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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3113/84

of 6 November 1984

on the conclusion of Agreements in the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe, of the one part, and the Republic of India, of the other part, on the guaranteed prices for cane sugar for the 1984/85 delivery period

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the Treaty establishing the European Economic Community,

Having regard to Protocol 7 on ACP sugar, hereinafter referred to as 'the Protocol', annexed to the Second ACP-EEC Convention, and in particular Article 5 (4) thereof,

Having regard to the Agreement between the European Economic Community and the Republic of India on cane sugar ⁽¹⁾, and in particular Article 5 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Protocol, in accordance with Article 1 (2) thereof, is implemented within the framework of the management of the common organization of the sugar market;

Whereas it is appropriate to approve the Agreements in the form of an exchange of letters between the European Economic Community and the States referred to in the Protocol, of the one part, and the Republic of India, of the other part, on the guaranteed prices for cane sugar for the 1984/85 delivery period,

The Agreements in the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe, of the one part, and the Republic of India, of the other part, on the guaranteed prices for cane sugar for the 1984/85 delivery period is hereby approved by the Community.

The text of these Agreements is attached to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreements in order to bind the Community.

Article 3

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

⁽¹⁾ OJ No L 190, 22. 7. 1975, p. 35.

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

Done at Brussels, 6 November 1984.

For the Council

The President

J. O'KEEFFE

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of the Ivory Coast, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Surinam, the Kingdom of Swaziland, the United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the guaranteed prices for cane sugar for the 1984/85 delivery period

Letter No 1

Brussels,

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention, and of the Commission on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, to submit to their competent authorities for approval, to be the subject of an exchange of letters between the ACP States concerned and the Community, the following:

For the period 1 July 1984 to 30 June 1985 the guaranteed prices referred to in Article 5 (4) of the Sugar Protocol shall, for the purpose of intervention within the terms of Article 6 of that Protocol, be:

- (a) for raw sugar: 44,34 ECU per 100 kilograms;
- (b) for white sugar: 54,68 ECU per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1984/85 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of the Sugar Protocol.

It was noted that, in the view of the ACP States, the problem of ocean freight costs remained an outstanding and pressing matter which required urgent consideration and resolution.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the above-mentioned ACP States and the Community.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of
the Council of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Second ACP-EEC Convention, and of the Commission on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, to submit to their competent authorities for approval, to be the subject of an exchange of letters between the ACP States concerned and the Community, the following :

For the period 1 July 1984 to 30 June 1985 the guaranteed prices referred to in Article 5 (4) of the Sugar Protocol shall, for the purpose of intervention within the terms of Article 6 of that Protocol, be :

- (a) for raw sugar : 44,34 ECU per 100 kilograms ;
- (b) for white sugar : 54,68 ECU per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1984/85 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of the Sugar Protocol.

It was noted that, in the view of the ACP States, the problem of ocean freight costs remained an outstanding and pressing matter which required urgent consideration and resolution.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the abovementioned ACP States and the Community.'

I have the honour to confirm the agreement of the Governments of the ACP States referred to in this letter with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

For the Governments

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of India on the guaranteed prices for cane sugar for the 1984/85 delivery period

Letter No 1

Brussels,

Sir,

The representatives of the Republic of India, and of the Commission on behalf of the European Economic Community, have agreed, pursuant to the provisions of the Agreement on cane sugar between the European Economic Community and the Republic of India, to submit to their competent authorities for approval, to be the subject of an exchange of letters between the Republic of India and the Community, the following :

For the period 1 July 1984 to 30 June 1985 the guaranteed prices referred to in Article 5 (4) of the Agreement shall, for the purpose of intervention within the terms of Article 6 of the Agreement, be :

- (a) for raw sugar : 44,34 ECU per 100 kilograms ;
- (b) for white sugar : 54,68 ECU per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1984/85 prices, it is agreed that this year's decision does not prejudice the position of the Republic of India in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of the Agreement.

It was noted that, in the view of the Republic of India, the problem of ocean freight costs remained an outstanding and pressing matter which required urgent consideration and resolution.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'The representatives of the Republic of India, and of the Commission on behalf of the European Economic Community, have agreed, pursuant to the provisions of the Agreement on cane sugar between the European Economic Community and the Republic of India, to submit to their competent authorities for approval, to be the subject of an exchange of letters between the Republic of India and the Community, the following :

For the period 1 July 1984 to 30 June 1985 the guaranteed prices referred to in Article 5 (4) of the Agreement shall, for the purpose of intervention within the terms of Article 6 of the Agreement, be :

- (a) for raw sugar : 44,34 ECU per 100 kilograms ;
- (b) for white sugar : 54,68 ECU per 100 kilograms.

These prices shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1984/85 prices, it is agreed that this year's decision does not prejudice the position of the Republic of India in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of the Agreement.

It was noted that, in the view of the Republic of India, the problem of ocean freight costs remained an outstanding and pressing matter which required urgent consideration and resolution.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between your Government and the Community.'

I have the honour to confirm that my Government is in agreement with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of the
Republic of India*

**COUNCIL REGULATION (EEC) No 3114/84
of 6 November 1984**

**on the conclusion of an Arrangement in the form of an exchange of letters
between the European Economic Community and the Government of Canada on
the establishment of a scientific observation programme in the Regulatory Area
of the NAFO Convention**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas, by Council Regulation (EEC) No 3179/78 of 28 December 1978 concerning the conclusion by the European Economic Community of the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries ⁽²⁾, the Community approved the said Convention, hereinafter referred to as 'the NAFO Convention';

Whereas the Fisheries Commission of the NAFO Convention has adopted a resolution concerning the establishment of a scientific observation programme to improve scientific knowledge of the state of fish stocks in the NAFO Regulatory Area;

Whereas the said scientific observation programme must be agreed bilaterally between the parties concerned; whereas the Community and Canada have held consultations on this subject; whereas, as a result of such consultations, the two Parties have agreed on the text of an Arrangement in the form of an exchange of letters, the purpose of which is to establish such a programme;

Whereas this Arrangement should therefore be approved;

Whereas it is for the Community to ensure that the provisions of the Arrangement are respected by vessels flying the flag of a Member State of the Community,

HAS ADOPTED THIS REGULATION:

Article 1

The Arrangement in the form of an exchange of letters between the European Economic Community and the Government of Canada on the establishment of a scientific observation programme in the Regulatory Area of the NAFO Convention is hereby approved on behalf of the Community.

The text of the Arrangement is attached to this Regulation.

Article 2

Scientific observation in the Regulatory Area of the NAFO Convention shall be governed by the programme, the text of which is set out in the Annex to the Arrangement.

Article 3

Vessels flying the flag of a Member State of the Community shall be required to accept on board, for the duration of their fishing activities in the Regulatory Area of the NAFO Convention, a Canadian scientific observer, in accordance with the conditions set out in the Arrangement.

Article 4

The President of the Council is hereby authorized to designate the persons empowered to sign the Arrangement binding the Community.

Article 5

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, 6 November 1984.

For the Council

The President

J. O'KEEFFE

⁽¹⁾ Opinion delivered on 11. 10. 1984 (not yet published in the Official Journal).

