

Official Journal

of the European Communities

ISSN 0378-6978

L 242

Volume 27

12 September 1984

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2578/84 of 11 September 1984 fixing the import levies on cereals and on wheat or rye flour groats and meal	1
Commission Regulation (EEC) No 2579/84 of 11 September 1984 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2580/84 of 11 September 1984 fixing the import levies on white sugar and raw sugar	5
Commission Regulation (EEC) No 2581/84 of 11 September 1984 altering the export refunds on white sugar and raw sugar exported in the natural state	6
Commission Regulation (EEC) No 2582/84 of 11 September 1984 altering the import levies on products processed from cereals and rice	8

II *Acts whose publication is not obligatory*

Commission

84/434/EEC :

Commission Decision of 30 July 1984 fixing maximum amounts for contracts awarded under the tendering procedure opened by Regulation (EEC) No 1950/84 on the supply of various lots of butteroil as food aid	10
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84/435/EEC :

Commission Decision of 30 July 1984 fixing maximum amounts for contracts awarded under the tendering procedure opened by Regulation (EEC) No 1951/84 on the supply of various lots of skimmed-milk powder as food aid	11
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(Continued overleaf)

Contents (continued)

84/436/EEC :

- ★ **Commission opinion of 10 August 1984 addressed to the Government of France concerning the draft decree on road passenger transport 12**

84/437/EEC :

Commission Decision of 17 August 1984 on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar and Swaziland 14

84/438/EEC :

Commission Decision of 21 August 1984 concerning the 41st individual invitation to tender issued under Regulation (EEC) No 1844/77 and concerning the special aid for skimmed-milk powder 15

84/439/EEC :

Commission Decision of 21 August 1984 fixing the minimum selling price for skimmed-milk powder for the 58th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 368/77 . . . 16

84/440/EEC :

Commission Decision of 21 August 1984 fixing the maximum aid levels for butter and concentrated butter for the 64th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 1932/81 . . 17

84/441/EEC :

Commission Decision of 21 August 1984 fixing the minimum selling prices for butter for the 83rd individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 262/79 19

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2578/84

of 11 September 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 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 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 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 coefficient;

Whereas these exchange rates being those recorded on 10 September 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 12 September 1984.

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

Done at Brussels, 11 September 1984.

For the Commission

Poul DALSGER

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 11 September 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	66,73
10.01 B II	Durum wheat	110,49 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	86,03 ⁽⁶⁾
10.03	Barley	66,98
10.04	Oats	40,28
10.05 B	Maize, other than hybrid maize for sowing	43,96 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	80,53 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	106,70
11.01 B	Rye flour	133,73
11.02 A I a)	Durum wheat groats and meal	184,43
11.02 A I b)	Common wheat groats and meal	114,92

⁽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 2579/84

of 11 September 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 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 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 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 coefficient;

Whereas these exchange rates being those recorded on 10 September 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 12 September 1984.

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

Done at Brussels, 11 September 1984.

For the Commission

Poul DALSGER

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 11 September 1984 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	3,23	3,23	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	8,08	8,08	10,47
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

(ECU/tonne)						
CCT heading No	Description	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2580/84
of 11 September 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 2572/84⁽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 Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1984.

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

Done at Brussels, 11 September 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 172, 30. 6. 1984, p. 53.

⁽⁴⁾ OJ No L 241, 11. 9. 1984, p. 8.

ANNEX

to the Commission Regulation of 11 September 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	44,29
	B. Raw sugar	42,35 ⁽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 2581/84

of 11 September 1984

altering 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 last 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 second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 2480/84⁽³⁾, as last amended by Regulation (EEC) No 2574/84⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2480/84 to the information known to the Commission that the export

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

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, as fixed in the Annex to amended Regulation (EEC) No 2480/84 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1984.

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

Done at Brussels, 11 September 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 232, 30. 8. 1984, p. 9.

⁽⁴⁾ OJ No L 241, 11. 9. 1984, p. 11.

