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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1063/84**of 16 April 1984****on the granting of a premium for the slaughter of certain adult bovine animals
in the United Kingdom during the 1984/85 marketing year**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

cultural Guidance and Guarantee Fund in the financing of this premium should be limited,

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

HAS ADOPTED THIS REGULATION :

Having regard to the proposal from the Commission,

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

Whereas the United Kingdom has for the past marketing years applied the slaughtering premium system in respect of certain adult bovine animals ; whereas the United Kingdom should be authorized to continue granting this premium in the 1984/85 marketing year ;

Whereas, in order to prevent the variable slaughter premium granted in the United Kingdom alone from having the effect of an export subsidy and disturbing the markets and the conditions of competition in the other Member States, provision must be made for the levying of an amount equal to that premium when animals or meat or meat preparations from such animals on which it has been given are consigned to other Member States or to non-member countries ;

Whereas such a premium constitutes intervention on the internal market within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽²⁾, as last amended by Regulation (EEC) No 3509/80 ⁽³⁾ ; whereas, however, participation by the European Agri-

Article 1

1. The United Kingdom is authorized to grant during the 1984/85 marketing year a premium to producers for the slaughter of certain adult bovine animals, other than cows, of Community origin.

2. The amount of the premium, which may be seasonally varied, may not exceed 65 ECU per adult bovine animal of an average weight to be determined.

It shall be calculated in such a way that when a premium is granted the sum of the market price recorded in the United Kingdom for adult bovine animals other than cows and the amount of the premium actually granted does not exceed, on average and for the duration of the 1984/85 marketing year, 85 % of the guide price. It may not at any point exceed 88 % of that price.

Article 2

The intervention purchase price for meat obtained from animals for which a premium has been granted shall be reduced by the amount of the premium actually granted.

Article 3

Where the premium referred to in Article 1 has been paid, an amount equivalent to the amount of that premium shall be levied on live animals or on meat and meat preparations from such animals on which it has been paid, when they are consigned to other Member States or to non-member countries.

⁽¹⁾ Opinion delivered on 14 April 1984 (not yet published in the Official Journal).

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽³⁾ OJ No L 367, 31. 12. 1980, p. 87.

Article 4

By way of derogation from Article 3 (1) of Regulation (EEC) No 729/70 financing by the EAGGF Guarantee Section shall be limited to 40 % of the premium amounts actually granted.

Article 5

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68 ⁽¹⁾, as last amended by the 1979 Act of Accession.

2. The detailed rules referred to in paragraph 1 may include *inter alia* :

- (a) a definition of the categories and qualities of animals for which a premium may be granted ;
- (b) the conditions under which premiums may be granted when adult bovine animals for slaughter other than cows are first put on the market ;

(c) measures necessary to prevent, for live animals and meat and meat preparations, disturbance of trade resulting from the application of this premium arrangement ;

(d) rules on the calculation and the conditions for levying the amount referred to in Article 3.

Article 6

Before the end of the 1984/85 marketing year the Commission shall forward to the Council a report on application in the United Kingdom of the slaughter premium for certain adult bovine animals other than cows.

Article 7

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

It shall apply with effect from 2 April 1984.

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

Done at Brussels, 16 April 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

COUNCIL REGULATION (EEC) No 1064/84**of 16 April 1984****on the granting of a calf birth premium in Greece, Ireland, Italy and Northern Ireland and on the granting of an additional national premium in Italy during the 1984/85 marketing year**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas the intervention price applicable in the beef and veal sector has been fixed for the 1984/85 marketing year at a level lower than that resulting from the application of Article 6 of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽²⁾, as last amended by the 1979 Act of Accession; whereas Greece, Ireland, Italy and the United Kingdom (in respect of Northern Ireland only), which have applied in previous marketing years the system of a premium for the birth of calves provided for in Regulation (EEC) No 1201/82 ⁽³⁾, should continue to grant this premium;

Whereas this premium constitutes intervention on the internal market within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 3509/80 ⁽⁵⁾;

Whereas Italy should be authorized to grant an additional national premium,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the 1984/85 marketing year, Greece, Ireland, Italy and the United Kingdom (in respect of Northern Ireland only) shall be authorized to grant a premium for every calf born during that marketing year on their territories and still alive six months after its birth.