⁽²⁾ OJ No L 378, 20. 12. 1978, p. 1.

ARRANGEMENT

in the form of an exchange of letters between the European Economic Community and the Government of Canada on the establishment of a scientific observation programme in the Regulatory Area of the NAFO Convention

A. Letter from the Government of Canada

Brussels,

Sir,

With reference to the resolution concerning the establishment of a scientific observation programme, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 7 June 1979, a copy of which is annexed hereto, I have the honour to propose that the European Economic Community and the Government of Canada should apply the following measures.

To increase scientific knowledge of the fish stocks located within the Regulatory Area defined in the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, the European Economic Community and Canada shall adopt the provisions necessary to ensure that the scientific observers designated by one of the two Parties to the Agreement are authorized to board vessels of the other Party fishing within the said Regulatory Area, in accordance with the terms of the resolution annexed hereto.

The Party, hereinafter referred to as 'the Requesting Party', which wishes to place scientific observers on board a vessel of the other Party, hereinafter referred to as 'the Accepting Party', shall inform the latter of the names of the observers designated.

The fishing vessels of the Accepting Party shall receive the observers designated by the Requesting Party at any time when they are fishing within the Regulatory Area.

In accordance with the NAFO scientific observation programme, no fishing vessel shall be required to have on board more than one scientific observer at a time.

When a scientific observer from the Requesting Party wishes to board a fishing vessel of the Accepting Party at sea, the observer and the fishing vessel shall follow the boarding procedures defined in the second and third subparagraphs of paragraph 4 of the scheme of joint international enforcement applicable under the NAFO Convention.

Where a scientific observer on board a fishing vessel wishes to leave the vessel before its arrival in port, the Requesting Party shall be required to provide the observer with the necessary means of transport.

A vessel which receives a scientific observer on board shall be required to provide the latter with food and accommodation. These services shall be provided free of charge for the period which the vessel spends fishing in the Regulatory Area. The skipper of the fishing vessel shall facilitate the work of the observer on board while the vessel is fishing within the Regulatory Area.

If this proposal is acceptable to the European Economic Community, I would request that this letter and your reply thereto should constitute an Arrangement between the European Economic Community and the Government of Canada, entering into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose. It will remain in force until 31 December 1987 unless terminated by one of the Parties by notice given at least six months in advance.

I would be grateful if you would confirm the Agreement of the European Economic Community to the arrangements proposed above.

Please accept, Sir, the assurance of my highest consideration.

*For the
Government of Canada*

*ANNEX***ESTABLISHMENT OF AN INTERNATIONAL SCIENTIFIC OBSERVER PROGRAMME**

The Fisheries Commission noted that a Canadian proposal for the establishment of an international scientific observer programme had already been discussed by the General Council and referred to the Fisheries Commission for further discussion. The Scientific Council had supported the programme and would provide more specific advice as to the data which the scientific observers should collect. Following detailed study, the Fisheries Commission adopted an amended resolution concerning the establishment of a scientific observer scheme as follows.

THE FISHERIES COMMISSION :

Noting the adoption by the Scientific Council of a report supporting the establishment of an international scientific observer programme with respect to fisheries in the Convention Area,

Considering that it would be desirable to improve scientific knowledge of the status of fish stocks in the Regulatory Area, through the establishment of an international scientific programme,

Hereby resolves that Parties whose vessels have been conducting fisheries in the Regulatory Area, within the framework established by multilateral fisheries conventions applicable to this Area, be called upon to develop an international scientific observer programme, commencing in 1979, on a voluntary basis. The following guidelines are recommended for the establishment of such a programme through bilateral discussions :

1. Parties interested in participating in this programme would develop mutually satisfactory arrangements on a bilateral basis in order to facilitate the implementation of this programme.
 2. At the request of the authorities of a Party participating in this programme, in accordance with logistic arrangements made on a bilateral basis, the participating Party to which the request is addressed would arrange to have vessels under its jurisdiction that have been identified in these arrangements, and are operating in the Regulatory Area, accept on board scientific observers designated by the Requesting Party.
 3. Transportation of scientific observers to and from fishing vessels will be the responsibility of the observers' authorities, and may be effected by their inspection vessels designated under the International Commission for the Northwest Atlantic Fisheries or the Northwest Atlantic Fisheries Organization Schemes of Joint International Enforcement, or directly between fishing vessels. Arrangements, including those concerning the transportation and boarding of observers, shall be organized so as to minimize interference with fishing operations, and, for example, in no case shall a fishing vessel be obliged to change its course pursuant to this programme. Arrangements will be made for messages to be sent and received on behalf of the observer, using the vessel's radio equipment and operator. Any expenses involved in such communication will be borne by the observers' authorities.
 4. The masters of fishing vessels receiving scientific observers will ensure that such observers are granted full cooperation upon boarding, including accommodation and meals.
 5. Scientific observers participating in the programme will carry insurance satisfactory to the Parties concerned, either at their own expense, or as provided by their own authorities.
 6. The participating Parties will establish, on a bilateral basis, the terms of reference for the scientific observers placed on board vessels pursuant to bilateral arrangements. The scientific observers will provide to the relevant masters a copy of such records, prepared by the observers, that the masters wish to retain.
 7. The scientific observers will submit at the first opportunity, through their authorities to the authorities of the relevant fishing vessels, a copy of all scientific data records.
-

B. Letter from the Community

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'With reference to the resolution concerning the establishment of a scientific observation programme, adopted by the Fisheries Commission of the Northwest Atlantic Fisheries Organization on 7 June 1979, a copy of which is annexed hereto, I have the honour to propose that the European Economic Community and the Government of Canada should apply the following measures.

To increase scientific knowledge of the fish stocks located within the Regulatory Area defined in the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, the European Economic Community and Canada shall adopt the provisions necessary to ensure that the scientific observers designated by one of the two Parties to the Agreement are authorized to board vessels of the other Party fishing within the said Regulatory Area, in accordance with the terms of the resolution annexed hereto.

The Party, hereinafter referred to as "the Requesting Party", which wishes to place scientific observers on board a vessel of the other Party, hereinafter referred to as "the accepting Party", shall inform the latter of the names of the observers designated.

The fishing vessels of the Accepting Party shall receive the observers designated by the Requesting Party at any time when they are fishing within the Regulatory Area.

In accordance with the NAFO scientific observation programme, no fishing vessel shall be required to have on board more than one scientific observer at a time.

When a scientific observer from the Requesting Party wishes to board a fishing vessel of the Accepting Party at sea, the observer and the fishing vessel shall follow the boarding procedures defined in the second and third subparagraphs of paragraph 4 of the scheme of joint international enforcement applicable under the NAFO Convention.

Where a scientific observer on board a fishing vessel wishes to leave the vessel before its arrival in port, the Requesting Party shall be required to provide the observer with the necessary means of transport.

A vessel which receives a scientific observer on board shall be required to provide the latter with food and accommodation. These services shall be provided free of charge for the period which the vessel spends fishing in the Regulatory Area. The skipper of the fishing vessel shall facilitate the work of the observer on board while the vessel is fishing within the Regulatory Area.

