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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2819/82**of 22 October 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⁽¹⁾, as last amended by Regulation (EEC) No 1451/82⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, 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⁽⁵⁾ 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 21 October 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 23 October 1982.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 223, 31. 7. 1982, p. 44.

ANNEX

to the Commission Regulation of 22 October 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	125.07
10.01 B II	Durum wheat	152.68 ⁽¹⁾ ⁽²⁾
10.02	Rye	100.13 ⁽⁴⁾
10.03	Barley	107.05
10.04	Oats	77.20
10.05 B	Maize, other than hybrid maize for sowing	116.51 ⁽³⁾ ⁽⁵⁾
10.07 A	Buckwheat	0
10.07 B	Millet	12.18 ⁽⁴⁾
10.07 C	Grain sorghum	108.29 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	188.62
11.01 B	Rye flour	154.57
11.02 A I a)	Durum wheat groats and meal	249.81
11.02 A I b)	Common wheat groats and meal	203.12

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

⁽²⁾ In accordance with Regulation (EEC) No 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'.

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

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

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

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

**COMMISSION REGULATION (EEC) No 2820/82
of 22 October 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 organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1451/82 ⁽²⁾, 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 agricul-
tural policy ⁽³⁾, as last amended by Regulation (EEC)
No 2543/73 ⁽⁴⁾, 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 ⁽⁵⁾ 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
21 October 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 23 October
1982.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 223, 31. 7. 1982, p. 47.

ANNEX

to the Commission Regulation of 22 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0.27	0.27	0.27
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 2821/82
of 21 October 1982
fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3643/81⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽³⁾, as last amended by Regulation (EEC) No 2300/77⁽⁴⁾;

Whereas, since sluice-gate prices and levies for eggs were, by Regulation (EEC) No 1954/82⁽⁵⁾, last fixed for the period 1 August to 31 October 1982, they must be fixed anew for the period 1 November 1982 to 31 January 1983; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 May to 30 September 1982;

Whereas, when the sluice-gate prices applicable from 1 November, 1 February and 1 May are being fixed, changes in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas,

by Regulation (EEC) No 2773/75, the minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 November 1982 to 31 January 1983;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, world market prices for feed grain are to be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

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

HAS ADOPTED THIS REGULATION :

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75 in respect of the products specified in Article 1 (1) of that Regulation, and the sluice-gate prices provided for in Article 7 thereof in respect of the like products, shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1982.

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

Done at Brussels, 21 October 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 19. 12. 1981, p. 1.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁴⁾ OJ No L 271, 22. 10. 1977, p. 6.

⁽⁵⁾ OJ No L 212, 21. 7. 1982, p. 17.

ANNEX

to the Commission Regulation of 21 October 1982 fixing the sluice-gate prices and levies for eggs

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : A. Eggs in shell, fresh or preserved : I. Poultry eggs : a) Eggs for hatching (a) : 1. Of turkeys or geese 2. Other b) Other B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid 2. Frozen 3. Dried	ECU/100 units	ECU/100 units
		43.09	9.29
		11.25	3.39
		ECU/100 kg	ECU/100 kg
		90.47	33.61
		365.92	151.92
		96.74	38.99
		196.81	68.56
		209.75	73.27
		436.29	157.29

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 2822/82
of 21 October 1982
fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2777/75 of 29 October 1975 on the common organi-
zation of the market in poultrymeat⁽¹⁾, as last
amended by the Act of Accession of Greece⁽²⁾, and in
particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the
products specified in Article 1 (1) of Regulation (EEC)
No 2777/75 must be fixed quarterly in advance in
accordance with methods of calculation laid down in
Council Regulation (EEC) No 2778/75 of 29 October
1975 laying down rules for calculating the levy and the
sluice-gate price for poultrymeat⁽³⁾, as last amended by
Regulation (EEC) No 750/81⁽⁴⁾;

Whereas, since the sluice-gate prices and levies for
poultrymeat were, by Regulation (EEC) No 1955/82⁽⁵⁾,
last fixed for the period 1 August to 31 October 1982,
they must be fixed anew for the period 1 November
1982 to 31 January 1983; whereas such prices and
levies should in principle be calculated by reference to
feed-grain prices for the period 1 May to 30 September
1982;

Whereas, when the sluice-gate prices applicable from
1 November, 1 February and 1 May are being fixed,
trends in world market prices for feed grain are to be
taken into account only if the price of the quantity of
feed grain required varies by at least a specified
minimum in relation to that used to calculate the
sluice-gate price for the preceding quarter; whereas,
by Regulation (EEC) No 2778/75, this minimum was
set at 3 %;

Whereas the price of the quantity of feed grain
required varies by more than 3 % from that used for
the preceding quarter; whereas this variation must
accordingly be taken into account in fixing sluice-gate
prices for the period 1 November 1982 to 31 January
1983;

Whereas, when the levies applicable from 1
November, 1 February and 1 May are being fixed,
changes in world market prices for feed grain should
be taken into account only if at the same time a new
sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed,
changes in world market prices for feed grain must be
taken into account in fixing the levies;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. In respect of the products specified in Article 1
(1) of Regulation (EEC) No 2777/75, the levies
provided for in Article 3 thereof and the sluice-gate
prices provided for in Article 7 thereof shall be as
shown in the Annex hereto.

2. Provided that, in the case of products falling
within heading No 02.03 and within subheading 15.01
B or 16.02 B I of the Common Customs Tariff, in
respect of which the rate of duty has been bound
within GATT, the levy shall not exceed the amount
resulting from that binding.

Article 2

This Regulation shall enter into force on 1 November
1982.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁴⁾ OJ No L 80, 26. 3. 1981, p. 1.

⁽⁵⁾ OJ No L 212, 21. 7. 1982, p. 20.

