

Official Journal

of the European Communities

ISSN 0378-6978

L 224

Volume 27

21 August 1984

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- Commission Regulation (EEC) No 2390/84 of 20 August 1984 fixing the import levies on cereals and on wheat or rye flour groats and meal 1
- Commission Regulation (EEC) No 2391/84 of 20 August 1984 fixing the premiums to be added to the import levies on cereals, flour and malt 3
- * Commission Regulation (EEC) No 2392/84 of 17 August 1984 re-establishing the levying of customs duties applicable to third countries on certain products originating in Yugoslavia 5**
- * Commission Regulation (EEC) No 2393/84 of 20 August 1984 on the grant of aid for the use in wine-making of concentrated grape must and rectified concentrated grape must in respect of the 1984/85 wine-growing year . . 6**
- * Commission Regulation (EEC) No 2394/84 of 20 August 1984 laying down for the 1984/85 and 1985/86 wine-growing years conditions of use of ion exchange resins and detailed implementing rules for the preparation of rectified concentrated grape must 8**
- * Commission Regulation (EEC) No 2395/84 of 20 August 1984 concerning the reduction in the purchase price for wines referred to in Article 14b of Regulation (EEC) No 337/79 in respect of the 1984/85 wine-growing year . . . 12**
- * Commission Regulation (EEC) No 2396/84 of 20 August 1984 laying down detailed rules for drawing up the forward estimate in the wine sector . . 14**
- * Commission Regulation (EEC) No 2397/84 of 20 August 1984 amending for the fifth time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts 19**

Contents (continued)

Commission Regulation (EEC) No 2398/84 of 17 August 1984 on the issue of import licences for high-quality, fresh, chilled or frozen beef and veal	21
Commission Regulation (EEC) No 2399/84 of 20 August 1984 fixing the import levies on white sugar and raw sugar	22
Commission Regulation (EEC) No 2400/84 of 20 August 1984 altering the import levies on products processed from cereals and rice	23
Commission Regulation (EEC) No 2401/84 of 20 August 1984 regarding that the market in pears is in a state of serious crisis	25

II *Acts whose publication is not obligatory*

Commission

84/406/EEC :

*Commission Decision of 10 August 1984 accepting undertakings given in connection with the anti-dumping proceeding concerning imports of horticultural glass and certain drawn glass originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR, and terminating that proceeding	26
--	----

84/407/EEC :

*Commission Decision of 10 August 1984 accepting undertakings given in connection with the anti-dumping proceeding concerning imports of certain kraft liner paper and board originating in Spain and terminating that proceeding	30
---	----

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2390/84**of 20 August 1984****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2221/84⁽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, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC)
No 974/71, as last amended by Regulation (EEC)
No 855/84,

- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent and the aforesaid coeffi-
cient ;

Whereas these exchange rates being those recorded on
17 August 1984 ;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2221/84 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 August
1984.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, 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 205, 1. 8. 1984, p. 1.

ANNEX

to the Commission Regulation of 20 August 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	78,84
10.01 B II	Durum wheat	120,46 ⁽¹⁾ ⁽²⁾
10.02	Rye	87,86 ⁽⁶⁾
10.03	Barley	71,60
10.04	Oats	43,00
10.05 B	Maize, other than hybrid maize for sowing	43,73 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	82,82 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	123,38
11.01 B	Rye flour	136,01
11.02 A I a)	Durum wheat groats and meal	198,73
11.02 A I b)	Common wheat groats and meal	133,25

- ⁽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.
- ⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 2391/84

of 20 August 1984

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular
Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2222/84⁽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, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC)
No 974/71, as last amended by Regulation (EEC)
No 855/84,

- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded for a given period in
relation to the Community currencies referred to
in the previous indent and the aforesaid coeffi-
cient;

Whereas these exchange rates being those recorded on
17 August 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 August
1984.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, 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 205, 1. 8. 1984, p. 4.

ANNEX

to the Commission Regulation of 20 August 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 8	1st period 9	2nd period 10	3rd period 11
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0,62
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	6,19	6,19	22,60
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	1,73	1,73	0,74
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 8	1st period 9	2nd period 10	3rd period 11	4th period 12
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2392/84
of 17 August 1984

re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Cooperation Agreement between
the European Economic Community and the Socialist
Federal Republic of Yugoslavia⁽¹⁾, and in particular
Protocol 1 thereto,

Having regard to Article 1 of Council Regulation
(EEC) No 3221/83 of 4 November 1983 establishing
ceilings and Community supervision for imports of
certain products originating in Yugoslavia⁽²⁾,

Whereas Article 1 of the abovementioned Protocol
provides that the products listed below, imported
under reduced duty rates according to Article 15 of the
Cooperation Agreement are subject to the annual
ceiling indicated below, above which the customs
duties applicable to third countries may be
re-established :

(tonnes)

CCT heading No	Description	Ceiling
70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	4 635

Whereas imports into the Community of those
products originating in Yugoslavia have reached that
ceiling ; whereas the situation on the Community
market requires that customs duties applicable to third
countries on the products in question be
re-established,

HAS ADOPTED THIS REGULATION :

Article 1

From 24 August to 31 December 1984, the levying of
customs duties applicable to third countries shall be
re-established on imports into the Community of the
following products :

CCT heading No	Description	Origin
70.05	Unworked drawn or blown glass (including flashed glass), in rectangles	Yugoslavia

Article 2

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

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

Done at Brussels, 17 August 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.
⁽²⁾ OJ No L 324, 21. 11. 1983, p. 1.

