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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1716/84

of 18 June 1984

amending Regulation (EEC) No 1883/78 laying down general rules for the financing of interventions by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No 3509/80⁽²⁾, and in particular Article 3 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the Annex to Regulation (EEC) No 1883/78⁽³⁾, as last amended by Regulation (EEC) No 1550/83⁽⁴⁾, lists measures complying with the concept of intervention intended to stabilize the agricultural markets within the meaning of Article 3 (1) of Regulation (EEC) No 729/70 ; whereas that Annex should be brought up to date as a number of measures have been adopted or repealed since it was last amended ;

Whereas since the entire Annex was redrafted in the form of a single list in 1981, it has been amended by Regulations (EEC) No 1262/82⁽⁵⁾ and (EEC) No 1550/83 ; whereas the entire Annex should therefore be redrafted in the form of a single list once again ;

Whereas, for measures which do not appear in the new Annex but in respect of which expenditure may be in the process of being incurred, the former Annexes shall continue to apply,

HAS ADOPTED THIS REGULATION :

Sole Article

The Annex to Regulation (EEC) No 1883/78 is hereby replaced by the Annex to this Regulation.

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

Done at Luxembourg, 18 June 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 87.

⁽³⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁴⁾ OJ No L 158, 16. 6. 1983, p. 9.

⁽⁵⁾ OJ No L 148, 27. 5. 1982, p. 1.

ANNEX

ANNEX

MEASURES REFERRED TO IN ARTICLE 1

I. CEREALS AND RICE

A. Cereals

1. The buying in and consequent transactions carried out by an intervention agency pursuant to Article 7 (1), (2) and (3) of Regulation (EEC) No 2727/75.
2. The particular and special intervention measures provided for in Article 8 (1) and (2) of Regulation (EEC) No 2727/75.
3. The carry-over payments in respect of stocks remaining at the end of the marketing year provided for in Article 9 of Regulation (EEC) No 2727/75.
4. The production aid for durum wheat provided for in Article 10 of Regulation (EEC) No 2727/75.
5. The production refunds and premiums for potato starch provided for in Article 11 of Regulation (EEC) No 2727/75.
6. The subsidies provided for in Article 23 of Regulation (EEC) No 2727/75.

B. Rice

1. The buying in and consequent transactions carried out by an intervention agency pursuant to Article 5 (1), (2) and (3) of Regulation (EEC) No 1418/76.
2. The special intervention measures provided for in Article 6 of Regulation (EEC) No 1418/76.
3. The carry-over payments in respect of stocks remaining at the end of the marketing year provided for in Article 8 of Regulation (EEC) No 1418/76.
4. The production refunds provided for in Article 9 of Regulation (EEC) No 1418/76.
5. The subsidies for deliveries of Community rice to the French overseas department of Réunion provided for in Article 11a of Regulation (EEC) No 1418/76.

II. SUGAR

1. The storage costs provided for in Article 8 (2) of Regulation (EEC) No 1785/81.
2. The buying in and consequent transactions carried out by an intervention agency pursuant to Article 9 (1), 11 and 34 of Regulation (EEC) No 1785/81.
3. The premiums for sugar rendered unfit for human consumption provided for in Article 9 (2) of Regulation (EEC) No 1785/81.
4. The production refunds provided for in Article 9 (3) of Regulation (EEC) No 1785/81.
5. The measures taken to permit the marketing of sugar produced in the French overseas departments pursuant to Article 9 (4) of Regulation (EEC) No 1785/81.
6. The special intervention measures to help guarantee supplies provided for in Article 10 of Regulation (EEC) No 1785/81.
7. The import subsidies provided for in Article 18 (2) of Regulation (EEC) No 1785/81.
8. The amount referred to in Article 6 of Regulation (EEC) No 1789/81 levied on sugar from the minimum stock marketed other than in accordance with the rules laid down.

III. OLIVE OIL

1. The production aid provided for in Article 5 (1) of Regulation No 136/66/EEC.
2. The consumption aid provided for in Article 11 (1) of Regulation No 136/66/EEC.
3. The publicity campaigns and other projects to promote the consumption of olive oil provided for in Article 11 (6) of Regulation No 136/66/EEC.

4. The buying in and consequent transactions carried out by an intervention agency pursuant to Article 12 (1) and (2) of Regulation No 136/66/EEC.
5. The measures provided for in Article 13 of Regulation No 136/66/EEC (buffer stock).
6. The production refunds in respect of olive oil used in the manufacture of preserved fish and vegetables provided for in Article 20a of Regulation No 136/66/EEC.
7. The storage contracts provided for in Article 20d (3) of Regulation No 136/66/EEC.
8. The corrective amount granted or levied in trade between Greece and the other Member States provided for in Article 3 of Regulation (EEC) No 2919/82.

IV. OILSEEDS AND PROTEIN PLANTS

A. Oilseeds

A.1 *Colza, rape and sunflower seeds*

1. The buying in and consequent transactions carried out by an intervention agency pursuant to Article 26 (1) of Regulation No 136/66/EEC.
2. The aid in respect of harvested and processed oilseeds provided for in Article 27 (1) of Regulation No 136/66/EEC.
3. The early marketing allowance provided for in Article 27 (2) of Regulation No 136/66/EEC.
4. Any derogating measures adopted pursuant to Article 36 of Regulation No 136/66/EEC.
5. The differential amounts granted or levied at the time of the processing of colza, rape and sunflower seed provided for in Regulation (EEC) No 1569/72.

A.2 *Other oilseeds*

1. The aid for soya provided for in Article 2 of Regulation (EEC) No 1614/79.
2. The aid for linseed provided for in Article 2 of Regulation (EEC) No 569/76.
3. The aid for castor seed provided for in Article 2 of Regulation (EEC) No 2874/77.
4. The supplementary aid for castor seed provided for in Article 1 of Regulation (EEC) No 1610/79.

B. Protein plants

B.1 *Peas, field beans and sweet lupin*

1. The aid for Community products used in the manufacture of feedingstuffs provided for in Article 3 (1) of Regulation (EEC) No 1431/82.
2. The aid for Community products used for human or animal consumption provided for in Article 3 (2) of Regulation (EEC) No 1431/82.

B.2 *Dried fodder*

1. The flat-rate production aid provided for in Article 3 of Regulation (EEC) No 1117/78.
2. The supplementary aid provided for in Article 5 of Regulation (EEC) No 1117/78.

V. TEXTILE PLANTS AND SILKWORMS

A. Fibre flax and hemp

1. The production aid provided for in Article 4 of Regulation (EEC) No 1308/70.
2. The private storage aid provided for in Article 5 of Regulation (EEC) No 1308/70.
3. The measures to encourage the use of flax fibres provided for in Article 1 of Regulations (EEC) No 2511/80 and (EEC) No 1423/82.

B. Silkworms

The aid for silkworm rearing provided for in Article 2 of Regulation (EEC) No 845/72.

VI. FRUIT AND VEGETABLES

A. Fresh fruit and vegetables

1. The financial compensation granted to producers' organizations provided for in Article 18 of Regulation (EEC) No 1035/72.
2. The compensation to non-member producers referred to in Article 18a of Regulation (EEC) No 1035/72.
3. The buying in provided for in Articles 19 and 19a of Regulation (EEC) No 1035/72 when the Community market is in a state of serious crisis.
4. The measures to dispose of products withdrawn from the market provided for in Article 21 (1) and (3) of Regulation (EEC) No 1035/72.
5. The compensation granted to farmers pursuant to Article 21 (2) of Regulation (EEC) No 1035/72.
6. The financial compensation designed to promote the marketing of Community citrus fruit provided for in Articles 6 and 8 of Regulation (EEC) No 2511/69.
7. The financial compensation designed to encourage the processing of certain varieties of oranges provided for in Article 3 of Regulation (EEC) No 2601/69.
8. The financial compensation intended to encourage the marketing of products processed from lemons provided for in Regulation (EEC) No 1035/77.

