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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2831/84
of 8 October 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
5 October 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 9 October
1984.

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

Done at Brussels, 8 October 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 8 October 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	68,06
10.01 B II	Durum wheat	117,36 ⁽¹⁾ ⁽²⁾
10.02	Rye	71,16 ⁽⁶⁾
10.03	Barley	66,34
10.04	Oats	46,52
10.05 B	Maize, other than hybrid maize for sowing	59,66 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	88,90 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	108,85
11.01 B	Rye flour	113,19
11.02 A I a)	Durum wheat groats and meal	195,16
11.02 A I b)	Common wheat groats and meal	116,93

⁽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 2832/84

of 8 October 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
5 October 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 9 October
1984.

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

Done at Brussels, 8 October 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. 4.

ANNEX

to the Commission Regulation of 8 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0,59	0,59	0
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2833/84

of 8 October 1984

opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (1984/85)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 and the overseas countries and territories⁽¹⁾, as amended by Regulation (EEC) No 3486/80⁽²⁾, and in particular Article 23 thereof,

Whereas Article 14 of Council Regulation (EEC) No 435/80 provides for the opening by the Community of a Community tariff quota of 2 000 tonnes of fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States; whereas the quota period runs from 15 November to 30 April; whereas the customs duty applicable to the quota is set at 4,4 %, with a minimum charge of 0,8 ECU per 100 kilograms net weight; whereas this Regulation comes to an end on 28 February 1985;

Whereas, therefore, the *pro rata temporis* clause is applicable for the establishment of the volume of the quota;

Whereas, accordingly a Community tariff quota of 1 260 tonnes should be opened for the period 15 November 1984 to 28 February 1985;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up; whereas, however, since the period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1(2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 15 November 1984 to 28 February 1985 a Community tariff quota of 1 260 tonnes shall be opened in the Community for fresh or chilled tomatoes, falling within subheading ex 07.01 M I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 4,4 % with a minimum charge of 0,8 ECU per 100 kilograms net weight.

Within this tariff quota, Greece shall apply duties calculated in accordance with the relevant provisions in the 1979 Act of Accession.

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1(2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said goods have free access to the quota so long as the residual balance of the quota volume allows this.

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 365, 31. 12. 1980, p. 2.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

4. The extent to which the quota has been exhausted shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 15 November 1984.

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

Done at Brussels, 8 October 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

COMMISSION REGULATION (EEC) No 2834/84

of 8 October 1984

establishing ceilings and Community surveillance for imports of carrots and onions, falling within heading No ex 07.01 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (1985)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 and the overseas countries and territories ⁽¹⁾, as amended by Regulation (EEC) No 3486/80 ⁽²⁾, and in particular Article 23 thereof,

Whereas Article 14 of Regulation (EEC) No 435/80 stipulates that, for the period 1 January to 31 March, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff, and, for the period 15 February to 15 May, onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the African, Caribbean and Pacific States, are subject on importation into the Community to the reduced rates of duty of 10,2 and 4,8 % respectively; whereas such reduction of duties applies only to imports up to ceilings of 500 tonnes for each of these products above which the customs duties actually applicable to third countries are reintroduced; whereas this Regulation comes to an end on 28 February 1985;

Whereas, therefore, the *pro rata temporis* clause is applicable for the establishment of the levels of the ceilings;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible reintroduction of

customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to reintroduce customs tariff duties if one of the ceilings is reached;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, which are listed in the Annex shall be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are reintroduced.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission shall adopt a Regulation reintroducing, until the end of its period of validity, the customs duties applicable to third countries.

⁽¹⁾ OJ No L 55, 28. 2. 1980, p. 4.

⁽²⁾ OJ No L 365, 31. 12. 1980, p. 2.

In the case of such a reintroduction, Greece introduces the levying of the duties which it applies to third countries at the date in question.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 8 October 1984.

For the Commission
Karl-Heinz NARJES
Member of the Commission

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
ACP 1	07.01	Vegetables, fresh or chilled : G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots : ex II. Carrots and turnips : — Carrots, from 1 January to 28 February 1985	10,2 %	333
		ex H. Onions, shallots and garlic : — Onions, from 15 February to 28 February 1985	4,8 %	71
ACP 2				

COMMISSION REGULATION (EEC) No 2835/84

of 8 October 1984

on the supply of a consignment of skimmed-milk powder as food aid

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,

Having regard to Council Regulation (EEC) No 1278/84 of 7 May 1984 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽³⁾,

Whereas, under the food-aid programme adopted by the Council Regulation specified in the Annex, Lesotho has submitted a request for the supply of the quantities of skimmed-milk powder set out therein;

Whereas, therefore, supply should be effected in accordance with the rules laid down in 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⁾; whereas, in particular, the time limits and terms for supply and the procedure to be used to determine the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

The German intervention agency shall, in accordance with the provisions of Regulation (EEC) No 1354/83, supply skimmed-milk powder as food aid on the special terms set out in the Annex.

Article 2

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

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

Done at Brussels, 8 October 1984.