2. The amount of the said premium shall be 13 ECU payable by the EAGGF Guarantee Section. It shall be paid in a single instalment.

Article 2

During the 1984/85 marketing year, Italy shall be authorized to grant an additional national premium of not more than 19 ECU per calf still alive six months after its birth. The granting of this premium must not lead to any discrimination between livestock farmers.

Article 3

Detailed rules for implementing this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.

Article 4

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

It shall apply with effect from 2 April 1984.

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

Done at Brussels, 16 April 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ Opinion delivered on 14 April 1984 (not yet published in the Official Journal).

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 26.

⁽³⁾ OJ No L 140, 20. 5. 1982, p. 34.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 367, 31. 12. 1980, p. 87.

COMMISSION REGULATION (EEC) No 1065/84

of 17 April 1984

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 organi-
zation 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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2157/83 ⁽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
16 April 1984 ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2157/83 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 18 April
1984.

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

Done at Brussels, 17 April 1984.

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 206, 30. 7. 1983, p. 47.

ANNEX

to the Commission Regulation of 17 April 1984 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	86,95
10.01 B II	Durum wheat	147,77 ⁽¹⁾ ⁽²⁾
10.02	Rye	103,33 ⁽⁶⁾
10.03	Barley	84,61
10.04	Oats	89,68
10.05 B	Maize, other than hybrid maize for sowing	60,87 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	90,91 ⁽⁴⁾
10.07 D	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	136,98
11.01 B	Rye flour	159,00
11.02 A I a)	Durum wheat groats and meal	242,78
11.02 A I b)	Common wheat groats and meal	145,45

⁽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 1066/84**of 17 April 1984****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
2158/83 ⁽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
16 April 1984;

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 18 April
1984.

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

Done at Brussels, 17 April 1984.

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 206, 30. 7. 1983, p. 50.

ANNEX

to the Commission Regulation of 17 April 1984 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	18,12
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	0,36	0,36	3,08
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1,18	1,18	2,36
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	25,37

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	32,25	32,25
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	24,10	24,10
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 1067/84**of 17 April 1984****amending Regulation (EEC) No 2167/83 laying down detailed rules for the supply of milk and certain milk products to schoolchildren**

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 ⁽¹⁾, as last amended by Regulation (EEC) No 856/84 ⁽²⁾, and in particular Article 26 (4) thereof,

Whereas Article 11 of Commission Regulation (EEC) No 2167/83 ⁽³⁾, as amended by Regulation (EEC) No 2603/83 ⁽⁴⁾, provides that during the 1983/84 school year Member States may derogate from certain provisions relating to management and control laid down in that Regulation on condition that they arrange for measures offering guarantees equivalent to the said provisions and that they notify the Commission of such measures;

Whereas experience has demonstrated the need to extend this authorization by a year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 11 of Regulation (EEC) No 2167/83 is hereby replaced by the following:

Article 11

During the 1984/85 school year Member States may derogate from Articles 5 (2), 6 and 7 on condition that they arrange for measures offering guarantees equivalent to the provisions of the said Articles and that they notify the Commission of such measures before 1 October 1984.'

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 from 1 August 1984.

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 10.

⁽³⁾ OJ No L 206, 30. 7. 1983, p. 75.

⁽⁴⁾ OJ No L 258, 17. 9. 1983, p. 16.

COMMISSION REGULATION (EEC) No 1068/84**of 17 April 1984****fixing for the 1984 marketing year the reference prices for aubergines**

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 985/84⁽²⁾, and in
particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation
(EEC) No 1035/72, reference prices valid for the whole
Community are to be fixed at the beginning of the
marketing year;

Whereas aubergines are produced in such quantities in
the Community that reference prices should be fixed
for them;

Whereas aubergines harvested during a given crop year
are marketed from January to December; whereas the
quantities harvested from 1 January to 31 March and
in November and December are so small that there is
no need to fix reference prices for these periods;
whereas reference prices should be fixed only for the
period 1 April to 31 October inclusive;