B. Processed fruit and vegetables

1. The production aid for tinned pineapple provided for in Article 1 of Regulation (EEC) No 525/77.
2. The production aid for certain products processed from fruit and vegetables provided for in Article 3 of Regulation (EEC) No 516/77.
3. The special measures for dried grapes and dried figs provided for in Article 4 (4) of Regulation (EEC) No 516/77.
4. The storage aid and financial compensation for dried grapes and dried figs provided for in Article 4 (5) and (6) of Regulation (EEC) No 516/77 and in Article 10 of Regulation (EEC) No 2194/81 (1981 to 1983 harvests).
5. The aid for the restorage of dried grapes of the sultana variety provided for in Article 10 (a) of Regulation (EEC) No 2194/81.
6. The financial compensation provided for in Article 1 (4) of Regulation (EEC) No 1603/83.

VII. PRODUCTS OF THE WINE-GROWING SECTOR

1. The aid for the private storage of table wine, grape must, concentrated grape must and rectified concentrated grape must provided for in Article 7 of Regulation (EEC) No 337/79.
2. The aid for the restorage of table wine provided for in Article 10 of Regulation (EEC) No 337/79.
3. The preventive distillation provided for in Article 11 of Regulation (EEC) No 337/79.
4. The additional measures reserved to the holders of long-term storage contracts provided for in Article 12a of Regulation (EEC) No 337/79.
5. The measures intended to encourage expansion of the markets for table wine provided for in Article 12b of Regulation (EEC) No 337/79.
6. The aid for concentrated grape must and rectified concentrated grape must used to increase alcoholic strength provided for in Article 14 of Regulation (EEC) No 337/79.
7. The aid for grape must used to produce grape juice, British wines, Irish wines and other similar drinks, provided for in Article 14a of Regulation (EEC) No 337/79.
8. The distillation of table wine and any other appropriate measure provided for in Article 15 of Regulation (EEC) No 337/79.

9. The aid granted, as well as the portion of the expenditure incurred by the intervention agencies in respect of the distillation operations provided for in Articles 39 and 40 of Regulation (EEC) No 337/79, financed by the EAGGF Guarantee Section.
10. The measures to dispose of the products of the distillation operations provided for in Articles 39 and 40 taken pursuant to Article 40a of Regulation (EEC) No 337/79.
11. The aid granted in respect of the compulsory distillation of table wine provided for in Article 41 of Regulation (EEC) No 337/79.
12. The buying in of alcohol and consequent transactions carried out by an intervention agency pursuant to Articles 41 and 41a of Regulation (EEC) No 337/79.
13. The measures intended to encourage the use of methods other than distillation provided for in Article 41c of Regulation (EEC) No 337/79.
14. The intervention measures for products other than table wine provided for in Article 57 of Regulation (EEC) No 337/79.
15. The derogating measures consequent on natural disasters provided for in Article 62 of Regulation (EEC) No 337/79.

VIII. RAW TOBACCO

1. The premiums provided for in Articles 3 and 4 of Regulation (EEC) No 727/70.
2. The buying in and consequent transactions carried out by an intervention agency pursuant to Articles 5, 6 and 7 of Regulation (EEC) No 727/70.

IX. OTHER AGRICULTURAL SECTORS OR PRODUCTS

A. Seeds

The production aid provided for in Article 3 of Regulation (EEC) No 2358/71.

B. Hops

The production aid provided for in Article 12 of Regulation (EEC) No 1696/71.

C. Bee-keeping

1. The aid provided for in Article 1 of Regulation (EEC) No 1196/81.
2. The *ad hoc* research programme into varroa mite disease provided for in Article 2a of Regulation (EEC) No 1196/81.

X. MILK AND MILK PRODUCTS

A. Skimmed milk

1. The buying in of skimmed-milk powder and consequent transactions carried out by an intervention agency pursuant to Article 7 (1) and (2) of Regulation (EEC) No 804/68.
2. The private storage aid for skimmed-milk powder provided for in Article 7 (3) of Regulation (EEC) No 804/68.
3. The aid for skimmed milk and skimmed-milk powder used for animal feedingstuffs provided for in Article 10 of Regulation (EEC) No 804/68.
4. The aid for skimmed milk processed into casein or caseinates provided for in Article 11 of Regulation (EEC) No 804/68.

B. Butter

1. The buying in of butter and consequent transactions carried out by an intervention agency pursuant to Article 6 (1) and the first subparagraph or the first sentence of the second subparagraph of Article 6 (3) of Regulation (EEC) No 804/68.
2. The private storage aid for butter and cream provided for in Article 6 (2) of Regulation (EEC) No 804/68.
3. The special measures for the disposal of butter provided for in the second sentence of the second subparagraph of Article 6 (3) of Regulation (EEC) No 804/68.

C. Other measures

1. The additional levy provided for in Article 5c of Regulation (EEC) No 804/68.
2. The buying in of Grana Padano and Parmigiano Reggiano cheeses and consequent transactions carried out by an intervention agency pursuant to Article 8 (1) and (2) of Regulation (EEC) No 804/68.
3. The private storage aid for Grana Padano, Parmigiano Reggiano and Provolone cheeses provided for in Article 8 (3) of Regulation (EEC) No 804/68.
4. The intervention measures for long-keeping cheeses provided for in Article 9 of Regulation (EEC) No 804/68.
5. The measures relating to the reduction of surpluses of milk products provided for in Article 12 of Regulation (EEC) No 804/68.
6. The Community aid granted for supplying milk products to pupils in educational establishments pursuant to Article 26 (1) of Regulation (EEC) No 804/68.
7. The non-marketing premiums for milk and milk products and the premiums for the conversion of dairy herds to meat production provided for in Article 1 of Regulation (EEC) No 1078/77 ⁽¹⁾.
8. The co-responsibility levy and the measures to expand the markets for milk products pursuant to Articles 1 and 4 of Regulation (EEC) No 1079/77.
9. The measures intended to support the incomes of small-scale milk producers provided for in Article 2a of Regulation (EEC) No 1079/77.

XI. BEEF AND VEAL

1. The private storage aid provided for in Article 5 (1) (a) of Regulation (EEC) No 805/68.
2. The buying in and consequent transactions carried out by an intervention agency pursuant to Articles 5, 6 and 7 of Regulation (EEC) No 805/68.
3. The exceptional market support measures provided for in Article 23 of Regulation (EEC) No 805/68.
4. The calf premiums provided for in Article 1 of Regulation (EEC) No 1201/82, as amended by Regulation (EEC) No 1215/83, and in Article 1 of Regulation (EEC) No 1064/84.
5. The premiums for the slaughter of certain adult cattle provided for in Article 1 of Regulation (EEC) No 1200/82, as amended by Regulation (EEC) No 1217/83.
6. The premium for the slaughter of certain adult bovine animals provided for in Article 1 of Regulation (EEC) No 1063/84 and the equivalent amount referred to in Article 3 of that same Regulation.
7. The premiums for maintaining suckler cows provided for in Articles 1 and 3 (1) of Regulation (EEC) No 1357/80.
8. The premiums additional to the premiums for maintaining suckler cows provided for in Regulation (EEC) No 1199/82, as amended by Regulation (EEC) No 870/84.

XII. SHEEPMEAT AND GOATMEAT

1. The premiums granted to sheepmeat producers to offset loss of income provided for in Article 5 of Regulation (EEC) No 1837/80.
2. The private storage aid provided for in Article 6 (1) (a) of Regulation (EEC) No 1837/80.
3. The buying in and consequent transactions carried out by an intervention agency pursuant to Article 6 (1) (b) Regulation (EEC) No 1837/80.
4. The variable slaughter premiums for sheep provided for in Article 9 (1) of Regulation (EEC) No 1837/80.
5. The exceptional market support measures provided for in Article 22 of Regulation (EEC) No 1837/80.

⁽¹⁾ EAGGF financing: 60 % by the Guarantee Section and 40 % by the Guidance Section.

XIII. PIGMEAT

1. The private storage aid provided for in the first indent of the first subparagraph of Article 3 of Regulation (EEC) No 2759/75.
2. The buying in and consequent transactions carried out by an intervention agency pursuant to Articles 3, 4, 5 and 6 of Regulation (EEC) No 2759/75.
3. The private storage aid provided for in Article 20 of Regulation (EEC) No 2759/75.

XIV. PROVISIONS COMMON TO SEVERAL SECTORS

1. The monetary compensatory amounts levied and granted in trade between Member States pursuant to Regulation (EEC) No 974/71.
2. The accession compensatory amounts granted in trade between Member States and Greece pursuant to Articles 43 and 61 of the 1979 Act of Accession.

