

Official Journal

of the European Communities

ISSN 0378-6978

L 341

Volume 27

29 December 1984

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 3685/84 of 19 December 1984 amending Regulation (EEC) No 337/79 on the common organization of the market in wine 1**
- ★ **Council Regulation (EEC) No 3686/84 of 19 December 1984 amending Regulation (EEC) No 358/79 on sparkling wines produced in the Community and defined in point 13 of Annex II to Regulation (EEC) No 337/79 3**
- ★ **Council Regulation (EEC) No 3687/84 of 19 December 1984 amending Regulation (EEC) No 338/79 laying down special provisions relating to quality wines produced in specified regions 5**
- ★ **Council Regulation (EEC) No 3688/84 of 19 December 1984 opening a Community tariff quota for frozen buffalo meat falling within subheading 02.01 A II b) 4 bb) 33 of the Common Customs Tariff 6**
- ★ **Council Regulation (EEC) No 3689/84 of 19 December 1984 amending for the seventh time Regulation (EEC) No 351/79 concerning the addition of alcohol to products in the wine sector 7**
- ★ **Council Regulation (EEC) No 3690/84 of 19 December 1984 amending Regulation (EEC) No 2915/79 as regards the implementation of the arrangements applicable to imports of certain cheeses originating in Finland 8**
- ★ **Council Regulation (EEC) No 3691/84 of 19 December 1984 opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1985) and extending this quota to include certain other types of paper 9**
- Commission Regulation (EEC) No 3692/84 of 28 December 1984 fixing the import levies on cereals and on wheat or rye flour, groats and meal 13
- Commission Regulation (EEC) No 3693/84 of 28 December 1984 fixing the premiums to be added to the import levies on cereals, flour and malt 15

(Continued overleaf)

Price : £ 3,90 / £ Irl 4,80

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Contents (continued)

Commission Regulation (EEC) No 3694/84 of 28 December 1984 fixing the import levies on rice and broken rice	17
Commission Regulation (EEC) No 3695/84 of 28 December 1984 fixing the premiums to be added to the import levies on rice and broken rice	19
Commission Regulation (EEC) No 3696/84 of 27 December 1984 fixing the export refunds on products processed from cereals and rice	21
Commission Regulation (EEC) No 3697/84 of 27 December 1984 fixing the export refunds on cereal-based compound feedingstuffs	27
Commission Regulation (EEC) No 3698/84 of 28 December 1984 fixing the import levies on syrups and certain other products in the sugar sector	30
Commission Regulation (EEC) No 3699/84 of 28 December 1984 fixing the export refunds on syrups and certain other sugar products exported in the natural state	32
Commission Regulation (EEC) No 3700/84 of 21 December 1984 fixing the export refunds on olive oil	35
Commission Regulation (EEC) No 3701/84 of 28 December 1984 fixing the export refunds on oil seeds	37
Commission Regulation (EEC) No 3702/84 of 28 December 1984 fixing the rates of the refunds applicable from 1 January 1985 to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty	40
Commission Regulation (EEC) No 3703/84 of 28 December 1984 fixing the amount of the aid for peas, field beans and sweet lupins used in the feeding of animals	42
Commission Regulation (EEC) No 3704/84 of 28 December 1984 fixing the rate of the additional aid for dried fodder	43
Commission Regulation (EEC) No 3705/84 of 28 December 1984 fixing the aid for cotton	45
Commission Regulation (EEC) No 3706/84 of 28 December 1984 fixing the aid for soya beans	46
Commission Regulation (EEC) No 3707/84 of 28 December 1984 fixing the amount of the subsidy on oil seeds	47
Commission Regulation (EEC) No 3708/84 of 28 December 1984 fixing the import levies on cereals and on wheat or rye flour, groats and meal	49
Commission Regulation (EEC) No 3709/84 of 28 December 1984 fixing the premiums to be added to the import levies on cereals, flour and malt	51
Commission Regulation (EEC) No 3710/84 of 28 December 1984 fixing the import levies on milk and milk products	53
Commission Regulation (EEC) No 3711/84 of 28 December 1984 altering the export refunds on cereals and on wheat or rye flour, groats and meal	57
Commission Regulation (EEC) No 3712/84 of 28 December 1984 altering the corrective amount applicable to the refund on cereals	60
Commission Regulation (EEC) No 3713/84 of 28 December 1984 fixing the rates of the refunds applicable from 1 January 1985 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty	62

(Continued on inside back cover)

★ Commission Regulation (EEC) No 3714/84 of 21 December 1984 laying down detailed rules for the granting of aid for the use of partly-skimmed milk and partly-skimmed milk powder in feedingstuffs	65
Commission Regulation (EEC) No 3715/84 of 28 December 1984 correcting Regulation (EEC) No 900/84 fixing the monetary compensatory amounts	78
Commission Regulation (EEC) No 3716/84 of 28 December 1984 abolishing the countervailing charge on apples originating in Poland	81
Commission Regulation (EEC) No 3717/84 of 28 December 1984 altering the import levies on products processed from cereals and rice	82
★ Council Regulation (Euratom, ECSC, EEC) No 3718/84 of 28 December 1984 introducing an interim protective measure while awaiting a Council Decision adjusting the remuneration and pensions of officials and other servants of the European Communities and also the weightings applicable to this remuneration and these pensions	84

II *Acts whose publication is not obligatory*

Conference of the Representatives of the Governments of the Member States

84/651/Euratom, ECSC, EEC :

★ Decision of the Representatives of the Governments of the Member States of the European Communities meeting within the Council of 4 December 1984 appointing Members of the Commission of the European Communities	86
--	----

84/652/Euratom, ECSC, EEC :

★ Decision of the Representatives of the Governments of the Member States of the European Communities of 4 December 1984 appointing the President of the Commission of the European Communities	87
---	----

84/653/Euratom, ECSC, EEC :

★ Decision of the Representatives of the Governments of the Member States of the European Communities of 17 December 1984 appointing a Vice-President of the Commission of the European Communities	88
---	----

84/654/Euratom, ECSC, EEC :

★ Decision of the Representatives of the Governments of the Member States of the European Communities of 17 December 1984 appointing a judge to the Court of Justice	89
--	----

Council

84/655/EEC :

★ Council Decision of 10 December 1984 concerning the extension of the machinery for medium-term financial assistance	90
---	----

84/656/EEC :

★ Council Decision of 18 December 1984 extending the collection of information concerning the activities of carriers participating in cargo liner traffic in certain areas of operation	91
---	----

Corrigenda

Corrigendum to Commission Regulation (EEC) No 3622/84 of 21 December 1984 altering the monetary compensatory amounts and the coefficients applicable to certain monetary compensatory amounts fixed in advance for pigmeat products (OJ No L 336, 22. 12. 1984)	92
---	----

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3685/84

of 19 December 1984

amending Regulation (EEC) No 337/79 on the common organization of the market in wine

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 ⁽¹⁾,

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas certain imported wines having characteristics different from Community wines may be of value in making sparkling wines; whereas Regulation (EEC) No 337/79 ⁽⁴⁾ should therefore be amended, drawing up however an exhaustive list of the grape varieties and regions from which such wine may come,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 337/79 is hereby amended as follows:

1. The following Article is inserted:

Article 48a

Imported wine which may be used for making sparkling wine must come from vine varieties and wine-growing regions giving it characteristics which differentiate it from Community wine.

A list of the vine varieties and regions referred to in the first subparagraph shall be drawn up in accordance with the procedure laid down in Article 67.

2. Point 13 in Annex II is replaced by the following:

'13. Sparkling wine: save for the derogation provided for in Article 48 (3), the product which is obtained by first or second alcoholic fermentation:

- of fresh grapes,
- of grape must,
- of wine,

all suitable for yielding table wine,

- of table wine,
- of quality wine psr,
- or, under the conditions referred to in Article 48a, of imported wine,

which, when the container is opened, releases carbon dioxide derived exclusively from fermentation and which has an excess pressure, due to carbon dioxide in solution, of not less than 3 bar when kept at a temperature of 20 °C in closed containers.'

Article 2

This Regulation shall enter into force on 1 January 1985.

⁽¹⁾ OJ No C 62, 5. 3. 1984, p. 29.

⁽²⁾ OJ No C 104, 16. 4. 1984, p. 96.