Whereas, pursuant to Article 23 (2) of Regulation
(EEC) No 1035/72, the reference prices are to be fixed
on the basis of the arithmetic mean of producer prices
in each Member State plus an amount representing the
costs of transporting Community products from the
production areas to Community marketing centres;
whereas the trend of production costs in the fruit and
vegetables sector must also be taken into account;

Whereas, to take seasonal price variations into account,
the marketing year should be divided into several
periods and a reference price fixed for each of these
periods;

Whereas producer prices are to correspond to the
average of the prices recorded on the representative
market or markets situated in the production areas
where prices are lowest, during the three years prior to
the date on which the reference price is fixed, for a
home-grown product with defined commercial charac-
teristics, being a product or variety representing a
substantial proportion of the production marketed over
the year or over part thereof and satisfying specified
requirements as regards market preparation; whereas,
when the average of prices recorded on each represen-
tative market is being calculated, prices which could
be considered excessively high or excessively low in
relation to normal price fluctuations on that market
are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984 marketing year, the reference prices for
aubergines falling within subheading 07.01 T II of the
Common Customs Tariff, expressed in ECU per 100
kilograms net of packed products of class I, of all sizes,
shall be as follows:

April :	80,37
May :	76,55
June :	74,07
July :	69,85
August :	43,77
September :	46,25
October :	49,47

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 1.

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1069/84**of 17 April 1984****amending Regulations (EEC) No 368/77 and (EEC) No 443/77 on the sale of skimmed-milk powder from public stocks for use in feed for animals other than young calves**

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 ⁽¹⁾, as last amended by Regulation (EEC) No 856/84 ⁽²⁾, 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 animals other than young calves ⁽³⁾, as last amended by Regulation (EEC) No 606/84 ⁽⁴⁾,
- Commission Regulation (EEC) No 443/77 of 2 March 1977 on the sale at a fixed price of skimmed-milk powder for use in feed for animals other than young calves ⁽⁵⁾, as last amended by Regulation (EEC) No 578/84 ⁽⁶⁾,

the intervention agencies are to sell skimmed-milk powder put into storage before 1 March 1983 ;

Whereas, in view of the limited quantities still available which satisfy this condition as to age, and in order that implementation of the measure concerned may continue in the normal way, the abovementioned sales should be extended to skimmed-milk powder put into storage before 1 May 1983 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 of Regulation (EEC) No 368/77 and Article 1 of Regulation (EEC) No 443/77, '1 March 1983' is hereby replaced by '1 May 1983'.

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, 17 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 10.

⁽³⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽⁴⁾ OJ No L 67, 9. 3. 1984, p. 25.

⁽⁵⁾ OJ No L 58, 3. 3. 1977, p. 16.

⁽⁶⁾ OJ No L 64, 6. 3. 1984, p. 6.

COMMISSION REGULATION (EEC) No 1070/84**of 17 April 1984****fixing the sluice-gate prices and levies for pigmeat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 2966/80⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas sluice-gate prices for pig carcasses and for the other products specified in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate prices for pig carcasses⁽³⁾, as last amended by Regulation (EEC) No 1905/83⁽⁴⁾, and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75, must be fixed in advance for each quarter in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 2028/83 of 20 July 1983 fixing the levies and sluice-gate prices on pigmeat⁽⁵⁾;

Whereas, since sluice-gate prices and levies for pigmeat were last fixed by Regulation (EEC) No 114/84 of 16 January 1984⁽⁶⁾ for the period 1 February to 30 April 1984, they must be fixed anew for the period 1 May to 31 July 1984; whereas such prices and levies should in principle be fixed by reference to feed grain prices for the period 1 November 1983 to 31 March 1984;

Whereas, when the sluice-gate price applicable from 1 November, 1 February and 1 May is being fixed, trends in world market prices for feed grain are to be taken into account only if the value of the quantity of feed grain required varies by at least a specified minimum in relation to that used in calculating the sluice-gate price for the preceding quarter; whereas this minimum was fixed by Regulation (EEC) No 2766/75 at 3 %;

Whereas the value of the quantity of feed grain varies by less than 3 % from that used for the preceding

quarter; whereas the sluice-gate prices should therefore be maintained unchanged until 31 July 1984;

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

Whereas, since no new sluice-gate price is to be fixed, the levies should accordingly be maintained unchanged until 31 July 1984;

Whereas, in the case of products falling within any of subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A or 16.02 A II of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levies should be limited to the amounts resulting from that binding;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 May to 31 July 1984, the sluice-gate prices provided for in Article 12 of Regulation (EEC) No 2759/75 for the products specified in Article 1 of Regulation (EEC) No 2766/75 and the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products specified in Article 1 (1) of that Regulation shall be as shown in the Annex to Regulation (EEC) No 114/84.

2. Provided that, in the case of products falling within any of subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A or 16.02 A II 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 May 1984.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽⁴⁾ OJ No L 190, 14. 7. 1983, p. 1.

⁽⁵⁾ OJ No L 199, 22. 7. 1983, p. 16.

⁽⁶⁾ OJ No L 15, 18. 1. 1984, p. 23.

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1071/84**of 17 April 1984****correcting Regulation (EEC) No 900/84 fixing the monetary compensatory amounts and certain coefficients and rates required for their application**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽¹⁾, as last amended by Regulation (EEC) 1004/84 ⁽²⁾, and in particular Article 6 thereof,

Having regard to Commission Regulation (EEC) No 1516/78 of 30 June 1978 on adjustment to monetary compensatory amounts fixed in advance and repealing Regulation (EEC) No 651/78 ⁽³⁾, and in particular Article 1 (2) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71, were fixed by Commission Regulation (EEC) No 900/84 of 31 March

1984 ⁽⁴⁾; whereas a check has revealed an error in part 8 of Annex I to that Regulation; whereas it is necessary, therefore, to correct the Regulation in question,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts shown for products falling within heading No 19.04 and subheadings 21.07 G II a) 2 bb) and b) 2 aa) of the Common Customs Tariff in the column headed 'France' in part 8 of Annex I to Regulation (EEC) No 900/84 are withdrawn.

Article 2

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

It shall apply from the date of its publication.

However, at the request of interested parties, it shall apply with effect from 2 April 1984.

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 101, 13. 4. 1984, p. 2.

⁽³⁾ OJ No L 178, 1. 7. 1978, p. 63.

⁽⁴⁾ OJ No L 92, 2. 4. 1984, p. 2.

COMMISSION REGULATION (EEC) No 1072/84
of 17 April 1984
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 1789/83⁽³⁾,
as last amended by Regulation (EEC) No 1061/84⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1789/83 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 Regu-
lation (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 18 April
1984.

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

Done at Brussels, 17 April 1984.

For the Commission

Poul DALSAGER

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 176, 1. 7. 1983, p. 48.
⁽⁴⁾ OJ No L 104, 17. 4. 1984, p. 14.

ANNEX

**to the Commission Regulation of 17 April 1984 fixing the import levies on white sugar and
raw sugar**

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	45,18
	B. Raw sugar	38,32 ⁽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)

COMMISSION

COMMISSION DECISION

of 11 January 1984

on the aid provided for in Campania to support the production of apricots

(Only the Italian text is authentic)

(84/224/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular the first
subparagraph of Article 93 (2) thereof,

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 3284/83⁽²⁾, and in
particular Article 31 thereof,

After having given notice, pursuant to the provisions
of the first subparagraph of Article 93 (2) of the EEC
Treaty, to those concerned to submit their observa-
tions⁽³⁾,

I

Whereas by letter dated 28 March 1983 the Italian
Government, pursuant to Article 93 (3) of the EEC
Treaty, notified the draft Law of the region of
Campania laying down provisions for rationalizing the
cultivation of apricots;

Whereas the measure provides for the grant, in 1982,
of Lit 1 000 million to apricot producers; whereas this
amount is payable in the form of a subsidy of Lit
200 000 per hectare, which may be increased to Lit
700 000 per hectare in areas especially suited to the
cultivation of apricots;