XV. FISHERY PRODUCTS

1. The financial compensation granted by the Member States to producers' organizations provided for in Article 13 of Regulation (EEC) No 3796/81.
2. The free distribution of goods withdrawn from the market pursuant to Article 13 of Regulation (EEC) No 3796/81.
3. The carry-over premiums provided for in Article 14 (1) of Regulation (EEC) No 3796/81.
4. The special carry-over premiums for anchovies and sardines provided for in Article 14 (3) of Regulation (EEC) No 3796/81.
5. The private storage aid provided for in Article 16 of Regulation (EEC) No 3796/81.
6. The compensation to Community tuna producers provided for in Article 17 of Regulation (EEC) No 3796/81.
7. The compensation to Community salmon and lobster producers provided for in Article 18 of Regulation (EEC) No 3796/81.

XVI. MEASURE TO WHICH THE PROVISIONS OF REGULATION (EEC) No 729/70 HAVE BEEN ADDITIONALLY APPLIED, 'MUTATIS MUTANDIS'

Aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81.

COUNCIL REGULATION (EEC) No 1717/84

of 18 June 1984

amending Regulation (EEC) No 3247/81 on the financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund of certain intervention measures, particularly those involving the buying in, storage and sale of agricultural products by intervention agencies

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of intervention by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund⁽¹⁾, as last amended by Regulation (EEC) No 1550/83⁽²⁾, and in particular Article 4 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 3247/81⁽³⁾, as amended by Regulation (EEC) No 3045/82⁽⁴⁾, lays down rules and conditions governing the annual accounts used in determining the expenditure to be financed by the EAGGF Guarantee Section which is incurred by intervention measures in respect of which a unit amount has not been fixed under a common organization of the market;

Whereas the operation of the intervention system, that is the buying in, storage and sale of agricultural products by the intervention agencies, should be such that the transport of such products outside the Member State in question is an unusual occurrence;

whereas, in cases where this becomes unavoidable, the financing of such transport operations by the Community should be reviewed case by case,

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (2) of Regulation (EEC) No 3247/81 is hereby replaced by the following:

'2. Without prejudice to the rules laid down in Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽¹⁾, the costs arising from transport operations outside the territory of a Member State be entered on the debit side of the accounts only if such operations have been approved under this Regulation in accordance with the procedure referred to in paragraph 1 and, as and when required, have been reviewed by the EAGGF Committee.'

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 Luxembourg, 18 June 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 158, 16. 6. 1983, p. 9.

⁽³⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 322, 18. 11. 1982, p. 5.

COUNCIL REGULATION (EEC) No 1718/84**of 18 June 1984****laying down, in respect of hops, the amount of aid to producers for the 1983 harvest**

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 Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops ⁽¹⁾, as last amended by the 1979 Act of Accession, and in particular Article 12 (7) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Whereas Article 12 of Regulation (EEC) No 1696/71 provides that aid may be granted to hop producers to enable them to achieve a fair income; whereas the amount of this aid is fixed per hectare and differs according to groups of varieties, taking into account the average return on the areas in full production compared with the average returns for previous harvests, the current position of the market and price trends;

Whereas an examination of the results of the 1983 harvest shows the need to fix aid for certain groups of varieties of hops cultivated in the Community;

Whereas hops cultivated in Greece are eligible for Community aid as from the 1981 harvest; whereas, pursuant to Article 90 of the 1979 Act of Accession, Article 68 of that Act applies for the purposes of calculating the amount of hop sector aid for hops produced in Greece,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1983 harvest, aid shall be granted to the producers of hops cultivated in the Community for the groups of varieties set out in the Annex.

2. The amount of the aid shall be as set out in the Annex.

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 Luxembourg, 18 June 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No C 146, 5. 6. 1984, p. 4.

⁽³⁾ Opinion delivered on 25 May 1984 (not yet published in the Official Journal).

*ANNEX***Aid granted to hop producers for the 1983 harvest**

Group of varieties	<i>Aid amounts (ECU/ha)</i>	
	For the Community of Nine	For Greece
Aromatic	300	170
Bitter	250	143
Others	300	170

COUNCIL REGULATION (EEC) No 1719/84

of 18 June 1984

opening, allocating and providing for the administration of a Community tariff quota for 5 000 head of bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

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

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

Whereas the European Economic Community undertook, within the framework of GATT, to open an annual Community tariff quota of 5 000 head at a duty of 4 % for bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff; whereas eligibility for such quota is subject to submission of the following documents:

- bulls: a pedigree certificate,
- female animals: a pedigree certificate of registration in the herdbook, certifying purity of breed;

Whereas the abovementioned tariff quota for the period 1 July 1984 to 30 June 1985 should, therefore, be opened at a duty of 4 %; whereas a check should be carried out to ascertain that the imported animals have not been slaughtered within a certain period in accordance with Article 1 ⁽³⁾;

Whereas, under Articles 2 and 64 (2) (b) of the 1979 Act of Accession, Greece is obliged to apply the Regulations of the common agricultural policy from 1 January 1981, and to apply in its entirety, from that date, the duty in the Common Customs Tariff to the animals in question; whereas it is therefore necessary to meet import requirements from third countries which might arise in that Member State; whereas within the framework of this tariff quota the duty to be applied by Greece is also 4 %;

Whereas, it is in particular necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties to all imports of the animals in question until the quota is exhausted; whereas, having regard to the principles defined above, the Community nature of the quota can be respected

by allocating the Community tariff quota among the Member States; whereas possibilities for the use of such mountain breeds are, however, limited by special factors, both geographical and zootechnical; whereas the Benelux countries and Denmark do not have regions suitable for breeding this kind of cattle; whereas, however, in view of such special factors, the Community nature of the tariff quota in question should be preserved by making provision for requirements which may arise in these Member States; whereas, to this end, these Member States may proceed to draw adequate shares from the Community reserve which has been set up; whereas, in order to reflect as closely as possible the actual trend of the market in question, the initial allocation must be made in proportion to the requirements of each of the Member States concerned, calculated in accordance with statistical data concerning imports from third countries during a representative reference period and with economic prospects for the quota period in question;

Whereas, since the animals in question belong to certain specific breeds which are not specified as such in the statistical nomenclatures of the Member States, no data on imports provided by the Member States could be considered to be sufficiently accurate and representative to be used as a basis for the allocation in question; whereas the extent to which Community tariff quotas for those animals in the Community have been exhausted and the estimates made by certain Member States enable the requirements of each of them as regards imports from third countries for the quota period envisaged to be assessed as follows:

Germany	1 000 head
France	120 head
Italy	4 630 head

whereas the needs of the United Kingdom and of Ireland may, in the absence of precise information, be assessed at 75 and 25 head respectively;

Whereas, in order to take into account the possible trend of imports of the aforementioned animals into the said Member States, the quota amount of 5 000 head should be divided into two parts, the first part being allocated among certain Member States, the second forming a reserve intended subsequently to cover the requirements of those Member States when their initial shares are exhausted and requirements which may arise within other Member States; whereas,

⁽¹⁾ OJ No C 82, 23. 3. 1984, p. 9.

⁽²⁾ Opinion delivered on 25 May 1984 (not yet published in the Official Journal).

in order to ensure a certain degree of security for importers in the aforementioned Member States, the first part of the Community quota should be determined at a comparatively high level which under the present circumstances may be about 84 % of the quota amount;

Whereas, the initial shares of those Member States may be used up more or less rapidly; whereas, in order to take this fact into account and avoid any break in continuity, it is important that that Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas this must be done by each of these Member States as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available until the end of the quota period; whereas such method of administration calls for close cooperation between Member States and the Commission, which latter must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date within the quota period, a considerable balance of the initial share of one or other of the Member States is left over, it is essential that that State should return a considerable part of such balance to the reserve in order that part of the Community quota should not remain unused in one Member State while it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 July 1984 to 30 June 1985, a Community tariff quota of 5 000 head shall be opened within the European Economic Community in respect of the imports from third countries of bulls, cows and heifers, other than those intended for slaughter, of the following mountain breeds: the mottled Simmental breed and the Schwyz and Fribourg breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff.

2. Eligibility for this tariff quota shall be subject to the submission of:

- in the case of bulls: a pedigree certificate,
- in the case of female animals: a pedigree certificate or certificate of registration in the herdbook, certifying purity of breed.

3. For the purposes of this Regulation, the above-mentioned cows and heifers shall be considered not intended for slaughter if they are not slaughtered within four months following the date of their importation.