If this proposal is acceptable to the European Economic Community, I would request that this letter and your reply thereto should constitute an Arrangement between the European Economic Community and the Government of Canada, entering into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose. It will remain in force until 31 December 1987 unless terminated by one of the Parties by notice given at least six months in advance.

I would be grateful if you would confirm the Agreement of the European Economic Community to the arrangements proposed above.'

I have the honour to confirm that the European Economic Community is in agreement with the contents of the above letter.

I would draw your attention to the fact that this letter will be published in the *Official Journal of the European Communities* in the seven official languages of the Community, each of the texts being equally authentic.

Please accept, Sir, the assurance of my highest consideration.

On behalf of
the Council of the European Communities

*ANNEX***ESTABLISHMENT OF AN INTERNATIONAL SCIENTIFIC OBSERVER PROGRAMME**

The Fisheries Commission noted that a Canadian proposal for the establishment of an international scientific observer programme had already been discussed by the General Council and referred to the Fisheries Commission for further discussion. The Scientific Council had supported the programme and would provide more specific advice as to the data which the scientific observers should collect. Following detailed study, the Fisheries Commission adopted an amended resolution concerning the establishment of a scientific observer scheme as follows.

THE FISHERIES COMMISSION :

Noting the adoption by the Scientific Council of a report supporting the establishment of an international scientific observer programme with respect to fisheries in the Convention Area,

Considering that it would be desirable to improve scientific knowledge of the status of fish stocks in the Regulatory Area, through the establishment of an international scientific programme,

Hereby resolves that Parties whose vessels have been conducting fisheries in the Regulatory Area, within the framework established by multilateral fisheries conventions applicable to this Area, be called upon to develop an international scientific observer programme, commencing in 1979, on a voluntary basis. The following guidelines are recommended for the establishment of such a programme through bilateral discussions :

1. Parties interested in participating in this programme would develop mutually satisfactory arrangements on a bilateral basis in order to facilitate the implementation of this programme.
 2. At the request of the authorities of a Party participating in this programme, in accordance with logistic arrangements made on a bilateral basis, the participating Party to which the request is addressed would arrange to have vessels under its jurisdiction that have been identified in these arrangements, and are operating in the Regulatory Area, accept on board scientific observers designated by the Requesting Party.
 3. Transportation of scientific observers to and from fishing vessels will be the responsibility of the observers' authorities, and may be effected by their inspection vessels designated under the International Commission for the Northwest Atlantic Fisheries or the Northwest Atlantic Fisheries Organization Schemes of Joint International Enforcement, or directly between fishing vessels. Arrangements, including those concerning the transportation and boarding of observers, shall be organized so as to minimize interference with fishing operations, and, for example, in no case shall a fishing vessel be obliged to change its course pursuant to this programme. Arrangements will be made for messages to be sent and received on behalf of the observer, using the vessel's radio equipment and operator. Any expenses involved in such communication will be borne by the observers' authorities.
 4. The masters of fishing vessels receiving scientific observers will ensure that such observers are granted full cooperation upon boarding, including accommodation and meals.
 5. Scientific observers participating in the programme will carry insurance satisfactory to the Parties concerned, either at their own expense, or as provided by their own authorities.
 6. The participating Parties will establish, on a bilateral basis, the terms of reference for the scientific observers placed on board vessels pursuant to bilateral arrangements. The scientific observers will provide to the relevant masters a copy of such records, prepared by the observers, that the masters wish to retain.
 7. The scientific observers will submit at the first opportunity, through their authorities to the authorities of the relevant fishing vessels, a copy of all scientific data records.
-

COMMISSION REGULATION (EEC) No 3115/84

of 8 November 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⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,

- 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 7 November 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 November 1984.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 205, 1. 8. 1984, p. 1.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1974, p. 1.

ANNEX

to the Commission Regulation of 8 November 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	65,15
10.01 B II	Durum wheat	122,21 ⁽¹⁾ ⁽²⁾
10.02	Rye	79,12 ⁽⁶⁾
10.03	Barley	79,06
10.04	Oats	61,33
10.05 B	Maize, other than hybrid maize for sowing	73,51 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	90,02 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	105,06
11.01 B	Rye flour	124,62
11.02 A I a)	Durum wheat groats and meal	202,76
11.02 A I b)	Common wheat groats and meal	112,53

⁽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 3116/84

of 8 November 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 ⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁷⁾,

- 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
7 November 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 November
1984.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.
⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.
⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.
⁽⁵⁾ OJ No L 205, 1. 8. 1984, p. 4.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 8 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	0,44	0,44	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	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	25,20
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	0,61	0,61	0,16

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0,78	0,78	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0,59	0,59	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 3117/84

of 8 November 1984

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2260/84⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 663/84⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 663/84 and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁶⁾, as last amended by Regulation (EEC) No 1112/84⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁸⁾, as last amended by Regulation (EEC) No 664/84⁽⁹⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹⁰⁾;

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978⁽¹¹⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 5 and 6 November 1984 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff and on products falling within subheadings 15.17 B I and 23.04 A II of the Common Customs Tariff must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

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

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 108, 25. 4. 1984, p. 4.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 73, 16. 3. 1984, p. 11.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹¹⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 9 November 1984.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	60,00 ⁽¹⁾
15.07 A I b)	60,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	70,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Spain and Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria and Morocco: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.
- (d) Tunisia: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this tariff subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	13,20
07.03 A II	13,20
15.17 B I a)	30,00
15.17 B I b)	48,00
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 3118/84

of 30 October 1984

on delivery of maize to the Republic of Niger 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 9 October 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, pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75, the goods may be purchased anywhere on the Community market;

Whereas an invitation to tender should be issued for supply of the products delivered unloaded at destination in view of the final use to be made of the goods delivered;

Whereas the provisions of 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⁾, should be applied as far as possible, particularly in respect of the procedure for submission of tenders, since the manner in which the security is lodged must guarantee that the successful tenderer complies with his obligations;

Whereas, however, the specific provisions concerning delivery to destination must be set out; whereas the successful tenderer must thus bear all risk in the goods up to unloading at the stipulated destination; whereas payment can be made only when proof of delivery to the destination is provided;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the period stipulated;

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

1. The intervention agency mentioned in Annex I hereto is hereby required to implement the mobilization and supply of the product stated in the said Annex as food aid, subject to the provisions of this Regulation.
2. Supply of the products shall be organized under the tender procedure.
3. Annex I shall take the place of a notice of invitation to tender. The intervention agency responsible shall make further publications as necessary.

Article 2

1. For the purposes of the invitation to tender, the following provisions of Regulation (EEC) No 1974/80 shall apply:
 - Article 4, except the provisions of paragraphs 3 (e) and 4 (d) and (e), in respect of submission of tenders,
 - Article 5 in respect of provision of security,
 - Article 6 in respect of opening and reading tenders,
 - Article 8 in respect of comparing tenders.

⁽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.

2. The tender shall indicate the amount of the tender expressed per tonne of product, in the currency of the Member State where the tendering procedure is taking place. The tender must include the cost of fumigation, unloading and warehousing at the final destination stated in Annex I.

The tender shall state separately the amount of cost in respect of sea and land transport to the stipulated final destination.

The tender shall indicate the Member State in which the tenderer, in the event of his being declared successful, undertakes to complete the customs export formalities.