⁽³⁾ OJ No C 103, 16. 4. 1984, p. 21.

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

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

Done at Brussels, 19 December 1984.

For the Council

The President

P. O'TOOLE

COUNCIL REGULATION (EEC) No 3686/84

of 19 December 1984

amending Regulation (EEC) No 358/79 on sparkling wines produced in the Community and defined in point 13 of Annex II to Regulation (EEC) No 337/79

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 ⁽¹⁾,

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

Whereas experience suggests that some amendments should be made to Regulation (EEC) No 358/79 ⁽³⁾, as last amended by Regulation (EEC) No 3456/80 ⁽⁴⁾, in order to take account of technological progress and to ensure consistency between the various provisions on the common organization of the market in wine;

Whereas, so as to provide better information for manufacturers of sparkling wines, for the trade and for consumers, it is necessary to specify that the provisions governing the preparation of quality sparkling wines apply also to quality sparkling wines produced in specified regions;

Whereas the use of modern preparation methods, the fragility of certain wines used in the composition of the cuvée and the quality of production justify shortening the minimum preparation period for quality sparkling wines from nine to six months where the fermentation process designed to make the wines sparkling takes place in closed tanks; whereas, on the other hand, with the aim of increasing the quality of these sparkling wines, the duration of the fermentation designed to make the cuvée sparkling and the duration of the presence of the cuvée on the lees should be extended;

Whereas, in order to ensure that only traditional practices are used in the preparation of quality sparkling wines of the aromatic type, it is necessary to specify that such sparkling wines may be obtained only from grape musts or partially fermented grape musts obtained from certain varieties; whereas provision should, however, be made that such wines may be obtained from wines coming from grapes of the

'Prosecco' variety harvested in certain regions of Italy, given that these wines are traditionally used for the production of sparkling wines of the aromatic type;

Whereas, in order to ensure the quality of sparkling wines of the aromatic type, it should be stipulated that the use of traditional practices implies control of the fermentation process by refrigeration or other physical processes,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 358/79 is hereby amended as follows:

1. The following paragraph is added to Article 2:

'The provisions of this Regulation, with the exception of Title II, shall also apply to quality sparkling wines produced in specified regions as defined in Regulation (EEC) No 338/79, in so far as such provisions are not laid down in the latter Regulation.'

2. The heading of Title III is amended as follows:

TITLE III

Special provisions regarding quality sparkling wines and quality sparkling wines produced in specified regions';

3. Article 17 is replaced by the following:

Article 17

1. The duration of the process of making quality sparkling wines and quality sparkling wines produced in specified regions, including ageing in the undertaking where they are made and reckoned from the start of the fermentation process designed to make the wines sparkling, may not be:

- (a) less than six months where the fermentation process designed to make the wines sparkling takes place in closed tanks;
- (b) less than nine months where the fermentation process designed to make the wines sparkling takes place in the bottle.

2. The duration of the fermentation process designed to make the cuvée sparkling and the duration of the presence of the cuvée on the lees shall not be less than the following periods:

⁽¹⁾ OJ No C 182, 9. 7. 1984, p. 17.

⁽²⁾ Opinion delivered on 14 December 1984 (not yet published in the Official Journal).

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 130.

⁽⁴⁾ OJ No L 360, 31. 12. 1980, p. 18.

- (a) for the method of fermentation in closed tanks :
— 80 days,
— 30 days if the fermentation takes place in containers with stirrers ;

- (b) for the method of fermentation in the bottle :
60 days.

3. Before 1 September 1987 the Council, acting by a qualified majority on a proposal from the Commission, may alter the periods of fermentation and of presence on the lees indicated in paragraph 2, in a manner compatible with the state of scientific knowledge and technological developments.

4. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 67 of Regulation (EEC) No 337/79.

4. Article 18 (1) is replaced by the following :

'1. Quality sparkling wines of the aromatic type and quality sparkling wines of the aromatic type produced in specified regions may be produced only by using as the sole constituents of the cuvée grape musts or partially fermented grape musts which were obtained from the vine varieties listed in the Annex.

However, quality sparkling wine of the aromatic type may be produced by using as constituents of the cuvée wines obtained from grapes of the

'Prosecco' vine variety harvested in the regions of Trentino-Alto Adige, Veneto and Friuli-Venezia Giulia.

Only refrigeration or other physical processes may be used to control the fermentation procedure before and after the cuvée has been constituted, in order to make the cuvée sparkling.

The addition of "liqueur d'expédition" shall be prohibited.'

5. Article 22 is replaced by the following :

'Article 22

Sparkling wines within the meaning of point 13 of Annex II to Regulation (EEC) No 337/79 which conformed to the provisions of this Regulation in force at the time they were made and the conditions of whose preparation or certain of whose analytical properties no longer conform to the provisions of this Regulation as a result of an amendment thereto may be kept for sale, put on the market and exported until stocks are exhausted.'

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 19 December 1984.

For the Council

The President

P. O'TOOLE

COUNCIL REGULATION (EEC) No 3687/84
of 19 December 1984

**amending Regulation (EEC) No 338/79 laying down special provisions relating to
quality wines produced in specified regions**

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 Commis-
sion ⁽¹⁾,

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

Whereas according to the second paragraph of Article
2 of Regulation (EEC) No 358/79 ⁽³⁾, as last amended
by Regulation (EEC) No 3686/84 ⁽⁴⁾, the provisions of
that Regulation, with the exception of Title II, apply
also, from 1 January 1985, to quality sparkling wines
produced in specified regions as defined in Regulation
(EEC) No 338/79 ⁽⁵⁾, as last amended by Regulation
(EEC) No 2145/82 ⁽⁶⁾; whereas paragraphs 3, 4, 6 and
7 of Article 12 of the latter Regulation should there-
fore be deleted with effect from 1 January 1985;

Whereas provision should be made that, for quality
sparkling wines produced in specified regions of Italy
between 1 September 1983 and 31 December 1984,
the duration of the preparation process continues to be
less than nine months but not less than six months,

HAS ADOPTED THIS REGULATION:

Article 1

Article 12 of Regulation (EEC) No 338/79 is hereby
amended as follows:

1. Paragraphs 3, 4, 6 and 7 are deleted with effect
from 1 January 1985;
2. Paragraph 5 is replaced by the following:

'5. For quality sparkling wines psr produced in
Italy whose preparation began between 1
September 1983 and 31 December 1984, the dura-
tion of the preparation process may be less than
nine months but not less than six months, provided
that the quality sparkling wine psr in question was
defined by national rules adopted before 1
September 1981.'

Article 2

This Regulation shall enter into force on the day of 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, 19 December 1984.

For the Council

The President

P. O'TOOLE

⁽¹⁾ OJ No C 182, 9. 7. 1984, p. 20.

⁽²⁾ Opinion delivered on 14 December 1984 (not yet
published in the Official Journal).

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 130.

⁽⁴⁾ See page 3 of this Official Journal.

⁽⁵⁾ OJ No L 54, 5. 3. 1979, p. 48.

⁽⁶⁾ OJ No L 227, 3. 8. 1982, p. 10.

COUNCIL REGULATION (EEC) No 3688/84**of 19 December 1984****opening a Community tariff quota for frozen buffalo meat falling within subheading 02.01 A II b) 4 bb) 33 of the Common Customs Tariff**

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 ⁽¹⁾,

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

Whereas the Community has undertaken, within the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota at a rate of duty of 20 % for 2 250 tonnes of frozen buffalo meat falling within subheading 02.01 A II b) 4 bb) 33 of the Common Customs Tariff;

Whereas there should be a guarantee of equal and continuing access by all interested traders within the Community to the said quota and of uninterrupted application of the rate laid down for that quota, to all imports of the product in question, in all the Member States, up to the limit of the volume of the quota; whereas it seems appropriate, to this end, to set up a system of use of the Community tariff quota, based on the presentation of a certificate of authenticity guaranteeing the nature of the product, where it is imported from and its origin;

Whereas the detailed rules to implement these provisions should be drawn up in accordance with the procedure laid down in Article 27 of Council Regula-

tion (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, as last amended by the 1979 Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

1. A Community tariff quota for frozen buffalo meat falling within subheading 02.01 A II b) 4 bb) 33 of the Common Customs Tariff shall be opened for 1985.

The total volume of this quota shall be 2 250 tonnes.