COMMISSION REGULATION (EEC) No 2393/84

of 20 August 1984

on the grant of aid for the use in wine-making of concentrated grape must and rectified concentrated grape must in respect of the 1984/85 wine-growing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1208/84⁽²⁾, and in particular Articles 14 (4) and 65 thereof,

Whereas Article 14 of Regulation (EEC) No 337/79 introduced an aid scheme for concentrated must and rectified concentrated must produced within the Community and used to increase the alcoholic strength of wines;

Whereas enrichment operations by addition of concentrated grape must and rectified concentrated grape must and the quantities of these products which are held must be declared to the competent authorities; whereas the quantities of these products which are or which have been used for enrichment must be entered in the registers specified in Article 53 (2) of Regulation (EEC) No 337/79; whereas, therefore, it is not necessary to require additional documents to be produced in order to qualify for the aid;

Whereas the aid should be fixed in the light of the difference between the cost of enrichment by means of concentrated grape must, rectified concentrated grape must and sucrose, respectively; whereas, in the light of the information available to the Commission, the aid should be differentiated according to the product used for enrichment and should be fixed as specified in the enacting terms of this Regulation;

Whereas the cost price of grape must used in the production of concentrated grape must and rectified concentrated grape must depends on its potential natural alcoholic strength; whereas the market price of grape must with a high natural alcoholic strength potential is higher than that of other musts; whereas, in order to take this situation and the need to avoid disrupting the existing pattern of trade into account, it is essential to graduate the amount of the aid by fixing a higher amount for concentrated grape must and

rectified concentrated grape must from the southernmost regions in the Community which traditionally produce must with the highest natural alcoholic strength;

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

HAS ADOPTED THIS REGULATION:

Article 1

Aid shall be granted, subject to the conditions set out in this Regulation, to producers of table wines or quality wines *psr* who use concentrated grape must and rectified concentrated grape must produced within the Community to increase the natural alcoholic strength by volume of the products referred to in Article 32 (1) of Regulation (EEC) No 337/79 and Article 8 (2) of Regulation (EEC) No 338/79.

Article 2

The aid provided for in Article 1 is hereby fixed, per degree of potential alcoholic strength by volume per hectolitre of concentrated grape must and rectified concentrated grape must used, at:

- 1,52 ECU for concentrated grape must originating in zones C III (a) and C III (b),
- 1,69 ECU for rectified concentrated grape must originating in zones C III (a) and C III (b) or produced outside the said zones in facilities which began production prior to 30 June 1982,
- 1,32 ECU for concentrated grape must other than that referred to in the first indent,
- 1,49 ECU for rectified concentrated grape must other than that referred to in the second indent.

Article 3

Producers wishing to take advantage of the aid provided for in Article 1 shall present to the competent intervention agency an application covering all operations to increase alcoholic strength to which that Article applies. The application must reach the intervention agency within two months of the date on which the last operation was carried out.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

Each application shall be accompanied by the documents relating to the operations in respect of which aid is requested.

Article 4

The intervention agency shall pay the amount of the aid to the producer not later than 31 August 1985, except:

- in cases of *force majeure*,
- where administrative enquiries have been commenced concerning entitlement to the aid. In that event payment shall be made only when entitlement to the aid is accepted.

Article 5

1. Except in cases of *force majeure*, the aid shall not be payable if the producer does not carry out the operation referred to in Article 1 in accordance with Articles 32, 33 and 36 of Regulation (EEC) No 337/79.

2. Except in cases of *force majeure*, if the producer does not comply with any requirement of this Regulation, other than that referred to in paragraph 1, the aid payable shall be reduced by an amount to be fixed by the competent authority in relation to the seriousness of the infringement.

3. In cases of *force majeure*, the competent authority shall determine the measures which it deems necessary having regard to the circumstances invoked.

4. Member States shall inform the Commission of cases in which paragraph 2 has been applied and of how requests claiming circumstances of *force majeure* have been dealt with.

Article 6

The Member States in question shall notify the Commission not later than 31 October 1985 of the number of producers who have received aid, the quantities of wine enriched and the quantities of concentrated grape must and rectified concentrated grape must used for this purpose expressed in degrees of potential alcoholic strength by volume per hectolitre.

Article 7

Each Member State concerned shall designate an intervention agency to be responsible for implementing this Regulation.

Article 8

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

It shall apply from 1 September 1984.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2394/84

of 20 August 1984

laying down for the 1984/85 and 1985/86 wine-growing years conditions of use of ion exchange resins and detailed implementing rules for the preparation of rectified concentrated grape must

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1208/84⁽²⁾, and in particular Articles 46 (6) and 65 thereof,

Whereas the Council authorized the preparation and use of rectified concentrated grape must; whereas point 1a (h) of Annex III to Regulation (EEC) No 337/79 permits the use of ion exchange resins for the preparation of this product, under conditions to be laid down; whereas the conditions of use of such resins must therefore be laid down;

Whereas in so doing, account must be taken of the provisions already adopted at Community level by Council Directive 76/893/EEC of 23 November 1976 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs⁽³⁾ and of Community and national provisions adopted in implementation of the said Directive;

Whereas the authorized treatments must be such as to ensure that the product obtained presents no hazard to health; whereas provision must therefore be made for the inspection of the substances used and for the methods of analysis to be used in the course of such inspections;

Whereas the application of Commission Regulation (EEC) No 2253/82 laying down for the 1982/83 and 1983/84 wine-growing years conditions of use of ion exchange resins and detailed implementing rules for the preparation of rectified concentrated grape must⁽⁴⁾ was limited, pending the results of work at Community level on materials and objects destined to come

into contact with foodstuffs, to two wine-growing years; whereas this work is still in progress and it is difficult to predict when it will be finished; whereas it is, therefore, necessary to provide that the provisions of Regulation (EEC) No 2253/82 be renewed for two wine-growing years;

Whereas, on this occasion, it is appropriate, in the interests of clarity and in order that those concerned be fully informed to complete and republish the full text of the said Regulation, more specifically by publishing in the *Official Journal of the European Communities* the list of establishments in which ion exchange resins may be used;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Ion exchange resins may be used for the preparation of rectified concentrated grape must only under the supervision of an oenologist or technician, and in installations approved by the authorities of the Member States on whose territory the resins are used. Such authorities shall lay down the duties and responsibility incumbent on approved oenologists and technicians.