Derogations may, however, be granted in the event of an act of God (disease, accident) duly attested by a local authority certificate setting out the reasons for the slaughter.

4. The said quota shall be administered in accordance with the following Articles.

Article 2

Within the framework of the quota referred to in Article 1 (1), the Common Customs Tariff duty for the animals referred to in the said paragraph shall be suspended at 4 %.

Article 3

1. A first part of 4 200 head shall be allocated among the Member States listed below. The shares shall apply from 1 July 1984 to 30 June 1985 subject to Article 7, and shall be as follows:

Germany	850 head
France	100 head
Ireland	25 head
Italy	3 150 head
United Kingdom	75 head

2. The second part of 800 head shall be held as a Community reserve.

Article 4

If an importer notifies an imminent importation of the animals in question in countries of the Benelux Economic Union, in Denmark or in Greece and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

Article 5

1. If 90 % or more of the initial share of one of the Member States referred to in Article 3, or of that share less the amount returned to the reserve, where Article 7 has been applied, has been used up, that Member State shall immediately, by notifying the Commission, draw a second share, in so far as the reserve permits equal to 10 % of its initial share rounded off upwards, if necessary, to the next unit.

2. If after the initial share has been exhausted, 90 % or more of the second share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, immediately draw a third share equal to 5 % of its initial share, rounded off upwards, if necessary, to the next unit.

3. If, after the second share has been exhausted, 90 % or more of the third share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, draw a fourth share equal to the third.

The same method shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, each of these Member States may draw shares lower than those fixed in these paragraphs if there are reasons to consider that such shares might not be exhausted. They shall inform the Commission of the grounds which led them to apply this paragraph.

Article 6

Additional shares drawn in pursuance of Article 5 shall apply until 30 June 1985.

Article 7

Member States shall return to the reserve, not later than 1 March 1985, the unused portion of their initial share in excess, on 15 February 1985, of 5 % of the initial amount. They may return a larger quantity if there are reasons to consider that such quantity may not be used.

However, amounts for which import certificates have been issued but not used shall not be returned to the reserve.

The Member States shall, not later than 1 March 1985, notify the Commission of the total imports of the animals in question effected up to 15 February 1985 inclusive, and charged against the tariff quota, the amounts referred to in the second subparagraph and, where appropriate the proportion of their initial share that they return to the reserve.

Article 8

The Commission shall keep accounts of the amounts of the shares opened by Member States in accordance with Articles 3, 4 and 5 and shall inform each of them

of the extent to which the reserve has been exhausted as soon as it receives the notification.

The Commission shall, not later than 5 March 1985, notify Member States of the amount in the reserve after the return of shares pursuant to Article 7.

The Commission shall ensure that any drawing which exhausts the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the last drawing.

Article 9

The Member States shall take all measures necessary to ensure that when additional shares are drawn pursuant to Article 4 or 5 it is possible for imports to be counted without interruption against their accumulated shares of the Community quota.

Article 10

1. Member States shall take all measures necessary to ensure that the access to the tariff quota in question is restricted to cattle as specified in Article 1 (1) and (2).

2. They shall ensure free access to the shares allocated to them for importers.

3. The extent to which the shares of the Member States have been used up shall be recorded on the basis of imports submitted for customs clearance under cover of declarations that they have been made available for free circulation.

4. Where import documents are used for the administration of the quota, they shall be sent to the issuing body as soon as possible and at all events on their expiry.

Article 11

On request by the Commission, Member States shall inform it of imports actually charged against their shares.

Article 12

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

Article 13

This Regulation shall enter into force on 1 July 1984.

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

Done at Luxembourg, 18 June 1984.

For the Council

The President

M. ROCARD

COMMISSION REGULATION (EEC) No 1720/84

of 20 June 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 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 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 19 June 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 21 June 1984.

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

Done at Brussels, 20 June 1984.

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

ANNEX

to the Commission Regulation of 20 June 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	108,03
10.01 B II	Durum wheat	147,27 ⁽¹⁾ ⁽²⁾
10.02	Rye	80,18 ⁽⁶⁾
10.03	Barley	88,87
10.04	Oats	62,00
10.05 B	Maize, other than hybrid maize for sowing	57,25 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	93,95 ⁽⁴⁾
10.07 D	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	167,06
11.01 B	Rye flour	128,03
11.02 A I a)	Durum wheat groats and meal	242,09
11.02 A I b)	Common wheat groats and meal	177,31

⁽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 1721/84**of 20 June 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 organization 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 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 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 19 June 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 21 June 1984.

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

Done at Brussels, 20 June 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 20 June 1984 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 6	1st period 7	2nd period 8	3rd period 9
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	2,48
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	2,67	2,67	2,17
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 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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 1722/84
of 20 June 1984
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 174/84 ⁽²⁾, and in particular Article 11 (2) thereof,

Whereas the import levies on rice and broken rice were fixed by Regulation (EEC) No 2454/83 ⁽³⁾, as last amended by Regulation (EEC) No 1656/84 ⁽⁴⁾;

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 it follows from applying the detailed rules contained in Regulation (EEC) No 2454/83 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 21, 26. 1. 1984, p. 1.

⁽³⁾ OJ No L 243, 1. 9. 1983, p. 5.

⁽⁴⁾ OJ No L 158, 14. 6. 1984, p. 5.

ANNEX

to the Commission Regulation of 20 June 1984 fixing the import levies on rice and broken rice

(ECU/tonne)			
CCT heading No	Description	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	128,67	60,73
	2. Long grain	190,30	91,55
	b) Husked rice :		
	1. Round grain	160,84	76,82
	2. Long grain	237,87	115,33
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	275,06	125,60
	2. Long grain	451,57	213,90
	b) Wholly milled rice :		
	1. Round grain	292,94	134,12
	2. Long grain	484,09	229,69
	III. Broken rice	51,45	22,72

⁽¹⁾ Subject to the application of the provisions of Article 10 of Regulation (EEC) No 435/80.

⁽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⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1723/84**of 20 June 1984****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 174/84 ⁽²⁾, and in particular Article 13 (6)
thereof,

Whereas the premiums to be added to the levies on
rice and broken rice were fixed by Regulation (EEC)
No 2455/83 ⁽³⁾, as last amended by Regulation (EEC)
No 1657/84 ⁽⁴⁾;

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, 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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed
in advance in respect of rice and broken rice shall be
as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June
1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 21, 26. 1. 1984, p. 1.

⁽³⁾ OJ No L 243, 1. 9. 1983, p. 8.

⁽⁴⁾ OJ No L 158, 14. 6. 1984, p. 7.

ANNEX

to the Commission Regulation of 20 June 1984 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 6	1st period 7	2nd period 8	3rd period 9
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1724/84

of 20 June 1984

fixing the export refunds on white sugar and raw sugar exported in the natural state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on

sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas, if the refund system is to operate normally, refunds 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 recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1984.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

to the Commission Regulation of 20 June 1984 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	39,53	
	(b) Other	37,80	
	(II) Flavoured or coloured sugar		0,3953
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	36,37 ⁽¹⁾	
	(b) Other raw sugar	34,78 ⁽¹⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 1725/84**of 20 June 1984****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 871/84⁽²⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽³⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country
which grants the variable slaughter premium, in region
5, within the meaning of Article 3 (5) of Regulation
(EEC) No 1837/80; whereas it is necessary therefore
for the Commission to fix, for the week beginning 28
May 1984, the level of the premium and the amount
to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commis-
sion;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 5 shall be fixed weekly by the Commis-
sion;

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No
1837/80 and in Article 4 (1) and (3) of Regulation

(EEC) No 1633/84 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
region 5 of the aforesaid Member State during the
week beginning 28 May 1984, shall be set out in the
Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the
United Kingdom in region 5, within the meaning of
Article 3 (5) of Regulation (EEC) No 1837/80, for the
variable slaughter premium during the week beginning
28 May 1984, the level of the premium shall be equi-
valent to the amount fixed in Annex I.

Article 2

For products referred to in Article 1 (a) and (c) of
Regulation (EEC) No 1837/80 which left the territory
of region 5 during the week beginning 28 May 1984,
the amounts to be charged shall be equivalent to those
fixed in Annex II hereto.