ANNEX

to the Commission Regulation of 11 September 1984 altering 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	38,04	
	(b) Other	36,41	
	(II) Flavoured or coloured sugar		0,3804
	B. Raw sugar:		
	II. Other:		
	(a) Candy sugar	35,00 ⁽¹⁾	
	(b) Other raw sugar	33,50 ⁽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 2582/84

of 11 September 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 1025/84⁽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 2467/84⁽⁷⁾, as last amended by Regulation (EEC) No 2558/84⁽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 6 September 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 2467/84, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1984.

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

Done at Brussels, 11 September 1984.

For the Commission

Poul DALSGER

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 107, 19. 4. 1984, p. 13.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 231, 29. 8. 1984, p. 38.

⁽⁸⁾ OJ No L 239, 7. 9. 1984, p. 18.

⁽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 11 September 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⁾	85,58	79,54
11.01 E II ⁽²⁾	48,09	45,07
11.02 A V a) 1 ⁽²⁾	50,64	44,60
11.02 A V a) 2 ⁽²⁾	85,58	79,54
11.02 A V b) ⁽²⁾	48,09	45,07
11.02 B II c) ⁽²⁾	73,72	70,70
11.02 C V ⁽²⁾	73,72	70,70
11.02 D V ⁽²⁾	48,09	45,07
11.02 E II c) ⁽²⁾	85,58	79,54
11.02 F V ⁽²⁾	85,58	79,54
11.02 G II	39,18	33,14
11.04 C II a)	60,45	36,27 ⁽¹⁾
11.04 C II b)	91,70	67,52 ⁽¹⁾
11.08 A I	60,45	39,90
11.08 A IV	60,45	39,90
11.08 A V	60,45	19,95 ⁽¹⁾
17.02 B II a) ⁽¹⁾	148,76	52,04
17.02 B II b) ⁽¹⁾	106,39	39,90
17.02 F II a)	151,24	54,52
17.02 F II b)	104,40	37,91
21.07 F II	106,39	39,90
23.03 A I	230,90	49,56

⁽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.

⁽¹⁾ 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.

⁽¹⁾ 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 30 July 1984

**fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 1950/84 on the supply of various lots of butteroil
as food aid**

(84/434/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Article 6 (7) thereof,

Whereas under Commission Regulation (EEC) No
1950/84 of 9 July 1984 on the supply of various lots of
butteroil as food aid ⁽³⁾ tenders have been invited for
the supply of 1 007 tonnes of butteroil to certain third
countries and certain organizations;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards
are made under the tendering procedure opened by
Regulation (EEC) No 1950/84 shall be:

- Lot A: 55 018 ECU (D),
- Lot B: 42 873 ECU (F),
- Lot C: 38 632 ECU (NL),
- Lot D: 63 399 ECU (UK),
- Lot I: 26 397 ECU (IRL).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 July 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 184, 11. 7. 1984, p. 1.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION DECISION

of 30 July 1984

fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 1951/84 on the supply of various lots of
skimmed-milk powder as food aid

(84/435/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Article 7 (5) thereof,

Whereas under Commission Regulation (EEC) No
1951/84 of 9 July 1984 on the supply of various lots of
skimmed-milk powder as food aid ⁽³⁾ tenders have
been invited for the supply of 4 496 tonnes of
skimmed-milk powder to certain third countries and
certain organizations;

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

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

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards
are made under the tendering procedure opened by
Regulation (EEC) No 1951/84 shall be:

- Lot A: 13 231 ECU (D),
- Lot B: 27 335 ECU (UK),
- Lot C: 725 615 ECU (D),
- Lot D: 77 982 ECU (NL),
- Lot G: 36 998 ECU (D),
- Lot K: 832 655 ECU (B),
827 764 ECU (NL).