For the Commission

Poul DALSGER

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 124, 11. 5. 1984, p. 1.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

ANNEX

Notice of invitation to tender⁽¹⁾

Description of the lot	A
1. Programme	1984
(a) legal basis	Council Regulation (EEC) No 1278/84
(b) purpose	Commission Decision of 20 July 1984
2. Recipient	} Lesotho
3. Country of destination	
4. Stage and place of delivery	
5. Representative of the recipient ⁽²⁾	Free at destination Durban in transit to Lesotho Maseru, Prime Minister's Office, Food Management Unit, PO box 527
6. Total quantity	200 tonnes
7. Origin of the skimmed-milk powder	Intervention stock Entry into intervention stock after 1 August 1984
8. Intervention agency holding the stocks	German
9. Specific characteristics	Annex I B of Regulation (EEC) No 1354/83 excluding point 2
10. Packaging	25 kilograms
11. Supplementary markings on the packaging	—
12. Shipment period	Before 31 October 1984
13. Closing date for the submission of tenders	—
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83:	
(a) shipment period	—
(b) closing date for the submission of tenders	—
15. Miscellaneous	The costs of supply are determined by the German interven- tion agency in accordance with Article 15 of Regulation (EEC) No 1354/83

Notes:

(¹) This Annex, together with the notice published in *Official Journal of the European Communities* No C 208 of 4 August 1983, page 9, shall serve as notice of invitation to tender.

(²) The successful tenderer shall contact the recipient as soon as possible in order to ascertain which shipping documents are required.

COMMISSION REGULATION (EEC) No 2836/84

of 8 October 1984

on transitional measures concerning the application of certain monetary compensatory amounts in the trade of certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾, and in particular Article 6 thereof,

Whereas the monetary compensatory amounts of certain Member States may sometimes undergo substantial changes;

Whereas, because of these changes, there is a danger of speculation in certain areas, possibly resulting in deflections of trade;

Whereas certain measures which can be taken when there is a danger of changes in the monetary compensatory amounts being followed by deflections of trade should be determined forthwith; whereas the dates, products and movements of the products concerned should be determined in each particular case where such measures are to be applied;

Whereas, to avoid the occurrence of such deflections, it should be provided that, in the case of products liable to such speculation, the monetary compensatory amounts applicable before the changes should remain applicable for a limited period beyond the date of the changes; whereas this must also apply whenever the monetary compensatory amount has been fixed in advance to a date beyond the date of the change;

Whereas, in the light of experience gained with regard to the processing of butter, the 'obtaining' of butter should be defined for the purposes of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- 'date of the change' means the date on which the new rates of the monetary compensatory amounts enter into force,
- 'initial date' means the date on or after which there is a danger of speculation.

Article 2

1. Notwithstanding the provisions of the Regulations establishing the monetary compensatory amounts valid during the period beginning on the date of the change, monetary compensatory amounts valid on the day before that date for the products listed in Annex I shall remain applicable during the period indicated in that Annex.

Notwithstanding Article 6 of Commission Regulation (EEC) No 1160/82 of 14 May 1982 providing for the advance fixing of monetary compensatory amounts ⁽³⁾, the monetary compensatory amounts valid on the day before the date of the change shall apply to products listed in Annex I exported during the period indicated in that Annex under cover of a certificate with advance fixing of the monetary compensatory amounts applied for on or after the date of the change.

2. The provisions of paragraph 1 shall apply only to the operations listed in Annex II and to the Member States indicated in the first column.

3. The provisions of paragraph 1 shall apply also in respect of products imported into any of the Member States indicated in the first column of Annex II (C) after acquiring in that Member State either of the statuses referred to in Article 2 (2) (b) of Commission Regulation (EEC) No 1371/81 ⁽⁴⁾ after the initial date but before the date of the change.

4. The provisions of paragraph 1 shall also apply in all cases of importation into one of the Member States indicated in the first column of Annex II (C) where the customs export formalities in the Member State of provenance were carried out before the date of the change.

5. In the case of exports to non-member countries from the Member States indicated in Annex II (A) the representative rate and the monetary coefficient

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽³⁾ OJ No L 134, 15. 5. 1982, p. 22.

⁽⁴⁾ OJ No L 138, 25. 5. 1981, p. 1.

referred to in Article 5 (2) of Commission Regulation (EEC) No 1372/81 ⁽¹⁾ valid on the day before the date of the change for the products concerned shall also remain applicable.

Article 3

1. The provisions of Article 2 (1) and (5) shall not apply:

- (a) in respect of exports as referred to in the first column of Annex II (A) to the corresponding destinations indicated in the third column;
- (b) in respect of imports as referred to in the first column of Annex II (B) from one of the corresponding Member States indicated in the third column,

where:

- the products were harvested or obtained in the exporting Member State,
- the products derive from pigs or cattle slaughtered in the exporting Member State,
- prior to export, the goods were cleared for import into the exporting Member State before the initial date or on or after the date of the change.

The Member States shall verify that the above conditions are met. Where appropriate, they shall require presentation of appropriate evidence within periods they shall set and, at all events, within a period of three months, except in the case of *force majeure*.

2. Where it can be determined, when the products are cleared for export, that the conditions set out in paragraph 1 are met, one of the following entries, authenticated by the stamp of the customs office which accepted the export declaration, shall be made on the document attesting the Community character of the products made out when the goods were exported from a Member State indicated in the third column of Annex II (B):

- 'Products which meet the conditions laid down in Article 3 (1) of Regulation (EEC) No 2836/84 (transitional measures: MCA)',
- 'Produkter, der opfylder betingelserne i artikel 3, stk. 1, i forordning (EØF) nr. 2836/84 (overgangsforanstaltninger MUB)',
- 'Die Bedingungen von Artikel 3 Absatz 1 der Verordnung (EWG) Nr. 2836/84 (Übergangsmaßnahmen WAB) erfüllende Erzeugnisse',
- 'Προϊόντα που πληρούν τους όρους του άρθρου 3 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2836/84 (μεταβατικά μέτρα ΝΕΠ)',
- 'Produits remplissant les conditions de l'article 3 paragraphe 1 du règlement (CEE) n° 2836/84 (mesures transitoires MCM)',

- 'Prodotto che soddisfa alle condizioni dell'articolo 3, paragrafo 1, del regolamento (CEE) n. 2836/84 (misure transitorie ICM)',
- 'Produkten in overeenstemming met de voorwaarden van artikel 3, lid 1, van Verordening (EEG) nr. 2836/84 (overgangsmaatregelen voor MCB)'.