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

Done at Brussels, 21 October 1982.

For the Commission
Poul DALSAGER
Member of the Commission

ANNEX

to the Commission Regulation of 21 October 1982 fixing the sluice-gate prices and levies for poultrymeat

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea-fowls : A. Of a weight not exceeding 185 g, known as 'chicks': I. Turkeys and geese II. Other	ECU/100 units	ECU/100 units
		83.83	14.69
		22.84	5.77
		ECU/100 kg	ECU/100 kg
		76.17	22.26
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea-fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, not drawn or gutted, with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet, with hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet, without hearts, livers and gizzards, known as '63 % ducks' III. Geese : a) Plucked, bled, not drawn, with heads and feet, known as '82 % geese' b) Plucked and drawn, without heads and feet, with or without hearts and gizzards, known as '75 % geese' IV. Turkeys a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys' V. Guinea-fowls	95.70	27.97
		108.81	31.80
		118.56	34.65
		116.43	38.47
		141.39	46.71
		157.09	51.90
		169.28	45.05
		160.90	47.55
		149.70	35.34
		164.05	38.73
		183.68	53.31

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
02.02 (cont'd)	B. Poultry cuts (excluding offals):	ECU/100 kg	ECU/100 kg
	I. Boned or boneless:		
	a) Of geese	337.89	99.86
	b) Of turkeys	314.37	74.21
	c) Of other poultry	303.72	92.27
	II. Unboned (bone-in):		
	a) Halves or quarters:		
	1. Of fowls	130.42	38.12
	2. Of ducks	172.80	57.09
	3. Of geese	176.99	52.31
	4. Of turkeys	180.46	42.60
	5. Of guinea-fowls	202.05	58.64
	b) Whole wings, with or without tips	96.79	27.91
	c) Backs, necks, backs with necks attached, rumps and wing tips	67.01	19.32
	d) Breasts and cuts of breasts:		
	1. Of geese	241.35	71.33
	2. Of turkeys	239.52	56.54
	3. Of other poultry	179.54	52.47
	e) Legs and cuts of legs:		
	1. Of geese	233.31	68.95
	2. Of turkeys:		
	aa) Drumsticks and cuts of drumsticks	112.28	26.51
	bb) Other	202.10	47.71
	3. Of other poultry	168.66	49.29
	f) Goose or duck paletots (')	211.61	65.98
	g) Other	297.80	85.88
	C. Offals	67.01	19.32
02.03	Poultry liver, fresh, chilled, frozen, salted or in brine:		
	A. Fatty liver of goose or duck	1 692.80	450.50
	B. Other	171.24	49.38
02.05	Pig fat, free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked:		
	C. Poultry fat	148.90	42.94
15.01	Lard, other pig fat and poultry fat, rendered or solvent-extracted:		
	B. Poultry fat	178.68	51.53

CCT heading No	Description	Sluice-gate price	Levy
1	2	3	4
16.02	Other prepared or preserved meat or meat offal : B. Other : I. Poultrymeat or offal : a) Containing 57 % or more by weight of poultrymeat ⁽¹⁾ : 1. Containing uncooked meat or offal ; mixtures of cooked meat or offal and uncooked meat or offal : aa) Containing exclusively turkeymeat bb) Other 2. Other b) Containing 25 % or more but less than 57 % by weight of poultrymeat ⁽²⁾ c) Other	ECU/100 kg 299.40 297.40 327.58 178.68 104.23	ECU/100 kg 70.68 89.68 94.47 51.53 30.06

⁽¹⁾ For the purposes of subheading 02.02 B II f), 'goose or duck paletots' shall be taken to mean geese or ducks plucked and completely drawn, without heads or feet, with carcase bones (breastbone, ribs, backbone and sacrum) removed but with the femurs, tibias and humeri.

⁽²⁾ For the purpose of determining the percentage of poultrymeat, weight of any bones shall be disregarded.

COMMISSION REGULATION (EEC) No 2823/82**of 21 October 1982****fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties of the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 2080/81 of 22 July 1981, fixing sluice-gate prices and import duties for ovalbumin and lactalbumin⁽²⁾;

Whereas, since sluice-gate prices and import duties for ovalbumin and lactalbumin were, by Regulation (EEC) No 1956/82⁽³⁾, last fixed for the period 1 August to 31 October 1982, they must be fixed anew for the period 1 November 1982 to 31 January 1983; whereas such prices and duties should be calculated by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;

Whereas these have been fixed by Commission Regulation (EEC) No 2821/82 of 21 October 1982 fixing the sluice-gate prices and levies for eggs⁽⁴⁾;

Whereas the sluice-gate price and levy applicable to eggs in shell have been altered by the said Regulation; whereas it is therefore necessary likewise to alter the sluice-gate prices and import duties for ovalbumin and lactalbumin fixed by Regulation (EEC) No 2921/81;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties provided for in Article 2 of Regulation (EEC) No 2783/75, in respect of the products specified in Article 1 of that Regulation, and the sluice-gate prices provided for in Article 5 thereof in respect of the like products, shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1982.

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

Done at Brussels, 21 October 1982.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 203, 23. 7. 1981, p. 30.

⁽³⁾ OJ No L 212, 21. 7. 1982, p. 25.

⁽⁴⁾ See page 5 of this Official Journal.

