation shall be considered to have been fulfilled when the quantity used, as determined in accordance with the method set out in the Annex, has attained a level not more than 2 % below the quantity indicated on the certificate.

### Article 21

1. The appointed agency in the Member State where the products are actually used shall check that the quantities of peas and field beans placed under supervision in the undertaking correspond to those used in accordance with Article 16.

2. For those purposes of these checks, the undertaking shall keep separate stock accounts for products harvested in the Community and imported products, including details of:

- quantities entering, specifying the net weight of the product as received, and, for products harvested in the Community, the moisture and impurity contents,
- movements of the products between the undertaking's premises or stores, and quantities entering or leaving as provided for in Article 18 (4),
- quantities of peas and field beans actually used within the meaning of Article 16,
- quantities of peas and field beans actually used within the meaning of Article 16, which have left the undertaking,
- invoices or equivalent documents for both products bought and products sold.

The undertaking shall also be obliged to make its financial accounts available to the appointed agency of the Member State.

### Article 22

1. Applications for aid as referred to in Article 5 (1) of Regulation (EEC) No 2036/82 shall be lodged by the party concerned in the Member State in which the products are to be actually used, not later than the day on which the application to place products under supervision is lodged.

2. If the application for aid is lodged before the lodging of the application to place products under supervision, it shall be accompanied by a security amounting to 2.0 ECU per 100 kilograms of product.

The security shall take the form of a guarantee provided by an establishment meeting the criteria laid down by the Member State in which the application is made.

3. The application for aid shall give at least the following particulars:

- the surname, forenames and address of the applicant,
- the quantity of peas and field beans for which the aid is requested,
- whether the aid being applied for is that referred to in Article 3 (1) or (2) of Regulation (EEC) No 1431/82,

— a reference to the security.

Application may be lodged by letter, telegram or telex.

### Article 23

'The day on which the application is lodged' shall mean the day on which it is actually lodged, provided that this is a working day and that it is lodged not later than 4 p.m., Belgian time.

Applications lodged on a non-working day or on a working day after 4 p.m. shall be considered as being lodged on the following working day.

### Article 24

1. Except in cases of *force majeure*, an application for aid shall carry with it an obligation to place the quantity indicated in the application under supervision not later than the end of the sixth or ninth month following that during which the application for aid is lodged, depending on whether the application refers to aid under Article 3 (2) or (1) of Regulation (EEC) No 1431/82.

2. The obligation referred to above shall be considered to have been fulfilled if the quantity placed under supervision before the time limit concerned is between 93 and 107 % of the quantity indicated in the application.

3. The security shall be forfeit in its entirety if the quantity placed under supervision is less than 7 % of that indicated in the application.

4. If the quantity placed under supervision is more than 7 % but less than 93 % of that indicated in the application, the security shall be forfeit in proportion to the difference between 93 % of the quantity indicated in the application and the quantity actually placed under supervision.

5. The aid to be granted for quantities exceeding 107 % of the quantity indicated in the application shall be that applying on the day the product is placed under supervision.

### Article 25

The event, within the meaning of Article 6 of Council Regulation (EEC) No 1134/68<sup>(1)</sup>, creating entitlement to the aid for peas and field beans shall be considered as having occurred on the day on which the application to place products under supervision as referred to in Article 18 is submitted.

<sup>(1)</sup> OJ No L 188, 1. 8. 1968, p. 1.

*Article 26*

Approved bodies as referred to in Article 7 of Regulation (EEC) No 2036/82 shall each month submit to the competent agency of the Member State in which the processing took place a processing declaration concerning quantities processed during the previous month, indicating at least :

- the names, forenames and addresses of the producers of products which have been processed,
- the quantity of products processed per producer, as adjusted by the method laid down in the Annex.

*Article 27*

1. The agency appointed by the Member State in which the products are processed by an approved body shall check that the quantity indicated in the processing declaration corresponds to that actually processed.

2. For the purposes of such checks, an approved body shall keep stock accounts within the meaning of Article 13 including the following :

- the quantities of unprocessed products entered by the approved body for processing, together with their moisture and impurity contents,
- any movements of products within the precincts of the approved body,
- the quantities of products processed and returned to the producer.

3. Approved bodies shall also keep a register including :

- the names, forenames and addresses of its members,
- the areas sown to peas and field beans at 15 May and 31 December of each year, for each of its members,
- the numbers of livestock held by its members at the same dates.

*Article 28*

1. When the products enter the approved body, they shall be weighed and sampled as laid down in Article 11 (2) of Regulation (EEC) No 2036/82.

2. The taking of samples, the reduction of laboratory samples to samples for analysis and the determination of the moisture and impurity contents shall be carried out by a uniform method for the whole Community. However, until a Community method is adopted, Member States shall use methods of their choice.

3. Except in cases of *force majeure*, products may not leave the approved body unless they have been processed.

*Article 29*

1. Aid shall be granted only for peas and field beans which are of sound, genuine and merchantable quality.

The aid shall be paid in respect of the checked weight of the product as adjusted by the method laid down in the Annex.

Aid shall not be paid for products containing more than 5 % of skins or skinned seeds, whether or not broken.

2. The aid shall be paid to users having submitted the application referred to in Article 22, provided that :

- they have lodged the certificate referred to in Article 7 with the agency appointed by the Member State,
- the agency responsible for supervision under Article 19 has checked that the quantity indicated in the certificate has actually been used within the period referred to in Article 20,
- in the case of use as referred to in the third indent of Article 16 (d), the product has been put up in packages bearing labelling stating the type of processing which it has undergone.

3. The aid shall be paid to the approved body which submitted the declaration referred to in Article 26, provided that the agency responsible for supervision has carried out the check referred to in Article 27 and is satisfied that the product is being used in accordance with this Regulation.

*Article 30*

1. Advance payment of the aid as referred to in Article 10 of Regulation (EEC) No 2036/82 shall be subject to the lodging of a security equal to the aid indicated in the application referred to in Article 5 of that Regulation multiplied by the quantity indicated in the application to place products under supervision referred to in Article 18 of this Regulation.

2. The security shall take the form of a guarantee provided by an establishment meeting the criteria laid down by the Member State in which the application is made.

3. The security shall be released when the quantity placed under supervision is actually used, if this occurs within the period referred to in Article 20.

If the period referred to in Article 20 is not complied with, the security shall be forfeit.

However, if use takes place not later than the ninth month following expiry of the period, the security shall be repaid less 10 % for each month or part of a month overdue.

*Article 31*

1. The aid for products used in the feeding of animals shall be fixed once a month by the Commission, in such a manner that it can be applied from the first day of the following month. In the event of a major change in the market situation, the aid may be altered as often as necessary.

The Commission shall inform the Member States of the amount of the aid to be paid per 100 kilograms of product as soon as it has been fixed, and in all events before its entry into force.

2. The aid for products used for human consumption shall be fixed, in accordance with the procedure laid down in Article 12 of Regulation (EEC) No 1117/78, before the beginning of each marketing year, so as to apply from the first day thereof.

The aid may be altered in the meantime if there is a major change in the world-market price.

*Article 32*

1. When completing customs formalities for export to third countries for products mentioned in Article 1 of Regulation (EEC) No 1431/82 which fulfil the conditions for the grant of aid, the exporter shall present the certificate referred to in Article 7 or, where applicable, in Article 15 (2), covering a quantity equal to at least 98 % of the weight of the products, adjusted in accordance with the method laid down in the Annex.

The certificate shall, after being stamped by the customs authorities and endorsed with the destination of the products, be forwarded by these authorities to the competent authorities in the Member State of export.

2. Paragraph 1 shall not apply to products referred to in Article 16 (b), (d) first indent, and (e).

*Article 33*

1. The Member States shall set up a customs control system, or an administrative control system offering equivalent guarantees, which shall be applied from the time when the products referred to in Article 1 of Regulation (EEC) No 1431/82 are put into circulation in the Community until these products have arrived at one of the following destinations:

- they have been actually used for one of the uses referred to in Article 16 without having benefited from aid,

— they have been exported to non-member countries.

2. The following are not subject to the system referred to in paragraph 1:

- products which are presented, unprocessed, in new packages of a content equal to or less than 12.5 kilograms, even when mixed with other products,
- products which have been skinned, and split into two cotyledons.

3. In the case of intra-Community trade in the products subject to control pursuant to this Article, the proof that the products have reached one of the destinations referred to in paragraph 1 shall be furnished by production of control copy T 5 issued and used in accordance with the provisions of Council Regulation (EEC) No 223/77<sup>(1)</sup> and of this Article. The section entitled 'Description of goods' must contain one of the following statements:

- 'Imported products',
- 'Produits importés',
- 'Eingeführte Erzeugnisse',
- 'Prodotti importati',
- 'Ingevoerde produkten',
- 'Indførte produkter',
- 'Εισαγόμενα προϊόντα'.

The section entitled 'Additional information' of the control copy shall be completed as follows:

box 101: by insertion of the Common Customs Tariff subheading for the products;

box 103: by insertion of the net weight of the products in words;

box 104: by deletion of the phrase 'leaving the geographical territory of the Community' in the first indent and by addition of one of the following phrases to the second indent:

'Intended to be placed under the control provided for by Regulation (EEC) No 2192/82',

'Destiné à être mis sous le contrôle prévu au règlement (CEE) n° 2192/82',

'Dazu bestimmt, der Kontrolle nach der Verordnung (EWG) Nr. 2192/82 unterworfen zu werden',

'Destinato ad essere messo sotto il controllo previsto dal regolamento (CEE) n. 2192/82',

'Bestemd om te worden geplaatst onder de controle bedoeld in Verordening (EEG) nr. 2192/82',

'Bestemt til at anbringes under den i forordning (EØF) nr. 2192/82 omhandlede kontrol',

'Πού προορίζεται να υπαχθεί στον έλεγχο που προβλέπεται στον κανονισμό (ΕΟΚ) αριθ. 2192/82'.