3. The tenderer shall carry out his obligations pursuant to this Regulation and the undertakings referred to in Article 4 (4) of Regulation (EEC) No 1974/80, with the exception of points (d) and (e) thereof.

4. The tenderer shall undertake to ship in vessels, listed in the larger classes in recognized classification registers, not more than 15 years old and attested by a competent body as meeting hygiene requirements.

Article 3

1. Without prejudice to paragraphs 2 and 3, the contract shall be awarded within 48 hours to the tenderer who has submitted the most favourable tender.

2. Where the most favourable tender is submitted by more than one tenderer, the intervention agency shall award the contract to one of those tenderers by drawing lots.

3. If the tenders do not appear to be in line with the prices normally prevailing on the market, the intervention agency may, with the agreement of the Commission, decide not to award the contract.

4. The intervention agency shall communicate the results of the tendering procedure to all the tenderers by letter or telex sent not later than the first working day following the award decision.

Article 4

1. The successful tenderer shall contract as necessary, at his own expense, for carriage of the goods to the final destination and shall bear all the costs involved, including those of unloading and warehousing at the destination. He shall take out suitable insurance.

2. The successful tenderer shall bear all the risks relating to the goods, in particular of loss or deterioration to which the goods are subject, until they have

effectively been unloaded and delivered to the final destination.

3. The successful tenderer shall communicate as soon as possible to the recipient's representative the date of loading, the means of transport used to consign the goods to the final destination, and the probable date of arrival. He shall immediately send this information to the intervention agency responsible for payment, which shall forward it without delay to the Commission.

The tenderer shall advise the recipient's representative, at least three days in advance, of the probable date of arrival of the goods at the final destination.

Article 5

1. The intervention agency of the country of shipment shall arrange for a check at the port, before loading, on the quantity, quality and packaging of the goods. Following inspection an attestation shall be issued by the intervention agency. The costs relating thereto shall be borne by the successful tenderer.

The successful tenderer shall provide that intervention agency with the certificate showing that the fumigation has been carried out.

2. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment. The successful tenderer and the recipient's representative shall be invited to take part in the operation.

Two sealed samples shall be kept by the intervention agency until issue by the recipient of the taking-over certificate or until issue of the certificate referred to in Article 6 (2).

3. If the inspection referred to in paragraph 1 gives rise to a dispute, the intervention agency shall arrange for a second inspection by a service different from that mentioned in paragraph 1, the findings of which shall be final. The costs relating thereto shall be borne by the losing party.

4. Where the inspection provided for in the preceding paragraphs reveals that the goods do not satisfy the requirements stipulated, they must be refused and replaced. Where some quantities are missing the successful tenderer must make up the cargo.

Article 6

1. A taking-over certificate shall be issued by the recipient immediately following unloading at the final destination. It shall state the place and date of taking

over and give a description of the goods taken over in the form given in Annex II and any comments by the recipient.

2. Where the taking-over certificate is not issued for reasons other than a dispute about the goods, proof of delivery may be provided by means of a certificate of the form given in Annex II endorsed by the Community representative in the country of destination.

Article 7

1. Payment to the successful tenderer shall be made by the intervention agency of the Member State in which the customs export formalities are completed.

2. The amount to be paid shall be that of the tender plus, where appropriate, the costs referred to in Article 9. It shall be paid in the currency of the Member State which is responsible for payment. For this purpose this amount shall be converted by using :

- where the currencies in question are maintained within a maximum spread at any one time of 2,25 %, the conversion rate resulting from their central rate,
- in other cases, the relationship between the two currencies concerned established by using the latest statement of their spot exchange rates made immediately prior to the closing date for the submission of tenders as published in the 'C' series of the *Official Journal of the European Communities*.

3. The amount referred to in paragraph 2 shall be paid to the successful tenderer on presentation of the original of the taking-over certificate or a certified copy thereof, or, if this is not available, of the certificate referred to in Article 6 (2).

4. The intervention agency is hereby authorized to make without delay an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of a copy of that document, of the attestation referred to in Article 5 (1) and of the fumigation certificate, and subject to the provision of a security for an amount equal to the initial payment.

The said security shall be provided as laid down in Article 5 (2) of Regulation (EEC) No 1974/80.

Article 8

1. The security referred to in Article 2 shall be immediately released to :

- every tenderer whose tender was not successful or was not accepted,
- the successful tenderer in respect of quantities not delivered on account of *force majeure*,
- the successful tenderer in respect of the quantities delivered in accordance with this Regulation and on presentation of the original of the taking-over certificate or a certified true copy thereof or, where appropriate, the certificate referred to in Article 6 (2).

2. The security referred to in Article 7 (4) shall be released immediately when the successful tenderer furnishes the proof in accordance with Article 6 that at least 80 % of the quantity provided for has been delivered in conformity with the conditions laid down in this Regulation.

Article 9

If the successful tenderer, for reasons of *force majeure*, has to bear exceptional costs in respect of the delivery made under this Regulation which cannot be covered by insurance, he may receive compensation therefor on production of supporting documents and with the prior agreement of the Commission.

Article 10

Except in case of *force majeure* the successful tenderer shall bear all the financial consequences of the non-delivery of the goods under the conditions laid down in this Regulation if the recipient had made delivery possible under such conditions.

The costs resulting from the non-delivery of the goods following a case of *force majeure* shall be borne by the intervention agency responsible for payment.

Article 11

Articles 21 and 22 (1) and (2) of Regulation (EEC) No 1974/80 shall apply in the context of this Regulation.

The intervention agency responsible for payment shall, on receipt, send the information referred to in Article 4 (3) to the Commission.

The intervention agency in the country of shipment shall send the Commission, without delay, the results of the inspection referred to in Article 5.

Article 12

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, 30 October 1984.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX I

1. **Programme :** 1984
2. **Recipient :** Republic of Niger
3. **Place or country of destination :** Republic of Niger
4. **Product to be mobilized :** maize
5. **Total quantity :** 3 000 tonnes
6. **Number of lots :** one in four parts
 - part 1 : 500 tonnes for Agadez
 - part 2 : 1 000 tonnes for Tahoua
 - part 3 : 1 000 tonnes for Zinder
 - part 4 : 500 tonnes for Diffa
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 :** the Community market
9. **Characteristics of the goods :**
 - (a) maize for human consumption, of sound merchantable quality, free of odour and pests
 - (b) moisture content : 15 %
 - (c) total percentage of matter other than basic cereals of unimpaired quality : 5 %, of which :
 - percentage of broken grains : 2 % ('broken grains' means pieces of grain or grains which pass through a sieve with a circular mesh 4,5 mm in diameter)
 - percentage of grain impurities : 2 % ('grain impurities' means grains of other cereals, grains damaged by pests and grains of abnormal coloration, the latter being grains which have acquired, through heating, a darkish brown colour on a fairly substantial part of the tegument and of the kernel and are not damaged grains)
 - percentage of sprouted grains : 0,5 %
 - percentage of miscellaneous impurities : 0,5 % ('miscellaneous impurities' consist of weed seeds, damaged grains, extraneous matter, husks, dead insects and fragments of insects)
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 :
'MAÏS / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE DU NIGER'
11. **Port of shipment :** a Community port
12. **Delivery stage :**
delivered destination — Centre de stockage de l'OPVN :
 - part 1 : 500 tonnes Agadez, via Cotonou and Nyamey
 - part 2 : 1 000 tonnes Tahoua, via Cotonou and Nyamey
 - part 3 : 1 000 tonnes Zinder, via Cotonou and Nyamey
 - part 4 : 500 tonnes Diffa, via Cotonou and Nyamey
13. **Procedure to be applied in order to determine supply costs :** tendering
14. **Deadline for the submission of tenders :** 12 noon on 20 November 1984
15. **Shipment period :** 1 to 31 December 1984
16. **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 send a copy of the shipping documents to the following address :
Commission Delegation in Niger, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