Whereas the Commission, after having examined the
aid, informed the Italian Government by letter dated 3
June 1983 that the subsidy, granted by reference to
areas cultivated and reserved on a priority basis for
producers who, in absence of suitable cultivation tech-
niques, encountered marketing difficulties during the
1980/81 marketing year, constituted an infringement
of the common organization of the market in fruit and
vegetables; whereas, for these reasons and in view of
the fact that the measure cannot be justified in the
light of the provisions of Article 92 of the EEC Treaty,
the Commission initiated the procedure laid down in
Article 93 (2) of the Treaty and gave the Italian
Government notice to submit its comments;

Whereas in accordance with that procedure the
Commission gave the other Member States and in-
terested parties other than Member States notice to
submit their comments;

Whereas by letter No 6772 of 2 August 1983 the
Italian Government replied to the Commission's letter
of 3 June 1983, drawing its attention to the fact that
the measures complained of should be considered in
the light of Council Directive 72/159/EEC;

Whereas the text of the draft Law contains nothing
from which it can be inferred that the aid provided for
is governed by Directive 72/159/EEC; whereas an aid
granted per hectare that is not conditional on the
making of investments and is not calculated in rela-
tion to investments made or to be made constitutes an
income subsidy and is not to be considered in the
light of the said Directive; whereas the Italian
Government's reply has no foundation, therefore, in
the draft Law for the region;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 325, 22. 11. 1983, p. 1.

⁽³⁾ OJ No C 221, 18. 8. 1983, p. 2.

II

Whereas the subsidy in question artificially promotes the increase or — at least — the maintenance at current levels of apricot production in Campania; whereas it can reasonably be assumed, moreover, that this aid may in practice result in the product being supplied at prices lower than those which would have to be charged in the absence of such assistance from the public authorities;

Whereas the payment of a price supplement ensuring a guaranteed price to apricot producers constitutes a national intervention measure which affects the income of those producers; whereas it is therefore an infringement of the provisions governing the common organization of the market in fruit and vegetables;

Whereas there are limitations on the power of Member States to intervene directly in the operation of the common organization of markets that include a common price system, which henceforth fall within the Community's exclusive competence; whereas this principle is based on the established case law of the Court of Justice; notably on the judgment delivered on 23 January 1975 in Case 51/74⁽¹⁾; whereas that judgment stresses in general, as stated by the Advocate-General in his opinion in Case 10/79, that once the Community has legislated for establishment of a common organization of the market in a given sector, Member States are under an obligation to refrain from taking any measure which might undermine it or create exceptions to it; whereas in doing so they must have regard not only to its express provisions but also to its aims and objectives;

Whereas the granting of the aid referred to fails to recognize the principle that Member States are no longer empowered to legislate unilaterally on farmers' incomes, where there is a common organization of the market, by granting aids of this type.

III

Whereas the measures are liable to affect intra-Community trade and disturb competition by favouring Italian producers at the expense of producers in

other Member States who are called upon to sell the same product on the Community market but are not in receipt of comparable aids;

Whereas the measures in question consequently satisfy the criteria of Article 92 (1) of the EEC Treaty; whereas that Article provides that aids which satisfy the criteria which it sets out are incompatible, as a matter of principle, with the common market;

Whereas the measure is not one which will encourage the economic development of regions where the standard of living is abnormally low or where there is serious under-employment, nor is it a measure intended to promote an important project of common European interest, or to remedy a serious disturbance in the economy of the Member State in question, and accordingly Article 92 (3) (a) and (b) of the EEC Treaty is inapplicable;

Whereas, moreover, the exceptional subsidy for the income of farmers concerned is an operating aid for the recipient farms of a purely protective nature; whereas, in general, the Commission has always been opposed to such aids, since they are not likely to facilitate in a lasting manner the development of activities in the sector concerned;

Whereas, moreover, in view of the comparable economic situation facing farmers in all the Member States, with stagnating or falling incomes and sharply rising production costs, and taking into account the appreciable or even keen intra-Community competition in most agricultural products, this aid is likely to affect the conditions of trade to an extent contrary to the common interest;

Whereas, accordingly, there is no factor which would enable the Commission to declare that the measure under consideration is not incompatible, by invoking the exception provided for in Article 92 (3) (c) of the EEC Treaty;

Whereas, therefore, the Italian Government's aid measure does not fulfil the conditions required for eligibility for one of the exceptions under Article 92 (3) of the EEC Treaty;

Whereas, moreover, even if it had been possible to envisage an exception under Article 92 (3) of the EEC Treaty, the fact that the aid, in respect of the product concerned, infringes the market organization in question makes it impossible to apply any such exception,

⁽¹⁾ P. Van der Hulst's Zonen v. Produktschap voor Siergewassen ((1975) ECR 79).