The provisions of this paragraph shall not apply when the products are exported to a Member State for which the monetary compensatory amount is granted by the exporting Member State.

3. Where paragraph 1 is applied, evidence that the monetary compensatory amount valid from the date of the change can be applied in a Member State indicated in the first column of Annex II (B) shall be provided:

- either by the document referred to in paragraph 2,
- or by the original of a certificate issued in the exporting Member State and transmitted by administrative channels to the competent agency of the Member State of destination indicated in Annex IV.

Article 4

1. The provisions of Article 2 (1) and (5) shall not apply to imports as referred to in the first column of Annex II (C) from one of the provenances corresponding thereto, indicated in the third column, if:

- the products were not harvested or obtained in the importing Member State, or
- the products do not derive from the slaughter of pigs or cattle in the importing Member State, or
- prior to import, the goods were not exported from that Member State after the initial date but before the date of the change.

The Member States shall verify that the above conditions are met. Where appropriate, they shall require presentation of appropriate evidence within periods they shall set and, at all events, within a period of three months, except in the case of *force majeure*.

2. The provisions of paragraph 1 shall be without prejudice to the application of the provisions of Article 2 (3) and (4).

Article 5

The provisions of Article 20 of Regulation (EEC) No 1371/81 shall not apply to the products listed in Annex I during the period specified for each of them.

Article 6

1. For exports from the provenances indicated in the first column of Annex II (A) and the third column of Annex II (B) or (C) of products falling within subheading 04.03 B of the Common Customs Tariff

⁽¹⁾ OJ No L 138, 25. 5. 1981, p. 14.

manufactured from products falling within subheading 04.03 A of the Common Customs Tariff the monetary compensatory amount valid on the day before the date of the change shall remain applicable if, for the latter products, the conditions laid down in the first and third indents of Article 3 (1) or the first and third indents of Article 4 (1) are not satisfied.

2. For the purposes of this Regulation, products falling within subheading 04.03 A of the Common Customs Tariff consigned from another Member State or a non-member country which have undergone one or more substantial processing operations in the Member States indicated in the first column of Annex II (A) and the third column of Annex II (B) or (C) shall not be considered to have been obtained in the Member States indicated in the first column of Annex II (A) and the third column of Annex II (B) or (C).

Article 7

1. The certificate referred to in the second indent of Article 3 (3) shall comprise an original and a copy and shall be made out on a form conforming to the model shown in Annex III. It shall be about 210 × 297 millimetres in size. The paper used shall weigh at least 40 grams per square metre and shall be white. It shall be printed and filled out in one of the official Community languages, to be selected by the competent authority of the exporting Member State. It shall be filled out either by typewriter or by hand. If handwritten, block letters must be used.

Each certificate shall be distinguished by a serial number assigned by the issuing agency. The issuing agency shall retain a copy of each certificate.

2. Where there is doubt as to the authenticity of the certificate or of the entries and endorsements on it, the competent national departments shall send the document or a photocopy thereof to the issuing agency for verification. This may also be done on a sampling basis, but in such cases only a photocopy of the certificate shall be sent.

Article 8

Export licences or advance fixing certificates entailing advance fixing of the monetary compensatory amount,

issued from the date of the change until the date indicated in Annex I, shall include in box 18a one of the following entries:

- 'Advance fixing of MCA, subject to Regulation (EEC) No 2836/84',
- 'Det MUB er forudfastsat, jf. dog bestemmelserne i forordning (EØF) nr. 2836/84',
- 'Vorausfestsetzung des WAB vorbehaltlich der Verordnung (EWG) Nr. 2836/84',
- 'Προκαθορισμός του ΝΕΠ, με την επιφύλαξη του κανονισμού (ΕΟΚ) αριθ. 2836/84',
- 'Préfixation du MCM, sous réserve du règlement (CEE) n° 2836/84',
- 'Fissazione anticipata dell'ICM, fatto salvo il disposto del regolamento (CEE) n. 2836/84',
- 'Voorfixatie van het MCB, onverminderd Verordening (EEG) nr. 2836/84'.

Article 9

For the purposes of this Regulation:

- the date of the change and the initial date,
- the products and the periods indicated in Annex I,
- the product movements and the corresponding products indicated in Annex II, and
- the agencies indicated in Annex IV

shall be determined in accordance with the procedure laid down in Article 26 of Council Regulation (EEC) No 2727/75⁽¹⁾ or, as appropriate, in the corresponding Articles of the other Regulations on the common organization of the agricultural markets.

Derogations from or additions to this Regulation may be determined in accordance with the same procedure.

Article 10

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

It shall apply only for the periods to be determined in accordance with the procedure referred to in Article 9.