Article 3

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 28 May 1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 35.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 28 May 1984

Description	Premium
Certified sheep or sheepmeat	144,915 ECU per 100 kilograms of estimated or actual dressed carcase weight (')

(') Within the weight limits laid down by the United Kingdom.

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
28 May 1984

(ECU/100 kg)

CCT heading No	Description	Charge
		Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	68,110
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	144,915
	2. Short forequarters	101,441
	3. Chines and/or best ends	159,407
	4. Legs	188,390
	5. Other :	
	aa) Unboned (bone-in)	188,390
	bb) Boned or boneless	263,745
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	108,686
	2. Short forequarters	76,080
	3. Chines and/or best ends	119,555
	4. Legs	141,292
	5. Other :	
	aa) Unboned (bone-in)	141,292
	bb) Boned or boneless	197,809
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	188,390
	2. Boned or boneless	263,745
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	— unboned (bone-in)	188,390
	— boned or boneless	263,745

COMMISSION REGULATION (EEC) No 1726/84**of 18 June 1984****determining the time limit for the entry into storage of butter sold under
Regulation (EEC) No 262/79**

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 1557/84 ⁽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 inter-
vention on the market in milk and cream ⁽³⁾, as last
amended by Regulation (EEC) No 3521/83 ⁽⁴⁾, and in
particular Article 7a thereof,

Whereas under Article 1 of 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 ⁽⁵⁾, as
last amended by Regulation (EEC) No 711/84 ⁽⁶⁾, the
butter put up for sale must have entered into storage
before a date to be determined; whereas this date

should be fixed in the light of the development of
butter stocks and quantities available;

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

The butter referred to in Article 1 of Regulation (EEC)
No 262/79 must have entered into storage before 1
July 1983.

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 25 June 1984.

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

Done at Brussels, 18 June 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 352, 15. 12. 1983, p. 4.

⁽⁵⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁶⁾ OJ No L 76, 20. 3. 1984, p. 8.

COMMISSION REGULATION (EEC) No 1727/84**of 20 June 1984****fixing, for the 1984/85 marketing year, the flat-rate amount provided for under the system of minimum stocks in the sugar sector**

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 12 (3) thereof,

Having regard to Council Regulation (EEC) No 1789/81 of 30 June 1981 laying down general rules concerning the system of minimum stocks in the sugar sector⁽³⁾,

Whereas Articles 3 (b) and 6 (a) of Regulation (EEC) No 1789/81 provide for the reimbursement of the pecuniary advantage included in the intervention price on account of the costs involved in maintaining the minimum stock;

Whereas, in order to determine that pecuniary advantage, Commission Regulation (EEC) No 189/77 of 28

January 1977 laying down detailed rules for the application of the system of minimum stocks in the sugar sector⁽⁴⁾, as amended by Regulation (EEC) No 1920/81⁽⁵⁾, provides for a flat-rate amount to be fixed for each marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 marketing year, the flat-rate amount referred to in Article 6 of Regulation (EEC) No 189/77 shall be 0,163 ECU per 100 kilograms of sugar expressed as white sugar.

Article 2

This Regulation shall enter into force on 1 July 1984.

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

Done at Brussels, 20 June 1984.

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 172, 1. 7. 1981, p. 39.

⁽⁴⁾ OJ No L 25, 29. 1. 1977, p. 27.

⁽⁵⁾ OJ No L 189, 11. 7. 1981, p. 23.

COMMISSION REGULATION (EEC) No 1728/84**of 20 June 1984****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2693/83 of 26 September 1983 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3660/83 of 23 December 1983 laying down detailed rules for the application of import arrangements provided for by Regulations (EEC) No 2693/83 and (EEC) No 2694/83 in the beef and veal sector⁽²⁾ provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3578/82⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 3660/83 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the United States of America and Canada which

may be imported on special terms in 1984 at 10 000 tonnes ;

Whereas the applications received by the beginning of June 1984 cover quantities less than the quota available ; whereas, therefore, these applications can be met in full,

HAS ADOPTED THIS REGULATION :

Article 1

All applications for import licences in respect of June 1984 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3660/83 are hereby met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80 during the first 10 days of July 1984, the total quantity available being 9 601 tonnes.

Article 3

This Regulation shall enter into force on 22 June 1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 267, 29. 9. 1983, p. 3.

⁽²⁾ OJ No L 361, 24. 12. 1983, p. 38.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 373, 31. 12. 1982, p. 59.

COMMISSION REGULATION (EEC) No 1729/84

of 20 June 1984

re-establishing the levying of customs duties on upright pianos, new, falling within subheading 92.01 A ex I and originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3569/83 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3569/83 of 16 December 1983 applying generalized tariff preferences for 1984 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Articles 1 and 10 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex C, other than those listed in column 4 of Annex A, within the framework of the preferential tariff ceiling fixed in column 9 of Annex A; whereas, as provided for in Article 11 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of upright pianos, new, falling within subheading 92.01 A ex I, the individual ceiling was fixed at 2 689 800 ECU; whereas, on 19 June 1984, imports of these products into the Community, originating in South Korea, reached that ceiling after being charged thereagainst;

Whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 24 June 1984, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3569/83, shall be re-established on imports into the Community of the following products originating in South Korea:

CCT heading No	Description
92.01 A ex I (NIMEXE code 92.01-12)	Upright pianos, new

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, 20 June 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 362, 24. 12. 1983, p. 1.

COMMISSION REGULATION (EEC) No 1730/84
of 20 June 1984
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation No 136/66/EEC
of 22 September 1966 on the establishment of a
common organization of the market in oils and fats ⁽¹⁾,
as last amended by Regulation (EEC) No 1556/84 ⁽²⁾,
and in particular Article 27 (4) thereof,

Whereas the amount of the subsidy referred to in
Article 27 of Regulation No 136/66/EEC was fixed by
Regulation (EEC) No 1430/84 ⁽³⁾, as last amended by
Regulation (EEC) No 1663/84 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1430/84 to the

information known to the Commission that the
amount of the subsidy at present in force should be
altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of
Regulation No 136/66/EEC shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 21 June
1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 5.

⁽³⁾ OJ No L 138, 24. 5. 1984, p. 26.

⁽⁴⁾ OJ No L 158, 14. 6. 1984, p. 20.

ANNEX

to the Commission Regulation of 20 June 1984 fixing the amount of the subsidy
on oil seeds

(ECU/100 kg)

CCT heading No	Description	Subsidy
ex 12.01	Colza and rape seed	7,413
ex 12.01	Sunflower seed	13,448

(ECU/100 kg)

CCT heading No	Description	Subsidy in the case of advance fixing for the month of					
		June 1984	July 1984	August 1984	September 1984	October 1984	November 1984
ex 12.01	Colza and rape seed	7,413	1,920	3,947	6,572	8,084	10,871
ex 12.01	Sunflower seed	13,448	13,486	9,219	11,220	13,303	—

COMMISSION REGULATION (EEC) No 1731/84

of 20 June 1984

fixing the world market price for colza, rape and sunflower seed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the markets in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1556/84⁽²⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽³⁾, as last amended by Regulation (EEC) No 2027/83⁽⁴⁾,

Having regard to Commission Regulation (EEC) No 2300/73 of 23 August 1973 laying down detailed rules for applying differential amounts for colza, rape and sunflower seed and repealing Regulation (EEC) No 1464/73⁽⁵⁾, as last amended by Regulation (EEC) No 699/84⁽⁶⁾, and in particular Article 9 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 9 (4) of Regulation (EEC) No 2300/73, the Commission must determine the world market price for colza, rape and sunflower seed;

Whereas the world market price should be determined in accordance with the rules and the criteria set out in

Commission Regulation (EEC) No 1430/84 of 23 May 1984 fixing the amount of the subsidy on oil seeds⁽⁷⁾;

Whereas, if the price system is to operate normally, the world market price 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 recorded for a given period in relation to the Community currencies referred to in the previous indent;

Whereas it follows from applying these provisions that the world market price for colza, rape and sunflower seed should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The world market price referred to in Article 9 (4) of Regulation (EEC) No 2300/73 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 5.

⁽³⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 14.

⁽⁵⁾ OJ No L 236, 24. 8. 1973, p. 28.

⁽⁶⁾ OJ No L 74, 17. 3. 1984, p. 32.

⁽⁷⁾ OJ No L 138, 24. 5. 1984, p. 26.