ANNEX II

TAKING-OVER CERTIFICATE

Recipient

I, the undersigned,
(Name, forename, business name)

acting on behalf of

certify that delivery has been taken of the goods listed below :

- Cereals or products
- Net tonnage accepted
- Packaging
 - in bulk
 - in bags
- Number of bags at kg net
marking
- number of marked empty bags
- Place of taking over
- Date of taking over

The quality of the goods delivered is in accordance with that fixed.

COMMISSION REGULATION (EEC) No 3119/84**of 30 October 1984****on the supply of common wheat to the Democratic Republic of Madagascar 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 20 July 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, 30 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 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 :** Democratic Republic of Madagascar
3. **Place or country of destination :** Madagascar
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 20 000 tonnes
6. **Number of lots :** four
 - Lot 1 : 5 000 tonnes
 - Lot 2 : 5 000 tonnes
 - Lot 3 : 5 000 tonnes
 - Lot 4 : 5 000 tonnes
7. **Intervention agency responsible for conducting the procedure :**
Office national interprofessionnel des céréales (ONIC), 21, avenue Bosquet, F-75007 Paris (telex OFIBLE 270807 F)
8. **Method of mobilizing the product :** 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 bulk plus 408 000 empty polypropylene sacks, of a capacity of 50 kilograms, 200 needles and sufficient twine
 - marking on the bags (in letters at least 5 cm high):
'FROMENT / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE À LA RÉPUBLIQUE DÉMOCRATIQUE DE MADAGASCAR'
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 :** Tamatave
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 20 November 1984
16. **Shipment period :**
 - Lot 1 : 15 to 31 January 1985
 - Lot 2 : 15 to 28 February 1985
 - Lot 3 : 15 to 31 March 1985
 - Lot 4 : 15 to 30 April 1985
17. **Security :** 6 ECU per tonne

Note :

The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Madagascar, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

COMMISSION REGULATION (EEC) No 3120/84

of 30 October 1984

on the supply of various consignments of cereals to non-governmental organizations (NGO) 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies specified in the Annexes 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 Annexes 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, 30 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 I

1. **Programme :** 1984
2. **Recipient :** NGO (Euronaid, PO box 77, NL-2340 Oegstgeest, telex 30 223)
3. **Place or country of destination :** Haïti
4. **Products to be mobilized :** common wheat flour
5. **Total quantity :** 2 115 tonnes (2 897 tonnes of common wheat)
6. **Number of lots :** one (in three parts):
 - part A : 850 tonnes
 - part B : 850 tonnes
 - part C : 415 tonnes
7. **Intervention agency responsible for conducting the procedure :**
VIB — Burgemeester Kessenplein 3, NL-6431 KM Hoensbroek (telex 56 396)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum (N × 6,25 in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging :**
 - in new bags
 - quality of the bags : woven synthetic
 - net weight of the bags : 50 kg
 - marking on the bags (in letters at least 5 cm high):
Part A — 450 tonnes :
'FARINE DE FROMENT / HAÏTI / CARITAS / 40330 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE CARITAS NEERLANDICA / PORT-AU-PRINCE'
Part A — 400 tonnes :
'FARINE DE FROMENT / HAÏTI / PROTOS / 41503 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE PROTOS / PORT-AU-PRINCE'
Part B — 450 tonnes :
'FARINE DE FROMENT / HAÏTI / CARITAS / 40334 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE CARITAS NEERLANDICA / PORT-AU-PRINCE'
Part B — 400 tonnes :
'FARINE DE FROMENT / HAÏTI / PROTOS / 41505 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE PROTOS / PORT-AU-PRINCE'
Part C — 415 tonnes :
'FARINE DE FROMENT / HAÏTI / CARITAS / 40335 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE CARITAS NEERLANDICA / PORT-AU-PRINCE'
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 20 November 1984
16. **Shipment period:**
 - part A: 1 to 31 December 1984
 - part B: 1 to 28 February 1985
 - part C: 1 to 30 April 1985
17. **Security:** 12 ECU per tonne
18. The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
 - certificate of origin
 - phytosanitary certificate
 - *pro forma* invoicesSupplier to send duplicate original invoice to:
Messrs M. H. Schutz BV
Postbus 1438
Blaak 16,
3000 BK Rotterdam, Netherlands

Notes:

1. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.
 2. 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'.
-

ANNEX II

1. **Programme :** 1984
2. **Recipient :** NGO (Euronaid, PO box 77, NL-2340 Oegstgeest, telex 30 223)
3. **Place or country of destination :** Chile
4. **Products to be mobilized :** common wheat flour
5. **Total quantity :** 7 300 tonnes (10 000 tonnes of cereals)
6. **Number of lots :** two (Lot A: 3 648 tonnes; Lot B: 3 652 tonnes)
7. **Intervention agency responsible for conducting the procedure :**
OBEA, rue de Trèves 82, B-1040 Bruxelles (télex 24076)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum ($N \times 6,25$ in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
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 :
 - A. 1 793 tonnes :
'HARINA DE TRIGO / CHILE / 40434 / VALPARAISO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'
 - A. 1 431 tonnes :
'HARINA DE TRIGO / CHILE / 40436 / TALCAHUANO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'
 - A. 189 tonnes :
'HARINA DE TRIGO / CHILE / 40438 / COQUIMBO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'
 - A. 235 tonnes :
'HARINA DE TRIGO / CHILE / 40440 / ANTOFAGASTA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'
 - B. 1 794 tonnes :
'HARINA DE TRIGO / CHILE / 40435 / VALPARAISO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'
 - B. 1 432 tonnes :
'HARINA DE TRIGO / CHILE / 40437 / TALCAHUANO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'

B. 190 tonnes :

'HARINA DE TRIGO / CHILE / 40439 / COQUIMBO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'

B. 236 tonnes :

'HARINA DE TRIGO / CHILE / 40441 / ANTOFAGASTA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA / DESTINADO A LA DISTRIBUCIÓN GRATUITA EN CHILE / ACCIÓN DE CARITAS G'

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 20 November 1984

16. Shipment period : Lot A: 1 to 31 December 1984; Lot B: 1 to 31 March 1985

17. Security : 12 ECU per tonne

18. Supplier to send duplicate original invoice to :

Messrs M. H. Schutz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam

Notes :

1. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.
2. 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'.