ANNEX

to the Commission Regulation of 21 October 1982 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

CCT heading No	Description	Sluice-gate price	Import duty
1	2	3	4
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (than unfit or rendered unfit for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder) 2. Other	ECU/100 kg	ECU/100 kg
		416.29	136.46
		55.84	18.49

COMMISSION REGULATION (EEC) No 2824/82**of 20 October 1982****on arrangements for imports into France of certain textile products originating in China**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3061/79 of 20 December 1979 on common rules for imports of certain textile products originating in China⁽¹⁾, as amended by Regulation (EEC) No 2007/82⁽²⁾, and in particular Article 11 (4) and (5) thereof,

Whereas Article 11 of Regulation (EEC) No 3061/79 lays down the conditions under which quantitative limits may be established; whereas imports into France of certain textile products (categories 82 and 91), specified in the Annex hereto and originating in China, have exceeded or are liable to exceed the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11, China was notified of a request for consultations; whereas quantitative limits have been placed provisionally on the products in question pending the outcome of those consultations;

Whereas the products in question exported from China between 1 January 1982 and the date of entry into force of this Regulation must be set off against the quantitative limits which have been introduced;

Whereas these quantitative limits should not prevent the importation of products covered by them shipped from China before the date of entry into force of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into France of the categories of products originating in China and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

1. Products as referred to in Article 1, shipped from China to France before the date of entry into force of this Regulation and not yet released for free circulation, shall be so released subject to the presentation of a shipment certificate proving that shipment actually took place before that date.

2. All quantities of products shipped from China on or after 1 January 1982 and released for free circulation shall be deducted from the quantitative limit laid down. This provisional limit shall not, however, prevent the importation of products covered by it but shipped from China before the date of entry into force of this Regulation.

Article 3

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

It shall apply until the entry into force of a Regulation establishing definitive quantitative limits following the current consultations.

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

Done at Brussels, 20 October 1982.

For the Commission
Wilhelm HAFERKAMP
Vice-President

⁽¹⁾ OJ No L 345, 31. 12. 1979, p. 1.

⁽²⁾ OJ No L 216, 24. 7. 1982, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1982)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1982
82	60.04 B IV a) c)	60.04-38 ; 60	Under garments, knitted or crocheted, not elastic or rubberized : B. Of other textile materials : Under garments, other than babies', knitted or crocheted, not elastic or rubberized, of wool, of fine animal hair or of regenerated textile fibres	China	F	Tonnes	18
91	62.04 A II B II	62.04-23 ; 73	Tarpaulins, sails, awnings, sun-blinds, tents and camping goods : Tents	China	F	Tonnes	162

COMMISSION REGULATION (EEC) No 2825/82**of 22 October 1982****amending Regulation (EEC) No 1726/70 on the procedure for granting the premium for leaf tobacco**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular Article 73 thereof,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1461/82 ⁽²⁾, and in particular Article 3 (3) thereof,

Whereas Commission Regulation (EEC) No 1726/70 ⁽³⁾, as last amended by Regulation (EEC) No 3477/80 ⁽⁴⁾, makes payment of an advance on the premium subject to conclusion of a cultivation contract or to signature of a crop declaration;

Whereas Commission Regulation (EEC) No 1388/81 ⁽⁵⁾ provides, by way of derogation from Regulation (EEC) No 1726/70, for the payment of an advance on the premium for tobacco from the 1981 and 1982 harvests grown in Greece, which has, in that country, undergone first-stage processing and packaging, even where no cultivation contract or crop declaration exists; whereas the advance on the premium may be applied for up to 31 December 1982;

Whereas tobacco is traditionally marketed during the year following that of harvest; whereas, accordingly, tobacco harvested in 1982 will be marketed in 1983;

Whereas, because of the situation in Greece prior to accession, the number of cultivation contracts concluded and crop declarations signed in that Member State in respect of tobacco from the 1981 harvest was limited; whereas that situation is unlikely to change appreciably as regards the 1982 harvest;

Whereas purchasers of tobacco from Greece's 1982 harvest, which has undergone first-stage processing and packaging there, should be in a position to pay that country's planters a price near the norm price; whereas, accordingly, the deadline for applying for advance payment for tobacco from Greece's 1982 harvest should be postponed until 31 December 1983;

Whereas Regulation (EEC) No 1388/81 should therefore be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby inserted after the first subparagraph of Article 7 (2) of Regulation (EEC) No 1726/70;

'Notwithstanding the first indent of the first subparagraph, an advance on the premium may be applied for up to 31 December 1982 and 31 December 1983 respectively for tobacco from the 1981 and 1982 harvests grown in Greece which has, in that country, undergone first-stage processing and packaging, even where no cultivation contract or crop declaration as referred to in Article 2b exists.'

Article 2

Regulation (EEC) No 1388/81 is hereby repealed.

Article 3

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

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 164, 14. 6. 1982, p. 27.

⁽³⁾ OJ No L 191, 27. 8. 1970, p. 1.

⁽⁴⁾ OJ No L 363, 31. 12. 1980, p. 81.

⁽⁵⁾ OJ No L 140, 26. 5. 1981, p. 5.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2826/82**of 22 October 1982****providing for the grant of private storage aid fixed at a standard rate in advance
in respect of hindquarters of beef and amending for the second time Regulation
(EEC) No 1091/80**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68
of 27 June 1968 on the common organization of the
market in beef and veal ⁽¹⁾, as last amended by the Act
of Accession of Greece, and in particular Articles 6 (5)
(b) and 8 (2) thereof,

Whereas, in view of the different price trends at
present obtaining in the various Member States and in
particular the seasonal difficulties on the market in
hindquarters, private storage aid should be granted in
respect of hindquarters of adult bovine animals;

Whereas the provisions of Commission Regulation
(EEC) No 1091/80 ⁽²⁾, as amended by Regulation (EEC)
No 2629/80 ⁽³⁾, should be followed in respect of the
grant of private storage aid for beef;

Whereas provisions should be made to ensure that the
animals whose hindquarters are involved be slaught-
ered exclusively in slaughterhouses which are
approved and supervised in accordance with the provi-
sions of Council Directive 64/433/EEC ⁽⁴⁾, as last
amended by Directive 81/476/EEC ⁽⁵⁾;