ANNEX

to the Commission Regulation of 20 June 1984 fixing the world market price for colza,
rape and sunflower seed

(ECU/100 kg) (')

CCT heading No	Description	World market price
ex 12.01	Colza and rape seed	44,967
ex 12.01	Sunflower seed	47,952

(ECU/100 kg) (')

CCT heading No	Description	World market price where the subsidy is fixed in advance for the month of					
		June 1984	July 1984	August 1984	September 1984	October 1984	November 1984
ex 12.01	Colza and rape seed	44,967	45,340	43,313	41,208	40,216	37,949
ex 12.01	Sunflower seed	47,952	47,914	49,001	47,000	45,532	—

(') The conversion rates from ECU into currency as foreseen by Article 9 (5) (a) of Regulation (EEC) No 2300/73 are the following :

1 ECU = DM	2,24184
1 ECU = Fl	2,52595
1 ECU = Bfr/Lfr	44,9008
1 ECU = FF	6,87456
1 ECU = Dkr	8,14104
1 ECU = £ Irl	0,725690
1 ECU = £	0,588218
1 ECU = Lit	1 381,39
1 ECU = Dr	88,5520

COMMISSION REGULATION (EEC) No 1732/84**of 20 June 1984****fixing the maximum export refund for white sugar for the eighth partial invitation to tender issued within the framework of the supplementary standing invitation to tender provided for in Regulation (EEC) No 1881/83**

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1881/83 of 8 July 1983 on a supplementary standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 938/84⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1881/83, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the eighth partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the eighth partial invitation to tender for white sugar issued under Regulation (EEC) No 1881/83 is hereby fixed at 40,739 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 21 June 1984.

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

Done at Brussels, 20 June 1984.

For the Commission

Poul DALSAER

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 187, 12. 7. 1983, p. 10.

⁽⁴⁾ OJ No L 96, 6. 4. 1984, p. 18.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 28 May 1984

authorizing specialization agreements between Arbed and Cockerill-Sambre concerning flat and long steel products

(Only the French text is authentic)

(84/317/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 65 thereof,

Having regard to the joint application made on 3 February 1984 on behalf of Arbed and Cockerill-Sambre,

Whereas :

Cockerill-Sambre SA (Seraing) is a steel producing undertaking, which also controls, alone or jointly *inter alia* the following undertakings :

- SA Carlam (Couillet),
- SC Valfil (Seraing),
- SA Phénix-Works (Flémalle-Haute),
- SA Galvameuse (Contrisson),
- Galvalange Sàrl (Dudelange) — 50 % holding,
- SA Laminoirs du Ruau (Monceau-sur-Sambre),
- 'PUM' SA (Reims),
- Frère Bourgeois Commerciale SA (Charleroi).

I

- (1) Arbed SA (Luxembourg) is a steel-producing undertaking covered by Article 80 of the Treaty, which also controls, alone or jointly *inter alia* the following undertakings :

- Sidmar NV (Gent),
- SA Métallurgique et Minière de Rodange-Athus (MMR-A) (Rodange),
- Arbed Saarstahl GmbH (Völklingen),
- Lech-Stahlwerke GmbH (Meitlingen),
- Galvalange Sàrl (Dudelange) — 50 % holding,
- Tradearbed Arbed SA (Luxembourg).

- (2) Arbed and Cockerill-Sambre have applied to the Commission, pursuant to Article 65 (2), for authorization of a protocol of agreement dated 24 January 1984 and a framework agreement dated 24 January 1984, providing for cooperation and specialization between the two groups concerned in Belgium and Luxembourg.

- (3) The contracting parties draw attention to the existence of serious excess capacity in the European steel industry, which must adapt itself to new production requirements and conditions of competition. The stated object of the agreements is to improve the competitiveness of the parties and to preserve the place of the Belgian-Luxembourg steel industry in Europe. This object is to be achieved by cooperation between the parties on production, investment and (in a form still to be defined) in the commercial field. At the

same time it is intended that Arbed, its subsidiary Sidmar, and Cockerill-Sambre should each preserve its operating autonomy and therefore its own responsibility for its management and its results.

- (4) Cooperation on production and investment is to be carried out by means of specialization. The form which commercial cooperation will take has still to be decided by the parties, who have set up a joint working group for this purpose. It is envisaged that there will be joint selling for certain products in a form still to be determined.

- (5) As a background to the proposals for specialization, the agreement first identifies areas in which the parties are particularly efficient and have a leading role (vocation); these are:

- for Arbed, Luxembourg and MMR-A, long products and the current activities of Dudenlange in flat cold-rolled and coated products,
- for Sidmar, its activity as an integrated works from the pig iron stage through to the production of flat cold-rolled products,
- for Cockerill-Sambre, Liège, flat cold-rolled and coated products (which would enable the future of hot iron and steel making processes 'sidérurgie à chaud' at Liège to be assured),
- for Cockerill-Sambre, Charleroi, hot-rolled flat products for direct use (Carlam downstream and upstream stages); also, and in order to complement Arbed, Luxembourg, the production of certain long products (wire rods, concrete reinforcing bars, merchant bars and medium sections).

- (6) Within the above framework, the contracting parties agree to the following definitive closures:

- by September 1984 at the latest, the '900' beam mill at Charleroi,
- by the beginning of 1985 at the latest:
 - the wire rod mill of Valfil at Liège, and
 - the Steckel mill for flat products at Dudenlange.

(In addition the definitive closures of the Arbed, Differdange, hot narrow strip mill and the Cockerill-Sambre '850' heavy sections mill are confirmed in the framework agreement).

The contracting parties also agree to exchange certain production tonnages, consequent upon the above closures, in order to preserve their

commercial positions for the products concerned and to secure a better loading on the relevant mills of the parties which will remain in operation. 510 000 tonnes per year of flat products and 435 000 tonnes of long products are involved in these exchanges. In addition, Arbed undertakes to deliver and Cockerill-Sambre undertakes to buy 300 000 tonnes per year of blooms and billets. The parties will also hold capacity in reserve for each other, supplementary to the tonnages already mentioned, up to stated maxima. The parties also agree to offer to each other on a priority basis any unused quotas, for any relevant time period, which are allotted to either of the parties by the Commission, under the application of Article 58 or under a voluntary system installed by the Commission, for products which are the subject of a production exchange.

- (7) So far as capital investment is concerned, the emphasis will be on the leading role areas identified in point 5 above. The two groups will coordinate their medium and long-term investment policy in order to avoid duplication and overcapacity.

- (8) Specifically in the coated products field, the group Arbed-Sidmar undertakes not to create or extend facilities in Belgium or Luxembourg for making those coated products for which Cockerill-Sambre currently has a position on the market. In return Cockerill-Sambre will offer Arbed-Sidmar a right of co-production on new investments which it might undertake for products receiving a 'hot' coating. On the other hand, Cockerill-Sambre recognizes that Arbed-Sidmar has a priority for the construction at Gent, if the market makes this desirable, of an electrolytic coating line (for products other than those used for packaging). In return, Arbed-Sidmar will offer Cockerill-Sambre a right of co-production on such a line.

- (9) The contracting parties will set up a Steering Committee ('Comité d'Orientation') to guide and develop cooperation in accordance with the principles of the agreements.

- (10) The protocol lasts for 10 years with provision for a review after five years to determine whether any changes are considered necessary by the parties.

The framework agreement has an indefinite duration but may be terminated, after three years' notice by either party, at the earliest on 31 December 1993.

II

(11) The agreements submitted for authorization restrict normal competition between the undertakings concerned, since the parties :

- (i) agree mutually to specialize in their production and hence :
- (ii) agree mutually on the closure of certain production installations ;
- (iii) agree jointly to utilize certain production installations, and to transfer production ;
- (iv) agree to coordinate their policy and decisions regarding capital investments.

In these circumstances, the agreements fall within the prohibition in principle set out in Article 65 (1).

III

(12) However, Article 65 (2) empowers the Commission to authorize specialization or joint-buying or joint-selling agreements, and agreements which are strictly analogous in nature and effect, if it finds that they satisfy the requirements specified.

(13) The agreements concerned, which relate to the specialization of production and to the coordination of investment, are specialization agreements or strictly analogous thereto.