<sup>(1)</sup> OJ No L 38, 9. 2. 1977, p. 20.

4. Where the control copy referred to in paragraph 3 is not returned to the office of departure or to the relevant central body within nine months of its issue, the Member State of departure shall examine the case and inform the Commission thereof.

#### Article 35

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

#### Article 34

Regulation (EEC) No 3075/78 is hereby repealed.

It shall apply with effect from 1 August 1982. However, Articles 32 and 33 shall apply from 1 October 1982.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

### ANNEX

#### Method of calculating the weight of peas and field beans

$$\frac{100 - (i + h)}{100 - (i_1 + h_1)} \times q = X$$

$i$  = impurity of peas and field beans the weight of which is to be determined,

$h$  = moisture of peas and field beans the weight of which is to be determined,

$i_1$  = impurities  
 $h_1$  = moisture } of the quality for which the aid is fixed,

$q$  = quantity of the products as received, expressed in kilograms, the weight of which is to be determined,

$x$  = weight of the products expressed in kilograms.

'Impurities' means all foreign bodies, organic or non-organic, other than the species in question.

Only the first two decimal places shall be taken into consideration for the moisture and impurities content

**COMMISSION REGULATION (EEC) No 2193/82****of 4 August 1982****laying down detailed rules implementing the system of aid for the use of grapes, grape must and concentrated grape must for the manufacture of grape juice and fixing the amounts of aid for the 1982/83 wine-growing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/81 <sup>(2)</sup>, and in particular Articles 14a (4), 48 (6) and 65 thereof,

Having regard to Council Regulation (EEC) No 878/77 of 26 April 1977 on the exchange rates to be applied in agriculture <sup>(3)</sup>, as last amended by Regulation (EEC) No 1668/82 <sup>(4)</sup>, and in particular Articles 4 (3) and 5 thereof,

Whereas, under the first indent of the first subparagraph of Article 14a (1) of Regulation (EEC) No 337/79, a system was introduced for aiding the use, for the manufacture of grape juice, of grape and concentrated grape must produced from grapes grown in the Community; whereas paragraph 2 of the same Article provides that the aid system can also be applied to the use of grapes of Community origin; whereas juice manufacturing practices are such that the aid should also be given for the use of such grapes;

Whereas application of the aid system requires administrative provisions for checking the origin and use of the products for which aid is given;

Whereas the purpose of the aid scheme is to promote the use of products of Community origin for the manufacture of grape juice in place of imported products; whereas the aid should therefore be given to users of the raw material, i.e. to processors;

Whereas in order to ensure that the aid system functions properly and that the checks can be properly

carried out, processors should be required to lodge written declarations giving the information necessary for identification of the product and to enable checks on the operations to be carried out;

Whereas, in order for the aid system to have an appreciable effect on the quantity of Community products used, a minimum quantity which may be covered by a declaration should be set for each product;

Whereas it should be stated that aid will be granted only for products having the quality characteristics required for processing into grape juice; whereas it is consequently necessary to prescribe that grapes and grape must covered by a declaration must have a density of between 1.055 and 1.085 g/cm<sup>3</sup> at 20 °C;

Whereas Article 14a (3) of Regulation (EEC) No 337/79 sets out criteria for fixing the amount of the aid; whereas application of these criteria gives the aid rates for the various products in question fixed below;

Whereas, to enable the competent authorities of the Member States to make the necessary checks, obligations on processors in regard to the keeping of stock records should be laid down, in addition to the provisions of Title II of Commission Regulation (EEC) No 1153/75 <sup>(5)</sup>, as last amended by the Act of Accession of Greece;

Whereas it should be laid down that entitlement to aid is established at the moment when the processing operations are completed; whereas to allow for technical losses the quantity actually used should be allowed to be up to 10 % less than that shown in the application;

Whereas for control purposes it is necessary to adopt a processing coefficient as between the grapes employed and the grape juice obtained, based on normal processing methods;

<sup>(1)</sup> OJ No L 54, 5. 3. 1979, p. 1.

<sup>(2)</sup> OJ No L 359, 15. 12. 1981, p. 1.

<sup>(3)</sup> OJ No L 106, 29. 4. 1977, p. 27.

<sup>(4)</sup> OJ No L 184, 29. 6. 1982, p. 19.

<sup>(5)</sup> OJ No L 113, 1. 5. 1975, p. 1.

Whereas in order to be paid aid, applicants must lodge an application accompanied by a number of supporting documents; whereas to ensure that the system operates uniformly in all Member States, time limits for lodging applications and for payment of aid to processors should be laid down;

Whereas the second subparagraph of Article 48 (5) of Regulation (EEC) No 337/79 states that grape juice may not be made into wine or added to wine; whereas, in order to ensure that this prohibition is complied with, special obligations and checks should be specified for processors of and bottles of grape juice;

Whereas to prevent discrimination between operators and to resolve certain uncertainties as to interpretation that may arise with regard to the representative rates to be applied under Commission Regulation (EEC) No 1054/78 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1780/82 <sup>(2)</sup>, it should be specified that for all operations under this Regulation the representative rates applicable should in all cases be those applying on 16 December 1982 in the wine sector, applicable in advance from 1 September 1982;

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

HAS ADOPTED THIS REGULATION:

### *Article 1*

1. For the 1982/83 wine-growing year, aid shall be granted in accordance with the conditions laid down in this Regulation to processors:

- who purchase grapes grown in the Community or grape must or concentrated grape must produced entirely from grapes grown in the Community from producers or producer groups for the purpose of manufacturing grape juice, or
- who, being themselves producers or producer groups, use their own production of these products for the purpose of manufacturing grape juice.

2. For the purposes of this Regulation, 'product' means grapes grown in the Community and grape must and concentrated grape must produced entirely from grapes grown in the Community.

<sup>(1)</sup> OJ No L 134, 22. 5. 1978, p. 40.

<sup>(2)</sup> OJ No L 197, 6. 7. 1982, p. 16.

3. Processing operations must be carried out between 1 September 1982 and 31 August 1983.

### *Article 2*

1. Processors wishing to receive the aid referred to in Article 1 shall submit a written declaration to the competent authority/authorities of the Member States in which the processing takes place.

If the declaration relates to the processing of grape must or concentrated grape must it must reach the competent authority/authorities at least three working days before processing begins.

2. Declarations must be submitted in at least two copies, at least one of which shall be duly stamped by the competent authority/authorities and returned to the processor.

3. Declarations shall include the following particulars:

- (a) the name or business name and address of the processor;
- (b) the wine-growing zone, as defined in Annex IV to Regulation (EEC) No 337/79, in which the product originated;
- (c) the following technical details:
  - the nature of the product (grapes, grape must or concentrated grape must),
  - the place of storage,
  - the place where processing is to be carried out,
  - the quantity (in quintals for grapes and in hectolitres for grape must and concentrated grape must),
  - the colour,
  - the density.

Member States may require additional particulars for identification of the product.

### *Article 3*

1. Declarations may not be made for less than:

- 13 quintals of grapes,
- 10 hectolitres of grape must,
- 3 hectolitres of concentrated grape must.

2. The product in respect of which the declaration is made must be of sound, fair and merchantable quality and suitable for the manufacture of grape juice. Grapes and grape must must have a density of between 1.055 and 1.085 g/cm<sup>3</sup> at 20 °C.

*Article 4*

The amount of the aid throughout the Community is hereby fixed at :

- 4.8 ECU per quintal of grapes,
- 6.0 ECU per hectolitre of grape must,
- 21.0 ECU per hectolitre of concentrated grape must.

*Article 5*

Processors shall keep stock records in accordance with Title II of Regulation (EEC) No 1153/75, indicating in particular ;

- the lots of product purchased and entering their premises each day, with the details referred to in Article 2 (3) (b) and (c), and where appropriate, the name(s) and address(es) of the vendor(s),
- the quantities and wine-growing zone of origin of the products processed each day,
- the quantities of grape juice obtained each day after processing,
- the lots of grape juice leaving his premises each day with the name(s) and address(es) of the consignee(s).

*Article 6*

1. Not later than 90 days after processing is completed, the processor shall submit an application for aid to the competent authority, accompanied by :

- the copy of the declaration that he holds,
- except in the cases referred to in the first and second subparagraphs of paragraph 4, a copy or summary of the stock records referred to in Article 5 relating to the product in question ; the Member States may require that the copy or summary be stamped by an official inspector.

2. Applications shall specify the quantity of product actually processed, which may not be less than 90 % of the quantity specified in the declaration, and the day when processing was completed.

Where the application for aid refers to the grapes themselves, the ratio of the grapes employed and the juice obtained must not exceed 1:3.

3. In cases as referred to in the first indent of Article 1 (1) applications shall also be accompanied by a copy of the document that accompanied the product when it was transported from the premises of the

producer to those of the processor or by a summary of the said documents. The Member States may require that the copy or summary be stamped by an official inspector.

In cases as referred to in the second indent of Article 1 (1), the processor must furnish proof that the products for which aid is requested were :

- in the case of grapes, grown in the Community,
- in the case of grape must and concentrated grape must, wholly produced from grapes grown in the Community.

4. In addition, where bottling of grape juice is carried out in the Community by a person other than the processor, the latter shall submit to the competent authority.

- a declaration by the bottler that he has taken the grape juice over, indicating the date on which he did so,
- a copy of any accompanying document drawn up for transport of the juice.

If bottling was carried out outside the Community, the processor shall submit to the competent authority a copy of the accompanying document showing in box 23 the customs stamp certifying exportation.