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 30 July 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 184, 11. 7. 1984, p. 14.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION OPINION

of 10 August 1984

addressed to the Government of France concerning the draft decree on road passenger transport

(Only the French text is authentic)

(84/436/EEC)

In accordance with Article 1 of the Council Decision of 21 March 1962 instituting a procedure for prior examination and consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States⁽¹⁾, as amended by Council Decision 73/402/EEC of 22 November 1973⁽²⁾, the French Government notified the Commission, in a letter of 10 July 1984 from the Office of its Permanent Representative to the European Communities, of a draft decree on road passenger transport.

The Commission received the letter from the Office of the Permanent Representative on 16 July 1984 and, in accordance with Article 1 of the abovementioned Council Decision, the other Member States were also notified.

In a letter of 20 July 1984 to the Directorate-General for Transport, the Office of the French Permanent Representative requested the emergency procedure provided for in Article 2 (4) of the Council Decision. The Directorate-General for Transport received this letter on 24 July.

The Commission arranged a briefing session with representatives of the French Government in Brussels on 26 July. At the meeting these representatives gave Commission officials a version of the draft decree which had been amended extensively compared with the version sent with the letter of 10 July.

No Member State has asked for consultation and the Commission has not considered it appropriate to consult all Member States on the measure in question.

In accordance with Article 2 (1) of the Council Decision the Commission has formulated the following opinion:

1. The Commission notes that, according to the French Government, the purpose of the draft decree is to take measures required to implement Articles 7, 27 and 29 of Law No 82-1153 of 30 December 1982, a framework law on inland trans-

port. The Commission gave its opinion⁽³⁾ on the draft law on 15 December 1982. The Commission also notes that the draft decree concerns only road passenger transport inside France with the exception of the Île de France (the Paris region) since special legal provisions are to be enacted in the near future to implement the law in that region.

The Commission notes that the implementing measures proposed in the draft decree relate to:

- organization of the registration required of undertakings engaged in public road passenger transport activities,
- definition and organization of the various types of road passenger transport service,
- rules on admission to the occupation of road passenger transport operator on domestic routes.

2. The Commission considers that the French Government should take this opportunity to align national definitions of regular and occasional services on the definitions adopted by the Community to the international carriage of passengers by road between Member States in Regulation No 117/66/EEC⁽⁴⁾.

The Commission notes that the provisions of the operating regulation referred to in Article 8 of Decree No 49-1473 of 14 November 1949, which is to be repealed, will be embodied in the agreements to be concluded with public and private undertakings providing regular services and *ad hoc* services.

3. As regards rules on admission to the occupation of road passenger transport operator, the Commission would make the following remarks and recommendations having regard to Council Directive 74/562/EEC of 12 November 1974 on admission to the occupation of road passenger transport operator in national and international transport operations⁽⁵⁾:

⁽¹⁾ OJ No 23, 3. 4. 1962, p. 720/62.

⁽²⁾ OJ No L 347, 17. 12. 1972, p. 48.

⁽³⁾ OJ No L 361, 22. 12. 1982, p. 27.

⁽⁴⁾ OJ No 147, 9. 8. 1966, p. 2688/66.

⁽⁵⁾ OJ No L 308, 19. 11. 1974, p. 23.

- (a) Article 2 of the draft decree, in conjunction with Articles 5 and 13, exempts from registration as a road passenger transport undertaking, and thereby exempts from the rules on admission to the occupation of road passenger transport operator, transport authorities set up by a regional body which do not have legal personality but only financial autonomy. This exemption contravenes the provisions of the second paragraph of Article 1 (2) of Directive 74/562/EEC which states that 'any official body, whether having its own legal personality or being dependent upon an authority having such personality' is bound by the rules on admission to the occupation of road passenger transport operator.

The Commission asks the French Government to change the wording of Article 2 of its draft in order to make it comply with Directive 74/562/EEC.

- (b) The Commission has taken note of Article 7 (a) of the draft decree which reduces the list of diplomas exempting the holder from the requirement to prove professional competence listed in the interdepartmental decree of 31 December 1977, which means that exemption now applies only to holders of diplomas from an establishment offering courses in transport and approved and an interdepartmental decree.