2. Member States shall communicate to the Commission, who will inform the other Member States forthwith, any measures they shall adopt with a view to determining the duties and responsibilities of the oenologists and technicians referred to in paragraph 1 and also the list of the establishments which they have approved.

3. The Commission shall have published in the *Official Journal of the European Communities* 'C' series, the lists of establishments communicated to it by virtue of paragraph 2.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

⁽³⁾ OJ No L 340, 9. 12. 1976, p. 19.

⁽⁴⁾ OJ No L 240, 14. 8. 1982, p. 5.

Article 2

The ion exchange resins which may be used are styrene and divinylbenzene copolymers containing sulphonic acid or ammonium groups. They must comply with Directive 76/893/EEC and Community and national provisions adopted in implementation thereof. In addition, when tested by the method of analysis laid down in the Annex, they must not lose

more than 1 mg/l of organic matter into any of the solvents listed.

Their regeneration must be effected with substances permitted for use in the preparation of foodstuffs.

Article 3

This Regulation shall enter into force on 1 September 1984.

It shall apply until 31 August 1986.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

DETERMINATION OF THE LOSS OF ORGANIC MATTER FROM ION EXCHANGE RESINS

1. Scope and field of application

The method determines the loss of organic matter from ion exchange resins.

2. Definition

The loss of organic matter from ion exchange resins :

The loss of organic matter is determined by the method specified.

3. Principle

Extracting solvents are passed through prepared resins and the weight of organic matter extracted is determined gravimetrically.

4. Reagents

All reagents should be of analytical quality grade.

Extracting solvents :

4.1. Distilled water or de-ionized water of equivalent purity.

4.2. Ethanol, 15 % v/v. Prepare by mixing 15 volumes of absolute ethanol with 85 volumes of water (4.1).

4.3. Acetic acid, 5 % m/m. Prepare by mixing 5 parts of weight glacial acetic acid with 95 parts by weight of water (4.1).

5. Apparatus

5.1. Ion exchange chromatograph columns.

5.2. Measuring cylinders, capacity 2 l.

5.3. Evaporating dishes, capable of withstanding a muffle furnace at 850 °C.

5.4. Drying oven, thermostatically controlled at 105 + or — 2 °C.

5.5. Muffle furnace, thermostatically controlled at 850 + or — 25 °C.

5.6. Analytical balance, accurate to 0,1 mg.

5.7. Evaporator, hot plate or infra-red evaporator.

6. Procedure

6.1. Add to each of three separate ion exchange chromatography columns (5.1) 50 ml of the ion exchange resin to be tested, having been washed and treated in accordance with the manufacturers direction for preparing them for use with food.

6.2. Pass the three extracting solvents (4.1, 4.2 and 4.3) separately, through the prepared columns (6.1) at a flow rate of 350 to 450 ml/h. Discard the first litre of eluate in each case and collect the next two litres in measuring cylinders (5.2).

6.3. Evaporate the three eluates over a hot plate or infra-red evaporator (5.7) in separate evaporating dishes (5.3) which have been previously cleaned and weighted (m_0). Place the dishes in an oven (5.4) and dry to constant weight (m_1).

6.4. After recording the constant weight (6.3), place the evaporating dish in the muffle furnace (5.5) ash to constant weight (m_2).

6.5. Calculate the organic matter extracted (7.1). If the result is greater than 1 mg/l, carry out a blank test on the reagents and recalculate the content of organic matter extracted.

The blank test should be carried out by repeating sections 6.3 and 6.4 but using two litres of the extracting solvent, to give weights of m_3 and m_4 in sections 6.3 and 6.4 respectively.

7. Expression of results**7.1. Formula and calculation of results.**

The organic matter extracted from ion exchange resins, in mg/l, is given by:

$$500 (m_1 - m_2)$$

where m_1 and m_2 are in g.

The correct organic matter extracted from ion exchange resins, in mg/l, is given by:

$$500 (m_1 - m_2 - m_3 + m_4)$$

where m_1 , m_2 , m_3 and m_4 are in g.

7.2. The difference in the results between two parallel determinations carried out on the same sample shall not exceed 0,2 mg/l.

COMMISSION REGULATION (EEC) No 2395/84

of 20 August 1984

concerning the reduction in the purchase price for wines referred to in Article 14b of Regulation (EEC) No 337/79 in respect of the 1984/85 wine-growing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1208/84 ⁽²⁾, and in particular Articles 14b and 65 thereof,

Whereas Article 14b of Regulation (EEC) No 337/79 provides, in the case of certain distillation schemes, for a reduction in the purchase price paid to producers who have increased the alcoholic strength of their wine by the addition of sucrose or concentrated grape must in respect of which aid has been received as referred to in Article 14 of the said Regulation; whereas this reduction must take into account the commercial benefits accruing from enrichment;

Whereas there are no officially recognized methods of analysis for determining whether a given batch of wine has been enriched using one of the said techniques; whereas it is furthermore very difficult to establish a link between the enrichment carried out by individual producers and the wine they send for distillation; whereas an exact determination of the commercial benefits accruing to each producer is accordingly possible only at the cost of an excessive amount of administrative effort which is liable to delay the payment of aid and render the overall package of intervention measures ineffective; whereas, therefore, a flat-rate system should be applied to all producers under which the purchase price for wine is based on the average natural alcoholic strength normally achieved in each wine-growing zone, with provision that producers who have not enriched any part of their production by adding sucrose or concentrated grape must in respect of which aid has been received under Article 14 of Regulation (EEC) No 337/79 are to be paid according to the natural alcoholic strength actually achieved by the wine sent for distillation, even where this is above the maximum limit set;