The supporting documents referred to in the first and second subparagraphs and the copy or summary referred to in the first indent of paragraph 1 shall be submitted not later than 90 days after the bottler has taken over the grape juice or after the grape juice has been exported, as appropriate.

5. The cases as referred to in the first subparagraph of paragraph 4, the bottler shall keep stock records as prescribed in Title II of Regulation (EEC) No 1153/75, showing :

- the quantities of grape juice entering his premises each day and the name and address of the processor,
- the quantities of grape juice bottled each day,
- the quantities of bottled grape juice leaving his premises each day and the name and address of each consignee.

*Article 7*

The competent authority shall pay aid for the quantity of product actually processed not later than 90 days after receipt of all the supporting documents specified in Article 6.

*Article 8*

1. Entitlement to the aid shall be acquired when the grapes, grape must or concentrated grape must have been for the purpose indicated in Article 1.
2. Conversion of the amounts indicated in Article 4 into national currencies shall be at the representative rates applying on 16 December 1982 in the wine sector, applicable in advance from 1 September 1982.

*Article 9*

1. Except in case *force majeure*, if the processor does not process the quantity of product covered by the declaration (allowing for the tolerance mentioned in Article 6 (2)), no aid shall be payable.
2. Except in case of *force majeure*, if the processor does not fulfil one of this obligations under this Regulation other than that to process the product covered by the declaration into grape juice, the aid payable shall be reduced by an amount fixed by the competent authority in proportion to the seriousness of the infringement.
3. In case of *force majeure*, the competent authority shall take such action as it considers necessary having regard to the circumstances invoked.
4. Member States shall inform the Commission of cases in which paragraph 2 has been applied and the outcome of claims as to *force majeure*.

*Article 10*

1. Member States shall adopt the measures necessary for implementation of this Regulation, and in

particular measures for checking the identity of the product in respect of which aid is applied for.

2. To that end the competent authority shall undertake in particular:

- checks, or at least spot checks, on processors', and where appropriate bottlers', premises,
- an inspection of each processor's stock records as referred to in Article 5, and, where appropriate, of each bottler's stock records as referred to in Article 6 (5).

*Article 11*

Member States shall inform the Commission before the 20th of each month in respect of the preceding month:

- (a) of the quantities of products for which aid has been requested, broken down by their nature and the wine-growing zone in which they originated;
- (b) of the quantities of products for which aid has been granted, broken down by their nature and the wine-growing zone in which they originated;

*Article 12*

Member States shall appoint one or more competent authorities empowered to implement this Regulation, and shall inform the Commission without delay of their names and addresses.

*Article 13*

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 September 1982.

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

Done at Brussels, 4 August 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

## COMMISSION REGULATION (EEC) No 2194/82

of 6 August 1982

**fixing for the 1982/83 marketing year the minimum price payable to producers, the production aid and the storage aid together with the coefficients applicable to the minimum price and the storage aid and to the production aid for dried grapes and dried figs**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2194/81 of 27 July 1981 laying down the general rules for the system of production aid for dried figs and dried grapes<sup>(1)</sup>, and in particular Article 14 thereof,

Whereas Article 4 (3) of the said Regulation laid down criteria for fixing the minimum price; whereas Article 8 of the same Regulation laid down the criteria for fixing the amount of production aid; whereas Article 10 (1) and (2) of the same Regulation laid down criteria for fixing the level of storage aid; whereas application of these criteria results in fixing the minimum price and the level of the aid in question at the levels stated hereinafter;

Whereas Article 4 (2) of Regulation (EEC) No 2194/81 lays down that the minimum price is to be fixed for a pilot product; whereas the level of production aid and storage aid are to be calculated for the corresponding products; whereas, accordingly, the coefficients applicable to the minimum price, to the storage aid and to the production aid should be fixed for the purposes of determining those applicable to other qualities;

Whereas the Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The minimum price payable to the producer, referred to in Article 4 (2) of Regulation (EEC) No 2194/81 is hereby fixed for the 1982/83 marketing year, per 100 kilograms of sultanas of quality No 4, ex grower, at 133.17 ECU.

2. For the same marketing year, the production aid for sultanas falling within subheading 08.04 B of the Common Customs Tariff, referred to in Article 1 of

the same Regulation, is hereby fixed, per 100 kilograms net of sultanas of quality No 4, at 36.14 ECU.

*Article 2*

1. The minimum price payable to the producer, referred to in Article 4 (2) of Regulation (EEC) No 2194/81 is hereby fixed, for the 1982/83 marketing year, per 100 kilograms of dried figs of quality C, ex grower at 67.65 ECU.

2. For the same marketing year, the production aid for dried figs falling within subheading 08.03 B of the Common Customs Tariff, referred to in Article 1 of the same Regulation, is hereby fixed per 100 kilograms net of dried figs of quality C, in all types of packaging at 23.56 ECU.

*Article 3*

The storage aid provided for in Article 10 (1) of Regulation (EEC) No 2194/81 is hereby fixed at the following level per 100 kilograms of product for each week of storage:

0.37 ECU for sultanas of quality No 4;

0.21 ECU for dried figs of quality C.

*Article 4*

The coefficients applicable to the minimum price and to the storage aid for products other than the pilot products are fixed in Annex I.

The coefficients applicable to the production aid for products other than the pilot products are fixed in Annex II.

*Article 5*

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

It shall apply with effect from:

— 15 August 1982 for dried figs,

— 1 September 1982 for dried grapes.

<sup>(1)</sup> OJ No L 214, 1. 8. 1981, p. 1.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

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*ANNEX I*

**Coefficients applicable for determining the minimum price payable to the producer and the storage aid for dried grapes**

| <i>Quality</i>                                                                                  | <i>Coefficients</i> |
|-------------------------------------------------------------------------------------------------|---------------------|
| Sultana No 1                                                                                    | 105.588             |
| Currant, dried in the shade, Eghion region                                                      | 104.264             |
| Sultana No 2                                                                                    | 103.383             |
| Currant select, Eghion region                                                                   | 102.058             |
| Currant, dried in the shade, Corinth region                                                     | 101.323             |
| Sultana No 4                                                                                    | 100.000             |
| Currant, select, Corinth region                                                                 | 98.332              |
| Currant, standard quality, Eghion region                                                        | 96.911              |
| Sultana No 5                                                                                    | 95.588              |
| Currant, select, from Patras, the Ionian islands, the Prefecture of Ilias, Triphilias           | 95.588              |
| Currant, standard quality, Corinth region                                                       | 95.588              |
| Currant, select, remainder of Messenia                                                          | 94.117              |
| Currant, standard quality, from Patras, the Ionian islands, the Prefecture of Ilias, Triphilias | 92.647              |
| Currant, standard quality, remainder of Messenia                                                | 91.176              |
| Currant, standard quality B (other origins)                                                     | 83.382              |

**Coefficients applicable for determining the minimum price payable to the producer and the storage aid for dried figs**

|                   |         |
|-------------------|---------|
| Quality A (extra) | 123.196 |
| Quality B         | 110.145 |
| Quality C         | 100.000 |
| Quality D         | 76.814  |

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## ANNEX II

## Coefficients applicable for determining the aid payable to processors for dried grapes

|           |    |    |   |         |
|-----------|----|----|---|---------|
| SULTANA : | No | 00 | } | 105·588 |
|           |    | 0  |   |         |
|           |    | 1  |   |         |
|           |    | 21 |   |         |
|           | No | 2  | } | 103·382 |
|           |    | 22 |   |         |
|           | No | 4  | } | 100·000 |
|           |    | 24 |   |         |
|           | No | 5  |   | 95·588  |

## CURRANT :

|             | <i>Extra Choicest</i> | <i>Choicest</i> | <i>Choice</i> |
|-------------|-----------------------|-----------------|---------------|
| Vostitsa    | 114·264               | 112·058         | 106·911       |
| Gulf        | 111·323               | 108·332         | 105·588       |
| Provincials | —                     | 105·588         | 104·647       |

## Coefficients applicable for determining the aid payable to dried fig processors

| Qualities \ Presentation | All types of packaging | String figs and layer | Round, proto-ben, lérída and paste | Loose  |
|--------------------------|------------------------|-----------------------|------------------------------------|--------|
| A                        | 120                    | 137·12                | 125·36                             | 101·86 |
| B                        | 110                    | 125·69                | 114·92                             | 93·37  |
| C                        | 100                    | 114·26                | 104·47                             | 84·88  |
| D                        | 90                     | 102·84                | 94·02                              | 76·39  |

## COMMISSION REGULATION (EEC) No 2195/82

of 6 August 1982

**amending Regulations (EEC) No 3574/81 and (EEC) No 262/82 as regards the sale at prices fixed in advance of dried grapes and dried figs held by the Greek storage agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables <sup>(1)</sup>, as last amended by Regulation (EEC) No 1118/81 <sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2194/81 of 27 July 1981 laying down the general rules for the system of production aid for dried figs and dried grapes <sup>(3)</sup>, and in particular Article 6 (2) thereof,

Whereas Commission Regulation (EEC) No 3574/81 <sup>(4)</sup>, as last amended by Regulation (EEC) No 1111/82 <sup>(5)</sup>, initiated the sale at prices fixed in advance of dried grapes from the 1981/82 harvest held by the Greek storage agencies; whereas Commission Regulation (EEC) No 262/82 <sup>(6)</sup>, as last amended by Regulation (EEC) No 1112/82 <sup>(7)</sup>, initiated the sale at prices fixed in advance of dried figs from the 1981/82 harvest held by the Greek storage agency; whereas the period for sales under these Regulations ends on 31 July 1982; whereas in view of the quantity still held by the storage agencies at this stage of the marketing year that period should be extended;

Whereas a large proportion of the sultanas put on sale has been disposed of and the quantity to be sold should consequently be increased;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 3574/81 is hereby amended as follows:

1. Article 1 (1) is replaced by the following:

'1. During the period 1 August to 30 September 1982 the Greek storage agencies listed in Annex I shall sell dried grapes from the 1981/82 harvest in the quantities and qualities and at the prices stated in Annex II.'