ANNEX III

1. **Programme :** 1984
2. **Recipient :** NGO (Euronaid, PO box 77, NL-2340 Oegstgeest, telex 30223)
3. **Place or country of destination :** Haiti
4. **Product to be mobilized :** rolled oats
5. **Total quantity :** 1 800 tonnes (3 103 tonnes of cereals)
6. **Number of lots :** one (in three parts)
 - part A : 670 tonnes
 - part B : 670 tonnes
 - part C : 460 tonnes
7. **Intervention agency responsible for conducting the procedure :**

VIB, Burgemeester Kessenplein 3, NL-6431 KM Hoensbroek (telex 56 396)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**

Production of quick-cooking oat flakes :

Raw oats : First quality high-density oats

Cleaning and preparation : Oats to be cleaned of extraneous matter, debittered and stabilized by treatment with steam

Hulling : Oats to be size-classified and hulled. After separation of husks, oat kernels to be scoured and polished

Groats : Oat kernels to be cut, sorted and air-cleaned. Groats dampened and pre-cooked with steam, then rolled to flakes

Quality of oat flakes :

humidity : maximum 12 %

ash content : maximum 2,3 % of dry matter

crude fibre : maximum 1,5 % of dry matter

husk content : maximum 0,10 % of dry matter

protein content : not less than 12 % of dry matter
10. **Packaging :**
 - in bags ⁽¹⁾
 - bag composition :
 - four bags of Kraft paper, of a strength corresponding to a weight of at least 70 g/m²
 - one interposed bag made of tarred paper of a strength corresponding to a weight of at least 140 g/m²
 - one double-bound polyethylene internal pocket at least 0,06 mm thick
 - top and bottom seals of bag to be pasted
 - net weight of bags : 25 kg
 - marking on the bags in letters at least 5 cm high :

Part A — 470 tonnes :
'FLOCONS D'AVOINE / HAÏTI / CARITAS / 40330 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE CARITAS NEERLANDICA / PORT-AU-PRINCE'

Part A — 200 tonnes :
'FLOCONS D'AVOINE / HAÏTI / PROTOS / 41502 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE PROTOS / PORT-AU-PRINCE'

⁽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'.

Part B — 470 tonnes :

'FLOCONS D'AVOINE / HAÏTI / CARITAS / 40331 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE CARITAS NEERLANDICA / PORT-AU-PRINCE'

Part B — 200 tonnes :

'FLOCONS D'AVOINE / HAÏTI / PROTONS / 41504 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE PROTONS / PORT-AU-PRINCE'

Part C — 460 tonnes :

'FLOCONS D'AVOINE / HAÏTI / CARITAS / 40335 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DE CARITAS NEERLANDICA / PORT-AU-PRINCE'

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 20 November 1984

16. Shipment period :

— part A: 1 to 31 December 1984

— part B: 1 to 28 February 1985

— part C: 1 to 30 April 1985

17. Security : 12 ECU per tonne

18. The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

— certificate of origin

— phytosanitary certificate

— *pro forma* invoices

Supplier to send duplicate original invoice to :

Messrs M. H. Schutz BV,

Postbus 1438,

Blaak 16,

3000 BK Rotterdam, Netherlands

COMMISSION REGULATION (EEC) No 3121/84

of 8 November 1984

on the supply of various consignments of cereals and rice to the International Committee of the Red Cross 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 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⁾,

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid⁽⁵⁾, as amended by Regulation (EEC) No 3331/82⁽⁶⁾, 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⁽⁷⁾,

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⁽⁸⁾, as last amended by Regulation (EEC) No 2543/73⁽⁹⁾, 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⁽¹⁰⁾, as last amended by Regulation (EEC) No 3323/81⁽¹¹⁾; 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 agencies specified in the Annexes 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 Annexes 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 November 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁶⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁷⁾ OJ No L 124, 11. 5. 1984, p. 1.

⁽⁸⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁹⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽¹⁰⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽¹¹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX I

1. **Programme :** 1984
2. **Recipient :** International Committee of the Red Cross (ICRC)
3. **Place or country of destination :** Ethiopia
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 900 tonnes (1 233 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordnung (BALM), Adickesallee 40, D-6000 Frankfurt/Main, telex 411 475
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum (N × 6,25 in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging :**
 - in new bags
 - jute sacks lined with cotton sacks, of a minimum weight of 600 g, or
 - composite sacks jute/polypropylene of a minimum weight of 335 g, or polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kg
 - marking on the bags (in letters at least 5 cm high):
‘ETS-114 / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY’
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Port Sudan
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 20 November 1984
16. **Shipment period :** 1 to 31 December 1984
17. **Security :** 12 ECU per tonne

Notes :

1. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.
2. 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’.

ANNEX II

1. **Programme :** 1984
2. **Recipient :** International Committee of the Red Cross (ICRC)
3. **Place or country of destination :** the Philippines
4. **Product to be mobilized :** fully milled long grain rice
5. **Total quantity :** 500 tonnes (1 450 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Ente nazionale risi, piazza Pio XI, 1, I-Milano (telex 334 032)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
 - rice of fair and sound merchantable quality, free from abnormal smell and pests
 - moisture : 15 %
 - broken rice : 5 % maximum
 - chalky grains : 5 % maximum
 - grains striated with red : 3 % maximum
 - spotted grains : 1,5 % maximum
 - stained grains : 1 % maximum
 - yellow grains : 0,050 % maximum
 - amber grains : 0,20 % maximum
10. **Packaging :**
 - in bags :
 - quality of the bags : woven synthetic or polypropylene sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kg
 - marking on the bags :
a red cross 15 × 15 cm followed by, in letters at least 5 cm high :
'PHL-33 / RICE / MANILA / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS / FOR FREE DISTRIBUTION'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Manila
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 19 November 1984
16. **Shipment period :** 1 to 31 December 1984
17. **Security :** 12 ECU per tonne
18. **At the request of the ICRC, the successful tenderer shall supply to the beneficiary on delivery, the following documents :**
 - certificate of origin
 - phytosanitary certificate
 - *pro forma* invoices

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 3122/84
of 8 November 1984
on the supply of a lot of butteroil 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 6 (7) 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 programmes adopted by the Council Regulations specified in the Annex, Angola has requested the supply of the quantities of butteroil 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 periods 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 Belgian intervention agency shall, in accordance with the provisions of Regulation (EEC) No 1354/83, supply butteroil 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 November 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 17 July 1984	
2. Recipient	}	Angola
3. Country of destination		
4. Stage and place of delivery		Free at destination Luanda
5. Representative of the recipient ⁽²⁾	S.E. Sr. Lopo do Nascimento, Ministro do Plano da RPA, Luanda, Angola. Telex 3082 MINPLAN AN	
6. Total quantity	100 tonnes	
7. Origin of the butteroil	To manufacture from intervention butter	
8. Intervention agency holding the stocks	Belgian	
9. Specific characteristics	—	
10. Packaging	5 kilograms	
11. Supplementary markings on the packaging	'DOM DA COMUNIDADE ECONOMICA EUROPEIA'	
12. Shipment period	Before 15 December 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 Belgian interven- tion agency in accordance with Article 15 of Regulation (EEC) No 1354/83	

⁽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 beneficiary as soon as possible in order to ascertain which shipping documents are necessary.