Whereas the natural alcoholic strength in a given zone can vary widely from one wine year to the next; whereas the average should thus be determined for each wine year;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The actual alcoholic strength to be taken as a basis for calculating the price in the 1984/85 wine year for wine sent for distillation under one of the schemes referred to in Articles 11 (2), 15 (5) and 41 (4) of Regulation (EEC) No 337/79 shall not exceed the following limits:

- 8,0 % vol for wine from grapes produced in zone A,
- 8,5 % vol for wine from grapes produced in zone B,
- 10,0 % vol for wine from grapes produced in zone C I (a),
- 10,5 % vol for wine from grapes produced in zone C I (b),
- 11,0 % vol for wine from grapes produced in zone C II,
- 11,5 % vol for wine from grapes produced in zone C III.

2. However, the alcoholic strength to be taken as a basis shall be the natural alcoholic strength actually achieved in wine sent for distillation by those producers who furnish evidence to the competent authorities of the Member States that, during the wine year in which the wine sent for distillation is made, they have not increased the alcoholic strength of any part of their production:

- either by the addition of concentrated grape must or rectified concentrated grape must in respect of which aid has been received under Article 14 of Regulation (EEC) No 337/79, or
- by the addition of sucrose.

Article 2

The Member States shall take all necessary measures to verify the accuracy of the information supplied and compliance with the provisions laid down in Article 1. They shall forthwith inform the Commission thereof.

Article 3

This Regulation shall enter into force on 1 September 1984.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2396/84

of 20 August 1984

laying down detailed rules for drawing up the forward estimate in the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1208/84⁽²⁾, and in particular Article 5 (1) and (2) thereof,

Whereas Article 5 (1) of Regulation (EEC) No 337/79 lays down that a forward estimate is to be drawn up before 10 December of each year for the purpose of determining the Community's resources and estimating its needs in the wine sector; whereas in order to comply with the above deadline it is necessary to fix the date by which the Member States must forward information to the Commission;

Whereas Commission Regulation (EEC) No 2102/84 of 13 July 1984 on harvest, production and stock declarations relating to wine-sector products⁽³⁾ provides for information to be supplied enabling the forward estimate to be drawn up; whereas, in addition to the said information, the Member States are required to supply the Commission with any other information necessary for drawing up the forward estimate; whereas, in order to draw up as reliable a forward estimate as possible, consideration should be given to all other sources of information which may be deemed reliable; whereas the sources of information to be taken into consideration should therefore be determined;

Whereas Article 5 (2) of Regulation (EEC) No 337/79 provides that the forward estimate must show the proportion of table wines and quality wines *psr* respectively; whereas, in order to make a more accurate appraisal of the Community's resources and requirements in wine, a breakdown of the different categories of wine should be made into white wine on the one hand and red and rosé wine on the other;

Whereas the circumstances in which recourse should be had to information other than that provided by the Member States should be determined;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The forward estimate shall be drawn up by the Commission on the basis of all the information available, in particular:

- information forwarded by the Member States,
- any other information which it considers reliable.

2. For the purposes of the first indent of paragraph 1, the Member States shall communicate to the Commission, not later than 30 November of the wine-growing year, at least the information referred to in tables A, B and C of the Annex hereto.

3. With regard to the information referred to in the second indent of paragraph 1, use shall be made of all sources of information available, and in particular:

- (a) publications relating to production and distribution in the Member States,
- (b) the trade organizations representing production and distribution in the Member States, and in particular those represented on the Advisory Committee on Wine.

Article 2

The information referred to in the second indent of Article 1 (1) shall be used only where a significant discrepancy likely to compromise the efficient management of the wine market is found to exist between the figures provided by the Member States as referred to in Article 1 (2) and the said information.

Article 3

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

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

⁽³⁾ OJ No L 194, 24. 7. 1984, p. 1.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

TABLE A

Forward estimate for wine

Member State :

Wine-growing year : 19... / ...
(1 September to 31 August)

		Total all wines			Quality wines psr			Table wines			Other wines		
		Total	Red/rosé	White	Total	Red/rosé	White	Total	Red/rosé	White	Total	Red/rosé	White
1.	STOCK AT START OF YEAR in the trade												
2.	TOTAL PRODUCTION OF GRAPE MUST AND WINE												
3.	USABLE PRODUCTION (Wine)												
4.	TOTAL IMPORTS from third countries ⁽¹⁾												
5.	TOTAL EXPORTS to third countries												
6.	FOR HUMAN CONSUMPTION												
7.	FOR INDUSTRIAL USE Distillation : — into spirits with registered designation of origin — in accordance with Regulation (EEC) No 337/79 ⁽²⁾ — Other Vinegar production Vermouth ⁽³⁾												
8.	LOSSES — after harvest declaration — in the trade												
9.	STOCKS AT END OF YEAR												
10.	TOTAL POPULATION ⁽⁴⁾												

⁽¹⁾ Imports from third countries to be entered under 'Other wines'.⁽²⁾ Same total as in following table B.⁽³⁾ Wines used to produce aromatic wines — vermouths : those originating in the Community must be entered in the column 'Other wines', imported from third countries must be entered in the column 'Other wines'.⁽⁴⁾ Figure used in calculating direct human consumption.