2. Under this quota the applicable duty of the Common Customs Tariff shall be fixed at 20 %.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68, and in particular:

- (a) provisions to guarantee the nature of product, where it is coming from and its origin;
- (b) provisions concerning recognition of the document to enable verification of the guarantee referred to in (a).

Article 3

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 19 December 1984.

For the Council

The President

P. O'TOOLE

⁽¹⁾ OJ No C 277, 17. 10. 1984, p. 7.

⁽²⁾ Opinion delivered on 14 December 1984 (not yet published in the Official Journal).

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

COUNCIL REGULATION (EEC) No 3689/84**of 19 December 1984****amending for the seventh time Regulation (EEC) No 351/79 concerning the addition of alcohol to products in the wine sector**

THE COUNCIL 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 42 (2)
thereof,

Having regard to the proposal from the Commission,

Whereas, pending the adoption of provisions supple-
menting or harmonizing the definitions of semi-
sparkling wines and of products falling within heading
No 22.06 of the Common Customs Tariff, provision
should be made to extend by one year the provisions
referred to in Article 4 (2) of Regulation (EEC) No

351/79 ⁽³⁾, as last amended by Regulation (EEC) No
3518/83 ⁽⁴⁾; whereas, moreover, experience has shown
that no difficulty is likely to result from this extension,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 (2) of Regulation (EEC) No 351/79, '31
December 1984' is hereby replaced by '31 December
1985'.

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, 19 December 1984.

For the Council

The President

P. O'TOOLE

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.
⁽²⁾ OJ No L 115, 1. 5. 1984, p. 77.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 90.
⁽⁴⁾ OJ No L 352, 15. 12. 1983, p. 1.

COUNCIL REGULATION (EEC) No 3690/84**of 19 December 1984****amending Regulation (EEC) No 2915/79 as regards the implementation of the arrangements applicable to imports of certain cheeses originating in Finland**

THE COUNCIL 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 14 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 2915/79 of 18
December 1979 determining the groups of products
and the special provisions for calculating levies on
milk and milk products and amending Regulation
(EEC) No 950/68 on the Common Customs Tariff ⁽³⁾,
as last amended by Regulation (EEC) No 1736/84 ⁽⁴⁾,
lays down in Article 11 (5) and point (s) of Annex II
the arrangements applicable for 1984 to imports into
the Community of Tilsit cheese originating in
Finland;

Whereas Finland and the Community have agreed to
extend the arrangements applicable in 1984; whereas
the appropriate amendments should therefore be made
to Regulation (EEC) No 2915/79,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2915/79 is hereby amended as
follows:

1. In Article 11 (5), 'For 1984' is deleted;
2. In Annex II:
 - (a) the text of (b) under the first indent of point (c)
is replaced by the following:
'(b) 6 250 tonnes, including the quota of
Finlandia referred to in point (q), originat-
ing in Finland';
 - (b) '1 350 tonnes' in (b) under the second indent of
point (c) is replaced by '1 600 tonnes';
 - (c) '500 tonnes' in (b) of point (h) is replaced by
'550 tonnes';
 - (d) 'in respect of 1984' in point (s) is deleted.

Article 2

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

It shall apply from 1 January 1985.

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

Done at Brussels, 19 December 1984.

For the Council

The President

P. O'TOOLE

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 164, 22. 6. 1984, p. 10.

COUNCIL REGULATION (EEC) No 3691/84

of 19 December 1984

opening, allocating and providing for the administration of a Community tariff quota for newsprint falling within subheading 48.01 A of the Common Customs Tariff (1985) and extending this quota to include certain other types of paper

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, for newsprint falling within subheading 48.01 A of the Common Customs Tariff, the Community has decided to conclude an agreement which provides in particular for the opening of a Community tariff quota of 650 000 tonnes, of which 600 000 tonnes are reserved until 30 November each year, in accordance with Article XIII of the General Agreement on Tariffs and Trade, exclusively for products from Canada; whereas this Agreement provides equally that from 30 November each year the residue which has not been used by 29 November can be applied to imports of newsprint of any origin; whereas, therefore, an overall duty-free Community tariff quota of 650 000 tonnes should be opened for the product in question for 1985, subdivided as indicated above;

Whereas provision should be made for extending the tariff quota in question to include certain types of paper fulfilling all the conditions set out in the Additional Note to Chapter 48 except those relating to watermarks;

Whereas, in particular, equal and continuous access to the said quotas should be ensured for all importers and the rate of duty for the tariff quota should be applied without interruption to all imports of the product in question until these quotas are exhausted; whereas in the light of these principles, arrangements for the utilization of Community tariff quotas based on an allocation among Member States would seem to be consistent with the Community nature of the said quotas; whereas, in order that it may correspond as closely as possible to the actual trend of the market in the product in question, allocation of the quota should be in proportion to the requirements of the Member States as calculated by reference to statistics on imports from third countries which do not benefit from a similar preference, during a representative reference period, and to the economic outlook for the year covered by the quota in question;

Whereas, for the past three years for which complete statistics are available, the corresponding imports of each of the Member States sharing in this allocation represent, with reference to the total imports of the products in question coming from third countries which do not benefit from equivalent preference, the following percentages:

— from Canada

	1981	1982	1983
Benelux	8,93	7,40	5,99
Denmark	0	0,01	0,01
Germany	12,50	14,34	11,35
Greece	0	0,03	0
France	1,19	0,93	0,83
Ireland	0,95	1,51	1,40
Italy	0,01	0,30	1,70
United Kingdom	76,42	75,48	78,72

— from other countries

	1981	1982	1983
Benelux	8,11	26,79	19,79
Denmark	0	0,01	0,47
Germany	31,59	40,83	32,50
Greece	35,47	21,85	17,13
France	3,65	2,94	2,82
Ireland	0	0	0,05
Italy	4,17	4,42	3,00
United Kingdom	17,01	3,16	24,24

Whereas, in view of the above and of the foreseeable trend on the market in newsprint in general, and of Community production in particular during 1985, the percentages of initial participation in the quota amounts may be allocated, approximately, as follows:

	Amount of 600 000 tonnes	Amount of 50 000 tonnes
Benelux	7,35	18,91
Denmark	0,11	0,17
Germany	16,00	35,16
Greece	0,18	24,04
France	1,00	3,10
Ireland	1,27	0,02
Italy	0,91	3,83
United Kingdom	73,18	14,77

Whereas, to take account of import trends for the product concerned, the quotas should be divided into two tranches, the first being allocated among the Member States and the second held as a reserve to cover subsequently the requirements of Member States which have exhausted their initial shares; whereas, to give importers some degree of certainty and yet enable Community production to be disposed of on satisfactory terms, the first tranche of the quota should be fixed at about 90 % of the full amount;

Whereas the initial shares may be exhausted at different rates; whereas, to provide for this eventuality and avoid disruption of supplies, any Member State which has almost used up its initial share should draw an additional share from the corresponding reserve; whereas each time its additional share is almost exhausted a Member State should draw a further share, and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the latter must be in a position to keep account of the extent to which the quota has been used up and to inform the Member States accordingly;

Whereas, if at a given date in the quota period a quantity of a Member State's initial share remains unused, it is essential, to prevent a part of the Community tariff quotas from remaining unused in one Member State while it could be used in others, that such State should return a significant proportion thereof to the reserve;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January 1985 until 31 December 1985 a Community tariff quota with a total volume of 650 000 tonnes shall be opened in the Community for newsprint falling within subheading 48.01 A of the Common Customs Tariff⁽¹⁾.

⁽¹⁾ Entry under this subheading is subject to conditions to be determined by the competent authorities.

2. The Common Customs Tariff duty shall be totally suspended within the limit of the above quota.

Within the limits of the above quota, Greece shall apply customs duties calculated in accordance with the relevant provisions laid down in the 1979 Act of Accession.

3. Imports of newsprint shall not be charged against this tariff quota if they are already free of customs duties under other preferential treatment.

4. Without prejudice to the international obligations of the Community, Member States may charge against this tariff quota the other types of paper complying, except as regards the criteria governing watermarks, with the definition of newsprint contained in the Additional Note to Chapter 48.

Article 2

1. The tariff quota referred to in Article 1 (1) shall be divided as follows:

- (a) 600 000 tonnes for imports from Canada;
- (b) 50 000 tonnes for imports from other third countries.