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

Done at Brussels, 8 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

ANNEX I

Products concerned	Applicable until
To be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9

ANNEX II

A

1	2	3
<i>Exportation from a Member State</i>	<i>Products concerned</i>	<i>Destination</i>
Where the positive MCA is increased or the negative MCA is reduced; to be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9

B

1	2	3
<i>Importation into Member State</i>	<i>Products concerned</i>	<i>Member State of provenance</i>
Where the positive MCA is reduced or the negative MCA increased; to be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9

C

1	2	3
<i>Importation into Member State</i>	<i>Products concerned</i>	<i>Provenance</i>
Where the positive MCA is reduced or the negative MCA increased; to be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9	To be determined in accordance with the procedure referred to in Article 9

EUROPEAN COMMUNITY

1 Exporter (Name and full address)	ATTESTATION monetary compensatory amounts certificate NoOriginal	
2 Consignee (Name and full address)	3 ISSUING AGENCY	
	4 Exporting Member State	5 Member State of destination

6 Marks and numbers — Number and nature of packages — Description of goods		7 Quantity ⁽¹⁾
8 Document proving Community character of goods Type: Number: Customs office Date Day Month Year		9 Export declaration ⁽²⁾ Type: Number: Customs office Date of acceptance Day Month Year
10 ATTESTATION OF ISSUING AGENCY It is hereby attested that the new monetary compensatory amount is applicable in the Member State of destination to the goods described above. Place: Signature: Stamp: Date: Day Month Year		

⁽¹⁾ Quantity to be referred to for application of monetary compensatory amounts.
⁽²⁾ To be filled out in accordance with national requirements.

ANNEX IV

**List of competent agencies referred to in Article 3 (3), to be determined in accordance with
the procedure referred to in Article 9**

COMMISSION REGULATION (EEC) No 2837/84
of 8 October 1984

concerning the stopping of fishing for sole by vessels flying the flag of France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States⁽¹⁾, as amended by Regulation (EEC) No 1729/83⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 320/84 of 31 January 1984 fixing, for certain fish stocks and groups of fish stocks occurring in the Community's fishing zone, provisional total allowable catches for 1984, the provisional share of these catches available to the Community, the allocation of that share between the Member States and the conditions under which the total allowable catches may be fished⁽³⁾, as last amended by Regulation (EEC) No 2666/84⁽⁴⁾, provides for sole quotas for 1984;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches for sole in the waters of

ICES division VII f, g, by vessels flying the flag of France or registered in France, have reached the quota allocated for 1984,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of sole in the waters of ICES division VII f, g, by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1984.

Fishing for sole in the waters of ICES division VII f, g, by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transshipment and the loading of such fish by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 October 1984.

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

Done at Brussels, 8 October 1984.

For the Commission

Giorgios CONTOGEORGIS

Member of the Commission

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.

⁽³⁾ OJ No L 37, 8. 2. 1984, p. 1.

⁽⁴⁾ OJ No L 253, 21. 9. 1984, p. 5.

COMMISSION REGULATION (EEC) No 2838/84
of 8 October 1984
on the supply of common wheat to Zimbabwe as food aid

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⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, as amended by Regulation (EEC) No 3331/82 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 1278/84 of 7 May 1984 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 30 May 1984 the Commission of the European Communities decided to grant, under

Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁹⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

This Regulation shall enter into force on the 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, 8 October 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 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 124, 11. 5. 1984, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1984
2. **Recipient :** Zimbabwe
3. **Place or country of destination :** Zimbabwe
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 15 000 tonnes
6. **Number of lots :** one lot
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris (telex OFIBLE 270 807 F)
8. **Method of mobilizing the product :** on the Community market
9. **Characteristics of the goods :**
the common wheat must be of fair and sound merchantable quality and correspond at least to the minimum bread-making quality required for intervention (humidity : 14 %)
10. **Packaging :**
 - in new bags :
 - jute sacks of a minimum weight of 600 g, or
 - composite sacks jute/polypropylene of a minimum weight of 335 g
 - net weight of the bags 50 kg
 - marking on the bags in letters at least 5 cm high :
'WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO ZIMBABWE'
11. **Port of shipment :**
any Community port accessible to ocean-going vessels with a shipping service to the recipient country during the period for shipment laid down in point 16. The tender must be accompanied by a statement from the port authorities attesting the existence of the service during the said period
12. **Delivery stage :** fob
13. **Port of landing :** —
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 October 1984
16. **Shipment period :** 1 to 30 November 1984
17. **Security :** 6 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.

COMMISSION REGULATION (EEC) No 2839/84

of 8 October 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 2830/84⁽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 9 October 1984.

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

Done at Brussels, 8 October 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 266, 6. 10. 1984, p. 15.

ANNEX

to the Commission Regulation of 8 October 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	42,50
	B. Raw sugar	39,81 ⁽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 2840/84
of 8 October 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 2709/84⁽³⁾, as last amended by Regulation (EEC) No 2804/84⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2709/84 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 2709/84, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1984.

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

Done at Brussels, 8 October 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 258, 27. 9. 1984, p. 9.

⁽⁴⁾ OJ No L 263, 4. 10. 1984, p. 35.

ANNEX

to the Commission Regulation of 8 October 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	37,94	
	(b) Other	34,44	
	(II) Flavoured or coloured sugar		0,3794
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	34,90 (1)	
	(b) Other raw sugar	31,68 (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 2841/84

of 8 October 1984

fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 2966/80⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of live pigs falling within subheading 01.03 A II b), and for certain products falling within subheading 02.01 A III; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas, in the case of products falling within subheading 02.06 B I, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within this

subheading and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within subheadings 02.06 B I b) 1 and B I b) 5 aa);

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within subheadings ex 16.01 A and B, ex 16.02 A II and B III a) 2, the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund referred to in Article 15 of Regulation (EEC) No 2759/75 is granted, and the amount of that refund, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1984.