('000 hl)

TABLE B

Distillation forecasts

(Annex to the forward estimate)

Member State :

Wine-growing year : 19... / ...
(1 September to 31 August)

(000 hl)

Operations	Table wines		Quality wines psr		Other wines	
	Red and rosé	White	Red and rosé	White	Red and rosé	White
Preventive distillation (Article 11 of Regulation (EEC) No 337/79)						
Distillation as a special price support measure (Article 12a of Regulation (EEC) No 337/79)						
Compulsory distillation of the by-products of wine-making (only the wine covered by this scheme) (Article 39 of Regulation (EEC) No 337/79)						
Compulsory distillation of wine other than table wines (Article 40 of Regulation (EEC) No 337/79) :						
(a) wines obtained from grapes other than wine grapes (Article 40 (1) of Regulation (EEC) No 337/79)						
(b) wines obtained from grapes falling into two or three classifications (Article 40 (2) of Regulation (EEC) No 337/79)						
Total						

TABLE C
Intra-Community trade forecast
(Annex to forward estimate)

Member State :
Wine-growing year : 19... / ...
(1 September to 31 August)

Origin — Destination	Trade intra-EUR 10													
	Imports							Exports						
	Table wines		Quality wines psr		Other wines			Table wines		Quality wines psr		Other wines		
	Red and rosé	White	Red and rosé	White	Red and rosé	White	Total	Red and rosé	White	Red and rosé	White	Red and rosé	White	Total
Federal Republic of Germany														
France														
Italy														
Netherlands														
Belgium														
Luxembourg														
United Kingdom														
Ireland														
Denmark														
Greece														
Total														

(000 hl)

COMMISSION REGULATION (EEC) No 2397/84

of 20 August 1984

amending for the fifth time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1208/84 ⁽²⁾, and in particular Article 54 (5) thereof,

Whereas Council Regulation (EEC) No 355/79 ⁽³⁾, as last amended by Regulation (EEC) No 2056/84 ⁽⁴⁾, lays down general rules for the description and presentation of wines and grape musts;

Whereas Commission Regulation (EEC) No 997/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 2337/84 ⁽⁶⁾, lays down detailed rules for the description of wines and grape musts; whereas practical experience with this Regulation has revealed the need for a number of amendments;

Whereas there is an evident risk of rectified concentrated grape must being used fraudulently to enrich or sweeten wines or other food products; whereas provision should therefore be made that this product may be put into circulation only in standardized containers designed to facilitate controls or, where in bulk, subject to strictly defined conditions ensuring effective monitoring of its transport and use;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Article is hereby inserted in Regulation (EEC) No 997/81;

'Article 18a

1. Pursuant to Articles 22 (1), 40 (2) and 41 (3) of Regulation (EEC) No 355/79, rectified concentrated grape must may be put into circulation in the Community only in containers:

(a) with a nominal volume of 10, 25, 50, 100, 1 000, 2 000 or 5 000 litres;

(b) which:

- are fitted with a closing device approved by the competent authority and designed to prevent any possible adulteration or contamination, or
- are not, by their nature, reusable once their content has been used;

(c) which bear on the label or directly imprinted on the container within the same visual field:

- the words "rectified concentrated grape must" in characters of a height not less than 60 mm in the case of containers with a nominal volume of 10, 25 or 50 litres and of not less than 120 mm in the case of containers with a nominal volume of 100, 1 000, 2 000 or 5 000 litres,
- the sugar content in grams of reducing sugar per litre and per kilogram,
- the other obligatory particulars.

2. By way of exception to paragraph 1, rectified concentrated grape must may be put into circulation in bulk in containers of a nominal volume of 5 000 litres or more, fitted with a sealing or closing device approved by the competent Member State in cases where:

(a) the entire load carried by a transport vehicle is for delivery to a single establishment in which the rectified concentrated grape must is to be:

- employed in the making of wine, or
- packaged for sale in accordance with paragraph 1;

(b) transport is between two plants of the same manufacturer of rectified concentrated grape must.

In the cases referred to in (a) the recipient of the load shall inform the authority designated by the Member State where the establishment is situated of the arrival of the vehicle before it is unloaded.'

Article 2

This Regulation shall enter into force on 1 September 1985.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 99.

⁽⁴⁾ OJ No L 191, 19. 7. 1984, p. 3.

⁽⁵⁾ OJ No L 106, 16. 4. 1981, p. 1.

⁽⁶⁾ OJ No L 215, 11. 8. 1984, p. 9.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 2398/84**of 17 August 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 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 August 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 August 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 September 1984, the total quantity available being 5 510 tonnes.

Article 3

This Regulation shall enter into force on 22 August 1984.

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

Done at Brussels, 17 August 1984.

For the Commission

Poul DALSAER

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 2399/84
of 20 August 1984
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1854/84⁽³⁾,
as last amended by Regulation (EEC) No 2376/84⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1854/84 to the
information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 21 August
1984.

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

Done at Brussels, 20 August 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, 30. 6. 1984, p. 53.
⁽⁴⁾ OJ No L 220, 17. 8. 1984, p. 19.

ANNEX

to the Commission Regulation of 20 August 1984 fixing the import levies on white sugar
and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	46,49
	B. Raw sugar	42,85 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 2400/84

of 20 August 1984

altering the import levies on products processed from cereals and rice

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 1018/84⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 174/84⁽⁴⁾, and in particular Article 12 (4) 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⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 2171/84⁽⁷⁾, as last amended by Regulation (EEC) No 2389/84⁽⁸⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁹⁾ amended Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within sub-heading 23.02 A of the Common Customs Tariff;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71, as last amended by Regulation (EEC) No 855/84,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 17 August 1984;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹¹⁾ the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 2171/84, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 21 August 1984.

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

Done at Brussels, 20 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 21, 26. 1. 1984, p. 1.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 197, 27. 7. 1984, p. 38.

⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 30.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 20 August 1984 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	86,43	80,39
11.01 E II ⁽²⁾	48,57	45,55
11.02 A V a) 1 ⁽²⁾	51,49	45,45
11.02 A V a) 2 ⁽²⁾	86,43	80,39
11.02 A V b) ⁽²⁾	48,57	45,55
11.02 B II c) ⁽²⁾	74,48	71,46
11.02 C V ⁽²⁾	74,48	71,46
11.02 D V ⁽²⁾	48,57	45,55
11.02 E II c) ⁽²⁾	86,43	80,39
11.02 F V ⁽²⁾	86,43	80,39
11.02 G II	39,54	33,50
11.04 C II a)	61,20	37,02 ⁽³⁾
11.04 C II b)	92,45	68,27 ⁽³⁾
11.08 A I	61,20	40,65
11.08 A IV	61,20	40,65
11.08 A V	61,20	20,32 ⁽³⁾
17.02 B II a) ⁽³⁾	149,75	53,03
17.02 B II b) ⁽³⁾	107,14	40,65
17.02 F II a)	152,27	55,55
17.02 F II b)	105,12	38,63
21.07 F II	107,14	40,65
23.03 A I	231,84	50,50

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽³⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

COMMISSION REGULATION (EEC) No 2401/84**of 20 August 1984****regarding that the market in pears is in a state of serious crisis**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1332/84⁽²⁾, and in
particular Article 19a (1) thereof,

Whereas, under Article 19a (1) of Regulation (EEC) No
1035/72, if, for a given product on one of the repre-
sentative markets referred to in Article 17 (2) of that
Regulation, the prices communicated to the Commis-
sion pursuant to paragraph 1 of that same Article
remain below the buying-in price, plus 5 % of the
basic price, for two consecutive market days, the
Commission shall without delay record that the

market in the product in question is in a state of
serious crisis;

Whereas this situation has arisen in France for pears ;
whereas it should consequently be recorded that the
market in this product is in a state of serious crisis,

HAS ADOPTED THIS REGULATION :

Article 1

It is recorded that the market in pears is in a state of
serious crisis.

Article 2

This Regulation shall enter into force on 21 August
1984.

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

Done at Brussels, 20 August 1984.

For the Council

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 August 1984

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of horticultural glass and certain drawn glass originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR, and terminating that proceeding

(84/406/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

- (1) In April 1983 the Commission received a complaint lodged by the Comité permanent des industries du verre de la Communauté économique européenne on behalf of British, German and Belgian producers of horticultural glass and certain drawn glass whose collective output constitutes the majority of Community production of the product in question. The complaint contained evidence of dumping and of material

injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of horticultural glass and certain drawn glass originating in Czechoslovakia, the German Democratic Republic, Poland, Romania and the USSR and falling within heading No ex 70.05 of the Common Customs Tariff, corresponding to NIMEXE codes 70.05-10, 63 and 65, and commenced an investigation ;

- (2) In November 1983 the Commission received from the Comité permanent des industries du verre de la Communauté économique européenne a supplementary complaint in which it was requested that the procedure be extended to include imports of horticultural glass and certain drawn glass originating in Hungary. This complaint contained evidence of dumping and material injury and the anti-dumping proceeding concerning horticultural and certain drawn glass was consequently extended to include Hungary. The Commission accordingly announced the extension by a notice published in the *Official Journal of the European Communities*⁽³⁾.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 194, 21. 7. 1983, p. 4.

⁽³⁾ OJ No C 13, 19. 1. 1984, p. 3.

- (3) The Commission officially so advised the exporters and importers known to be concerned and the complainants, and give the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (4) The majority of the producers, exporters and importers made their views known in writing. The majority of the exporters and some importers requested, and were granted, hearings.
- (5) Submissions were made by consumers of horticultural glass.
- (6) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following:

EEC producers:

- Flachglass AG, Gelsenkirchen, Federal Republic of Germany,
- Glaceries de Saint-Roch SA, Sambreville, Belgium,
- Pilkington Glass Limited, St Helens, United Kingdom,
- Glaverbel SA, Brussels, Belgium,
- Vereinigte Glaswerke GmbH, Aachen, Federal Republic of Germany;

EEC importers:

- Central Tradimpex Limited, London, United Kingdom,
- Farmiloe and Farmiloe Ltd, London, United Kingdom,
- Liminex GmbH, Bremerhaven, Federal Republic of Germany,
- Witting Brothers Ltd, Bromley, United Kingdom;

EEC consumer:

Halls Homes and Gardens Limited, Tonbridge, United Kingdom.

- (7) The investigation of dumping covered the second half of 1982 and the first half of 1983.

B. Normal value

- (8) In order to establish whether the imports from Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR were dumped, the Commission had to take account of the fact that these countries do not have market-economies and the Commission therefore had to base its determinations on the normal value in a market-economy country. In this connection, the complainants had suggested the Finnish market. Most of the exporters and

importers objected to this suggestion for the following reasons:

- there was only one producer in Finland which it was claimed had a virtual monopoly because of import duties and geographical situation,
- the sales on the Finnish market were claimed to be small and not representative,
- one of the complainants had a substantial share of the Finnish company.

It was alternatively proposed that either domestic prices in Yugoslavia, export prices from Spain, domestic prices in Switzerland or the cost of production in the EEC should be used as the basis for normal value. The Commission is satisfied that the manufacturing process, technical standards and technology in Spain are similar to those of the exporters concerned. As there was no domestic market for this product in Spain (for climatic reasons the use of horticultural glass is a northern European phenomenon) export prices to the United Kingdom and the Netherlands for 3 and 4 mm glass were therefore considered to be an appropriate and not unreasonable choice for the determination of normal value.

C. Export price

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

D. Comparison

- (10) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability; this was the case for differences in conditions and terms of sale in so far as a direct relationship be satisfactorily demonstrated. These differences concerned in particular credit terms, transport, insurance, handling and loading. All comparisons were made at ex-works level.