2. However, from 30 November 1985 the residue of the amounts referred to in paragraph 1 which have not actually been used by 29 November 1985 or which are not expected to be used before 31 December 1985 can be applied to imports of the products in question whether from Canada or from another third country.

Article 3

1. A first tranche of each of the amounts referred to in Article 2 (1) consisting of 550 000 tonnes for the amount referred to in subparagraph (a) and 45 000 tonnes for the amount referred to in subparagraph (b), shall be allocated among the Member States; their shares which, subject to Article 6, shall be valid until 31 December 1985, shall be as follows:

	(tonnes)	
	Amount Article 2 (1) (a)	Amount Article 2 (1) (b)
Benelux	40 000	8 510
Denmark	600	76
Germany	88 000	15 822
Greece	1 000	10 818
France	5 500	1 395
Ireland	7 000	9
Italy	5 000	1 723
United Kingdom	402 500	6 647

2. The second tranches, amounting respectively to 50 000 tonnes and 5 000 tonnes, shall constitute the reserves.

Article 4

1. If 90 % or more of one of any Member State's initial shares, as laid down in Article 3 (1) or 90 % of that share less the amount returned into the corresponding reserve, where Article 6 has been applied, has been used up, that Member State shall without delay, by notifying the Commission, draw a second share in the quota equal to 10 % of its initial share, rounded up to the next unit where appropriate, to the extent that the amount in the reserve allows.

2. If, after one or other of its initial shares has been used up, 90 % or more of the second share drawn by one of the Member States has been used up, that Member State shall, in the manner provided for in paragraph 1, draw a third share equal to 5 % of its initial share.

3. If, after one or other of its second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that latter shall, in the same manner, draw a fourth share equal to the third.

This procedure shall be followed until the reserve has been exhausted.

4. By derogation from paragraphs 1, 2 and 3, Member States may draw smaller shares than those fixed in those paragraphs if there is reason to believe that those shares might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 5

The additional shares drawn pursuant to Article 4 shall be valid until 31 December 1985.

Article 6

The Member States shall return to the reserve, not later than 1 October 1985, the unused portion of their initial shares which on 15 September 1985 is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion may not be used in full.

Member States shall, not later than 1 October 1985, notify the Commission of the total imports of the products concerned effected under the Community quotas up to and including 15 September 1985 and,

where appropriate, the proportion of their initial shares that they are returning to each of the reserves.

Article 7

The Commission shall keep account of the shares opened by Member States in accordance with Articles 3 and 4, and shall inform each of them of the extent to which the reserves have been used as soon as it receives the notifications.

It shall, not later than 5 October 1985, notify the Member States of the state of each of these reserves after the return of shares pursuant to Article 6.

It shall ensure that any drawing which uses up a reserve is limited to the balance available and, for this purpose, shall specify the amount thereof to the Member State which makes the final drawing.

Article 8

1. Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 4 are opened in such a way that imports may be charged without interruption against their accumulated share of the quota.

2. Member States shall take all measures necessary to ensure that the types of paper referred to in Article 1 fulfil the prescribed conditions before they can benefit from the present tariff quota.

In such a case, the control of the use of the goods for the prescribed end use shall be carried out by applying the relevant Community provisions.

3. Member States shall ensure that importers of the products in question have free access to the shares allocated to it.

4. The extent to which a Member State has used up its shares shall be determined on the basis of imports of the products in question entered with the customs authorities for free circulation.

Article 9

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

Article 10

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 11

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 19 December 1984.

For the Council

The President

P. O'TOOLE

COMMISSION REGULATION (EEC) No 3692/84

of 28 December 1984

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Having regard to the opinion of the Monetary
Committee,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 3131/84⁽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
27 December 1984;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3131/84 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 29 December
1984.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 293, 10. 11. 1984, p. 1.

⁽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 28 December 1984 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)
		Levies
10.01 B I	Common wheat, and meslin	60,77
10.01 B II	Durum wheat	94,32 ⁽¹⁾ ⁽²⁾
10.02	Rye	59,24 ⁽⁶⁾
10.03	Barley	76,75
10.04	Oats	51,75
10.05 B	Maize, other than hybrid maize for sowing	67,02 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	73,04 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	99,21
11.01 B	Rye flour	97,07
11.02 A I a)	Durum wheat groats and meal	159,61
11.02 A I b)	Common wheat groats and meal	105,90

⁽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 3693/84
of 28 December 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
27 December 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 29 December
1984.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 205, 1. 8. 1984, p. 4.

⁽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 28 December 1984 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 12	1st period 1	2nd period 2	3rd period 3
10.01 B I	Common wheat, and meslin	0	0	0	1,01
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	27,02
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	1,40

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	1,80	1,80
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	1,34	1,34
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 3694/84
of 28 December 1984
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽¹⁾, as last amended by Regulation
(EEC) No 1025/84 ⁽²⁾, and in particular Article 11 (2)
thereof,

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 2504/84 ⁽³⁾, as last
amended by Regulation (EEC) No 3662/84 ⁽⁴⁾;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient
provided for in Article 2b (2) of Regulation (EEC)
No 974/71 ⁽⁵⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁶⁾,
- 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 coeffi-
cient;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2504/84 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 the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January
1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.
⁽³⁾ OJ No L 234, 1. 9. 1984, p. 5.
⁽⁴⁾ OJ No L 340, 28. 12. 1984, p. 17.
⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 28 December 1984 fixing the import levies on rice and broken rice

(ECU/tonne)			
CCT heading No	Description	Third countries ⁽¹⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	246,77	119,78
	2. Long grain	216,45	104,62
	b) Husked rice :		
	1. Round grain	308,46	150,63
	2. Long grain	270,56	131,68
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	248,68	112,41
	2. Long grain	486,57	231,40
	b) Wholly milled rice :		
	1. Round grain	264,85	120,07
	2. Long grain	521,61	248,45
	III. Broken rice	52,40	23,20

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

⁽²⁾ In accordance with Regulation (EEC) No 435/80, the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 3695/84

of 28 December 1984

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1025/84 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Regulation (EEC) No 2505/84 ⁽³⁾, as last amended by Regulation (EEC) No 3663/84 ⁽⁴⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71 ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,

- 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, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 234, 1. 9. 1984, p. 8.

⁽⁴⁾ OJ No L 340, 28. 12. 1984, p. 19.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 28 December 1984 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 1	1st period 2	2nd period 3	3rd period 4
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 3696/84
of 27 December 1984

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization 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 Council Regulation (EEC) No
1418/76 of 21 June 1976 on the common organization
of the market in rice ⁽³⁾, as last amended by Regulation
(EEC) No 1025/84 ⁽⁴⁾, and in particular the fourth
subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
and Article 17 of Regulation (EEC) No 1418/76
provide 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 ⁽⁵⁾, and Article 2 of
Council Regulation (EEC) No 1431/76 of 21 June
1976 ⁽⁶⁾ laying down general rules for granting export
refunds on cereals and rice respectively and criteria for
fixing the amount of such refunds, provide 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, rice and broken rice
on the Community market on the one hand and
prices for cereals, rice, broken rice and cereal products
on the world market on the other; whereas the same
Articles provide that it is also important to ensure
equilibrium and the natural development of prices and
trade on the markets in cereals and rice and, further-
more, to take into account the economic aspect of the
proposed exports, and the need to avoid disturbances
on the Community market;

Whereas Article 6 of Council Regulation (EEC) No
2744/75 of 29 October 1975 on the import and export
system for products processed from cereals and from
rice ⁽⁷⁾, as last amended by Regulation (EEC) No
1027/84 ⁽⁸⁾, defines the specific criteria to be taken
into account when the refund on these products is
being calculated;

Whereas, on the basis of the criteria laid down in
Regulation (EEC) No 2744/75, particular account
should be taken of the prices and quantities of basic
products used to calculate the variable component of
the levy; whereas Article 8 of Regulation (EEC) No
2744/75 and Article 1 of Regulation (EEC) No
1077/68 ⁽⁹⁾, as amended by Regulation (EEC) No
2764/71 ⁽¹⁰⁾, provide that the amount of the export
refund should, for certain products, be reduced by an
amount equal to the production refund granted in
respect of the basic products;