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

Done at Brussels, 8 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

ANNEX

to the Commission Regulation of 8 October 1984 fixing the export refunds on pigmeat

		(ECU/100 kg)
CCT heading No	Description	Refund
		net weight
01.03	Live swine : A. Domestic species : II. Other : b) Other	10,00
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Whole carcasses or half-carcasses 2. Legs and parts thereof 3. Fore-ends or shoulders ; parts thereof 4. Loins and parts thereof 5. Bellies and parts thereof 6. Other : ex aa) Boned or boneless : (11) Legs, fore-ends, shoulders or loins, and parts thereof, derinded and defatted, with a maximum layer of 3 mm fat, frozen (a) (22) Other legs, fore-ends, shoulders or loins ; parts thereof (a) (33) Bellies and parts thereof, derinded and defatted, with a maximum layer of 7 mm fat, frozen (a) (44) Other bellies and parts thereof, derinded (a)	28,00 28,00 28,00 28,00 22,00 35,00 28,00 28,00 22,00
02.06	Meat and edible meat offal (except poultry liver), salted, in brine, dried or smoked : B. Of domestic swine : I. Meat : a) Salted or in brine : 3. Hams and parts thereof 5. Loins and parts thereof 6. Bellies and parts thereof 7. Other : ex aa) Boned or boneless : (11) Hams, fore-ends, shoulders or loins, parts thereof (a) (22) Bellies and parts thereof, derinded (a)	32,00 32,00 20,00 32,00 20,00

CCT heading No	Description	(ECU/100 kg)
		Refund net weight
02.06 (cont'd)	b) Dried or smoked :	
	1. Hams and parts thereof :	
	(aa) 'Prosciutto di Parma', 'Prosciutto di San Daniele' (b)	64,00
	(bb) Other	47,00
	4. Bellies and parts thereof	22,00
	5. Other :	
	ex aa) Boned or boneless :	
	(11) 'Prosciutto di Parma, Prosciutto di San Daniele'; parts thereof (b)	64,00
ex 16.01	(22) Hams, fore-ends, shoulders or loins, parts thereof (a)	47,00
	Sausages and the like, of meat, meat offal or animal blood, suitable for human consumption :	
	A. Liver sausages (f)	28,00
	B. Other (c) :	
	I. Sausages, dry or for spreading, uncooked (d) (f)	50,00
ex 16.02	II. Other (f)	34,00
	Other prepared or preserved meat or meat offal, suitable for human consumption :	
	A. Liver :	
	II. Other	24,00
	B. Other :	
	III. Other :	
	a) Containing meat or offal of domestic swine :	
	2. Other, containing by weight :	
	aa) 80 % or more of meat or offal, of any kind, including fats of any kind or origin :	
	11. Hams or loins (excluding collars); parts thereof :	
	(aaa) Uncooked ; mixtures of cooked and uncooked meat (e) (g)	22,00
	(bbb) Other (g)	42,00
	22. Collars or shoulders ; parts thereof :	
	(aaa) Uncooked ; mixtures of cooked and uncooked meat (e) (g)	22,00
	(bbb) Other (g)	37,00

CCT heading No	Description	(ECU/100 kg)
		Refund
ex 16.02 (cont'd)		net weight
	33. Other :	
	(aaa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal (e) (g)	17,00
	(bbb) Other (g)	24,00
	bb) 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin (g)	19,00
	cc) Less than 40 % of meat or offal, of any kind, including fats of any kind or origin (g)	10,00

- (a) The cuts are classified in this subheading only if they can be identified as originating from the primary cuts mentioned.
- (b) Only those products for which the name is certified by the competent authorities of the producing Member State can benefit from this refund.
- (c) The refund on sausages presented in containers with a preservative liquid is granted on net weight after deduction of weight of this liquid.
- (d) The weight of a coating of paraffin corresponding to normal use in the trade is considered as part of the net weight of the sausage.
- (e) The term 'uncooked' shall apply to products which have not been subjected to any heat-treatment or which have been subjected to a heat-treatment insufficient to ensure the coagulation of meat proteins in the whole of the product and which therefore show traces of a pinkish liquid on the cut surface when the product is cut along a line passing through its thickest part.
- (f) If composite food preparations (including prepared dishes) containing sausages, are classified under heading No 16.01 because of their composition, the refund is granted only on the net weight of the sausages, the meat and the offal, including fats of any kind or origin, which make part of these preparations.
- (g) The refund on products containing bones is granted on the net weight of the product after deduction of the weight of the bones.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 May 1984

on the extension until 30 June 1983 of the regional aid supplement provided for in Article 2 (b) of the Belgian Economic Expansion Act of 30 December 1970

(Only the French and Dutch texts are authentic).

(84/472/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having given notice to the parties concerned to submit their comments⁽¹⁾ in accordance with the abovementioned provision, and having regard to those comments,

Whereas :

I

Article 2 (b) of the Belgian Economic Expansion Act of 30 December 1970 introduced a 'regional aid supplement' in the form of an extra two percentage points of interest subsidy above the basic rate of interest subsidy available for investment in development areas. The supplement could be granted in development areas 'whenever the level of economic activity makes this desirable'.