(14) These agreements may therefore be authorized under Article 65 (2), but only if they make for a substantial improvement in production or distribution and are essential in order to achieve these results and are not more restrictive than is necessary for that purpose, nor must the agreements be liable to give the undertakings concerned the power to determine the prices, or to control or restrict the production or marketing, of a substantial part of the products in question within the common market, or to shield them against effective competition from other undertakings within the common market. So far as distribution is concerned, the agreements envisage that production specialization will be combined with joint selling. Such a combination is acceptable in principle, but since the form of the joint selling has not yet been settled, it is not possible for the present Decision to pronounce on that aspect of the proposed arrangements.

IV

(15) On the question of whether the agreements make for a substantial improvement in the production of the products concerned, it can be stated in general terms that the rationalization of production and coordination of investment involved will bring about substantial improvements in plant utilization and operating efficiency. As a result, unit costs will fall and quality will improve, with benefits both to the contracting parties and to consumers. Examples of the means by which these benefits will be achieved are given in the following paragraphs.

(16) Firstly, the closure of Cockerill-Sambre's heavy beam mill at Charleroi-Marchienne and heavy section mill at Charleroi-Montignies, with a combined maximum possible production (MPP) of 875 000 tonnes per year and an actual production in 1982 of 243 000 tonnes will improve the utilization rate and competitiveness of the heavy beam and section mill at Arbed, Differdange, one of the best mills in the Community for the product range concerned (MPP 900 000 tonnes/year ; 1982 production 528 000 tonnes).

(17) Secondly, the closure of the Valfil mill for wire rod, a product for which a particularly serious surplus of capacity exists in the Community, will reduce MPP by 1 150 000 tonnes per year, enabling a better loading and improved competitiveness for the rod mill at Arbed, Schifflange, (MPP 518 000 tonnes ; actual 1982 production 224 000 tonnes) and a good utilization rate on the modern rod and bar mill at Charleroi-Marcinelle (MPP 750 000 tonnes per year ; 1982 production 384 000 tonnes).

(18) Thirdly, the closure of the old Steckel mill for flat products at Arbed, Dudelange, (MPP 745 000 tonnes per year ; 1982 production 465 000 tonnes) is an important element in the two groups' plan to concentrate on each others' areas of strength by exchanging flat products for long products. This closure, under the terms of the agreements, will bring about an improvement in the utilization and competitiveness of the Cockerill-Sambre wide strip mills at Charleroi and Liège (1982 utilization rates of 46 and 68 % respectively).

(19) Fourthly, the definitive closure of the Arbed, Differdange, hot narrow strip mill (MPP 720 000 tonnes per year ; 1982 production 13 000 tonnes) recognizes the force of the technological and

market trend towards the use of slit wide strip in substitution. This closure also, therefore, will tend to support the further loading of the Cockerill-Sambre wide strip mills.

(20) Fifthly, the supply of blooms and billets from Arbed, Luxembourg, to Cockerill-Sambre, Charleroi, will involve the supply of low-cost semi-finished products from an efficient steelworks to the modern and low-cost medium section mill at Marchienne (MPP 525 000 tonnes; 1982 production 191 000 tonnes) and to the efficient bar mills at Ruau (MPP 556 000; production 193 000 tonnes), where local steel supply will be inadequate.

(21) Sixthly, the allocation by the parties of priority roles to each other, both generally and specifically in the coated products field, is based on existing strengths and their consolidation, for the future, through mutually guided investment. This will involve a rational and beneficial type of specialization, the wide scope of which should ensure substantial improvements in production. (This statement is without prejudice to any opinion which the Commission may deliver on individual investment projects submitted under Article 54.)

(22) The agreements submitted for authorization will therefore make for a substantial improvement in the production of hot- and cold-rolled flat products and of several long products, including beams, heavy sections, wire rods and merchant steels. Accordingly, the agreements meet the requirement of Article 65 (2) (a), which refers to production or distribution. So far as distribution is concerned, the present agreements contain only general indications of intent which do not in themselves require authorization, but any firm proposals will have to be submitted for prior authorization before they can be put into effect.

(23) The various elements in the specialization agreements submitted, including mutually agreed closures, coordination of investment decisions, the transfer of production and any production quotas from time to time granted by the Commission and the reservation of capacity on production installations are interdependent and interrelated. If they acted individually the undertakings concerned could not attain the resulting improvement in production, or at least the same degree of improvement. The agreements submitted are therefore essential in order to achieve the improvement in production concerned and are not more restrictive than is necessary for that purpose. The agreements therefore satisfy the test of Article 65 (2) (b).

V

(24) To ascertain whether the agreements for which authorization is requested satisfy the tests of Article 65 (2) (c), it is necessary to consider the importance of the undertakings concerned and of the competition which they will have to face. For this purpose, although the agreements relate specifically to production in Belgium and Luxembourg, it is also necessary to take into account the production of the two groups in other Community Member States, i.e. the Federal Republic of Germany and France. On account of the specialization agreements concerned, competition between the two groups will be limited, directly or indirectly, for the entire steel production activity of the various undertakings in those groups.

(25) The production of finished products by the two groups in 1982 and their shares of production in the common market are shown in the following table (the figures include tonnages for own use and exports to non-member countries):

Production of rolled finished products and end products by the Arbed group and the Cockerill-Sambre group in 1982

Products	Arbed group		Cockerill-Sambre group		Total	
	1 000 tonnes	% EC	1 000 tonnes	% EC	1 000 tonnes	% EC
<i>Coils</i> (total production)	2 489	5,4	2 637	6,2	4 926	11,6
<i>Rolled finished products</i> (total)	6 538	7,8	4 324	5,2	10 862	13,0
Of which :						
Railway materials	160	12,8	—	—	160	12,8
Sheet piling	151	27,6	—	—	151	27,6
Broad flanged beams	633	29,8	154	7,3	787	37,1
Other heavy sections	468	15,2	285	9,3	753	24,5
Wire rods	1 029	10,9	542	5,8	1 571	16,7
Concrete reinforcing bars	591	9,4	246	3,9	837	13,3

Products	Arbed group		Cockerill-Sambre group		Total	
	1 000 tonnes	% EC	1 000 tonnes	% EC	1 000 tonnes	% EC
Merchant steels	1 130	13,1	270	3,1	1 400	16,2
Wide flats	19	5,3	—	—	19	5,3
Hot-rolled narrow strip	402	9,0	16	0,4	418	9,4
Hot-rolled plates	238	2,2	290	2,7	528	4,9
Cold-rolled sheets	1 371	5,6	1 773	7,2	3 144	12,8
Coils (finished product)	346	2,9	748	6,3	1 094	9,2
<i>End products</i>						
Tinplate and other tinned sheets	—	—	276	7,6	276	7,6
Coated sheets	100	1,6	940	15,4	1 040	17,0
Magnetic sheets	—	—	63	7,2	63	7,2

(26) The two groups export the major part of their production to other Member States and to non-member countries and in their own respective countries they face strong competition from other Community undertakings and from undertakings situated in non-member countries. There is a considerable degree of interpenetration between all Member States so far as finished steel products are concerned and of penetration by imports from non-member countries into the Community. Thus in 1982 the picture was as follows:

	(1 000 tonnes)
Community production of steel products	88 446
Subtract exports to non-member countries	18 349
	70 097
Add imports from non-member countries	8 736
Apparent consumption in the Community	78 883
Receipts by Member States from other Member States	21 740
Imports from non-member countries in 1982 represented 11 % of Community consumption. Receipts by Member States from other Member States were responsible for 28 % of Community consumption.	

In these circumstances the relevant market for judging the conditions of competition is the common market as a whole.

(27) For hot-rolled coils (total production), the Arbed and Cockerill-Sambre (C-S) groups are together responsible for 11,6 % of Community production (Arbed 5,4 %, C-S 6,2 %). If taken together, the

two groups would rank in fourth place after producers with production shares of 20,5, 15,3 and 12,5 % respectively. The 10 largest Community producers are responsible in total for 92,6 % of Community production. It is to be noted that coils are to a large extent used by the producing undertakings themselves for further transformation into flat finished products and to that extent do not appear as hot-rolled coils on the market.

(28) For railway materials, Arbed with 12,8 % of Community production (C-S does not make these products) stands in fourth place among Community producers, following groups/undertakings with 20,6, 17,5 and 15,7 % of production. The 10 largest Community producers are responsible for 98,2 % of Community production. The effect of the agreements on the competition position for this product is small and indirect (through the potential effect on investment decisions).