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 when the refund is being calculated account
should be taken of the quantities of raw materials used
to determine the variable component of the levy;
whereas the quantities of raw materials used for certain
processed products may vary according to the end use
of the product; whereas, depending on the manufac-
turing process used, products other than the main
product are obtained, the quantity and value of which
may vary with the nature and quality of the main
products being manufactured; whereas cumulation of
the refunds on the various products manufactured by a
single process from the same basic product may make
it possible, in certain cases, to export to third countries
at prices which are lower than world market prices;
whereas the refund on certain products should there-
fore be limited to an amount which, while allowing
access to the world market, will ensure that the aims of
the common organization of the markets are
respected;

⁽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. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product ;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products ; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time ;

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 Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice ;

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 ⁽²⁾, as last amended by Regulation (EEC) No 855/84 ⁽³⁾,

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 27 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 27 December 1984 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	61,08
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	84,31
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	91,31
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	63,12
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	84,31
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ⁽¹⁾ ⁽⁷⁾	117,40
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽¹⁾ ⁽⁷⁾	91,31
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1,3 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽¹⁾ ⁽⁷⁾	78,26
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ⁽²⁾	61,08
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of tegument content not exceeding 0,5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	74,94
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	61,08
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	79,63
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 B II c) (1)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('gruetze' or 'grutten') ⁽²⁾	97,83
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	81,44
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	65,15
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	16,00
11.02 D II	Rye not otherwise worked than kibbled	10,00
11.02 E I b) 1 (aa)	Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	61,08
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	93,68
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	74,94
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	104,35

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (ECU/tonne)
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	84,79
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	3,32
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	16,31
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	23,64
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	72,48
11.08 A I	Maize starch ⁽⁵⁾	73,75
11.08 A II	Rice starch ⁽⁵⁾	40,52
11.08 A III	Wheat starch ⁽⁵⁾	0,00
11.08 A IV	Potato starch ⁽⁶⁾	73,75
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁵⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight (N × 6,25)	0,00
17.02 B II a)	Glucose and malto-dextrine, other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	96,20
17.02 B II b)	Malto-dextrine and malto-dextrine syrup; glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	73,75
17.02 F II a)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, in the form of powder, whether or not agglomerated	100,78
17.02 F II b)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, other than in the form of powder	70,09
21.07 F II	Flavoured or coloured glucose syrup, and malto-dextrine syrup	73,75
23.02 A I a)	Brans sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	9,54
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	9,54
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1,5 % by weight	9,54
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	9,54
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight (N × 6,25)	36,65

-
- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (⁵) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (⁶) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
- (⁷) The procedure to be followed for the determination of the fatty matter content is as follows :
- the sample has to be crushed so that 90 % or more can pass through a sieve with an aperture of 500 microns and 100 % can pass through a sieve with an aperture of 1 000 microns,
 - the analytical method to be used afterwards is that which is printed in Annex 1 (Method A) to Commission Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
-

COMMISSION REGULATION (EEC) No 3697/84**of 27 December 1984****fixing the export refunds on cereal-based compound feedingstuffs**

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 that Regulation 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 other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as amended by Regulation (EEC) No 2560/77⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound

feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 537/83⁽⁷⁾, provides that calculation of the export refund must be based on the average of the refunds granted on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the month of exportation and on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 3634/83⁽⁹⁾, should be used;

⁽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. 60.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 63, 9. 3. 1983, p. 10.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 360, 23. 12. 1983, p. 21.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾,
- 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 27 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 27 December 1984 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I): Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:	
	0510	— Exceeding 5 % but not exceeding 10 %	1,45 ⁽²⁾ 3,51 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	1010	— Exceeding 10 % but not exceeding 20 %	2,91 ⁽²⁾ 7,02 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	2010	— Exceeding 20 % but not exceeding 30 %	5,81 ⁽²⁾ 14,04 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	3010	— Exceeding 30 % but not exceeding 40 %	8,72 ⁽²⁾ 21,06 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	4010	— Exceeding 40 % but not exceeding 50 %	11,62 ⁽²⁾ 28,08 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	5010	— Exceeding 50 % but not exceeding 60 %	14,53 ⁽²⁾ 35,11 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	6010	— Exceeding 60 % but not exceeding 70 %	17,44 ⁽²⁾ 42,13 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	7010	— Exceeding 70 %	19,02 ⁽²⁾ 45,96 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

⁽²⁾ For exports to Zones A, B, C, D and E specified in Annex II to Regulation (EEC) No 1124/77, as amended by Regulation (EEC) No 3634/83.

⁽³⁾ Minimum content of maize and/or sorghum exceeding: 0510: 5 %; 1010: 10 %; 2010: 20 %; 3010: 30 %; 4010: 40 %; 5010: 50 %; 6010: 60 %; 7010: 60 %.

In so far as this minimum is observed, these refunds shall, at the request of the party concerned, also apply where the cereal products' content exceeds the maximum specified on the same line.

⁽⁴⁾ For export to other third countries.

COMMISSION REGULATION (EEC) No 3698/84**of 28 December 1984****fixing the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Regulation (EEC) No 2727/75⁽⁵⁾ for the fixing of the import levy on the products falling within subheading 17.02 B II of the Common Customs Tariff, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

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⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

— 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 the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1984 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:		
	C. Maple sugar and other syrup	0,4741	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine):		
	I. Isoglucose	—	57,08
	ex II. Other	0,4741	—
	E. Artificial honey, whether or not mixed with natural honey	0,4741	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4741	—
21.07	Food preparations not elsewhere specified or included:		
	F. Flavoured or coloured sugar syrups:		
	III. Isoglucose	—	57,08
	IV. Other	0,4741	—

COMMISSION REGULATION (EEC) No 3699/84

of 28 December 1984

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 606/82⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying

down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 17.02 B II a) of the Common Customs Tariff and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;

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⁽⁹⁾, as last amended by Regulation (EEC) No 855/84⁽¹⁰⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹⁰⁾ OJ No L 90, 1. 4. 1984, p. 1.

— 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 the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

(2) Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 3700/84

of 21 December 1984

fixing the export refunds on olive oil

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⁾,

Having regard to Council Regulation No 171/67/EEC of 27 June 1967 on export refunds and levies on olive oil ⁽³⁾, as last amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, and in particular the first sentence of Article 7 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations No 171/67/EEC and (EEC) No 616/72 ⁽⁵⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁶⁾;

Whereas Article 2 of Regulation No 171/67/EEC provides that the refund must be the same for the whole Community;

Whereas Article 3 of Regulation No 171/67/EEC provides that when the refund on olive oil is being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of olive oil on the Community market and prices for olive oil on the world market,
- the aims of the common organization of the market in olive oil which are to ensure equilibrium

and the natural development of prices and trade on this market,

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas, furthermore, Article 4 of Regulation No 171/67/EEC provides that the said refund must be fixed in accordance with the following criteria:

- the olive oil prices in the main producing areas of the Community,
- the most favourable quotations recorded on the various markets of importing third countries, and
- the marketing costs and the most favourable transport charges from Community markets in the main producing areas to ports or other points of export in the Community, as well as costs incurred in placing the goods on the world market;

Whereas Article 5 of Regulation No 171/67/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 7 of Regulation No 171/67/EEC provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

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

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 1.