The Commission is of the opinion that this amendment conforms with Directive 74/562/EEC, although it cannot finally decide whether Article 7 of the draft decree is compatible until it sees the future draft implementing orders mentioned by the French Government.

The Commission asks the French Government to communicate these draft orders in good time.

- (c) The Commission has noted the statements made by the French Government at the briefing session on 26 July 1984 that the rules concerning good repute and appropriate financial standing shall, as at present, be covered separately from the rules on professional competence and will continue to be governed by the Law of 30 August 1947 on the reorganization of commercial and industrial occupations and the Law of 22 October 1940 on payment by cheque and bank transfer.
- (d) The Commission also notes that, as stated by the French Government, the requirement to state grounds for decisions rejecting an applica-

tion for admission to the occupation of road passenger transport operator and ways of appealing against these decisions, within the meaning of Article 5 (1) of Directive 74/562/EEC, are covered by the Law of 11 July 1979 and the Decree of 28 November 1983 on the stating of grounds for administrative acts and improvement of relations between the authorities and the public.

- (e) With regard to Article 12 of the draft decree, the Commission has taken note of the statement made by the French Government at the briefing session on 26 July 1984 to the effect that the second and third paragraphs of Article 12 will be deleted.

- (f) Article 37 (a) of the draft decree, which defines 'services carrying their own staff organized by a public body or by an undertaking for their normal working needs' as private services, seems to exempt transport operators providing these services from the rules on admission to the occupation of road passenger transport operator. The Commission has taken note of the statements made by the French Government that road passenger transport operators providing these services will be subject to these rules.

In order to preclude any ambiguity the Commission asks the French Government to make this point clear in Article 37 (a).

- (g) The Commission would draw the attention of the French Government to the differences in treatment between national and international carriers and also between carriers in the Île de France and national carriers which could arise, in respect of admission to the occupation of road passenger transport operator, from Article 52 of the draft decree.

4. The Commission is informing the other Member States of this recommendation.

Done at Brussels, 10 August 1984.

For the Commission

Giorgios CONTOGEOGRIS

Member of the Commission

COMMISSION DECISION

of 17 August 1984

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

(84/437/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS DECISION :

Article 1

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 1699/84 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

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

Whereas the applications for import licences submitted between 1 and 10 August 1984, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar and Swaziland, the quantities available from these States ; whereas it is therefore possible to issue import licences in respect of the quantities requested ;

Whereas the quantities in respect of which it will be possible to apply for licences from 1 September 1984 should be fixed,

The following Member States shall issue, on 21 August 1984, import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated :

1. Germany :

1 050,0 tonnes originating in Botswana,
95,0 tonnes originating in Swaziland.

2. United Kingdom :

550,0 tonnes originating in Botswana,
28,0 tonnes originating in Swaziland.

3. Netherlands :

233,1 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of September 1984, in respect of the following quantities of boned beef and veal :

Botswana :	8 109,9 tonnes
Kenya :	142,0 tonnes
Madagascar :	7 565,2 tonnes
Swaziland :	2 427,7 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 August 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 302, 23. 10. 1981, p. 4.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 161, 19. 6. 1984, p. 6.

COMMISSION DECISION

of 21 August 1984

concerning the 41st individual invitation to tender issued under Regulation (EEC) No 1844/77 and concerning the special aid for skimmed-milk powder

(84/438/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 1844/77 of 10 August 1977 on the granting by tender of special aid for skimmed-milk powder intended as feed for animals other than young calves ⁽³⁾, as last amended by Regulation (EEC) No 3511/83 ⁽⁴⁾, the intervention agencies have opened a standing invitation to tender for the amount of this special aid;

Whereas, according to Article 6 of the said Regulation, for each individual invitation to tender a maximum amount of aid shall be fixed or a decision shall be taken not to proceed with the tender;

Whereas, account being taken of the development of the situation on the skimmed-milk markets no award should be made in respect of the 41st individual invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 41st individual invitation to tender issued under Regulation (EEC) No 1844/77, in respect of which the time limit for the submission of tenders expired on 13 August 1984, no award shall be made.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 August 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 205, 11. 8. 1977, p. 11.