2. In Annex II the total quantity of sultanas given at (d) is increased to 40 000 tonnes.

*Article 2*

Article 1 (1) of Regulation (EEC) No 262/82 is hereby replaced by the following:

'1. During the period 1 August to 30 September 1982 the Greek storage agency, the name and address of which are given in Annex I, shall sell dried figs from the 1981/82 harvest in the quantities and qualities and at the prices stated in Annex II.'

*Article 3*

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

It shall be applicable from 1 August 1982.

<sup>(1)</sup> OJ No L 73, 21. 3. 1977, p. 1.

<sup>(2)</sup> OJ No L 118, 30. 4. 1981, p. 10.

<sup>(3)</sup> OJ No L 214, 1. 8. 1981, p. 1.

<sup>(4)</sup> OJ No L 357, 12. 12. 1981, p. 18.

<sup>(5)</sup> OJ No L 130, 12. 5. 1982, p. 5.

<sup>(6)</sup> OJ No L 27, 4. 2. 1982, p. 15.

<sup>(7)</sup> OJ No L 130, 12. 5. 1982, p. 6.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSAGER

*Member of the Commission*

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**COMMISSION REGULATION (EEC) No 2196/82**  
**of 6 August 1982**  
**amending for the 1982/83 marketing year Regulation (EEC) No 1641/71 laying**  
**down quality standards for dessert apples and pears**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1203/82<sup>(2)</sup>, and in particular Article 2 (3) thereof,

Whereas Commission Regulation (EEC) No 1641/71<sup>(3)</sup>, as last amended by Regulation (EEC) No 1674/81<sup>(4)</sup>, fixed quality standards for apples and pears as set out in the Annex to that Regulation;

Whereas it is stated in that Regulation that fruit must be in a state of development and ripeness such that it can withstand the transport and handling operations required for it to arrive in satisfactory condition at its place of destination; whereas that standard appears to cover only over-ripeness and not under-ripeness; whereas the standard should be supplemented in order to prevent fruit being marketed before it has begun the ripening process;

Whereas the validity of the measures described above should be limited to a period during which their effectiveness can be assessed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

In Section II 'Quality requirements' of the Annex to Regulation (EEC) No 1641/71 the following paragraph is hereby added at the end of 'A. Minimum requirements':

'The fruit must in any case have reached a degree of maturity such that the ripening will continue after picking; to determine whether this degree has been reached, the competent agencies in the Member States may use a colorimetric scale and/or a starch regression test (iodine test).'

*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 during the 1982/83 marketing year.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 140, 20. 5. 1982, p. 36.

<sup>(3)</sup> OJ No L 172, 31. 7. 1971, p. 1.

<sup>(4)</sup> OJ No L 168, 25. 6. 1981, p. 13.

## COMMISSION REGULATION (EEC) No 2197/82

of 6 August 1982

**extending the period of storage of certain quantities of dried figs and dried grapes held by the Greek storage agencies beyond the end of the 1981/82 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2194/81 of 27 July 1981 laying down the general rules for the system of production aid for dried figs and dried grapes <sup>(1)</sup>, as last amended by Regulation (EEC) No 2101/82 <sup>(2)</sup>, and in particular Articles 10 (1) and 14 thereof,

Whereas Article 10 of Regulation (EEC) No 2194/81 provides for the granting of storage aid to storage agencies for the quantities of dried figs and dried grapes which they have purchased under the contracts provided for in that Regulation, for the duration of storage of the fruit in question, which is not to extend beyond the end of the marketing year; whereas, however, it is stipulated in that Article that where the market situation so requires extension of the storage of certain quantities into the following marketing year may be authorized;

Whereas at the end of the 1981/82 marketing year the market situation requires that the period of storage be extended for the entire quantity of dried figs and dried grapes held by the storage agencies at the end of the marketing year;

Whereas Commission Regulation (EEC) No 2426/81 <sup>(3)</sup> fixed the storage aid for the 1981/82 marketing year; whereas this aid takes account of interest costs in connection with the purchase of these products by the storage agencies; whereas that aid

should therefore be maintained for the quantities the period of storage of which is extended until 31 December 1982;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The period of storage for the quantities of dried figs and dried grapes purchased by storage agencies under the contracts referred to in Article 3 of Regulation (EEC) No 2194/81 during the 1981/82 marketing year and still held by them on 14 August 1982 in the case of dried figs and on 31 August 1982 in the case of dried grapes is hereby extended until 31 December 1982.

*Article 2*

The storage aid set for the 1981/82 marketing year in Article 3 of Regulation (EEC) No 2426/81 shall be granted to storage agencies for the actual duration of storage of the quantities referred to in Article 1.

*Article 3*

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

It shall apply from 15 August 1982 in the case of dried figs and from 1 September 1982 in the case of dried grapes.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSAGER

*Member of the Commission*

<sup>(1)</sup> OJ No L 214, 1. 8. 1981, p. 1.

<sup>(2)</sup> OJ No L 223, 31. 7. 1982, p. 4.

<sup>(3)</sup> OJ No L 240, 24. 8. 1981, p. 22.

**COMMISSION REGULATION (EEC) No 2198/82****of 6 August 1982****fixing the amount and the detailed rules for the application of the re-storage aid  
for sultanas from the 1981 harvest held by the Greek storage agencies**

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 516/77  
of 14 March 1977 on the common organization of the  
market in products processed from fruit and vegeta-  
bles<sup>(1)</sup>, as last amended by Regulation (EEC) No  
1118/81<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No  
2194/81 of 27 July 1981 laying down the general rules  
for the system of production aid for dried figs and  
dried grapes<sup>(3)</sup>, as amended by Regulation (EEC) No  
2101/82<sup>(4)</sup>, and in particular Article 10a (2) thereof,

Whereas Article 10a of Regulation (EEC) No 2194/81  
provided for the granting of a re-storage aid in respect  
of 30 000 tonnes of sultanas from the 1981 harvest,  
held by the Greek storage agencies;

Whereas detailed rules for the application of this aid  
should be laid down and in particular provisions rela-  
ting to controls on entitlement to the aid;

Whereas in view of the current location of the dried  
grapes to be re-stored and the existing possibilities for  
re-storage an appropriate flat rate amount should be  
fixed for the aid;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

At the request of the storage agency and in accordance  
with the conditions laid down in Article 3, an aid shall  
be granted for the re-storage of sultanas of Community

origin, which the applicant has purchased under the  
contracts referred to in Article 3 of Regulation (EEC)  
No 2194/81 during the 1981/82 marketing year, in  
another store belonging to a third party and located in  
the Member State where the sultanas were produced.

*Article 2*

The competent authority of the Member State  
concerned shall allocate the quantities referred to in  
Article 10a of Regulation (EEC) No 2194/81 among  
the storage agencies, taking account of the quantities  
still held by each of them and their storage capacities.

The Member State concerned shall inform the  
Commission without delay of the measures taken in  
application of the previous paragraph.

*Article 3*

The aid may be granted only if:

- the sultanas are transported to the nearest appro-  
priate place of storage under the supervision of the  
competent authority of the Member State  
concerned,
- the sultanas are re-stored between 10 August and  
15 November 1982,
- the quantities re-stored do not exceed the quanti-  
ties allocated pursuant to Article 2,
- the applications for aid are submitted at the latest  
by 14 November 1982 to the competent authority  
of the Member State concerned,
- the supporting documents for the aid are  
submitted to the competent authority of the  
Member State concerned.

*Article 4*

The aid shall amount to 57.1 ECU/tonne of sultanas.

*Article 5*

The event within the meaning of Article 6 of Regula-  
tion (EEC) No 1134/68 creating entitlement to the  
re-storage aid referred to in Article 1 shall be con-  
sidered as occurring on the day of entry of the sultanas  
into the premises where they are re-stored.

<sup>(1)</sup> OJ No L 73, 21. 3. 1977, p. 1.

<sup>(2)</sup> OJ No L 118, 30. 4. 1981, p. 10.

<sup>(3)</sup> OJ No L 214, 1. 8. 1981, p. 1.

<sup>(4)</sup> OJ No L 223, 31. 7. 1982, p. 4.

*Article 6*

1. Member States shall take all appropriate measures to provide the necessary supervision; in particular, they shall check whether the sultanas have been re-stored.
2. Member States shall notify to the Commission at the latest by 15 December 1982 the quantities of sultanas which have been re-stored.

*Article 7*

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

It shall apply from 10 August 1982.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSAER

*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2199/82

of 6 August 1982

re-establishing the levying of customs duties on musk xylene, falling within subheading 29.03 B ex II and originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3601/81 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3601/81 of 7 December 1981 applying generalized tariff preferences for 1982 in respect of certain industrial products originating in developing countries<sup>(1)</sup>, and in particular Article 12 thereof,

Whereas, in pursuance of Article 1 of that Regulation, duties on the products listed in Annex B originating in each of the countries or territories listed in Annex C shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 11;

Whereas, as provided for in Article 11, where the increase of preferential imports of those products, originating in one or more beneficiary countries, causes, or is likely to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas, for this purpose, the reference base to be considered shall be, as a general rule, 120 % of the highest maximum amount valid for 1980;

Whereas, in the case of musk xylene falling within subheading 29.03 B ex II, the reference base is fixed at 80 000 ECU; whereas, on 13 July 1982, imports of these products into the Community originating in

China reached that reference base; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference scheme is likely to cause economic difficulties in the Community; whereas customs duties in respect of the products in question must therefore be re-established against China,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 10 August 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3601/81, shall be re-established on imports into the Community of the following products originating in China:

| CCT heading No                                | Description |
|-----------------------------------------------|-------------|
| 29.03 B ex II<br>(NIMEXE code<br>29.03-ex 39) | Musk xylene |

*Article 2*

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

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

Done at Brussels, 6 August 1982.