E. Margins

- (11) The above preliminary examination of the facts shows the existence of dumping in respect of all the exporters concerned, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.

- (12) These margins vary according to the exporter and the importing Member State, the weighted average margin for each of the exporters investigated being as follows:

- Glassexport Ltd, Liberec, Czechoslovakia: 15,9 %
- Strojmaterialintorg, Moscow, USSR: 12,8 %

— Minex-Export-Import Enterprise, Warsaw, Poland :	8,5 %
— Romsit, Enterprise for Foreign Trade, Bucharest, Romania :	9,3 %
— Glas-Keramik, Volkseigener Außenhandelsbetrieb, Berlin, German Democratic Republic :	13,6 %
— Ferunion Hungarian Trading Company for Technical Goods, Budapest, Hungary :	5,0 %

F. Like product

- (13) The East European exporters claimed that EEC producers manufactured glass by the float process while they themselves still used either the Pittsburgh or Fourcault process. It was alleged that horticultural glass produced by the float process was a high technology product which could not be considered as a like product to that produced by the Pittsburgh/Fourcault process.
- (14) Horticultural glass, whether of float or Pittsburgh/Fourcault origin, is identical in form and is generally pre-cut to standard sizes of a thickness between 2,5 and 4,5 mm. It is a by-product of either the float or Pittsburgh/Fourcault process. The application of the glass is generally the same, i.e. the covering of frames for horticultural purposes either in the commercial or the home sector. Both types of glass are produced from the same raw materials and their chemical composition is fundamentally the same. Light transmission does not significantly differ. In view of the foregoing, it can therefore be concluded that the glass produced in the EEC and that exported by the East Europeans are like products. There is, however, one exception to this conclusion and that is the 'Horticast' glass produced by Pilkington in the United Kingdom. This is a float glass with a rippled effect obtained by passing the glass through special rollers. The resulting glass, whilst of course translucent, is no longer completely transparent, unlike the horticultural glass made by the other producers. 'Horticast' is, therefore, not considered to be a like product and has been excluded from the investigation.

G. Injury

- (15) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that imports into the Community from Czechoslovakia, the German Democratic

Republic, Hungary, Poland, Romania and the USSR of horticultural glass and certain drawn glass increased from 66 431 tonnes in 1981 to 72 787 tonnes in 1983, with a consequent increase in market share held by the exporting countries from 61 to 75 % in the same period. The EEC producers' sales decreased from 79 000 tonnes in 1979 to 12 000 tonnes in the first half of 1983.

- (16) The resale prices of these imports undercut the prices of the Community producers by up to 27 % and were lower than those required to cover the costs of Community producers.
- (17) The Commission has considered whether injury has been caused by other factors such as the volume and prices of undumped imports or decreasing demand. Imports of horticultural glass from countries not covered by the anti-dumping proceeding were minimal.

Consumption in the Community has declined by 12 % between 1981 and 1983. It has, however, been established that there has been a decline in Community production while the dumped imports have increased. The substantial increase in dumped imports and the prices at which they are offered for sale in the Community led the Commission to determine that the effects of the dumped imports of horticultural glass and certain drawn glass originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR, taken in isolation, have to be considered as constituting material injury to the Community industry concerned.

H. Community interest

- (18) Community consumers have argued that the introduction of protective measures would not be in the Community interest because it would lead to an increase in the costs of the horticultural industry. In view of the serious difficulties facing the Community industry and the minimal effect of a price increase of horticultural glass on the costs of the horticultural industry, the Commission has nevertheless come to the conclusion that it is in the Community's interests that action be taken.

I. Undertakings

- (19) The exporters concerned were informed of the main findings of the preliminary investigation and commented on them. Undertakings were subsequently offered by:

- Glassexport Ltd, Liberec, Czechoslovakia,
- Strojmaterialintorg, Moscow, USSR,
- Minex-Export-Import Enterprise, Warsaw, Poland,
- Romsit, Enterprise for Foreign Trade, Bucharest, Romania,
- Glas-Keramik, Volkseigener Außenhandelsbetrieb, Berlin, German Democratic Republic, and
- Ferunion Hungarian Trading Company for Technical Goods, Budapest, Hungary,

concerning their exports of horticultural glass and certain drawn glass to the Community.

- (20) The effect of the said undertakings will be to increase export prices to the Community to the level which the Commission, having taken into account, on the one hand, the selling price necessary to provide an adequate return to Community producers and, on the other hand, the purchase price of the Community importers and their costs and profit margins, considered necessary to eliminate injury. These increases in no case exceed the dumping margins found in the investigation.

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

No objection to this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS :

Article 1

The undertakings given by :

- Glassexport Ltd, Liberec, Czechoslovakia,
- Strojmaterialintorg, Moscow, USSR,
- Minex-Export-Import Enterprise, Warsaw, Poland,
- Romsit, Enterprise for Foreign Trade, Bucharest, Romania,
- Glas-Keramik, Volkseigener Außenhandelsbetrieb, Berlin, German Democratic Republic, and
- Ferunion Hungarian Trading Company for Technical Goods, Budapest, Hungary,

in connection with the anti-dumping proceeding concerning imports of horticultural glass and certain drawn glass originating in Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR and falling within heading No ex 70.05 of the Common Customs Tariff, corresponding to NIMEXE codes 70.05-10, 63 and 65, are hereby accepted.

Article 2

The anti-dumping proceeding referred to in Article 1 is hereby terminated.

Done at Brussels, 10 August 1984.