COMMISSION REGULATION (EEC) No 3123/84
of 8 November 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 manage-
ment ⁽³⁾,

Whereas, under the food-aid programme adopted by
the Council Regulation specified in the Annex,
Angola 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 British 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 November 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 17 July 1984	
2. Recipient	}	Angola
3. Country of destination		
4. Stage and place of delivery		Free at destination Luanda
5. Representative of the recipient ⁽²⁾		S.E. Sr. Lopo do Nascimento, Ministro do Plano da RPA, Luanda, Angola. Telex 3082 MINPLAN AN
6. Total quantity		200 tonnes
7. Origin of the skimmed-milk powder		Intervention stock
8. Intervention agency holding the stocks		British
9. Specific characteristics		Entry into intervention stock after 1 May 1984
10. Packaging		25 kilograms
11. Supplementary markings on the packaging		'LEITE CONDENSADO EMPO / DOM DA COMUNI- DADE ECONOMICA EUROPEIA'
12. Shipment period		Before 15 December 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 British interven- tion agency in accordance with Article 15 of Regulation (EEC) No 1354/83

⁽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 beneficiary as soon as possible in order to ascertain which shipping documents are necessary.

COMMISSION REGULATION (EEC) No 3124/84

of 8 November 1984

regarding the application of Decision No 2/84 of the ACP-EEC Customs Cooperation Committee derogating from the definition of the concept of 'originating products' to take into account the special situation of Jamaica with regard to tufted carpets falling within heading No ex 58.02 of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 81/968/EEC of 24 November 1981 on the application of derogations from the definition of originating products under the second ACP-EEC Convention ⁽¹⁾,

Whereas the ACP-EEC Customs Cooperation Committee set up under the second ACP-EEC Convention, signed at Lomé on 31 October 1979, adopted pursuant to Articles 28 (3) and 30 (1) of Protocol 1 to that Convention, Decision No 2/84 derogating from the definition of the concept of 'originating products' to take into account the special situation of Jamaica with regard to tufted carpets falling within heading No ex 58.02 of the Common Customs Tariff;

Whereas it is necessary in accordance with Article 33 of the said Protocol 1 to take the measures required to implement that Decision,

HAS ADOPTED THIS REGULATION:

Article 1

Decision No 2/84 of the ACP-EEC Customs Cooperation Committee annexed to this Regulation shall apply in the Community.

Article 2

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

It shall apply until 28 February 1985.

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

Done at Brussels, 8 November 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 354, 9. 12. 1981, p. 30.

DECISION No 2/84 OF THE ACP-EEC CUSTOMS COOPERATION COMMITTEE**of 3 October 1984****derogating from the definition of 'originating products' to take into account the special situation of Jamaica with regard to tufted carpets falling within heading No ex 58.02 of the Common Customs Tariff****THE CUSTOMS COOPERATION COMMITTEE,**

Having regard to the ACP-EEC Convention signed at Lomé on 31 October 1979 ⁽¹⁾, hereinafter referred to as 'the Convention',

Whereas Article 30 of Protocol 1 to the Convention, concerning the definition of the concept of originating products and methods of administrative cooperation, provides that derogations from the rules of origin may be adopted by the Customs Cooperation Committee where the development of existing industries or the creation of new industries justifies them;

Whereas the African, Caribbean and Pacific States (ACP) have requested a derogation from the definition set out in Protocol 1 for tufted carpets manufactured in Jamaica;

Whereas the Jamaican industry should be allowed to adapt its production to the conditions required for the acquisition of origin under the Convention;

Whereas any deflection of trade should be avoided; whereas this can be achieved by limiting the scope of the derogation to the use of non-originating backings alone;

Whereas a portion of the said backings originate in another developing country; whereas under Article 30 (5) of Protocol 1 this possibility should be taken into account in examining the derogation request;

Whereas, in these circumstances, a temporary derogation from the definition of originating products should be accorded to Jamaica,

HAS DECIDED AS FOLLOWS:

Article 1

By way of derogation from the particular provisions of List A of Annex II to Protocol 1, tufted carpets falling within subheading 58.02 A II a) of the Common

Customs Tariff, manufactured in Jamaica, in the production of which non-originating backing falling within heading No 51.04 or 57.10 of the Common Customs Tariff is used, shall be considered as originating in Jamaica provided that the other conditions applicable to heading No 58.02 are respected.

Article 2

The derogation referred to in Article 1 shall be in respect of a quantity of 80 000 square yards of tufted carpets exported from Jamaica between the date of entry into force of this Decision and 28 February 1985.

Article 3

The Jamaican authorities shall take the steps necessary to check the quantities of exports of products referred to in Article 1 and shall forward to the Commission every three months a statement of the quantities in respect of which EUR. 1 movement certificates have been issued pursuant to this Decision.

Article 4

The ACP States, the Member States and the Community shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 5

This Decision shall enter into force on the day of its adoption.

It shall apply until 28 February 1985.

Done at Brussels, 3 October 1984.

*For the ACP-EEC Customs
Cooperation Committee*

⁽¹⁾ OJ No L 347, 22. 12. 1980, p. 1.

COMMISSION REGULATION (EEC) No 3125/84**of 8 November 1984****amending Regulation (EEC) No 2460/84 laying down for the 1984/85 wine-growing year detailed implementing rules concerning the distillation provided for in Article 11 of Regulation (EEC) No 337/79**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 337/79
of 5 February 1979 on the common organization of
the market in wine ⁽¹⁾, as last amended by Regulation
(EEC) No 1208/84 ⁽²⁾, and in particular Article 11 (5)
thereof,

Whereas Article 2 (2) of Commission Regulation
(EEC) No 2460/84 ⁽³⁾ lays down which producers
qualify for the distillation measure provided for in
Article 11 of Regulation (EEC) No 337/79, and speci-
fies the maximum quantities for which producers may
conclude delivery contracts in respect of such distilla-
tion; whereas there are difficulties as regards the inter-
pretation of those rules; whereas, therefore, the condi-
tions which producers must comply with in order to
qualify under the distillation measure, and the
maximum eligible quantities, should be specified more
clearly;

Whereas, under Council Regulation (EEC) No 2179/83
of 25 July 1983 laying down general rules for distilla-
tion operations involving wine and the by-products of
wine-making ⁽⁴⁾, as amended by Regulation (EEC) No
2687/84 ⁽⁵⁾, producers may not deliver wine for distilla-
tion unless the contract or delivery declaration has
been approved by the intervention agency; whereas
Article 2 (4) of Regulation (EEC) No 2460/84 lays
down that such approval is subject to compliance with
the conditions laid down in Article 10a of Commis-
sion Regulation (EEC) No 2102/84 of 13 July 1984 on
harvest production and stock declarations relating to
wine-sector products ⁽⁶⁾, as amended by Regulation
(EEC) No 2459/84 ⁽⁷⁾; whereas harvest declarations
may be made until 15 December in the Federal
Republic of Germany and until 30 November in the
other Member States; whereas the rules laid down
could in certain cases prevent distillation operations

from starting before those dates; whereas, therefore,
Member States should be allowed to authorize approval
of the contracts at an earlier date, provided the said
Member States introduce a payment system whereby
producers whose harvest declarations do not comply
with the provisions of Regulation (EEC) No 2102/84
or who exceed the maximum quantities for distillation
specified in Article 2 (2) of Regulation (EEC) No
2460/84 can, if necessary, be penalized;