Whereas Article 3 of Council Regulation (EEC) No
989/68 ⁽⁶⁾, as amended by Regulation (EEC) No
428/77 ⁽⁷⁾, provides that if the market situation so
requires, the period of storage may be curtailed or
extended; whereas it is therefore appropriate that, in
addition to the amounts of aid granted for a specific
storage period, amounts to be added or reduced in the
event of that period being extended or curtailed
should also be fixed;

Whereas, in order to prevent the financing of normal
private storage, it appears desirable to fix high
minimum quantities;

Whereas provision should be made for the possibility
of reducing the storage period where meat removed
from storage is intended for export; whereas proof that
the meat has been exported must be supplied as in the
case of refunds, in accordance with Commission Regu-
lation (EEC) No 2730/79 ⁽⁸⁾, as last amended by Regu-
lation (EEC) No 202/82 ⁽⁹⁾;

Whereas experience gained with various arrangements
of private storage of agricultural products has shown
the need to specify to what extent Council Regulation
(EEC, Euratom) No 1182/71 ⁽¹⁰⁾ applies to the determi-
nation of periods, dates and time limits referred to
under these arrangements and to define accurately the
dates when storage under contract starts and finishes;

Whereas Article 3 (4) of Regulation (EEC, Euratom)
No 1182/71 provides that where the last day of a
period is a public holiday, Sunday or Saturday, the
period should end with the expiry of the last hour of
the following working day; whereas the application of
this provision to storage contracts may not be in the
interest of operators and may even result in inequali-
ties in the way in which they are treated; whereas,
therefore, a derogation should be made with regard to
the determination of the last day of storage under
contract;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications may be submitted between 25
October and 10 December 1982 for aid for the private
storage of one of the cuts of hindquarters of adult
bovine animals defined in Article 2 (2) (a) and (b).

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 114, 3. 5. 1980, p. 18.

⁽³⁾ OJ No L 270, 15. 10. 1980, p. 9.

⁽⁴⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁵⁾ OJ No L 186, 8. 7. 1981, p. 1.

⁽⁶⁾ OJ No L 169, 18. 7. 1968, p. 10.

⁽⁷⁾ OJ No L 61, 5. 3. 1977, p. 17.

⁽⁸⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁹⁾ OJ No L 21, 29. 1. 1982, p. 23.

⁽¹⁰⁾ OJ No L 124, 8. 6. 1971, p. 1.

The amounts of this aid, by tonne of product, bone in, are fixed in the Annex hereto for each of these cuts, pursuant to Article 6 (1) of Regulation (EEC) No 1091/80.

If the quantities in respect of which contracts have been applied for or the market situation make it advisable, the deadline for the submission of applications may be changed.

2. The amount of aid shall be adjusted if the period of storage is extended or reduced. The supplements per month and deductions *per diem* for each of the cuts referred to in Article 2 (2) are fixed in the Annex hereto.

3. Subject to the provisions of this Regulation, the provisions of Regulation (EEC) No 1091/80 shall apply.

Article 2

1. Only meat produced in accordance with the provisions of Article 3 (1A) (a) to (e) of Council Directive 64/433/EEC shall be eligible for private storage aid.

2. For the purposes of this Regulation 'hindquarter' shall mean :

- (a) the rear part of the half carcase cut in the manner known as 'pistola' with a minimum of five cut ribs and a maximum of eight cut ribs and with a minimum average weight of 55 kilograms ; it is cut straight to the hip bone and then parallel to the fillet so that this is practically free from attached parts of the flank, the flank being excluded from storage ; or
- (b) the rear part of the half carcase cut in the manner known as 'straight' with a minimum of three ribs and a maximum of five ribs and with an average minimum weight of 55 kilograms.

Article 3

1. The minimum quantity per contract shall be 20 tonnes expressed as bone-in meat.

2. The contract may only cover unboned meat of one of the cuts referred to in Article 2 (2).

3. Placing in storage must be carried out within 28 days of the date of conclusion of the contract.

Article 4

1. The contractor may, before placing into store, cut or bone all or part of the products referred to in Article 2 (2), provided that only the quantity for which the contract has been concluded is employed and that

all the meat resulting from such operations is placed in store.

2. If the quantity stored unboned, or, if cut or boned, the quantity of unboned meat employed, is less than the quantity for which the contract was concluded and :

(a) not less than 90 % of that quantity, the amount of aid referred to in the second subparagraph of Article 1 (1) shall be reduced proportionally ;

(b) less than 90 % of that quantity, private storage aid shall not be paid.

3. In case of boning :

(a) if the quantity placed in a store does not exceed 69 kilograms of boned meat per 100 kilograms of unboned meat employed, private storage aid shall not be payable ;

(b) if the quantity placed in store exceeds 69 but is lower than 77 kilograms of boned meat per 100 kilograms of unboned meat employed, the aid referred to in the second subparagraph of Article 1 (1) shall be reduced proportionally.

4. No aid shall be granted :

(a) for quantities placed in store unboned or, in case of cutting or boning, for quantities of unboned meat employed, in excess of the quantity for which the contract was concluded ; and

(b) in case of boning, for quantities in excess of 77 kilograms of boned meat per 100 kilograms of unboned meat employed.

Article 5

1. The period of storage shall be either five or six months, at the storer's option ; the storer shall state his preference at the time of submitting the application referred to in the first subparagraph of Article 1 (1).

2. Entitlement to payment of the aid shall be established only if the meat has remained in storage throughout the storage period.