For the Commission

Étienne DAVIGNON

Vice-President

COMMISSION DECISION

of 10 August 1984

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of certain kraft liner paper and board originating in Spain and terminating that proceeding

(84/407/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

- (1) On 21 August 1982 the Commission announced⁽²⁾ that it had commenced a review of the anti-dumping proceeding concerning imports of kraft liner paper and board originating in Austria, Canada, Finland, Portugal, the USSR, Sweden and the United States of America.
- (2) On 10 March 1983 the Council imposed a definitive anti-dumping duty on kraft liner paper and board originating in the United States of America and accepted undertakings concerning exports from Austria, Canada, Finland, Portugal, the USSR and Sweden⁽³⁾.
- (3) In December 1983 the Commission received a supplementary complaint lodged by the *Groupeement européen des fabricants de papiers pour ondulé* on behalf of the Community producer of kraft liner paper and board, whose output constitutes all Community production of the product in question. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽⁴⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of certain kraft liner paper and board originating in Spain and falling within subheading ex 48.01

C II of the Common Customs Tariff, corresponding to NIMEXE codes 48.01-30, 32 and ex 34.

- (4) The Commission officially so advised the exporters and importers known to be concerned and the representatives of the exporting country and the complainants and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (5) All of the known producers and exporters and some importers made their views known in writing. The two Spanish exporters requested and have been granted a hearing.
- (6) Submissions were made on behalf of Community processors of kraft liner paper and board.
- (7) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following :
 - La Cellulose du Pin SA, Bordeaux, France,
 - Industrias del Papel y de la Celulosa SA, Barcelona, Spain,
 - Celulosas del Nervion SA, Durango, Spain.
- (8) The investigation of dumping covered the calendar year 1983.

B. Normal value

- (9) The normal value was determined on the basis of the weighted average ex-works selling price on the Spanish domestic market. The investigation showed that these domestic prices covered all production costs.

C. Export price

- (10) Export prices were determined on the basis of the prices actually paid or payable for kraft liner paper and board sold for export to the Community.

D. Comparison

- (11) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability ; this was the case for conditions and terms of sale where such differences could be satisfactorily demonstrated. These differences concerned in particular

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 217, 21. 8. 1982, p. 2.

⁽³⁾ OJ No L 64, 10. 3. 1983, p. 25.

⁽⁴⁾ OJ No C 21, 28. 1. 1984, p. 2.

credit terms, transport, insurance, handling, loading and duties. All comparisons were made at ex-works level.

E. Margins

- (12) The above preliminary examination of the facts shows the existence of dumping in respect of Industrias del Papel y de la Celulosa SA, Barcelona, and Celulosas del Nervion SA, Durango, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.
- (13) These margins vary according to the exporter, the importing Member State and the grammage of the kraft liner concerned, the weighted average margin for each exporter being as follows:
- | | |
|--|--------|
| — Industrias del Papel y de la Celulosa SA : | 10,0 % |
| — Celulosas del Nervion SA : | 8,2 % |

F. Injury

- (14) The Community industry in respect of which the dumped imports must be assessed is the sole producer of kraft liner paper and board in the Community namely La Cellulose du Pin SA.
- (15) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that imports into the Community from Spain of kraft liner paper and board increased from 33 165 tonnes in 1981 to 36 740 tonnes in 1983. The market share increased from 1,4 to 1,7 % in the same period. The market share held by all dumped imports, i.e. those originating in Austria, Canada, Finland, Portugal, Spain, Sweden, the USA and the USSR, consequently amounted to 73 %. The weighted average resale prices of these imports undercut the prices of the Community producer during the investigation period by up to 16 %.
- (16) Although the situation of the sole Community producer had improved as a result of the action taken by the Council at the beginning of 1983, this producer was nevertheless faced with price disruption on the Community market caused by the price undercutting of Spanish imports, which were jeopardizing the overall minimum price system established by the Council.

G. Community interest

- (17) Community processing industries have argued that the extension of the protective measures to include Spain would not be in the Community's interest because it would make them less compe-

titive. The Commission has come to the conclusion that it is in the Community's interest that action be taken in order to prevent the overall minimum price system established by the Council from being jeopardized by low-priced Spanish imports.

H. Undertakings

- (18) The exporters concerned were informed of the main findings of the preliminary investigation and commented on them. Undertakings were subsequently offered by Industrias del Papel y de la Celulosa SA and Celulosa del Nervion SA concerning their exports of kraft liner paper and board to the Community.

The effect of these undertakings will be to increase export prices to the Community to the level which the Commission, having taken into account, on the one hand, the selling prices necessary to provide an adequate return to Community producers and, on the other hand, the purchase price of the Community importers and their costs and profit margin, considered necessary to eliminate injury. These increases in no case exceed the dumping margins found in the investigation.

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

- (19) No objection to this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS :

Article 1

The undertakings given by Industrias del Papel y de la Celulosa SA and Celulosas del Nervion SA in connection with the anti-dumping proceeding concerning imports of certain kraft liner paper and board originating in Spain and falling within subheading ex 48.01 C II of the Common Customs Tariff, corresponding to NIMEXE codes 48.01-30, 32 and ex 34, are hereby accepted.

Article 2

The anti-dumping proceeding referred to in Article 1 is hereby terminated.

Done at Brussels, 10 August 1984.

For the Commission

Étienne DAVIGNON

Vice-President

THE AGRICULTURAL SITUATION IN THE COMMUNITY 1983 REPORT

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

427 pages.

Published in: Danish, Dutch, English, French, German, Greek and Italian.

ISBN 92-825-4070-7

Publication No CB-38-83-637-EN-C

Price (excluding VAT) in Luxembourg: ECU 20,68 BFR 950 IRL 15,10 UKL 11,90 USD 18

OFFICE FOR OFFICIAL PUBLICATIONS OF THE EUROPEAN COMMUNITIES
L-2985 Luxembourg