Whereas the amendments made to Regulation (EEC)
No 2179/83 by Regulation (EEC) No 2687/84 call for
the adaptation of Regulation (EEC) No 2460/84 as
regards the distillation of wines suitable for the
production of spirits with registered designation of
origin and the introduction into the same Regulation
of the minimum quantity of wine which may be deli-
vered for distillation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2460/84 is hereby amended as
follows:

1. Article 2 (2) is replaced by the following:

‘2. Producers who have obtained table wine
during the 1984/85 wine-growing year by proces-
sing in full the grapes intended for the production
of table wine which they harvested on their own
holding may conclude one or more contracts or
submit one or more declarations covering a quan-
tity of table wine or wine suitable for yielding table
wine which shall not exceed:

- 10 hectolitres per hectare of vineyard cultivated
for the production of table wine in the French
part of wine-growing zone B and in wine-
growing zones C I, C II and C III,
- 4 hectolitres per hectare of vineyard cultivated
in wine-growing zone A and in the German
part of wine-growing zone B.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

⁽³⁾ OJ No L 231, 29. 8. 1984, p. 7.

⁽⁴⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁵⁾ OJ No L 255, 25. 9. 1984, p. 1.

⁽⁶⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁷⁾ OJ No L 231, 29. 8. 1984, p. 5.

Producers who have obtained table wine during the 1984/85 wine-growing year by processing purchased products, or by processing part of the grapes intended for the production of table wine which they harvested on their own holding, and cooperative wineries and groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine shall not exceed :

- 20 % in the Greek part of wine-growing zones C III, and
- 10 % in the other wine-growing zones, of the quantity of table wine produced by them during the wine year.

However, for the quantity of table wine or wine suitable for yielding table wine produced in 1984/85 on areas in respect of which their members were, at the time of the entry into force of this Regulation, required to deliver their entire harvest, cooperative wineries or groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine which shall, in respect of each of those areas, not exceed :

- 10 hectolitres per hectare of vineyard cultivated for the production of table wine in the French part of wine-growing zone B and in wine-growing zones C I, C II and C III,
- 4 hectolitres per hectare of vineyard cultivated in wine-growing zone A and in the German part of wine-growing zone B.

For the quantity of table wine or wine suitable for yielding table wine produced on areas in respect of which their members were not, at the time of the entry into force of this Regulation, required to deliver their entire harvest, cooperative wineries or groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine which shall not exceed :

- 20 % in the Greek part of wine-growing zones C III, and
- 10 % in the other wine-growing zones, of the quantity of table wine produced by them during the wine year.

The quantity of wine delivered for distillation may not be less than 1 hectolitre.'

2. The following subparagraph is added to Article 2 (4) :

'Member States may, however, authorize their intervention agencies to approve a producer's delivery contracts or declarations before he has lodged the harvest declaration required under Regulation (EEC) No 2102/84, provided the said producer lodges security equivalent to 90 % of the minimum purchase price in respect of the wine for distillation specified in Article 4. The security shall be released forthwith after checks have been carried out which show that the harvest declaration is correct and that the maximum quantities of wine for distillation specified in paragraph 2 have been complied with. Such checks must take place not later than 60 days after the producer's harvest declaration is submitted, otherwise the security shall be forfeit.'

3. Article 3 (2) is replaced by the following :

'2. Only a product with an alcoholic strength of not less than 92 % vol may be obtained by the direct distillation of wines obtained from grapes of varieties classified for the same administrative unit as both wine grape varieties and varieties for the production of wine spirits.'

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 November 1984.

For the Commission

Poul DALSGER

Member of the Commission

COMMISSION REGULATION (EEC) No 3126/84
of 8 November 1984

re-establishing the levying of customs duties on builders' carpentry, falling within heading No 44.23 and originating in Singapore, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3569/83 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, in the case of builders' carpentry falling within heading No 44.23, the individual ceiling was fixed at 7 081 200 ECU; whereas, on 6 November 1984, imports of these products into the Community, originating in Singapore, reached that ceiling after being charged thereagainst;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 12 November 1984, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3569/83, shall be re-established on imports into the Community of the following products originating in Singapore:

CCT heading No	Description
44.23 (NIMEXE code 44.23-all numbers)	Builders' carpentry and joinery (including prefabricated and sectional buildings and assembled parquet flooring panels)

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 November 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

⁽¹⁾ OJ No L 362, 24. 12. 1983, p. 1.

COMMISSION REGULATION (EEC) No 3127/84
of 8 November 1984
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece, and
in particular paragraphs 3 and 10 of Protocol 4 thereto,

Having regard to Council Regulation (EEC) No
2169/81 of 27 July 1981 laying down the general rules
for the system of aid for cotton ⁽¹⁾, as last amended by
Regulation (EEC) No 1462/84 ⁽²⁾, and in particular
Article 5 (1) thereof,

Whereas the amount of the additional aid referred to
in Article 5 (1) of Regulation (EEC) No 2169/81 was
fixed by Regulation (EEC) No 2515/84 ⁽³⁾, as last
amended by Regulation (EEC) No 3051/84 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2515/84

to the information at present available to the Commis-
sion that the amount of the aid at present in force
should be altered as shown in Article 1 to this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of
Regulation (EEC) No 2169/81 shall be 33,721 ECU
per 100 kilograms.

Article 2

This Regulation shall enter into force on 9 November
1984.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 142, 29. 5. 1984, p. 1.

⁽³⁾ OJ No L 234, 1. 9. 1984, p. 33.

⁽⁴⁾ OJ No L 288, 1. 11. 1984, p. 33.

COMMISSION REGULATION (EEC) No 3128/84
of 8 November 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 3109/84 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 November
1984.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSGER

Member of the Commission

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.
⁽³⁾ OJ No L 172, 30. 6. 1984, p. 53.
⁽⁴⁾ OJ No L 291, 8. 11. 1984, p. 33.

ANNEX

to the Commission Regulation of 8 November 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	44,46
	B. Raw sugar	40,91 ⁽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 3129/84

of 8 November 1984

fixing the export refunds 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 the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- 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 it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 November 1984.

⁽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. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 8 November 1984 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU / tonne) Refund
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	 5,00 12,50
10.01 B II	Durum wheat	—
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	 10,00 10,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	 23,00 30,00 — —
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — Algeria — other third countries	 — 12,00 —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	 15,00 15,00 14,00 14,00 13,00 12,00

CCT heading No	Description	Refund (ECU/tonne)
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	15,00 15,00 15,00 15,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	150,00 142,00 127,00 120,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	15,00

⁽¹⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.

⁽²⁾ Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as amended by Regulation (EEC) No 3634/83 (OJ No L 360, 23. 12. 1983).

COMMISSION REGULATION (EEC) No 3130/84

of 8 November 1984

fixing the export refunds on 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 the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1027/84⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products

processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 November 1984.

⁽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. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 8 November 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 8 November 1984 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	7,98
11.07 A II b)	64,43
11.07 B	75,08

COMMUNITY LAW

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