⁽³⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁶⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

— 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 the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 21 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

ANNEX

to the Commission Regulation of 21 December 1984 fixing the export refunds on olive oil

CCT heading No	Description	(ECU/100 kg) Refund
15.07 A I (a) II (a)	Fixed vegetable oils, fluid or solid, crude, refined or purified: Olive oil: Untreated: Virgin olive oil: In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾, as well as on export to third countries Other: Obtained by processing oils falling within subheading 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil: In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾, as well as on export to third countries	55,00 62,50

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 3701/84
of 28 December 1984
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds ⁽³⁾, as last amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁷⁾, as last amended by Regulation (EEC) No 1474/84 ⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most

favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds ⁽⁹⁾, as last amended by Regulation (EEC) No 1815/84 ⁽¹⁰⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84 ⁽¹¹⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount; whereas Article 1 of Regulation (EEC) No 1813/84 ⁽¹²⁾ defined the elements which determine the differential amounts; whereas these elements are equal to the

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

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 1.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁰⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽¹¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽¹²⁾ OJ No L 170, 29. 6. 1984, p. 41.

incidence on the target price or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate,
- (b) for Italy, the United Kingdom and Greece, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas the said Article 2a fixed the coefficient for the beginning of the 1984/85 marketing year; whereas account should be taken thereof in respect of colza and rape seed with effect from 1 July 1984, and in respect of sunflower seed with effect from 1 August 1984;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas where, for one or more months, forward exchange rates are not available, the rate adopted for the previous month or the following month, as the case may be, is to be used;

Whereas, for the period 19 to 25 December 1984, for certain currencies:

- for the current month, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 differs by more than one point from the percentage adopted for the previous fixing,
- for certain following months the difference referred to in Article 2 (2) of Regulation (EEC) No 1569/72 exceeds 0,5 %; whereas this difference in the case of certain forward differential amounts differs by more than one point from the percentage adopted for the previous fixing;

Whereas it follows from applying these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

No refund is fixed for sunflower seed.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1984 fixing the export refunds on colza
and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross refunds (ECU)	11,500	12,020	12,540	13,060	13,060	13,060
2. Final refunds						
Seeds harvested and exported from :						
— Federal Republic of Germany (DM)	30,03	31,27	32,55	34,03	34,03	34,77
— Netherlands (Fl)	33,84	35,24	36,64	38,29	38,29	39,04
— BLEU (Bfrs/Lfrs)	533,74	557,87	582,00	604,64	604,64	593,40
— France (FF)	69,89	73,46	76,46	78,96	78,96	78,97
— Denmark (Dkr)	96,77	101,15	105,52	109,90	109,90	109,10
— Ireland (£ Irl)	8,626	9,016	9,400	9,721	9,721	9,215
— United Kingdom (£)	6,317	6,638	6,960	7,282	7,282	7,282
— Italy (Lit)	16 468	17 208	17 663	18 129	18 129	17 247
— Greece (Dr)	863,85	910,93	958,00	1 005,08	1 005,08	1 005,08

COMMISSION REGULATION (EEC) No 3702/84

of 28 December 1984

fixing the rates of the refunds applicable from 1 January 1985 to certain products
in the sugar sector exported in the form of goods not covered by Annex II to the
Treaty

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 amended by
Regulation (EEC) No 606/82⁽²⁾, and in particular
Article 19 (1) and (2) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No
1785/81 provides that for the products listed in Article
1 (1) (a), (c), (d), (g) and (h) of that Regulation an export
refund may be granted when these goods are exported
in the form of goods listed in Annex I of that same
Regulation; whereas Council Regulation (EEC) No
3035/80 of 11 November 1980 laying down general
rules for granting export refunds for certain agricul-
tural products exported in the form of goods not
covered by Annex II to the Treaty, and the criteria for
fixing the amount of such refunds⁽³⁾, as last amended
by Regulation (EEC) No 1028/83⁽⁴⁾, specifies the
products for which a rate of refund should be fixed, to
be applied where these products are exported in the
form of goods listed in Annex I of Regulation (EEC)
No 1785/81;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate
of the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that
Article, that rate must be determined with particular
reference to:

- (a) the average costs incurred by processing industries
in obtaining supplies of the basic products on the
Community market and the prices ruling on the
world market;
- (b) the level of the refunds on exports of processed
agricultural products covered by Annex II to the
Treaty which are manufactured under similar
conditions;

- (c) the need to ensure equality of competition for the
industries which use Community products and
those which use third country products under
inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80
provides that, when the rate of the refund is being
fixed, account should be taken, where appropriate, of
refunds, aids or other measures having equivalent
effect applicable in all Member States in accordance
with the Regulation on the common organization of
the market in the product in question to the basic
products listed in Annex A to that Regulation or to
assimilated products;

Whereas a production refund is granted in respect of
white sugar or raw sugar under the conditions laid
down in Council Regulation (EEC) No 1400/78 of 20
June laying down general rules for the production
refund on sugar used in the chemical industry⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 1 January
1985 to the basic products appearing in Annex A to
Regulation (EEC) No 3035/80 and listed in Article 1
(1) and (2) of Regulation (EEC) No 1785/81, exported
in the form of goods listed in Annex I to Regulation
(EEC) No 1785/81, are fixed as shown:

- (a) in Table A of the Annex hereto for those same
goods in so far as they have not benefited from the
granting of a production refund provided for by
Regulation (EEC) No 1400/78;
- (b) in Table B of the Annex hereto for goods other
than those mentioned under (a).

Article 2

This Regulation shall enter into force on 1 January
1985.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 116, 30. 4. 1983, p. 9.

⁽⁵⁾ OJ No L 170, 27. 6. 1978, p. 9.

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

Done at Brussels, 28 December 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1984 fixing the rates of the refunds applicable from 1 January 1985 to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Table A

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	40,66
	Raw sugar:	37,41
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$40,66 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose or flavoured or coloured isoglucose syrups:	40,66 ⁽²⁾

Table B

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	36,78
	Raw sugar:	33,84
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$36,78 \times \frac{S^{(1)}}{100}$
	Molasses:	—

⁽¹⁾ 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

⁽²⁾ Amount of refund for 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 3703/84**of 28 December 1984****fixing the amount of the aid for peas, field beans and sweet lupins used in the feeding of animals**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1431/82 of 18 May 1982 laying down special measures
for peas and field beans ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1032/84 ⁽²⁾, and in particular Article 3
(6) thereof,

Whereas the amount of the aid referred to in Article 3
of Regulation (EEC) No 1431/82 was fixed by Regula-
tion (EEC) No 2749/84 ⁽³⁾, as last amended by Regula-
tion (EEC) No 3363/84 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2749/84
and in Article 105 of the Act of Accession of Greece
to the information at present available to the Commis-
sion that the amount of the subsidy at present in force
should be altered as shown in Article 1 of this Regula-
tion,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid referred to in Article 3 (1) of
Regulation (EEC) No 1431/82 is fixed at:

- 12,968 ECU per 100 kilograms for peas and field
beans processed in Member States other than
Greece,
- 12,766 ECU per 100 kilograms for peas and field
beans processed in Greece,
- 15,239 ECU per 100 kilograms for sweet lupins.

Article 2

This Regulation shall enter into force on 1 January
1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 39.

⁽³⁾ OJ No L 260, 29. 9. 1984, p. 36.

⁽⁴⁾ OJ No L 313, 1. 12. 1984, p. 33.

COMMISSION REGULATION (EEC) No 3704/84**of 28 December 1984****fixing the rate of the additional aid for dried fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1220/83⁽²⁾, and in particular Article 5 (3) thereof,

Whereas the amount of the additional aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 was fixed by Regulation (EEC) No 2232/84⁽³⁾, as last amended by Regulation (EEC) No 3364/84⁽⁴⁾;

Whereas, in the absence of the guide price for the 1985/86 marketing year for dried fodder and in the case of advance fixing for April to August 1985, the amount of subsidy on this product has been obtainable only on the basis of the guide price for April to August 1984; whereas, therefore, this amount may be applied on a temporary basis and should be confirmed or replaced when the guide price for the 1985/86 marketing year is known;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2232/84

and Article 104 of the Act of Accession of Greece to the information at present available to the Commission that the amount of the additional aid at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the additional aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

2. The amount of the subsidy and in the case of advance fixing for April to August 1985, will, however, as for dried fodder, be confirmed or replaced as from 1 January 1985 to take into account the guide price which is fixed for these products for the 1985/86 marketing year.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 132, 21. 5. 1983, p. 29.

⁽³⁾ OJ No L 205, 1. 8. 1984, p. 27.

⁽⁴⁾ OJ No L 313, 1. 12. 1984, p. 34.

ANNEX

to the Commission Regulation of 28 December 1984 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 January 1985 to dried fodder

	<i>(ECU / tonne)</i>	
	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.06 B	Fodder otherwise dried ex 12.10 B
Additional aid	45,601	22,801

Additional aid in case of advance fixing for the month of :

	<i>(ECU / tonne)</i>	
February 1985	45,452	22,726
March 1985	45,452	22,726
April 1985 ⁽¹⁾	40,065	20,033
May 1985 ⁽¹⁾	45,518	22,759
June 1985 ⁽¹⁾	45,518	22,759
July 1985 ⁽¹⁾	44,202	22,101
August 1985 ⁽¹⁾ ⁽²⁾	44,202	22,101
September 1985 ⁽³⁾	0	0
October 1985 ⁽³⁾	0	0

⁽¹⁾ Subject to the fixing for the 1985/86 marketing year of the guide price for dried fodder and of the percentages mentioned in Article 5 of Regulation (EEC) No 1117/78.