*For the Commission*

Étienne DAVIGNON

*Vice-President*

<sup>(1)</sup> OJ No L 365, 21. 12. 1981, p. 1.

**COMMISSION REGULATION (EEC) No 2200/82**  
**of 6 August 1982**

**re-establishing the levying of customs duties on aniline and its salts, falling within subheading 29.22 D ex I and originating in Romania, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3601/81 apply**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3601/81 of 7 December 1981 applying generalized tariff preferences for 1982 in respect of certain industrial products originating in developing countries<sup>(1)</sup>, and in particular Article 12 thereof,

Whereas, in pursuance of Article 1 of that Regulation, duties on the products listed in Annex B originating in each of the countries or territories listed in Annex C shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 11;

Whereas, as provided for in Article 11, where the increase of preferential imports of those products, originating in one or more beneficiary countries, causes, or is likely to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, 120 % of the highest maximum amount valid for 1980;

Whereas, in the case of aniline and its salts falling within subheading 29.22 D ex I, the reference base is fixed at 510 152 ECU; whereas, on 7 July 1982, imports of these products into the Community origi-

nating in Romania reached that reference base; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference scheme causes economic difficulties in a region of the Community; whereas customs duties in respect of the products in question must therefore be re-established against Romania,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 10 August 1982, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3601/81, shall be re-established on imports into the Community of the following products originating in Romania:

| CCT heading No                       | Description           |
|--------------------------------------|-----------------------|
| 29.22 D ex I (NIMEXE codes 29.22-43) | Aniline and its salts |

*Article 2*

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

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

Done at Brussels, 6 August 1982.

*For the Commission*

Étienne DAVIGNON

*Vice-President*

<sup>(1)</sup> OJ No L 365, 21. 12. 1981, p. 1.

**COMMISSION REGULATION (EEC) No 2201/82**  
**of 6 August 1982**  
**fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 606/82<sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1716/82<sup>(3)</sup>, as last amended by Regulation (EEC) No 2188/82<sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1716/82 to the information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION :

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 7 August 1982.

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

Done at Brussels, 6 August 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 74, 18. 3. 1982, p. 1.

<sup>(3)</sup> OJ No L 189, 1. 7. 1982, p. 42.

<sup>(4)</sup> OJ No L 231, 6. 8. 1982, p. 26.

ANNEX

to the Commission Regulation of 6 August 1982 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 | 40.22                |
|                | B. Raw sugar                                 | 35.56 <sup>(1)</sup> |

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

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 15 July 1982

**fixing the maximum export refund on common wheat in connection with the invitation to tender issued in Regulation (EEC) No 1509/82**

(82/519/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1451/82<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(3)</sup>, and in particular Article 5 thereof,

Whereas an invitation to tender for the levy and/or refund for the export of common wheat was issued under Commission Regulation (EEC) No 1509/82<sup>(4)</sup>;

Whereas, pursuant to Article 5 of Commission Regulation (EEC) No 279/75<sup>(5)</sup>, as amended by Regulation (EEC) No 2944/78<sup>(6)</sup>, the Commission, acting under the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, may decide to fix a maximum export refund; whereas in fixing this maximum the criteria provided for in Articles 2 and 3 of Regulation (EEC) No 2746/75 must be taken into account; whereas a contract is awarded to any tenderer whose tender is equal to or less than the maximum export refund;

Whereas the application of the abovementioned criteria to the current market situation for the cereal in question results in the maximum export refund being fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum export refund on common wheat to be exported pursuant to the invitation to tender for the export of common wheat issued in Regulation (EEC) No 1509/82 is hereby fixed on the basis of the tenders submitted by 15 July 1982 at 67.86 ECU per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 15 July 1982.

*For the Commission*

Poul DALSAER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 164, 14. 6. 1982, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 168, 15. 6. 1982, p. 13.

<sup>(5)</sup> OJ No L 31, 5. 2. 1975, p. 8.

<sup>(6)</sup> OJ No L 351, 15. 12. 1978, p. 16.

**COMMISSION DECISION****of 15 July 1982****fixing the maximum export refund on barley in connection with the invitation  
to tender in Regulation (EEC) No 1520/82**

(82/520/EEC)

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No  
2727/75 of 29 October 1975 on the common organi-  
zation of the market in cereals <sup>(1)</sup>, as last amended by  
Regulation (EEC) No 1451/82 <sup>(2)</sup>,

Having regard to Council Regulation (EEC) No  
2746/75 of 29 October 1975 laying down general rules  
for granting export refunds on cereals and criteria for  
fixing the amount of such refunds <sup>(3)</sup>, and in particular  
Article 5 thereof,

Whereas an invitation to tender for the export refund  
on barley was issued under Commission Regulation  
(EEC) No 1520/82 <sup>(4)</sup>;

Whereas, pursuant to Article 5 of Commission Regula-  
tion (EEC) No 279/75 <sup>(5)</sup>, as amended by Regulation  
(EEC) No 2944/78 <sup>(6)</sup>, the Commission, acting under  
the procedure laid down in Article 26 of Regulation  
(EEC) No 2727/75, may decide to fix a maximum  
export refund; whereas in fixing this maximum the  
criteria provided for in Articles 2 and 3 of Regulation  
(EEC) No 2746/75 must be taken into account;  
whereas a contract is awarded to any tenderer whose  
tender is equal to or less than the maximum export  
refund;

Whereas the application of the abovementioned  
criteria to the current market situation for the cereal in  
question results in the maximum export refund being  
fixed at the amount specified in Article 1;

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

HAS ADOPTED THIS DECISION:

*Article 1*

The maximum export refund on barley to be exported  
pursuant to the invitation to tender for the export of  
barley issued in Regulation (EEC) No 1520/82 is  
hereby fixed on the basis of the tenders submitted by  
15 July 1982 at 51.95 ECU per tonne.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 15 July 1982.

*For the Commission*

Poul DALSAER

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 164, 14. 6. 1982, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 169, 16. 6. 1982, p. 9.

<sup>(5)</sup> OJ No L 31, 5. 2. 1975, p. 8.

<sup>(6)</sup> OJ No L 351, 15. 12. 1978, p. 16.

## COMMISSION DECISION

of 19 July 1982

**fixing the minimum selling price for skimmed-milk powder for the 33rd individual invitation to tender under the standing invitation to tender provided for by Regulation (EEC) No 368/77**

(82/521/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EEC) No 1183/82 <sup>(2)</sup>, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed-milk powder for use in feed for pigs and poultry <sup>(3)</sup>, as last amended by Regulation (EEC) No 1753/82 <sup>(4)</sup>, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them;

Whereas, according to Article 11 of the said Regulation, in the light of the tenders received in response to each individual invitation to tender, a minimum selling price shall be fixed or a decision shall be taken to make no award; whereas the amount of the processing security shall also be fixed taking account of the difference between the market price of skimmed-milk powder and the minimum price fixed;

Whereas, in the light of the tenders received in response to the 33rd individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

*Article 1*

For the 33rd individual invitation to tender under Regulation (EEC) No 368/77, in respect of which the time limit for the submission of tenders was 12 July 1982:

- the minimum selling price shall be fixed at 43 ECU per 100 kilograms,
- the processing security shall be fixed at 115 ECU per 100 kilograms.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 19 July 1982.

*For the Commission*

Poul DALSAER

*Member of the Commission*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 140, 20. 5. 1982, p. 1.

<sup>(3)</sup> OJ No L 52, 24. 2. 1977, p. 19.

<sup>(4)</sup> OJ No L 193, 3. 6. 1982, p. 6.

## COMMISSION DECISION

of 19 July 1982

fixing the maximum aid levels for butter and concentrated butter for the 23rd individual invitation to tender under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(82/522/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

concentrated butter, the amount of the processing security must be fixed taking account of the maximum aid level ;

Having regard to the Treaty establishing the European Economic Community,

Whereas, in the light of the tenders received in response to the 23rd individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly ;

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products <sup>(1)</sup>, as last amended by Regulation (EEC) No 1183/82 <sup>(2)</sup>, and in particular Article 12 (3) thereof,

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

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the grant of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs <sup>(3)</sup>, as last amended by Regulation (EEC) No 48/82 <sup>(4)</sup>, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter ;

HAS ADOPTED THIS DECISION :

*Article 1*

Whereas Article 7 of the said Regulation lays down that a maximum aid level is to be fixed for the butter and for the concentrated butter and that this is to be differentiated according to the intended use and the fat content of the butter, or that a decision may be taken not to accept any tender ; whereas, in the case of

For the 23rd individual invitation to tender under Regulation (EEC) No 1932/81, in respect of which the time limit for submission of tenders expired on 15 July 1982, the maximum aid and processing securities are hereby fixed as follows :

(a) *for butter :*

| <i>(ECU/100 kg butter)</i>                                                     |                                      |                   |
|--------------------------------------------------------------------------------|--------------------------------------|-------------------|
| Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79) | Fat content of the butter            | Maximum aid level |
| Formula A                                                                      | 82 % or more                         | 175.00            |
|                                                                                | 80 % or more, but not exceeding 82 % | 170.70            |
| Formula B                                                                      | 82 % or more                         | 110.00            |
|                                                                                | 80 % or more, but not exceeding 82 % | 107.30            |

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 140, 20. 5. 1982, p. 1.