HAS ADOPTED THIS DECISION:

Commission thereof within one month from notification of this Decision.

Article 1

The subsidy of Lit 200 000 per hectare, which is increased to Lit 700 000 per hectare in areas that are especially suited to the production of apricots, provided for in the draft Law of the region of Campania laying down provisions for rationalizing the cultivation of apricots is incompatible with the common market within the meaning of Article 92 of the EEC Treaty.

Consequently, the draft Law may not be adopted and the aid referred to above may not be granted.

Article 2

Italy shall take the measures necessary to ensure compliance with this Decision. It shall inform the

Article 3

This Decision is addressed to the Italian Republic.

Done at Brussels, 11 January 1984.

For the Commission

Poul DALSAGER

Member of the Commission

COMMISSION DECISION

of 2 April 1984

fixing the minimum selling prices for butter for the 74th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 262/79

(84/225/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 ⁽¹⁾, as last amended by Regulation (EEC) No 856/84 ⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by the Act of Accession of 1979, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁴⁾, as last amended by Regulation (EEC) No 711/84 ⁽⁵⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them ;

Whereas Article 16 of that Regulation provides that, in the light of the tenders received, a minimum selling price must be fixed which may vary according to the use to which the butter is to be put and according to

the fat content of the butter ; whereas, alternatively, a decision may be taken not to proceed with the invitation to tender ; whereas the amounts of the processing security must be fixed in the light of the difference between the minimum selling prices and the market prices of the butter ;

Whereas, in the light of the tenders received in response to the 74th individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly ;

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

HAS ADOPTED THIS DECISION :

Article 1

For the 74th individual invitation to tender issued under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expired on 27 March 1984, the minimum selling prices and processing securities shall be fixed as follows :

(ECU/100 kg butter)			
Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price	Processing security
Formula A and/or C	82 % or more	115,00	267,00
	Less than 82 %	112,00	267,00
Formula B	82 % or more	200,00	174,00
	Less than 82 %	195,10	174,00

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 10.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁵⁾ OJ No L 76, 20. 3. 1984, p. 8.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION

of 2 April 1984

**fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 496/84 on the supply of various lots of
skimmed-milk powder as food aid**

(84/226/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 ⁽¹⁾, as last amended
by Regulation (EEC) No 856/84 ⁽²⁾, and in particular
Article 5 (7) thereof,

Whereas, under Commission Regulation (EEC) No
496/84 of 27 February 1984 on the supply of various
lots of skimmed-milk powder as food aid ⁽³⁾, tenders
have been invited for the supply of 2 165 tonnes of
skimmed-milk powder to certain third countries and
certain organizations;

Whereas Article 13 (1) of Commission Regulation
(EEC) No 1354/83 of 17 May 1983 laying down
general rules for the mobilization and supply of
skimmed-milk powder, butter and butteroil as food
aid ⁽⁴⁾, as amended by Regulation (EEC) No
1886/83 ⁽⁵⁾, specifies that in the light of the tenders
received a maximum amount shall be fixed for each
lot, or part thereof if the third subparagraph of Article
11 (3) is used, or a decision shall be taken to make no
award;

Whereas on the basis of the tenders received the
maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards
are made under the tendering procedure opened by
Regulation (EEC) No 496/84 shall be:

- lot A: 587 351 ECU (B)
- lot B: 734 847 ECU (B)
- lot D: 456 607 ECU (B)
- lot E: 917 222 ECU (B)
- lot F: 612 373 ECU (B)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 10.