⁽²⁾ Subject to the fixing of the threshold price for barley for the 1985/86 marketing year.

⁽³⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 3705/84
of 28 December 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 3429/84 ⁽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 Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 32,164 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 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 316, 6. 12. 1984, p. 48.

COMMISSION REGULATION (EEC) No 3706/84
of 28 December 1984
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1614/79 of 24 July 1979 laying down special measures
in respect of soya beans ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1037/84 ⁽²⁾, and in particular Article
2 (5) thereof,

Whereas the amount of the aid referred to in Article
2 (1) of Regulation (EEC) No 1614/79 was fixed by
Regulation (EEC) No 2892/84 ⁽³⁾, as last amended by
Regulation (EEC) No 3515/84 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2892/84

to the information at present available to the Commis-
sion that the amount of the aid at present in force
should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC)
No 1614/79 is hereby fixed at 25,463 ECU per 100
kilograms.

Article 2

This Regulation shall enter into force on 1 January
1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 46.

⁽³⁾ OJ No L 273, 16. 10. 1984, p. 16.

⁽⁴⁾ OJ No L 328, 15. 12. 1984, p. 7.

COMMISSION REGULATION (EEC) No 3707/84
of 28 December 1984
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2260/84⁽²⁾, and in particular Article 27 (4),

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 855/84⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 3589/84⁽⁷⁾, as amended by Regulation (EEC) No 3652/84⁽⁸⁾;

Whereas, for the period 19 to 25 December 1984, for certain currencies:

— for the current month, the difference referred to in Article 2. (1) of Regulation (EEC) No 1569/72

differs by more than one point from the percentage adopted for the previous fixing,

— for certain following months the difference referred to in Article 2 (2) of Regulation (EEC) No 1569/72 exceeds 0,5 %; whereas this difference in the case of certain forward differential amounts differs by more than one point from the percentage adopted for the previous fixing;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3589/84 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

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

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 1.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 332, 20. 12. 1984, p. 63.

⁽⁸⁾ OJ No L 335, 22. 12. 1984, p. 68.

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	15,329	15,287	15,407	16,194	10,849	10,849
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	38,91	38,84	39,19	41,27	28,92	29,70
— Netherlands (Fl)	43,84	43,77	44,12	46,45	32,53	33,32
— BLEU (Bfrs/Lfrs)	711,45	709,50	715,07	750,21	501,93	490,04
— France (FF)	97,10	96,68	96,87	101,36	63,15	63,16
— Denmark (Dkr)	128,99	128,64	129,65	136,27	91,29	90,45
— Ireland (£ Irl)	11,498	11,467	11,551	12,078	8,058	7,523
— United Kingdom (£)	8,765	8,727	8,793	9,286	5,868	5,868
— Italy (Lit)	21 951	21 887	21 790	22 663	14 929	13 997
— Greece (Dr)	1 228,17	1 221,78	1 230,79	1 303,27	794,70	794,70

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month
1. Gross aids (ECU)	18,909	20,024	20,639	21,803	21,803
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	51,09	53,68	55,18	58,04	58,04
— Netherlands (Fl)	57,57	60,48	62,13	65,34	65,34
— BLEU (Bfrs/Lfrs)	940,72	991,71	1 020,25	1 070,95	1 070,95
— France (FF)	129,63	137,29	140,90	147,80	147,80
— Denmark (Dkr)	170,56	179,81	184,98	194,46	194,46
— Ireland (£ Irl)	15,204	16,028	16,483	17,255	17,255
— United Kingdom (£)	11,699	12,389	12,769	13,489	13,489
— Italy (Lit)	28 842	30 413	30 981	32 316	32 316
— Greece (Dr)	1 648,20	1 749,90	1 805,58	1 912,73	1 912,73

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	1st month	2nd month	3rd month	4th month	5th month
DM	2,228 520	2,222 320	2,216 030	2,210 420	2,210 420	2,191 780
Fl	2,516 920	2,509 960	2,503 520	2,497 580	2,497 580	2,479 600
Bfrs/Lfrs	44,711 000	44,781 100	44,852 000	44,910 700	44,910 700	45,078 200
FF	6,829 780	6,841 180	6,851 540	6,861 420	6,861 420	6,903 590
Dkr	7,980 630	7,998 750	8,017 640	8,032 640	8,032 640	8,080 280
£ Irl	0,713 869	0,717 550	0,721 297	0,724 393	0,724 393	0,732 510
£	0,612 795	0,613 181	0,613 854	0,614 430	0,614 430	0,616 108
Lit	1 369,69	1 376,50	1 382,78	1 388,72	1 388,72	1 406,97
Dr	91,231 100	91,282 800	91,351 100	91,413 500	91,413 500	91,662 700

COMMISSION REGULATION (EEC) No 3708/84**of 28 December 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 3131/84⁽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 27 December 1984;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3131/84 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 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 293, 10. 11. 1984, p. 1.

⁽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 28 December 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	63,46
10.01 B II	Durum wheat	97,15 ⁽¹⁾ ⁽²⁾
10.02	Rye	61,81 ⁽⁶⁾
10.03	Barley	79,32
10.04	Oats	54,32
10.05 B	Maize, other than hybrid maize for sowing	69,29 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	75,61 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	103,25
11.01 B	Rye flour	100,95
11.02 A I a)	Durum wheat groats and meal	164,08
11.02 A I b)	Common wheat groats and meal	109,95

⁽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 3709/84**of 28 December 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
27 December 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 1 January
1985.

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

Done at Brussels, 28 December 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 28 December 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 1	1st period 2	2nd period 3	3rd period 4
10.01 B I	Common wheat, and meslin	0	1,01	1,01	0,41
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	27,02	27,02	33,77
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	1,42	1,40	0,56

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	1,80	1,80	0,73	0,73
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	1,34	1,34	0,55	0,55
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 3710/84
of 28 December 1984
fixing the import levies on milk and milk products

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 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 3495/84 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3495/84 to the
prices 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 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 January
1985.

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

Done at Brussels, 28 December 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 327, 14. 12. 1984, p. 29.

ANNEX

to the Commission Regulation of 28 December 1984 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	24,34
04.01 A I b)	0120	21,93
04.01 A II a) 1	0130	21,93
04.01 A II a) 2	0140	26,49
04.01 A II b) 1	0150	20,72
04.01 A II b) 2	0160	25,28
04.01 B I	0200	49,81
04.01 B II	0300	105,36
04.01 B III	0400	162,83
04.02 A I	0500	17,00
04.02 A II a) 1	0620	113,74
04.02 A II a) 2	0720	149,99
04.02 A II a) 3	0820	152,41
04.02 A II a) 4	0920	224,35
04.02 A II b) 1	1020	106,49
04.02 A II b) 2	1120	142,74
04.02 A II b) 3	1220	145,16
04.02 A II b) 4	1320	217,10
04.02 A III a) 1	1420	26,59
04.02 A III a) 2	1520	35,90
04.02 A III b) 1	1620	105,36
04.02 A III b) 2	1720	162,83
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,0649 (*)
04.02 B I b) 1 bb)	2320	per kg 1,4274 (*)
04.02 B I b) 1 cc)	2420	per kg 2,1710 (*)
04.02 B I b) 2 aa)	2520	per kg 1,0649 (*)
04.02 B I b) 2 bb)	2620	per kg 1,4274 (*)
04.02 B I b) 2 cc)	2720	per kg 2,1710 (*)
04.02 B II a)	2820	50,55
04.02 B II b) 1	2910	per kg 1,0536 (*)
04.02 B II b) 2	3010	per kg 1,6283 (*)
04.03 A	3110	191,56
04.03 B	3210	233,70
04.04 A	3300	203,60 (*)
04.04 B	3900	199,27 (*)
04.04 C	4000	157,69 (*)
04.04 D I a)	4410	162,17 (*)
04.04 D I b)	4510	163,43 (*)
04.04 D II	4610	260,15
04.04 E I a)	4710	199,27
04.04 E I b) 1	4800	177,39 (*)

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	175,62 ⁽¹¹⁾
04.04 E I c) 1	5210	131,72
04.04 E I c) 2	5250	272,34
04.04 E II a)	5310	199,27
04.04 E II b)	5410	272,34
17.02 A II	5500	40,31 ⁽¹²⁾
21.07 F I	5600	40,31
23.07 B I a) 3	5700	82,29
23.07 B I a) 4	5800	106,78
23.07 B I b) 3	5900	99,45
23.07 B I c) 3	6000	80,69
23.07 B II	6100	106,78

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 22,87 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 22,87 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to:
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria, for products listed under (s) of that Annex imported from Finland and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 3711/84
of 28 December 1984

altering 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 organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84 ⁽²⁾, and in particular the
fifth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat
or rye flour, groats and meal were fixed by Regulation
(EEC) No 3615/84 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3615/84 to the

information known to the Commission that the export
refunds at present in force should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(a), (b) and (c) of Regulation (EEC) No 2727/75,
exported in the natural state, as fixed in the Annex to
Regulation (EEC) No 3615/84, are hereby altered as
shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January
1985.