<sup>(3)</sup> OJ No L 191, 14. 7. 1981, p. 6.

<sup>(4)</sup> OJ No L 7, 12. 1. 1982, p. 5.

(b) *for concentrated butter:*

| <i>(ECU/100 kg pure concentrated butter)</i>                                                   |                      |                        |
|------------------------------------------------------------------------------------------------|----------------------|------------------------|
| Use to which the concentrated butter is to be put<br>(Article 4 of Regulation (EEC) No 262/79) | Maximum<br>aid level | Processing<br>security |
| Formula A and/or C                                                                             | 230.50               | 253.00                 |
| Formula B                                                                                      | 151.00               | 166.00                 |

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 19 July 1982.

*For the Commission*  
Poul DALSGER  
*Member of the Commission*

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## COMMISSION DECISION

of 20 July 1982

**establishing that the apparatus described as 'TSI — Electrostatic Classifier, model 3071, with Aerosol Neutralizer, model 3077' may be imported free of Common Customs Tariff duties**

(82/523/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials<sup>(1)</sup>, as last amended by Regulation (EEC) No 608/82<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75<sup>(3)</sup>, and in particular Article 7 thereof,

Whereas, by letter dated 23 December 1981, Belgium has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'TSI — Electrostatic Classifier, model 3071, with Aerosol Neutralizer, model 3077', ordered on 17 March 1981 and to be used for determining the size distribution of the aerosol in the range of 0.01 to 1 µm and also for generating the monodisperse aerosols and for the calibration of aerosol measuring apparatus, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 7 June 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is an analyzer; whereas its objective technical characteristics such as the measuring field of the particles, and the use to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind is principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, on the basis of information received from Member States, apparatus of equivalent scientific value capable for use for the same purpose is not currently manufactured in the Community; whereas, therefore, duty-free admission of this apparatus is justified,

HAS ADOPTED THIS DECISION:

*Article 1*

The apparatus described as 'TSI — Electrostatic Classifier, model 3071, with Aerosol Neutralizer, model 3077', which is the subject of an application by Belgium of 23 December 1981, may be imported free of Common Customs Tariff duties.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 July 1982.

*For the Commission*

Karl-Heinz NARJES

*Member of the Commission*

<sup>(1)</sup> OJ No L 184, 15. 7. 1975, p. 1.

<sup>(2)</sup> OJ No L 74, 18. 3. 1982, p. 4.

<sup>(3)</sup> OJ No L 318, 13. 12. 1979, p. 32.

## COMMISSION DECISION

of 20 July 1982

establishing that the apparatus described as 'Perkin Elmer — Gas Chromatograph, model Sigma 2' may not be imported free of Common Customs Tariff duties

(82/524/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials<sup>(1)</sup>, as last amended by Regulation (EEC) No 608/82<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75<sup>(3)</sup>, and in particular Article 7 thereof,

Whereas, by letter dated 11 January 1982, Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Perkin Elmer — Gas Chromatograph, model Sigma 2', ordered on 29 August 1979 and to be used for the analysis of polymers and additives for plastic substances and of monomer residues in polymers and for purity determinations, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 8 June 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a gas chromatograph; whereas its objective technical characteristics such as the stability at the temperature control and the use to which it is put

make it specially suited to scientific research; whereas, moreover, apparatus of the same kind is principally used for scientific activities; whereas it must therefore be considered to be a scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, is currently being manufactured in the Community; whereas this applies, in particular, to the apparatus '6800' and '3600' manufactured by Dani SpA, via Rovani 10, 20052 Milan, Italy, and to the apparatus '429', '430' and '433' manufactured by Packard Becker BV, Vulcanusweg 259, Delft, Netherlands,

HAS ADOPTED THIS DECISION:

*Article 1*

The apparatus described as 'Perkin Elmer — Gas Chromatograph, model Sigma 2', which is the subject of an application by Germany of 11 January 1982, may not be imported free of Common Customs Tariff duties.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 July 1982.

*For the Commission*

Karl-Heinz NARJES

*Member of the Commission*

<sup>(1)</sup> OJ No L 184, 15. 7. 1975, p. 1.

<sup>(2)</sup> OJ No L 74, 18. 3. 1982, p. 4.

<sup>(3)</sup> OJ No L 318, 13. 12. 1979, p. 32.

## COMMISSION DECISION

of 20 July 1982

establishing that the apparatus described as 'Extranuclear — Quadrupole Mass Spectrometer', consisting of: 1. multiplier, model 051-1, — mass filter, model 4-162-8, — cross beam ionizer, model 041-2, 2. combined ionizer control, model 020-2, — power supply, model 011-15, 3. electrometer, model 031-2, may not be imported free of Common Customs Tariff duties

(82/525/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1798/75 of 10 July 1975 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials<sup>(1)</sup>, as last amended by Regulation (EEC) No 608/82<sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 2784/79 of 12 December 1979 laying down provisions for the implementation of Regulation (EEC) No 1798/75<sup>(3)</sup>, and in particular Article 7 thereof,

Whereas, by letter dated 12 January 1982, Germany has requested the Commission to invoke the procedure provided for in Article 7 of Regulation (EEC) No 2784/79 in order to determine whether or not the apparatus described as 'Extranuclear — Quadrupole Mass Spectrometer', consisting of: 1. multiplier, model 051-1, — mass filter, model 4-162/8, — cross beam ionizer, model 041-2, 2. combined ionizer control, model 020-2, — power supply, model 011-15, 3. electrometer, model 031-2, ordered in February 1979 and to be used for the investigation of vaporization thermodynamics and of the composition of the vapours of inorganic substances of low volatility at high temperatures, should be considered to be a scientific apparatus and, where the reply is in the affirmative, whether apparatus of equivalent scientific value is currently being manufactured in the Community;

Whereas, in accordance with the provisions of Article 7 (5) of Regulation (EEC) No 2784/79, a group of experts composed of representatives of all the Member States met on 8 June 1982 within the framework of the Committee on Duty-Free Arrangements to examine the matter;

Whereas this examination showed that the apparatus in question is a mass spectrometer; whereas its objective technical characteristics such as the very high

resolution power and the use to which it is put make it specially suited to scientific research; whereas, moreover, apparatus of the same kind are principally used for scientific activities; whereas it must therefore be considered to be as scientific apparatus;

Whereas, however, on the basis of information received from Member States, apparatus of scientific value equivalent to the said apparatus, capable of being used for the same purposes, is currently being manufactured in the Community; whereas this applies, in particular, to the apparatus 'R 10-10' manufactured by Ribermag SA, 49, quai du Halage, 92500 Rueil Malmaison, France,

HAS ADOPTED THIS DECISION:

*Article 1*

The apparatus described as 'Extranuclear — Quadrupole Mass Spectrometer', consisting of: 1. multiplier, model 051-1, — mass filter, model 4-162-8, — cross beam ionizer, model 041-2, 2. combined ionizer control, model 020-2, — power supply, model 011-15, 3. electrometer, model 031-2, which is the subject of an application by Germany of 12 January 1982, may not be imported free of Common Customs Tariff duties.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 20 July 1982.

*For the Commission*

Karl-Heinz NARJES

*Member of the Commission*

<sup>(1)</sup> OJ No L 184, 15. 7. 1975, p. 1.

<sup>(2)</sup> OJ No L 74, 18. 3. 1982, p. 4.

<sup>(3)</sup> OJ No L 318, 13. 12. 1979, p. 32.

## COMMISSION DECISION

of 20 July 1982

on the issue of import licences in respect of beef and veal products originating  
in Botswana, Kenya, Madagascar and Swaziland

(82/526/EEC)

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Regulation (EEC) No 435/80  
of 18 February 1980 on the arrangements applicable to  
agricultural products and certain goods resulting from  
the processing of agricultural products originating in  
the African, Caribbean, and Pacific States or in the  
overseas countries and territories <sup>(1)</sup>, as last amended by  
Regulation (EEC) No 3019/81 <sup>(2)</sup>, and in particular  
Article 23 thereof,

Having regard to 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 <sup>(3)</sup>, as last amended  
by Regulation (EEC) No 1617/82 <sup>(4)</sup>, and in particular  
Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 435/80 provides for the  
possibility of issuing import licences for beef and veal  
products; whereas, however, imports must take place  
within the limits of the quantities specified for each of  
these exporting non-member countries;

Whereas the applications for import licences  
submitted between 1 and 10 July 1982, expressed in  
terms of boned meat, in accordance with Article 15 (1)  
(b) of Regulation (EEC) No 2377/80, do not exceed, in  
respect of products originating in Botswana, Kenya,  
Madagascar and Swaziland, the quantities available  
from these States; whereas it is therefore possible to  
issue import licences in respect of the quantities  
requested;

Whereas the quantities in respect of which it will be  
possible to apply for licences from 1 August 1982  
should be fixed,

HAS ADOPTED THIS DECISION:

*Article 1*

The following Member States shall issue on 21 July  
1982 import licences concerning beef and veal  
products, expressed in terms of boned meat, origina-  
ting in certain African, Caribbean and Pacific States, in  
respect of the quantities and the countries of origin  
stated:

1. Federal Republic of Germany :  
464.5 tonnes originating in Botswana;
2. Netherlands :  
73.1 tonnes originating in Botswana;
3. United Kingdom :  
1 430.9 tonnes originating in Botswana,  
281.1 tonnes originating in Swaziland.

*Article 2*

Applications for licences may be submitted, in accor-  
dance with Article 15 (6) (b) (ii) of Regulation (EEC)  
No 2377/80, during the first 10 days of August 1982,  
in respect of the following quantities of boned beef  
and veal:

|              |                  |
|--------------|------------------|
| Botswana :   | 12 664.8 tonnes, |
| Kenya :      | 142.0 tonnes,    |
| Madagascar : | 7 538.5 tonnes,  |
| Swaziland :  | 2 422.3 tonnes.  |

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 20 July 1982.