⁽³⁾ OJ No L 59, 29. 2. 1984, p. 9.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION DECISION**of 2 April 1984****on the award of contracts under the tendering procedure opened by Regulation (EEC) No 495/84 on the supply of a lot of butteroil as food aid****(84/227/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 ⁽¹⁾, as last amended by Regulation (EEC) No 856/84 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas, under Commission Regulation (EEC) No 495/84 of 27 February 1984 on the supply of various lots of butteroil as food aid ⁽³⁾, tenders have been invited for the supply of 160 tonnes of butteroil to certain third countries and certain organizations ;

Whereas Article 13 (1) of Commission Regulation (EEC) No 1354/83 of 17 May 1983 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food aid ⁽⁴⁾, as amended by Regulation (EEC) No 1886/83 ⁽⁵⁾, specifies that in the light of the tenders received a maximum amount shall be fixed for each lot, or part thereof if the third subparagraph of Article 11 (3) is used, or a decision shall be taken to make no award ;

Whereas on the basis of the tenders received no contracts should be awarded ;

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

HAS ADOPTED THIS DECISION :

Article 1

No awards will be made in respect of lot B under the tendering procedure opened by Regulation (EEC) No 495/84.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 2 April 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 10.

⁽³⁾ OJ No L 59, 29. 2. 1984, p. 1.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION DECISION**of 3 April 1984****amending Decision 82/732/EEC as regards the list of establishments in Czechoslovakia approved for the purpose of importing fresh meat into the Community****(84/228/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 ⁽¹⁾, as last amended by Directive 83/91/EEC ⁽²⁾, and in particular Articles 4 (1) and 18 (1) (a) and (b) thereof,

Whereas a list of establishments in Czechoslovakia, approved for the purposes of the importation of fresh meat into the Community, was drawn up initially by Council Decision 82/732/EEC ⁽³⁾, as amended by Commission Decision 83/241/EEC ⁽⁴⁾;

Whereas a routine inspection under Article 5 of Directive 72/462/EEC and Article 3 (1) of Commission Decision 83/196/EEC of 8 April 1983 concerning on-the-spot inspections to be carried out in respect of the importation of bovine animals and swine and fresh meat from non-member countries ⁽⁵⁾ has revealed that the level of hygiene of certain establishments has altered since the last inspection;

Whereas the list of establishments should, therefore, be amended;

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 Annex to Decision 82/732/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 3 April 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 311, 8. 11. 1982, p. 7.

⁽⁴⁾ OJ No L 129, 19. 5. 1983, p. 65.

⁽⁵⁾ OJ No L 108, 26. 4. 1983, p. 18.

ANNEX

LIST OF ESTABLISHMENTS

Establishment No	Establishment	Address
I. BOVINE MEAT		
A. Slaughterhouses and cutting premises		
12 82	Jihočesky Průmysl Masný Zapadoscesky Průmysl Masný	Studená Klatovy
B. Slaughterhouse		
43	Stredoslovensky Mäsový Priemysel	Prievidza
C. Cutting premises		
14 38	Zapadoslovensky Mäsový Priemysel Východoslovenský Mäsový Priemysel	Nitra Košice
II. SHEEPMEAT		
Slaughterhouse		
45	Východoslovenský Mäsový Priemysel	Sabinov
III. PIGMEAT		
A. Slaughterhouses and cutting premises		
12 82	Jihočesky Průmysl Masný Zapadoscesky Průmysl Masný	Studená Klatovy
B. Slaughterhouse		
43	Stredoslovensky Mäsový Priemysel	Prievidza
C. Cutting premises		
14 38	Zapadoslovensky Mäsový Priemysel Východoslovenský Mäsový Priemysel	Nitra Košice
IV. COLD STORES		
5 73	Jihočesky Průmysl Masný Mrazírny	Písek Dašice

Notice to subscribers

In order to improve its service to subscribers, the Office for Official Publications of the European Communities has decided to produce new-style Alphabetical Tables and to publish the Methodological Tables in a more complete fashion.

The Methodological Tables, at first, will appear in the same form and with the same publication dates as in 1984.

With regard to the Alphabetical Tables, a project was communicated to you about 15 March 1984, to allow time for receipt of any comments.

The publication of the new 1984 Alphabetical Tables will be delayed for several weeks ; nevertheless the computerized system to be put into operation will allow this backlog to be taken up from the second quarter of 1984.