3. On the expiry of a storage period of three months, the contracting party may withdraw from store all or part of the quantity of meat under contract, subject to a minimum of 10 tonnes, provided that, within 28 days following its removal from storage :

— the meat has left the Community's territory within the meaning of Article 9 (2) of Regulation (EEC) No 2730/79,

— the meat has reached its destination in the cases referred to in Article 5 (1) of Regulation (EEC) No 2730/79, or

— the meat has been placed in a *virtual* warehouse approved pursuant to Article 26 of Regulation (EEC) No 2730/79.

In this case, the amount of aid shall be reduced, in accordance with Article 1 (2), the first day of removal from storage not being included in the period of storage under contract.

The contracting party shall inform the intervention agency at least two working days before the commencement of withdrawal operations, stating the quantities he intends to export.

4. For the purposes of the first subparagraph of paragraph 3, proof shall be furnished as in the case of refunds.

Article 6

The amount of the security shall be 110 ECU per tonne.

Article 7

Article 8 of Regulation (EEC) No 1091/80 is hereby replaced by the following :

Article 8

1. The periods, dates and time limits referred to in this Regulation shall be determined in accordance with Regulation (EEC, Euratom) No 1182/71. However, Article 3 (4) of that Regulation shall not apply to the determination of the duration of storage under contract referred to in Article 3 (1) (c).

2. The first day of the storage period shall be the day following that on which the operation of putting into storage is completed.

3. Removal from storage may commence on the day following the last day of the period of storage under contract.

Article 8

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

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

Products in respect of which aid is granted	Amount of aid in ECU/tonne for a storage period :		Amounts (ECU/tonne) :	
	of five months	of six months	to be added per month	to be deducted per day
(a) Fresh or chilled hindquarters cut in the manner known as 'pistolet' with a minimum of five ribs and a maximum of eight ribs and with a minimum average weight of 55 kg	580	620	40	1.35
(b) Fresh or chilled hindquarters cut in the manner known as 'straight' with a minimum of three ribs and a maximum of five ribs and with a minimum average weight of 55 kg	550	585	35	1.20

COMMISSION REGULATION (EEC) No 2827/82

of 22 October 1982

authorizing the Federal Republic of Germany and the Grand Duchy of Luxembourg to permit under certain conditions an additional increase in the alcoholic strength of certain wines and certain products intended for wine-making

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2144/82 ⁽²⁾, and in particular Articles 32 (4) and 65 thereof,

Having regard to Council Regulation (EEC) No 338/79 of 5 February 1979 laying down special provisions relating to quality wines produced in specified regions ⁽³⁾, as last amended by Regulation (EEC) No 2145/82 ⁽⁴⁾, and in particular the third subparagraph of Article 8 (2) thereof,

Whereas under Article 32 (1) of Regulation (EEC) No 337/79 the Member States may permit an increase in the actual or potential natural alcoholic strength only within certain limits ;

Whereas, because of the exceptionally unfavourable climatic conditions in 1982 in some parts of zone A where there was an abnormally high rainfall, the limits upon increases in the natural alcoholic strength as fixed by Article 32 (1) of Regulation (EEC) No 337/79 in case of grapes issued from the Elbling variety prevent the production of the wines which are normally required by the market ; whereas, therefore, the Member States concerned should be authorized to permit in the areas affected an additional increase in the natural alcoholic strength as provided for in Article 32 (2) of Regulation (EEC) No 337/79 ; whereas provision should be made for the Member States to communicate to the Commission certain information, in particular under Commission Regulation (EEC) No 1594/70 ⁽⁵⁾, as last amended by Regulation (EEC) No 632/80 ⁽⁶⁾ ;

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

The Federal Republic of Germany and the Grand Duchy of Luxembourg are hereby authorized for the 1982/83 wine-growing year to allow an additional increase in the alcoholic strength laid down in respect of wine-growing zones A and B, in Article 32 (2) of Regulation (EEC) No 337/79 and in the third subparagraph of Article 8 (2) of Regulation (EEC) No 338/79 as regards products listed in the first subparagraph of paragraph 1 of the said Article 32 and the first subparagraph of the said Article 8 (2) which are produced from grapes :

- (a) intended for the production of table wines and quality wines psr, and
- (b) harvested in the specified region Mosel-Saar-Ruwer and in the Luxembourg wine-growing area, and
- (c) of the variety Elbling.

Article 2

1. On the basis of the declarations referred to in the second subparagraph of Article 36 (1) of Regulation (EEC) No 337/79, the Member States concerned shall communicate to the Commission not later than 31 May 1983, by geographical unit within the meaning of (a) in the second subparagraph of Article 30 (1) of Regulation (EEC) No 337/79, the particulars of the quantities of sugar, concentrated grape must and rectified concentrated grape must used to make an additional increase in the natural alcoholic strength of products referred to in Article 1.

2. Such communications shall give estimates of the quantities of sugar, concentrated grape must and rectified concentrated grape must used to make an additional increase in the alcoholic strength as provided for in Article 32 (2) of Regulation (EEC) No 337/79.

Article 3

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

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.
⁽²⁾ OJ No L 227, 3. 8. 1982, p. 1.
⁽³⁾ OJ No L 54, 5. 3. 1979, p. 48.
⁽⁴⁾ OJ No L 227, 3. 8. 1982, p. 6.
⁽⁵⁾ OJ No L 173, 6. 8. 1970, p. 23.
⁽⁶⁾ OJ No L 69, 15. 3. 1980, p. 33.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2828/82**of 22 October 1982****abolishing the countervailing charge on cucumbers originating in Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1738/82⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2669/82 of 5 October 1982⁽³⁾, as last amended by Regulation (EEC) No 2779/82⁽⁴⁾, introduced a countervailing charge on cucumbers originating in Spain ;

Whereas the present trend of prices for these products on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3011/81⁽⁶⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regula-

tion, indicates that the application of the first subparagraph of Article 26 (1) of Regulation (EEC) No 1035/72 would result in the countervailing charge being fixed at zero ; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain can be abolished,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2669/82 is hereby repealed.