*For the Commission*

Poul DALSGER

*Member of the Commission*

<sup>(1)</sup> OJ No L 55, 28. 2. 1980, p. 4.

<sup>(2)</sup> OJ No L 302, 23. 10. 1981, p. 4.

<sup>(3)</sup> OJ No L 241, 13. 9. 1980, p. 5.

<sup>(4)</sup> OJ No L 180, 24. 6. 1982, p. 24.

## COMMISSION DECISION

of 22 July 1982

on health protection measures in respect of imports of fresh meat from the  
Republic of South Africa

(82/527/EEC)

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES,

Having regard to the Treaty establishing the European  
Economic Community,

Having regard to Council Directive 72/462/EEC of 12  
December 1972 on health and veterinary inspection  
problems upon importation of bovine animals and  
swine and fresh meat from third countries<sup>(1)</sup>, as last  
amended by Directive 81/476/EEC<sup>(2)</sup>, and in parti-  
cular Article 15 thereof,

Whereas vaccination against exotic types of foot and  
mouth disease is practised in certain parts of the  
Republic of South Africa and outbreaks of exotic foot  
and mouth disease occur in those parts from time to  
time; whereas African swine fever occurs in swine in  
certain parts of the country from time to time;  
whereas these parts are officially designated as control  
areas for each of the diseases mentioned;

Whereas strict measures, including control of move-  
ment by permit are applied when cattle are transferred  
from the foot and mouth control area; whereas when  
cattle intended for breeding or production are moved  
from such a control area they do so by way of a  
quarantine system and are branded to indicate that  
they have originated in that area; whereas when cattle  
intended for slaughter are moved from the control area  
they may only, according to the legal provisions, enter  
one of two quarantine slaughterhouses situated at  
Pretoria and Benoni;

Whereas the movement of pigs and fresh meat of pigs  
from the African swine fever control area is prohi-  
bited;

Whereas these measures have the affect of limiting the  
risk in importation of fresh meat to the Community  
for each of the diseases mentioned; whereas in order  
further to reduce the risk of foot-and-mouth disease if  
such imports are authorized, it is appropriate to restrict  
imports to boned meat of bovine animals and to  
prohibit imports of offal from certain areas;

Whereas in respect of pig meat it is further necessary  
in order to protect the Community from African swine  
fever to limit imports to those from the southern  
portion of the country;

Whereas the central veterinary authorities of South  
Africa have confirmed that rinderpest, exotic foot and  
mouth disease, African swine fever, classical swine  
fever, swine vesicular disease and *Brucella suis* infec-  
tion have not occurred in the areas designated for  
export for at least 12 months and that vaccination  
against those diseases is not practised in those areas;  
whereas the Commission and the Member States will  
be notified within 24 hours, by telex or telegram, of  
the confirmation of the occurrence of any of the  
abovementioned diseases, an alteration in the vaccina-  
tion policy against them or an alteration in the speci-  
fied control areas for foot-and-mouth disease and  
African swine fever;

Whereas the animal health requirements of Member  
States pursuant to Article 16 of Directive 72/462/EEC  
relating to imports of meat from the Republic of  
South Africa have not yet been laid down at Commu-  
nity level and enter into force only two years after  
their adoption; whereas, pending the entry into force  
of such requirements, the Member States are free to  
prohibit imports of fresh meat from the Republic of  
South Africa;

Whereas the measures provided for in this Decision  
are in accordance with the opinion of the Standing  
Veterinary Committee,

HAS ADOPTED THIS DECISION:

*Article 1*

The prohibition provided for in Article 14 (2) (a) of  
Directive 72/462/EEC shall apply in the case of the  
Republic of South Africa:

(a) For fresh meat of domestic animals of the bovine  
species to:

- that part of the foot-and-mouth disease control  
area situated in the veterinary region Northern  
and Eastern Transvaal, in the district Ingwa-  
vuma of the veterinary region Natal, and in the  
border area with Botswana east of longitude  
28°,
- that part of the foot-and-mouth disease control  
area in South-West Africa/Namibia, north of  
the 'Red Line' fences which extend from  
Palgrave Point in the west to Gam in the east;  
and

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 186, 8. 7. 1981, p. 20.

- (b) for fresh meat of domestic animals of the porcine species, to the veterinary regions of Orange Free State, Highveld, Transvaal, Northern and Eastern Transvaal, and the Ingwavuma and Ubombo districts of the veterinary region of Natal and to South-West Africa/Namibia.

#### *Article 2*

If a Member State authorizes the importation into its own territory of fresh meat from the Republic of South Africa such authorization shall apply only to the following categories of fresh meat.

1. Boned fresh meat, excluding offals of domestic animals of the bovine species, originating in the Republic of South Africa (excluding the areas referred to in Article 1 (a) and slaughtered therein, which satisfies the requirements of the specimen animal health certificate in accordance with Annex A hereto which must accompany the consignment. Such boned fresh meat shall not enter the importing Member State's territory for at least 21 days from the date of slaughter.
2. Offal of domestic animals of the bovine species originating in the Republic of South Africa (excluding the areas referred to in Article 1 (a) and the veterinary regions Transvaal and Northern and Eastern Transvaal) and slaughtered therein, which satisfies the requirements of the specimen animal health certificate in accordance with Annex B hereto which must accompany the consignment. Such offal shall not enter the importing Member State's territory for at least 21 days from the date of slaughter.
3. Fresh meat, boned or not, including offal, of domestic animals of the porcine species originating in the Republic of South Africa (veterinary regions Western Cape, Eastern Cape and Karoo, and Natal (with the exception of the districts Ingwavuma and Ubombo)) and slaughtered therein, which satisfies the requirements of the specimen animal health certificate in accordance with Annex C hereto which must accompany the consignment. Such fresh meat or offal shall not enter the importing Member State's territory for at least 21 days from the date of slaughter.
4. Fresh meat, boned or not, including offals, of domestic solipeds originating in the Republic of South Africa and slaughtered therein, which satisfies the requirements of the specimen animal health certificate in accordance with Annex D hereto which must accompany the consignment.

#### *Article 3*

This Decision shall apply from 1 January 1983.

#### *Article 4*

This Decision is addressed to the Member States.

Done at Brussels, 22 July 1982.

*För the Commission*

Poul DALSGER

*Member of the Commission*

## ANNEX A

## ANIMAL HEALTH CERTIFICATE

**For deboned fresh meat<sup>(1)</sup> of domestic animals of the bovine species, excluding offals,  
intended for consignment to the European Economic Community**

Country of destination .....

Reference number of the public health certificate<sup>(2)</sup> .....

Exporting country, REPUBLIC OF SOUTH AFRICA (excluding the areas referred to in Article 1 (a)  
of the Commission Decision 82/527/EEC)

Ministry .....

Department .....

Reference .....

(Optional)

*I. Identification of meat*

Meat of: Domestic animals of the bovine species .....  
(Animal species)

Nature of cuts<sup>(3)</sup> .....

Nature of packaging .....

Number of cuts or packages .....

Net weight .....

*II. Origin of meat*

Address(es) and veterinary approval number(s)<sup>(2)</sup> of the approved slaughterhouse(s)<sup>(2)</sup> .....

Address(es) and veterinary approval number(s)<sup>(2)</sup> of the approved cutting plant(s)<sup>(2)</sup> .....

*III. Destination of meat*

The meat will be sent from : .....  
(Place of loading)

to : .....  
(Country and place of destination)

by the following means of transport<sup>(4)</sup> .....

Name and address of consignor .....

Name and address of consignee .....

<sup>(1)</sup> Fresh meat means all parts fit for human consumption from domestic animals of the bovine species, excluding offals, which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

<sup>(2)</sup> Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

<sup>(3)</sup> Only deboned carcase meat from domestic animals of the bovine species from which all bones and the major accessible lymphatic glands have been removed is authorized for importation.

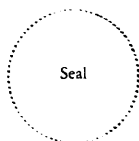
<sup>(4)</sup> For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. *Attestation of health*

I, the undersigned, official veterinarian, certify that :

1. the deboned fresh meat of domestic animals of the bovine species described above is obtained from :
  - animals which were born and reared in the Republic of South Africa, and which have remained outside the areas referred to in Article 1 (a) of Commission Decision 82/527/EEC for at least 12 months preceding slaughter or since birth in the case of animals less than 12 months old,
  - animals which have not been vaccinated against foot-and-mouth disease during the preceding 12 months,
  - animals which on the way to the slaughterhouse and while awaiting slaughter therein have not come into contact with animals not satisfying the requirements laid down in Commission Decision 82/527/EEC as regards export of their meat to a Member State, and if they were conveyed by vehicle or container the latter was cleaned and disinfected before loading,
  - animals which when subjected to an *ante-mortem* health inspection at the slaughterhouse during the 24 hours preceding slaughter showed no symptoms of foot-and-mouth disease,
  - animals which have been slaughtered on different days from those on which animals which do not comply with the conditions required for export of their meat to the European Economic Community were slaughtered,
  - animals which were slaughtered on ..... (date of slaughter).
2. the deboned fresh meat described above :
  - has been produced on different days to that which does not comply with the conditions required for export to the Community,
  - originates from carcasses which have matured at a room temperature of more than + 2 ° C for at least 24 hours after slaughter and before the bones were removed,
  - has had the major accessible lymphatic glands removed,
  - has, during all stages of its production, deboning, packing and storage been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in Commission Decision 82/527/EEC.

Done at ....., on .....



.....  
(Signature of official veterinarian)

## ANNEX B

## ANIMAL HEALTH CERTIFICATE

**For offal <sup>(1)</sup>, of domestic animals of the bovine species intended for consignment to the European Economic Community**

Country of destination .....

Reference number of the public health certificate <sup>(2)</sup> .....

Exporting country, REPUBLIC OF SOUTH AFRICA (excluding the areas referred to in Article 1 (a) of Commission Decision 82/527/EEC and the veterinary regions Transvaal and Northern and Eastern Transvaal)

Ministry .....

Department .....

Reference .....

(Optional)

*I. Identification of offal*

Offal of: Domestic animals of the bovine species .....

(Animal species)

Nature of offal <sup>(3)</sup> .....

Nature of packaging .....

Number of packages .....

Net weight .....

*II. Origin of offal*

Address(es) and veterinary approval number(s) <sup>(2)</sup> of the approved slaughterhouse(s) <sup>(2)</sup> .....

.....

Address(es) and veterinary approval number(s) <sup>(2)</sup> of the approved cutting plant(s) <sup>(2)</sup> .....

.....

*III. Destination of offal*

The offal will be sent from: .....

(Place of loading)

to: .....

(Country and place of destination)

by the following means of transport <sup>(4)</sup> .....

Name and address of consignor .....

.....

Name and address of consignee .....

.....

<sup>(1)</sup> Offal means fresh meat, other than that of the carcase of domestic animals of the bovine species fit for human consumption.

<sup>(2)</sup> Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

<sup>(3)</sup> Offal from domestic animals of the bovine species from the areas referred to in Article 1 (a) of Commission Decision 82/527/EEC and from veterinary regions (Transvaal, Northern and Eastern Transvaal) is not authorized for importation.

<sup>(4)</sup> For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. *Attestation of health*

I, the undersigned, official veterinarian certify that :

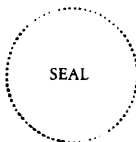
1. the offal of domestic animals of the bovine species described above is obtained from :

- animals which were born and reared in the Republic of South Africa, and which have remained outside the areas referred to in Article 1 (a) of Commission Decision 82/527/EEC and the veterinary regions Transvaal and Northern and Eastern Transvaal for at least 12 months preceding slaughter or since birth in the case of animals less than 12 months old,
- animals which have not been vaccinated against foot-and-mouth disease during the preceding 12 months,
- animals which on the way to the slaughterhouse and while awaiting slaughter therein have not come into contact with animals not satisfying the requirements laid down in Commission Decision 82/527/EEC as regards export of their meat to a Member State and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
- animals which when subjected to an *ante-mortem* health inspection at the slaughterhouse during the 24 hours preceding slaughter showed no symptoms of food-and-mouth disease,
- animals which have been slaughtered on different days from those on which animals which do not comply with the conditions required for export of their meat to be European Economic Community were slaughtered,
- animals which were slaughtered on ..... (date of slaughter).

2. the offal described above :

- has been produced on different days to that which does not comply with the conditions required for export to the Community,
- has matured at a room temperature of more than + 2 °C for at least three hours,
- has, during all stages of its production, packing and storage been kept strictly separate from offal not conforming to the requirements for export to a Member State laid down in Commission Decision 82/527/EEC.

Done at ....., on .....



.....  
(Signature of official veterinarian)

## ANNEX C

## ANIMAL HEALTH CERTIFICATE

**For fresh meat <sup>(1)</sup> with or without bone, including offal of domestic animals of the porcine species intended for consignment to the European Economic Community**

Country of destination .....

Reference number of the public health certificate <sup>(2)</sup> .....

Exporting country, REPUBLIC OF SOUTH AFRICA (veterinary regions Western Cape, Eastern Cape and Karoo and region Natal with the exception of districts Ingwavuma and Ubombo)

Ministry .....

Department .....

Reference .....

(Optional)

I. *Identification of meat*

Meat of : Domestic animals of the porcine species .....

(Animal species)

Nature of cuts <sup>(3)</sup> .....

Nature of packaging .....

Number of cuts or packages .....

Net weight .....

II. *Origin of meat*

Address(es) and veterinary approval number(s) <sup>(2)</sup> of the approved slaughterhouse(s) <sup>(2)</sup> .....

Address(es) and veterinary approval number(s) <sup>(2)</sup> of the approved cutting plant(s) <sup>(2)</sup> .....

III. *Destination of meat*

The meat will be sent from : .....

(Place of loading)

to : .....

(Country and place of destination)

by the following means of transport <sup>(4)</sup> .....

Name and address of consignor .....

Name and address of consignee .....

<sup>(1)</sup> Fresh meat means all parts fit for consumption from domestic swine which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

<sup>(2)</sup> Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

<sup>(3)</sup> Only fresh meat from domestic animals of the porcine species from veterinary regions Western Cape, Eastern Cape and Karoo and Natal (with the exception of districts Ingwavuma and Ubombo) is authorized for importation.

<sup>(4)</sup> For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

IV. *Attestation of health*

I, the undersigned, official veterinarian certify that :

1. the fresh meat of domestic animals of the porcine species described above is obtained from :

- animals which were born and reared in the Republic of South Africa and which have remained in the veterinary regions Western Cape, Eastern Cape and Karoo and Natal (with the exception of districts Ingwavuma and Ubombo) for at least 12 months preceding slaughter or since birth in the case of animals less than 12 months old,
- animals which have not been vaccinated against foot-and-mouth disease during the preceding 12 months,
- animals which on the way to the slaughterhouse and while awaiting slaughter therein have not come into contact with animals awaiting slaughter not satisfying the requirements of Commission Decision 82/527/EEC as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
- animals which when subjected to an *ante-mortem* health inspection at the slaughterhouse during the 24 hours before slaughter showed no evidence of foot-and-mouth disease,
- animals which have been slaughtered on different days from those on which animals which do not comply with the conditions required for export of their meat to the European Economic Community were slaughtered,
- animals which were slaughtered on ..... (date of slaughter).

2. the fresh meat of swine described above :

- in the case of deboned or cut meat it has been produced on different days to that which does not comply with the conditions required for export to the Community,
- has during all stages of its production, packing and storage been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in Commission Decision 82/527/EEC.

Done at ....., on .....



.....  
(Signature of official veterinarian)

## ANNEX D

## ANIMAL HEALTH CERTIFICATE

For fresh meat<sup>(1)</sup> of domestic solipeds intended for consignment to the European Economic Community

Country of destination .....

Reference number of the public health certificate<sup>(2)</sup> .....

Exporting country, REPUBLIC OF SOUTH AFRICA

Ministry .....

Department .....

Reference .....

(Optional)

## I. Identification of meat

Meat of: Domestic solipeds .....  
(Animal species)

Nature of cuts .....

Nature of packaging .....

Number of cuts or packages .....

Net weight .....

## II. Origin of meat

Address(es) and veterinary approval number(s)<sup>(2)</sup> of the approved slaughterhouse(s)<sup>(2)</sup> .....

Address(es) and veterinary approval number(s)<sup>(2)</sup> of the approved cutting plant(s)<sup>(2)</sup> .....

## III. Destination of meat

The meat will be sent from : .....  
(Place of loading)

to : .....  
(Country and place of destination)

by the following means of transport<sup>(3)</sup> .....

Name and address of consignor .....

Name and address of consignee .....

<sup>(1)</sup> Fresh meat means all parts fit for human consumption from domestic solipeds which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

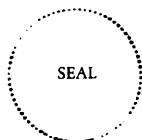
<sup>(2)</sup> Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

<sup>(3)</sup> For railway wagons or lorries the registration number should be given, for aircraft the flight number and for ships the name.

*IV. Attestation of health*

I, the undersigned, official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory of the Republic of South Africa for at least three months before being slaughtered or since birth in the case of animals less than three months old.

Done at ....., on .....



.....  
(Signature of official veterinarian)

\_\_\_\_\_

**CORRIGENDA****Corrigendum to Commission Regulation (EEC) No 1953/82 of 6 July 1982 laying down special conditions for the export of certain cheeses to certain third countries**

*(Official Journal of the European Communities No L 212 of 21 July 1982)*

Page 10, Annex II B:

for: 'ex 04.04 E I b) 5',

read: 'ex 04.04 E I b) 2'.

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**Corrigendum to Council Regulation (ECSC, EEC, Euratom) No 2152/82 of 28 July 1982 amending Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply**

*(Official Journal of the European Communities No L 228 of 4 August 1982)*

Page 5, after the fourth citation, add the following citation:

'Having regard to the opinion of the Court of Justice,'.

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**Corrigendum to Commission Regulation (EEC) No 1876/82 of 13 July 1982 fixing the import levies on milk and milk products**

*(Official Journal of the European Communities No L 206 of 14 July 1982)*

Page 25, Annex, column headed 'CCT heading No', subheadings '04.04 D II a) 1', '04.04 D II a) 2' and '04.04 D II b)' are replaced respectively by subheadings '04.04 D I a)', '04.04 D I b)' and '04.04 D II'.

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**Corrigendum to Commission Regulation (EEC) No 2082/82 of 29 July 1982 fixing the import levies on milk and milk products**

*(Official Journal of the European Communities No L 221 of 30 July 1982)*

Page 10, Annex, column headed 'CCT heading No', subheadings '04.04 D II a) 1', '04.04 D II a) 2' and '04.04 D II b)' are replaced respectively by subheadings '04.04 D I a)', '04.04 D I b)' and '04.04 D II'.

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**Second corrigendum to Commission Regulation (EEC) No 2048/82 of 26 July 1982 fixing the export refunds on beef and veal**

*(Official Journal of the European Communities No L 219 of 28 July 1982)*

Annex, page 33:

under ex 02.01 A II ex bb) (11), first line:

for: 'From the forequarters of adult bovine animals ...',

read: 'From the hindquarters of male adult bovine animals ...'.

---

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