By letter dated 19 November 1981 informing the Belgian Government that it has decided to open the procedure provided for in Article 93 (2) of the EEC Treaty in respect of certain provisions of the Economic Expansion Act of 30 December 1970, the

Commission advised the Government that the award of such aid of an anti-cyclical nature on a regional basis could only be justified in relation to Articles 92 *et seq.* of the Treaty where the difficulties resulting from cyclical fluctuations in economic activity in a Member State were more severe in the assisted areas than in the rest of the country.

On 8 September 1982 the Commission informed the Belgian Government by letter that, in view of the Government's assurances that the legislation was shortly to be amended, it has decided on 2 September to allow the supplement to continue to be granted under certain conditions in all Belgian development areas until 31 December 1982 at the latest.

On 23 November 1982 the Belgian Government nevertheless notified to the Commission by letter, in accordance with Article 93 (3) of the Treaty, a proposal to further extend the regional aid supplement in all Belgian development areas until 30 June 1983.

II

The extension proposal failed to produce any economic or social data to show that any or all of the Belgian development areas had been harder hit by the downturn in economic activity than the rest of the country.

The transitional period allowed for 1982 expired on 31 December 1982. It had been made clear that this would be the final date for ending the scheme.

⁽¹⁾ OJ No C 122, 7. 5. 1983, p. 4.

On 26 January 1983 the Commission therefore informed the Belgian Government by letter that it had decided to reopen the Article 93 (2) procedure, with suspensive effect, against the proposal to extend the regional aid supplement until 30 June 1983, and gave the Government notice to submit its comments.

III

The Belgian Government submitted its comments by letter dated 30 May 1983 and enlarged upon them in subsequent talks with the Commission.

In its comments the Belgian Government produced statistics on recent employment and unemployment trends in certain Belgian provinces and arrondissements (administrative districts) from which it concluded that the depressed level of economic activity had had a more severe effect in particular regions than in the rest of the country. However, it did not specify which these regions were, and also expressed reservations about the significance of the indicators it had used. It did not identify any development areas which it considered had been harder hit by the downturn in economic activity than the rest of the country, but on the contrary stood by its original proposal to grant the regional aid supplement in all the Belgian development areas.

The Commission's decision of 2 September 1982 allowing the continuance of the regional aid supplement, under certain conditions, in all the development areas for a transitional period ending not later than 31 December 1982 had not provided for an extension of this period. The amendment of the legislation announced by the Belgian Government, which had induced the Commission to allow this final transitional period for phasing out the supplement, had not been forthcoming.

Under the reopened Article 93 (2) procedure one other Member State besides Belgium submitted comments. It considered that regional aid, whose purpose was to reduce structural disparities between regions, should not be used to deal with general problems resulting from a low level of economic activity.

IV

The regional aid supplement introduced for certain regions by Article 2 (b) of the Economic Expansion Act of 30 December 1970 is likely to affect trade between Member States and to distort or threaten to distort competition within the meaning of Article 92 (1) of the EEC Treaty by favouring certain undertakings or the production of certain goods.

Article 92 (1) of the Treaty provides that aid answering the criteria it contains is, in principle, incompatible with the common market.

The exceptions from this principle provided for in subparagraphs (a) and (c) of Article 92 (3) — the only ones potentially applicable to regional aid — permit aid where it is intended to deal with structural disparities between regions.

Article 2 (b) of the Belgian Economic Expansion Act of 30 December 1970 provides for a regional aid supplement on the ground of fluctuations in the level of economic activity. Aid of this nature cannot be considered for application of the exceptions in subparagraphs (a) or (c) of Article 92 (3) unless it can be shown that the fluctuations in economic activity have had the effect of increasing the structural disparities in some or all of a Member State's assisted areas.

An analysis of the statistics produced by the Belgian Government does not indicate that recent trends in the level of economic activity have helped increase structural disparities in some or all of the Belgian development areas,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Belgium may not implement the proposal which it notified to the Commission by letter dated 23 November 1982 to extend from 1 January to 30 June 1983 the regional aid supplement provided for in Article 2 (b) of the Economic Expansion Act of 30 December 1970.

Article 2

The Kingdom of Belgium shall inform the Commission within one month of the date of notification of this Decision of the measures it has taken to comply therewith.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 16 May 1984.

For the Commission

Frans ANDRIESEN

Member of the Commission

COMMISSION DECISION

of 19 September 1984

fixing the maximum aid levels for butter and concentrated butter for the 66th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 1932/81

(84/473/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 12 (3) thereof,

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;

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

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

Whereas, in the light of the tenders received in response to the 66th individual invitation to tender, the maximum aid should be fixed at the level specified below and the processing security for concentrated butter 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 66th individual invitation to tender issued under Regulation (EEC) No 1932/81, in respect of which the time limit for submission of tenders expired on 11 September 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, and/or D	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, and/or D	249,00	275,00
Formula B	145,00	160,00

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 September 1984.

For the Commission
Poul DALSAGER
Member of the Commission

COMMISSION DECISION

of 19 September 1984

concerning the 42nd individual invitation to tender issued under Regulation (EEC) No 1844/77 and concerning the special aid for skimmed-milk powder

(84/474/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 42nd 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 DECISION:

Article 1

For the 42nd 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 10 September 1984, no award shall be made.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 September 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 19 September 1984

fixing the minimum selling prices for butter for the 85th individual invitation to tender issued under the standing invitation to tender provided for in Regulation (EEC) No 262/79

(84/475/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 85th 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 85th 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 11 September 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, and/or D	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, 19 September 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION DECISION

of 19 September 1984

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

(84/476/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 September 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 in 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 October 1984 should be fixed,

HAS ADOPTED THIS DECISION:

Article 1

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

1. The Federal Republic of Germany :
869,0 tonnes originating in Botswana,
60,0 tonnes originating in Swaziland;
2. The United Kingdom :
800,0 tonnes originating in Botswana;
3. The Netherlands :
33,3 tonnes originating in Botswana;
4. Italy :
165,3 tonnes originating in Madagascar.