Article 2

This Regulation shall enter into force on 23 October 1982.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 190, 1. 7. 1982, p. 7.

⁽³⁾ OJ No L 283, 6. 10. 1982, p. 17.

⁽⁴⁾ OJ No L 293, 19. 10. 1982, p. 7.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 301, 22. 10. 1981, p. 18.

COMMISSION REGULATION (EEC) No 2829/82**of 22 October 1982****temporarily suspending intervention buying in of certain qualities of meat in certain Member States**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 6 (5) (b) thereof,

Whereas Article 3 (1) of Council Regulation (EEC) No 1197/82 ⁽²⁾ provides the possibility of suspending, in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 805/68, the buying in by intervention agencies of one or more qualities of fresh or chilled meat in Member States or regions of Member States when the market price of the quality or qualities in question remains, during a period of three consecutive weeks, between 100 and 102 % of the maximum buying-in price fixed for that or those qualities ;

Whereas in France the market price for a certain quality is between 100 and 102 % of the maximum

buying-in price, whereas, therefore, intervention buying in should be temporarily suspended for the quality in question ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In application of Article 3 (1) (a) of Regulation (EEC) No 1197/82, intervention buying in shall be suspended from 25 October 1982 in the following Member State for the quality specified :

in France : jeunes bovins R.

Article 2

This Regulation shall enter into force on 25 October 1982.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 140, 20. 5. 1982, p. 26.

COMMISSION REGULATION (EEC) No 2830/82
of 22 October 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⁽¹⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 2805/82⁽⁴⁾;

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 23 October 1982.

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

Done at Brussels, 22 October 1982.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 189, 1. 7. 1982, p. 42.

⁽⁴⁾ OJ No L 295, 21. 10. 1982, p. 32.

ANNEX

to the Commission Regulation of 22 October 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	42.99
	B. Raw sugar	38.06 ⁽¹⁾

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 October 1982

laying down the basic rules necessary for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs

(82/711/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/893/EEC of 23 November 1976 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

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

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

Whereas Article 2 of Directive 76/893/EEC laid down *inter alia* that materials and articles must not transfer their constituents to foodstuffs in quantities which could endanger human health or bring about an unacceptable change in the composition of the foodstuffs ;

Whereas in order to achieve this objective in the case of plastic materials the suitable instrument is a specific directive within the meaning of Article 3 of Directive 76/893/EEC, the general rules of which shall also be applicable to the case in question ;

Whereas, given the complexity of the problem, the Directive should initially be limited to fixing the basic rules for verification of constituent migration ; whereas further directives, to be adopted in accordance with the procedure laid down in Article 10 of Directive 76/893/EEC, will establish the methods of analysis necessary for the verification of such migration ;

Whereas this Directive does not affect all aspects of plastic materials and articles ; whereas it is therefore necessary to authorize the Member States, on the one hand, not to impose the labelling particulars laid down in Article 7 of Directive 76/893/EEC in accordance with paragraphs 4 and 5 of that Article and, on the other hand, to prohibit the marketing of materials and articles which, although conforming with the standards laid down by that Directive, do not comply with national provisions regarding other possible standards referred to in Article 3 or in the absence of these, with Article 2 of the Directive in question ;

Whereas, in view of the analytical difficulties connected with the determination of the migration levels in food products, conventional tests should be chosen (liquids capable of simulating the attack on foodstuffs and standard test conditions) in order to reproduce, as far as possible, the migration phenomena which may occur in contact between the article and the foodstuff ;

Whereas if such tests subsequently prove not to reflect reality Member States should be authorized to amend them provisionally, pending a Community decision ;

⁽¹⁾ OJ No L 340, 9. 12. 1976, p. 19.

⁽²⁾ OJ No C 140, 5. 6. 1979, p. 173.

⁽³⁾ OJ No C 227, 10. 9. 1979, p. 31.

Whereas, in the current state of analytical techniques, it is not possible to determine all the conditions under which conventional migration tests should be performed on materials and articles consisting of two or more layers, one or more of which does not consist entirely of plastics; whereas a decision on the application of this Directive to such materials and articles should therefore be taken at a later date;

Whereas the adaptation of this Directive to technical progress is an implementing measure; whereas, in order to simplify and accelerate the procedure, this should be the responsibility of the Commission;

Whereas in all cases in which the Council confers on the Commission authority to implement the provisions relating to plastic materials and articles intended to come into contact with foodstuffs, a procedure should be laid down establishing close cooperation between Member States and the Commission within the Standing Committee for Foodstuffs set up under Decision 69/414/EEC⁽¹⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. This Directive is a specific Directive within the meaning of Article 3 of Directive 76/893/EEC.

2. This Directive shall apply to plastic materials and articles, that is to say to materials and articles and parts thereof:

- (a) consisting exclusively of plastics, or
- (b) composed of two or more layers of materials, each consisting exclusively of plastics, which are bound together by means of adhesives or by any other means,

which, in the finished product state, are intended to come into contact or are brought into contact with foodstuffs and are intended for that purpose.

3. For the purposes of this Directive, 'plastics' shall mean the organic macromolecular compounds obtained by polymerization, polycondensation, polyaddition or any other similar process from molecules with a lower molecular weight or by chemical alteration of natural macromolecules. Silicones and other similar macromolecular compounds shall also be regarded as plastics. Other substances or matter may be added to such macromolecular compounds.

However, the following shall not be regarded as 'plastics':

- (i) varnished or unvarnished regenerated cellulose film;

- (ii) elastomers and natural and synthetic rubber;
- (iii) paper and paperboard, whether modified or not by the addition of plastics;
- (iv) surface coatings obtained from:
 - paraffin waxes, including synthetic paraffin waxes, and/or micro-crystalline waxes,
 - mixtures of the waxes listed in the first indent with each other and/or with plastics.