⁽⁴⁾ OJ No L 351, 14. 12. 1983, p. 10.

COMMISSION DECISION

of 21 August 1984

fixing the minimum selling price for skimmed-milk powder for the 58th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 368/77

(84/439/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed-milk powder for use in feed for animals other than young calves ⁽³⁾, as last amended by Regulation (EEC) No 1906/84 ⁽⁴⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of skimmed-milk powder held by them;

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

Whereas, in the light of the tenders received in response to the 58th individual invitation to tender, the minimum selling price should be fixed at the level specified below and the processing security determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 58th individual invitation to tender issued under Regulation (EEC) No 368/77, in respect of which the time limit for the submission of tenders expired on 13 August 1984:

- the minimum selling price shall be fixed at 20,25 ECU per 100 kilograms,
- the processing security shall be fixed at 158 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 August 1984.

For the Commission

Poul DALSAER

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 52, 24. 2. 1977, p. 19.

⁽⁴⁾ OJ No L 178, 5. 7. 1984, p. 19.

COMMISSION DECISION

of 21 August 1984

fixing the maximum aid levels for butter and concentrated butter for the 64th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(84/440/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic Community,

Whereas, in the light of the tenders received in response to the 64th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter determined accordingly;

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular Article 12 (3) thereof,

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

Whereas, pursuant to Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food-stuffs ⁽³⁾, as last amended by Regulation (EEC) No 2288/84 ⁽⁴⁾, intervention agencies are to undertake a standing invitation to tender for aid for butter and concentrated butter;

HAS ADOPTED THIS DECISION:

Article 1

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

For the 64th individual invitation to tender issued under Regulation (EEC) No 1932/81, in respect of which the time limit for the submission of tenders expired on 14 August 1984, the maximum aid and processing securities are hereby fixed as follows:

(a) for butter:

(ECU/100 kg butter)		
Use to which the butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Fat content of the butter	Maximum aid level
Formula A and/or C	82 % or more	190,00
	80 % or more, but not exceeding 82 %	185,00
Formula B	82 % or more	105,00
	80 % or more, but not exceeding 82 %	—

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽⁴⁾ OJ No L 210, 7. 8. 1984, p. 5.

(b) *for concentrated butter:*

<i>(ECU/100 kg pure concentrated butter)</i>		
Use to which the concentrated butter is to be put (Article 4 of Regulation (EEC) No 262/79)	Maximum aid level	Processing security
Formula A and/or C	249,00	275,00
Formula B	145,00	160,00

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 August 1984.

For the Commission
Poul DALSGER
Member of the Commission

COMMISSION DECISION

of 21 August 1984

fixing the minimum selling prices for butter for the 83rd individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 262/79

(84/441/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 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 intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 3521/83 ⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁵⁾, as last amended by Regulation (EEC) No 2288/84 ⁽⁶⁾, intervention agencies have put up for sale by standing invitation to tender certain quantities of butter held by them;

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

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

Whereas, in the light of the tenders received in response to the 83rd individual invitation to tender, the minimum selling prices should be fixed at the level specified below and the processing securities determined accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

For the 83rd individual invitation to tender issued under Regulation (EEC) No 262/79, in respect of which the time limit for the submission of tenders expired on 14 August 1984, the minimum selling prices and processing securities shall be fixed as follows:

(ECU/100 kg butter)

Use to which the butter is to be put (Article 4 (1), (2) and (3) of Regulation (EEC) No 262/79)	Fat content of the butter	Minimum selling price	Processing security
Formula A and/or C	82 % or more	115,00	230,00
	Less than 82 %	112,00	230,00
Formula B	82 % or more	200,00	137,00
	Less than 82 %	—	—

⁽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 210, 7. 8. 1984, p. 5.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission