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 October 1984, in respect of the following quantities of boned beef and veal:

	tonnes
Botswana :	6 407,6
Kenya :	142,0
Madagascar :	7 399,9
Swaziland :	2 367,7

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 September 1984.

For the Commission

Poul DALSAGER

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 September 1984

renewing the authorization of an agreement between United Kingdom steelmaking undertakings concerning a joint buying agency for steelmaking materials (Steelmaking Supplies Ltd)

(Only the English text is authentic)

(84/477/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Commission Decision 74/77/ECSC of 22 January 1974 authorizing an agreement between British steelmaking undertakings for the establishment of a joint buying agency for ferrous scrap and other steelmaking materials⁽¹⁾ and to Commission Decision 77/437/ECSC⁽²⁾ renewing that authorization,

Having regard to the application submitted on 18 June 1982, amended by letter of 9 March 1984, by Steelmaking Supplies Ltd, London,

Whereas :

- (1) By its Decision 74/77/ECSC, the Commission authorized an agreement between certain steelmaking undertakings in the private sector of the United Kingdom steel industry to establish a joint buying and consultative agency for ferrous scrap and other steelmaking materials. The agreement was authorized for an initial period of three years until 1 January 1977.
- (2) The agency in question was duly established under the name Steelmaking Supplies Ltd (SSL) in London.
- (3) By its Decision 77/437/ECSC, the Commission renewed that authorization until 30 June 1982.
- (4) By application dated 18 June 1982, amended by letter of 9 March 1984, SSL requested on behalf of the undertakings concerned the renewal of that authorization for a further five years.

- (5) The undertakings concerned are the following :

- Barworth Flockton Ltd, Sheffield,
- Brymbo Steel Works Ltd, Brymbo,
- Rich. W. Carr & Co. Ltd, Sheffield,
- Manchester Steel Ltd, Manchester,
- F. M. Parkin Ltd, Sheffield,
- Sanderson Kayser Ltd, Sheffield,
- Sheerness Steel Co. Ltd, Sheerness,
- Spear and Jackson Ltd, Sheffield.

- (6) The principal features of the agreement are :

- (i) SSL may be employed by all or some of the parties to make joint purchases of scrap or other steelmaking materials as may be determined on their behalf by the management committee of SSL, when these purchases cannot be more satisfactorily achieved by the parties acting independently ;
- (ii) to determine the need for the employment of SSL, the parties regularly exchange information through SSL on the prices paid for scrap or such other steelmaking materials as may be agreed by them from time to time ;
- (iii) SSL may also be employed by the parties to further their studies of the direct reduction of iron ore for use as a steelmaking raw material and to make arrangements for the supply of such material ;
- (iv) each party to the agreement has the power to appoint a representative to the management committee of SSL.

- (7) The agreement restricts normal competition within the common market in that the parties agree to allocate products and sources of supply through SSL and to exchange price information for this purpose. The agreement therefore falls within the prohibition in Article 65 (1).

- (8) The agreement is, however, strictly analogous in nature and effect to a joint buying agreement and can therefore be authorized if it continues to meet the conditions set out in Article 65 (2) (a), (b) and (c).

⁽¹⁾ OJ No L 52, 23. 2. 1974, p. 22.

⁽²⁾ OJ No L 173, 13. 7. 1977, p. 19.

- (9) Since the last renewal of the authorization the parties have not used SSL for the joint buying of scrap or other steelmaking materials because of the low demand for scrap and other steelmaking materials. When the steel market recovers, however, and gives rise to a greater pressure of demand for scrap, the parties want to have the possibility of employing SSL to undertake joint purchases (including joint imports) of scrap and other steelmaking materials on their behalf. This will help the parties to combat the dominant buying position of the British Steel Corporation (BSC) in the British market for scrap and other steelmaking materials. This dominant position of the BSC has been strengthened in recent years through the setting-up of BSC/Private Sector joint ventures (Allied Steel and Wire, Sheffield Forgemasters), which has brought previously private sector undertakings (Guest Keen & Nettlefolds (GKN) (South Wales) and Firth Brown Ltd) under the joint control of BSC and has weakened to the same extent the SSL, of which GKN and Firth Brown Ltd were members. This evolution could make the agreement under certain circumstances even more necessary for the rest of its members.
- (10) The exchange of information on the prices of scrap and other steelmaking materials is appropriate in so far as it enables the parties to ascertain whether joint buying would be advantageous.
- (11) No new restrictions have been introduced into the agreement since the last renewal of the authorization. In particular, no restrictions have been introduced into any joint purchasing contract which would compel the parties to buy the materials in question only through SSL. The agreement is therefore no more restrictive than is necessary for its purpose, and it is essential for the required result — an improvement in supplies of steelmaking materials — taking into consideration the structure of the British market for steelmaking materials.
- (12) There were 15 parties to the agreement when the first authorization was renewed in June 1977. This number has now been reduced to eight. Some of the original members have been deleted from the list as they no longer make steel (Duport Steels Ltd, Edgar Allen Balfour Steel Ltd, Dunford Hadfields Ltd, Lloyd Cooper Ltd, Neepsend Ltd, Osborn Steels Ltd, Patent Shaft Steel Works Ltd, Round Oak Steel Works Ltd, Spartan Redheugh Ltd, Wolsingham Steel Co Ltd) or because they have merged with certain BSC steel works and become BSC/Private Sector joint ventures; this is the case with GKN South Wales Ltd (now in Allied Steel and Wire (ASW)) and with Firth Brown Ltd (now in Sheffield Forgemasters).
- Some new members have entered into the agreement (Rich. W. Carr & Co. Ltd, Barworth Flockton Ltd and F. M. Parkin Ltd).
- (13) In the last three years (1981, 1982, 1983) private sector crude steel production in the UK was 1 852 000 tonnes, 1 579 000 tonnes and 1 353 000 tonnes respectively. This production represented 12,1 %, 11,8 %, and 9,17 % respectively of total British crude steel production. These figures show that the private sector share in crude steel production is declining while the BSC share is increasing (87,9 %, 88,2 %, 90,83 % respectively), not least because of the acquisition of joint control over the BSC/Private Sector joint ventures.
- (14) The same trend can also be observed in the purchase of scrap and ferro-alloys and other alloying materials. The private sector scrap purchase for the years 1981 and 1982 was 1 220 000 tonnes and 1 123 000 tonnes respectively, representing 38 % and 34 % respectively of the total UK steel industry purchases, while the market share of the BSC increased to 62 % and 66 % respectively. As to the purchases of ferro-alloys and other alloying materials, the private sector purchase for the years 1981 and 1982 was 36 700 tonnes and 31 100 tonnes respectively, representing 18 % and 15 % of the total UK steel industry purchase respectively, while the share of the BSC increased to 82 % and 85 % respectively.
- (15) The above figures show that, although the existing SSL members represent about 95 % of UK private sector steel production, their combined buying strength is much smaller than that of the BSC, which is the dominant buyer of scrap and other steelmaking materials in the UK. Another point to be taken into account is the fact that the British scrap market is characterized by a large surplus: of the total scrap supply of 11,4 million tonnes in 1982, 3,1 million tonnes were exported.
- In these circumstances the agreement will not give the parties the power to determine the prices or to control or restrict the production or mar-

keting of the materials in question within the common market or to shield them against effective competition from other undertakings in the common market.

- (16) In the circumstances the conditions set out in Article 65 (2) (a), (b) and (c) continue to be fulfilled, and this situation would not be altered if additional existing companies in the private sector of the UK steel industry were admitted into membership. Given the structure and developments in the UK steel industry and scrap sector, the Commission considers it appropriate to extend its authorization to cover the period ending on 31 December 1994,

HAS ADOPTED THIS DECISION:

Article 1

The duration of the validity of Decision 74/77/ECSC is hereby extended until 31 December 1994.

Article 2

The following undertakings may be parties to the agreement for so long, within the period of the authorization, as they have not effected a concentration with the British Steel Corporation within the meaning of Article 66 of the Treaty:

- Barworth Flockton Ltd, Sheffield,
- Brymbo Steel Works Ltd, Brymbo,
- Rich. W. Carr & Co. Ltd, Sheffield,
- Manchester Steel Ltd, Manchester,
- F. M. Parkin Ltd, Sheffield,
- Sanderson Kayser Ltd, Sheffield,
- Sheerness Steel Co. Ltd, Sheerness,
- Spear and Jackson Ltd, Sheffield.

Article 3

1. Steelmaking Supplies Ltd shall inform the Commission of any proposed additions to its membership.
2. The admission of such new members shall not take effect until the Commission has declared that it is in conformity with this Decision or has authorized it under Article 65 (2) of the Treaty.

Article 4

This Decision is effective as from 1 July 1982 and is addressed to the British Independent Steel Producers' Association, 5 Cromwell Road, London SW7 2HX.

Done at Brussels, 21 September 1984.

For the Commission

Frans ANDRIESEN

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 1452/83 of 6 June 1983 defining the administrative expenses of producers' organizations in the fishery products sector**

(Official Journal of the European Communities No L 149 of 7 June 1983)

Page 5, Article 1 (e):

for: 'equipment',

read: 'stationery'.

Corrigendum to Commission Regulation (EEC) No 1995/84 of 12 July 1984 amending Regulation (EEC) No 2062/80 on the conditions and procedure for granting or withdrawing recognition of producers' organizations and associations thereof in the fishing industry

(Official Journal of the European Communities No L 186 of 13 July 1984)

Page 24, Article 1 (6):

point (a) of the second subparagraph of Article 5 (1) of Regulation (EEC) No 2062/80 shall read as follows:

'(a) as regards production:

a catch plan to be drawn up before the end of the first month of the fishery year containing appropriate measures for adjusting the factors of production and the catch during the fishery year to demand. The catch plan is to be drawn up on the basis of forecasts of the potential output per species, respecting any quantities allocated to the Member State and on the basis of an analysis of market requirements.

Member States shall be entitled not to apply the provisions of the preceding paragraph to producers' organizations engaged in fishing of the types specified in point 5 of the Table in Article 2 (1):

Corrigendum to Commission Regulation (EEC) No 2337/84 of 10 August 1984 amending for the fourth time Regulation (EEC) No 997/81 laying down detailed rules for the description and presentation of wines and grape musts

(Official Journal of the European Communities No L 215 of 11 August 1984)

Page 11, 1 (c) of the Annex:

for: 'XXI. SOVIET UNION',

read: 'XXIII. SOVIET UNION'.

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