4. This Directive shall not apply to materials and articles composed of two or more layers, one or more of which does not consist exclusively of plastics, even if the one intended to come into direct contact with foodstuffs does consist exclusively of plastics.

A decision on the application of this Directive to the materials and articles referred to in the first subparagraph and on any adaptations to the Directive that may become necessary shall be taken at a later date.

Article 2

1. The migration level of the constituents of the materials and articles referred to in Article 1 into or onto foodstuffs must not exceed the limits laid down in the lists of substances whose use is authorized to the exclusion of any others.

2. In the absence of methods of analysis determined in accordance with Article 9 of Directive 76/893/EEC which make it possible to determine the level of migration into foodstuffs, that level shall be determined in the simulants listed in Chapter I of the Annex.

3. The Council, acting in accordance with the procedure laid down in Article 100 of the Treaty and on a proposal from the Commission, shall draw up a list of substances or matter whose use is authorized to the exclusion of any others and a list of simulants to be used for each foodstuff or group of foodstuffs and shall determine the concentration thereof.

Article 3

1. Verification of a migration in the simulants shall be carried out using conventional migration tests, the basic rules for which are laid down in the Annex to this Directive.

2. (a) However, where a Member State, as a result of new information or of a reassessment of existing information made since this Directive was adopted, has detailed grounds for establishing that for a given plastic material or article the basic rules laid down in the Annex for migration tests are technically unsuitable or because the actual conditions of use are basically different from the test conditions specified in the table in the Annex, that Member State may,

⁽¹⁾ OJ No L 291, 19. 11. 1969, p. 9.

within its territory and only for the particular case, temporarily suspend application of the basic rules referred to in the Annex and permit the use of more appropriate basic rules. It shall immediately inform the other Member States and the Commission thereof and give the reasons for its decision.

- (b) The Commission shall examine, as soon as possible, the reasons given by the Member State concerned and shall consult the Member States within the Standing Committee for Foodstuffs and shall then deliver its opinion forthwith and take the appropriate measures.
- (c) If the Commission considers that amendments to this Directive are necessary in order to alleviate the difficulties mentioned in subparagraph (a), it shall initiate the procedure laid down in Article 10 of Directive 76/893/EEC; in that case, the Member State which has adopted the more appropriate basic rules may retain them until the said amendments enter into force.

Article 4

Adaptations to be made to Chapter II of the Annex to this Directive in the light of progress in scientific and technical knowledge shall be adopted in accordance

with the procedure laid down in Article 10 of Directive 76/893/EEC.

Article 5

This Directive shall not affect national provisions relating to the other rules provided for in Article 3 of Directive 76/893/EEC nor the options open to Member States under Article 7 (4) and (5) of that Directive.

Article 6

Member States shall comply with this Directive not later than such time as a specific directive laying down the limits referred to in Article 2 (1) is implemented.

Article 7

This Directive is addressed to the Member States.

Done at Luxembourg, 18 October 1982.

For the Council

The President

N. A. KOFOED

ANNEX

BASIC RULES NECESSARY FOR TESTING MIGRATION IN SIMULANTS

The determination of migration in simulants is to be carried out using the simulants laid down in Chapter I of this Annex and under the test conditions specified in Chapter II of the Annex.

CHAPTER I

Simulants

1. *General case: plastic materials and articles intended to come into contact with foodstuffs of all types*

The tests are to be carried out using all the simulants mentioned below, taking a fresh sample of the plastic material or article for each simulant:

- distilled water or water of equivalent quality (= simulant A),
- 3 % acetic acid (w/v) in aqueous solution (= simulant B),
- 15 % ethanol (v/v) in aqueous solution (= simulant C),
- rectified olive oil ⁽¹⁾; if for technical reasons connected with the method of analysis it is necessary to use different simulants, olive oil must be replaced by a mixture of synthetic triglycerides ⁽²⁾ or by sunflower oil (= simulant D).

2. *Special case: plastic materials and articles intended to come into contact with a single foodstuff or a specific group of foodstuffs*

The tests are to be carried out:

- using only the simulants specified as appropriate for the foodstuff or group of foodstuffs in the list referred to in Article 2 (3),
- where the foodstuff or group of foodstuffs is not included in the list referred to in the first indent, selecting the simulant or simulants prescribed in Section 1 which correspond most closely to the extractive capacity of the foodstuff or group of foodstuffs.

CHAPTER II

Test conditions (times and temperatures)

1. The migration tests are to be carried out, selecting from the times and temperatures specified in the table those which correspond most closely to the normal or foreseeable conditions of contact for the plastic materials or articles being studied.
2. If a plastic material or article is intended to be used successively at short intervals in several of the conditions of contact referred to in column 1 of the table, migration will be determined by subjecting that material or article successively to all the corresponding test conditions specified in column 2, using the same simulant.
3. For a given test time, where a plastic material or article passes the test at the higher temperature, the test need not be repeated at the lower temperature.

For a given test temperature, where a plastic material or article passes the test over the longer time, the test need not be repeated over the shorter time.

⁽¹⁾ Characteristics of rectified olive oil:

- iodine index (Wijs) = 80 to 88,
- refraction index at 25 °C = 1.4665 to 1.4679,
- acidity (expressed in % of oleic acid = 0.5 % maximum,
- peroxide index (expressed in milli-equivalents of oxygen per kg of oil) = 10 maximum.

⁽²⁾ Characteristics of the standard synthetic triglycerides mixture as described in K. Figge's article, 'Food Cosmet. Toxicol' 10 (1972) 815.