(29) For sheet piling, Arbed with 27,6 % of Community production (C-S does not make this product) stands in first place among Community producers but two other producers with 27,3 and 24,3 % are almost as important. The only other Community makers have 14,8 and 6 % respectively. The agreements do not significantly affect the competition position for this product and what effect there is can be described as potential rather than actual.

(30) For broad flanged beams, Arbed with 29,8 % and C-S with 7,3 % of Community production would together come in the first place (37,1 %) before makers with 27,7, 10,2, 10,1, 4,9, 4,5, 2,9 and 2,6 %. There are nine Community producers in total. It should be noted that the C-S heavy beam mill will close under the agreements so that the combined production potential of Arbed and C-S will be considerably reduced.

- (31) For other heavy sections, Arbed (15,2 %) and C-S (9,3 %) if taken together, would account for 24,5 % of Community production and would stand in first place among Community producers, followed by makers with 19,5, 11,9, 6,8, 5,5, 4,6, 3,9, 3,6 and 2,6 %. The first 10 makers account for 82,9 % of Community production. The definitive closure of a heavy section mill at C-S under the agreements reduces the combined production potential of Arbed and C-S.
- (32) For wire rods, Arbed (10,9 %) and C-S (5,8 %), if taken together, would account for 16,7 % of Community production and would stand in second place among Community producers, after one maker with 21,8 % and followed by makers with 10,2, 6,6, 6,4, 5,2, 3,1, 2,6 and 2,6 %. The first 10 producers are responsible for 75,2 % of Community production. The closure of the Valfil rod mill under the agreement will reduce considerably the combined production potential of Arbed and C-S.
- (33) For concrete reinforcing bars, Arbed (9,4 %) and C-S (3,9 %), if taken together, would account for 13,3 % of Community production and would stand in first place among Community producers. However, the first 10 producers of this product account only for 44,6 % of total Community output and there are many small but competitively efficient makers.
- (34) For merchant steels, Arbed (13,1 %) and C-S (3,1 %), if taken together, would account for 16,2 % of Community production and again would stand in first place among Community producers. However, for this product too, there is very active competition, with a large number of makers.
- (35) For hot-rolled narrow strip, Arbed (9,0 %) and C-S (0,4 %), if taken together, would account for 9,4 % of Community production and would stand in third place among Community producers, following makers with shares of 16,5 and 10,0 % respectively and preceding makers with 9,1, 8,7, 8,4, 6,5, 6,2 and 5,8 %. The first 10 producers are responsible for 80,6 % of Community output. The definitive closure of the Differdange hot narrow strip mill under the agreements reduces considerably the combined production potential of Arbed and C-S for hot-rolled narrow strip. The product in question is also facing increasing competition from slit wide strip.
- (36) The relatively small Arbed and S-C output of hot-rolled plates does not have a significant effect on the competition situation.
- (37) For cold rolled sheets, Arbed (5,6 %) and C-S (7,2 %), if taken together, would account for 12,8 % of Community production and would stand in third place among Community producers, following makers with 18,0 and 13,7 % shares respectively, and preceding makers with shares of 12,0, 12,0, 6,4, 6,0, 5,5 and 3,5 %. The 10 largest producers account for 89,9 % of total Community output.
- (38) Of the two groups, only C-S produces tinplate with a 7,6 % share of Community production. There are four larger makers (with 21,3, 16,4, 14,7 and 14,1 % shares) and five smaller makers. The agreements are unlikely to have any significant effect on the competition position for this product, given the cost of entry into the tinplate sector and the competition from other existing producers.
- (39) For coated sheets, C-S with a production share of 15,4 % already holds a leading position in the Community. The addition of Arbed's 1,6 % production share would not change the competition position significantly, but the aggregation of these shares would place the two groups in first place, closely followed by three other groups with 15,8, 15,1 and 14,3 % shares respectively. The first 10 producers account for 80,7 % of Community output.
- (40) Of the two groups, only C-S produces electrical sheets, with a 7,6 % share of Community output. As in the case of tinplate, competition from other existing makers is considerable. There are five larger producers (with 27,0, 18,3, 14,7, 13,5 and 8,6 % shares) and four smaller makers. The agreements are unlikely to have any significant effect on the competition position.
- (41) The main point which emerges from the above analysis is that even for the products where Arbed and C-S are alone or together the leading Community producers, they are counterbalanced by other strong Community producers, or by a large number of competitors; these undertakings, together with imports from non-member countries, will ensure the maintenance of active competition.

- (42) In these circumstances, the agreements are not liable to give the undertakings concerned the power to determine the prices, or to control and restrict the production or marketing, of the products in question within the common market, or to shield them against effective competition from other undertakings within the common market. The agreements therefore satisfy the requirements of Article 65 (2) (c).

VI

- (43) In Decision 78/538/ECSC⁽¹⁾ authorizing Arbed to acquire control of Neunkircher Eisenwerk AG and of MMR-A, the Commission attached to its authorization the obligation that members of the management bodies of the Arbed group iron and steel production and distribution undertakings should not belong to management bodies of other undertakings or holding companies of the same type (this prohibition did not apply to steel undertakings already jointly controlled by Arbed and other undertakings prior to the transactions authorized by the Decision in question). Similarly, in its Decision of 24 March 1982⁽²⁾ authorizing the creation of Cockerill-Sambre, the Commission imposed the obligation that managers or members of a management or supervisory body of the steel production and distribution undertakings belonging to the C-S group should not exercise any such functions in other undertakings of the same type.

Having regard to the close collaboration which is necessary between the Arbed and C-S groups in order to operate the coordination of production and investment provided for by the agreements submitted for authorization, it is appropriate that the prohibitions referred to above should be removed so far as personal links between the Arbed and C-S groups are concerned. In all other respects, however, in view of the need to maintain the independence of large steel undertakings, these prohibitions should be maintained.

- (44) The Commission must ensure that all measures taken by the parties under the agreements submitted are in conformity with the authorization given by this Decision and with the provisions of the Treaty. To this end, the parties must be required to inform the Commission forthwith

of all proposed changes and additions to the agreements including, in particular, any firm proposals for coordinating commercial activities and introducing joint selling. It should therefore be provided that such changes and additions to the agreements may not be put into effect until the Commission has declared them to be admissible or has authorized them under Article 65 (2). Meanwhile the present authorization should be made subject to the condition that the parties do not coordinate their commercial activities unless and until the Commission authorizes such coordination, including its nature and extent.

- (45) The protocol is intended to be valid for 10 years; the framework agreement is intended to be valid for at least 10 years. In view of the rationalization measures proposed by the parties both in the short term and in the longer term through investment coordination, it is appropriate that authorization be granted for 10 years in the first instance.
- (46) Subject to the condition imposed, the agreements for which authorization has been requested are in conformity with Article 65 (2) and may therefore be authorized,

HAS ADOPTED THIS DECISION:

Article 1

The specialization agreements between Arbed SA, Luxembourg, and Cockerill-Sambre SA, Seraing, contained in a protocol of agreement and a framework agreement dated 24 January 1984 are hereby authorized.

Article 2

The authorization referred to in Article 1 is subject to the condition that the undertakings concerned do not coordinate their commercial activity unless and until the Commission authorizes such coordination, including its nature and extent, under Article 65 (2).

Article 3

The undertakings concerned shall inform the Commission forthwith of any proposed changes and additions to the agreements.

Such changes and additions shall not be put into effect until the Commission has confirmed that they are in conformity with the authorization given by this Decision, or has authorized them under Article 65 (2).

⁽¹⁾ OJ No L 164, 21. 6. 1978, p. 14.

⁽²⁾ See Bulletin EC 3-1982, point 2.1.27.

Article 4

The prohibitions of managerial links with outside companies imposed on the Arbed group by Decision 78/538/ECSC and on the Cockerill-Sambre group by the Decision of 24 March 1982 are hereby removed so far as links between the Arbed and Cockerill-Sambre groups are concerned.

Article 5

This Decision shall apply until 31 January 1994.

Article 6

This Decision is addressed to Arbed SA, Avenue de la Liberté, L-2930 Luxembourg, and to Cockerill-Sambre SA, Avenue Adolphe Greiner, B-4100 Seraing.

Done at Brussels, 28 May 1984.

For the Commission

Frans ANDRIESEN

Member of the Commission