4. Where the plastic material or article may in actual use be employed under any conditions of contact time or temperature, only the 10-day tests at 40 °C and the two-hour tests at 70 °C are to be carried out, these being conventionally regarded as the most stringent.

If simulant D is used (rectified olive oil or substitutes for it), only the 10-day test at 40 °C is to be carried out.

5. If it is found that carrying out the tests under the conditions specified in the table causes physical or other changes in the plastic material or article which do not occur under normal or foreseeable conditions of use of that material or article, the migration tests should be carried out under conditions more appropriate to the specific case.

TABLE

Test conditions (times (t) and temperatures (T)) to be chosen according to conditions of contact in actual use

Conditions of contact in actual use	Test conditions
1	2
1. Contact time : $t > 24$ hours 1.1. $T \leq 5\text{ °C}$ 1.2. $5\text{ °C} < T \leq 40\text{ °C}$ ⁽¹⁾	10 days at 5 °C 10 days at 40 °C
2. Contact time : two hours $\leq t \leq 24$ hours 2.1. $T \leq 5\text{ °C}$ 2.2. $5\text{ °C} < T \leq 40\text{ °C}$ 2.3. $T > 40\text{ °C}$	24 hours at 5 °C 24 hours at 40 °C In accordance with national laws
3. Contact time : $t < \text{two hours}$ 3.1. $T \leq 5\text{ °C}$ 3.2. $5\text{ °C} < T \leq 40\text{ °C}$ 3.3. $40\text{ °C} < T \leq 70\text{ °C}$ 3.4. $70\text{ °C} < T \leq 100\text{ °C}$ 3.5. $100\text{ °C} < T \leq 121\text{ °C}$ 3.6. $T > 121\text{ °C}$	Two hours at 5 °C Two hours at 40 °C Two hours at 70 °C One hour at 100 °C 30 min at 121 °C In accordance with national laws

⁽¹⁾ For plastic materials and articles in contact with foodstuffs for which a preservation temperature of less than 20 °C is specified on the labelling or by law, the test conditions will be 10 days at 20 °C.

COUNCIL DIRECTIVE**of 18 October 1982****amending Directive 78/664/EEC laying down specific criteria of purity for antioxidants which may be used in foodstuffs intended for human consumption**

(82/712/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas Council Directive 78/664/EEC⁽¹⁾ makes provision, for economic and technological reasons, for Member States to retain their existing national arrangements concerning specific criteria of purity concerning DL-tartaric acid and salts thereof, hydrolyzed lecithins and the aldehyde content of propylene glycol;

Whereas it is not possible at present to take a final decision at Community level on the specific criteria of purity for DL-tartaric acid and salts thereof;

Whereas hydrolyzed lecithins show technological advantages in some cases over non-hydrolyzed lecithins, and scientific research on safety in use show that their use is acceptable from the point of view of public health;

Whereas the provision relating to the aldehyde content of propylene glycol is no longer necessary,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 78/664/EEC is hereby amended as follows:

1. Article 2 shall be replaced by the following:

'Article 2

1. This Directive does not affect national measures in existence at the time of its notification under which specific criteria of purity are set for DL-tartaric acid and salts thereof.

2. The Council, acting unanimously on a proposal from the Commission, shall decide before 1 January 1985 on the criteria of purity referred to in paragraph 1.'

2. In the Annex, the entry relating to E 322 shall be replaced by the following:

'E 322 — Lecithins*Description*

Lecithins are mixtures or fractions of phosphatides obtained by physical procedures from animal or vegetable foodstuffs; they also include hydrolyzed products obtained through the use of harmless and appropriate enzymes. The final product must not show any signs of residual enzyme activity.

The lecithins may be slightly bleached in aqueous medium by means of hydrogen peroxide. This oxidation must not chemically modify the lecithin phosphatides.

⁽¹⁾ OJ No L 223, 14. 8. 1978, p. 30.

<i>Appearance</i>	— Lecithins : brown liquid or viscous semi-liquid or powder. — Hydrolyzed lecithins : light brown to brown viscous liquid or paste.
<i>Content</i>	— Lecithins : not less than 60 % of substances insoluble in acetone ⁽¹⁾ . — Hydrolyzed lecithins : not less than 56 % of substances insoluble in acetone.
<i>Volatile matter</i>	Not more than 2 % determined by drying at 105 °C for one hour ⁽¹⁾ .
<i>Substances insoluble in toluene</i>	Not more than 0.3 % ⁽¹⁾ .
<i>Acid number</i>	— Lecithins : not more than 35 mg of potassium hydroxide per gram ⁽¹⁾ . — Hydrolyzed lecithins : not more than 45 mg of potassium hydroxide per gram.
<i>Peroxide number</i>	Equal to or less than 10, expressed as milli-equivalents per kilogram.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 30 June 1984. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Luxembourg, 18 October 1982.

For the Council

The President

N. A. KOFOED

COUNCIL DECISION
of 18 October 1982
on the granting of food aid in cereals to Sri Lanka

(82/713/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, by its Decision 82/270/EEC⁽¹⁾, the Council reserved certain quantities for Community action in the context of the 1982 cereals food-aid programme;

Whereas a certain quantity is still available under the aforementioned reserve;

Whereas the Community has received a request from Sri Lanka for food aid in cereals; whereas the Community should respond favourably to this request,

HAS DECIDED AS FOLLOWS:

Sole Article

Food aid in cereals is allocated from the reserve of the 1982 cereals food-aid programme as follows:

Beneficiaries	Quantities	Delivery terms
Sri Lanka	10 000 tonnes	cif

Done at Luxembourg, 18 October 1982.

For the Council

The President

N. A. KOFOED

⁽¹⁾ OJ No L 120, 1. 5. 1982, p. 27.

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