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

Done at Brussels, 28 December 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 333, 21. 12. 1984, p. 48.

ANNEX

to the Commission Regulation of 28 December 1984 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	3,50 0
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	28,00 35,00 — —
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
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	19,00 19,00 17,00 15,00 14,00 13,00

CCT heading No	Description	(ECU/tonne) Refund
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	19,00 19,00 19,00 19,00
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	113,00 107,00 96,00 90,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	19,00

⁽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 3712/84**of 28 December 1984****altering the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to 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⁾,

Whereas the corrective amount applicable to the
refund on cereals was fixed by Regulation (EEC) No
3617/84⁽⁴⁾;

Whereas, the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present
applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
Regulation (EEC) No 3617/84, which is applicable to
the export refunds fixed in advance in respect of
cereals, is hereby altered to the amounts set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 1 January
1985.

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

Done at Brussels, 28 December 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. 78.

⁽⁴⁾ OJ No L 333, 21. 12. 1984, p. 54.

ANNEX

to the Commission Regulation of 28 December 1984 altering the corrective amount
applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5	5th period 6	6th period 7
10.01 B I	Common wheat, and meslin : Other, for exports to :							
	— China	0	+ 6,00	+ 6,00	+ 5,00	+ 4,00	+ 4,00	+ 4,00
	— other third countries	0	0	0	— 1,00	— 2,00	—	—
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	0	0	0	0	0	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	0	0
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

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 3713/84

of 28 December 1984

fixing the rates of the refunds applicable from 1 January 1985 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

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 first sentence of the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1025/84⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 1028/83⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate

of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas a production refund is granted in respect of common wheat, maize and broken rice under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 1026/84⁽⁸⁾; whereas, for the purposes of applying the provisions of Article 4 (3) of Regulation (EEC) No 3035/80, the amount of the production refund applicable during the month of exportation should be taken into account;

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

⁽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, 18. 4. 1984, p. 13.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 116, 30. 4. 1983, p. 9.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 14.

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 1 January 1985 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76,

exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Karl-Heinz NARJES

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1984 fixing the rates of the refunds applicable from 1 January 1985 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	Rate of refund (ECU/100 kg)
10.01 B I	Common wheat, and meslin (mixed wheat and rye):	
	— For the manufacture of starch	1,019
	— Other than for the manufacture of starch	2,645
10.01 B II	Durum wheat	7,585
10.02	Rye	4,537
10.03	Barley	5,695
10.04	Oats	4,805
10.05 B	Maize, other than hybrid maize for sowing:	
	— For the manufacture of starch	4,629
	— Other than for the manufacture of starch	6,522
10.06 B I b) 1	Round grain husked rice	25,717
10.06 B I b) 2	Long grain husked rice	26,689
10.06 B II b) 1	Round grain wholly milled rice	33,183
10.06 B II b) 2	Long grain wholly milled rice	38,680
10.06 B III	Broken rice:	
	— For the manufacture of starch	2,666
	— Other than for the manufacture of starch	5,057
10.07 C	Sorghum	7,333
11.01 A	Wheat or meslin flour	2,831
11.01 B	Rye flour	9,788
11.02 A I a)	Durum wheat groats and meal	11,757
11.02 A I b)	Common wheat groats and meal	2,831

COMMISSION REGULATION (EEC) No 3714/84**of 21 December 1984****laying down detailed rules for the granting of aid for the use of partly-skimmed milk and partly-skimmed milk powder in feedingstuffs**

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 Articles 10 (3) and 28 thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1004/84⁽⁴⁾, and in particular Article 4 (3) thereof,

Whereas it is specified at (e) and (f) of Article 2 (1) of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽⁵⁾, as last amended by Regulation (EEC) No 2128/84⁽⁶⁾, that aid shall be granted for skimmed-milk powder with a fat content to be determined between 9 % and 11 %, not containing buttermilk, produced in a dairy directly from liquid milk and either denatured with a view to its use in the manufacture of compound feedingstuffs or used directly in the manufacture of such feedingstuffs;

Whereas, as regards rules on the use of the animal feedingstuffs of which this partly-skimmed milk powder is to form a part and on the denaturing methods to be used to ensure that it is used for the manufacture of these feedingstuffs, reference should be made to the provisions already adopted in these matters in Commission Regulation (EEC) No 1725/79 of 26 July 1979 on the rules for granting aid to skimmed milk processed into compound feedingstuffs

and skimmed-milk powder intended for feed for calves⁽⁷⁾, as last amended by Regulation (EEC) No 797/84⁽⁸⁾;

Whereas, under Article 2 (2) of Regulation (EEC) No 986/68, it is possible to grant a corresponding aid for liquid milk used in the manufacture of a compound feedingstuff, where such milk contains between 0,8 % and 1 % fat and contains no buttermilk;

Whereas the fat content of partly-skimmed milk powder should be fixed at 10 % minimum; whereas, in view of this level, the partly-skimmed liquid milk used in manufacturing feedingstuffs must have a fat content of at least 0,9 % if aid is to be granted;

Whereas it is impossible to monitor the production of the partly-skimmed milk powder effectively unless the undertakings that receive the aid offer adequate guarantees; whereas the existence of such guarantees should be recognized by approval of the undertaking by the competent agency of the Member State concerned; whereas provision should be made for surveillance to be exercised from the commencement of production of the partly-skimmed milk powder until completion of production of the feedingstuff; whereas provision should therefore be made for application of the provisions of Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽⁹⁾, as last amended by Regulation (EEC) No 2955/84⁽¹⁰⁾; whereas, however, the minimum control procedures that must be observed should be specified; whereas it is necessary for the same purpose to stipulate that the product must be put up in packages that will permit its identification; whereas, finally, time limits for production of the partly-skimmed milk powder and of the final product are a necessary safeguard and will contribute to effective surveillance;

Whereas, in order to guarantee that partly-skimmed milk powder will be properly used, it is necessary to make payment of the aid conditional on presentation of evidence that it will indeed be used for the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 101, 13. 4. 1984, p. 2.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁶⁾ OJ No L 196, 26. 7. 1984, p. 6.

⁽⁷⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁸⁾ OJ No L 86, 29. 3. 1984, p. 22.

⁽⁹⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽¹⁰⁾ OJ No L 279, 23. 10. 1984, p. 1.

production of feedingstuffs ; whereas evidence of sale to a feedingstuffs producer combined with the lodging of security by the latter will be a sufficient guarantee ;

Whereas, so as to determine the most appropriate level of aid, given the fluctuations in the prices of competing fats, and to take proper account of availability of on the Community market the tendering procedure provided for in Article 2a (2) of Regulation (EEC) No 986/68 should be used ; whereas, so as to maintain fair competition between the different methods of production, it should be specified that producers who use partly-skimmed liquid milk for the production of feedingstuffs should take part in the tendering procedure so that the most appropriate aid level for the fat content of skimmed milk can be determined ;

Whereas, however, in order to enable the industry to take in supplies in certain special situations these should, in respect of the tendering procedure, be a fixed aid amount ; whereas this must be determined in such a way that priority is guaranteed to the tendering procedure ;

Whereas it should be stipulated that producers of compound feedingstuffs who use partly-skimmed milk powder will also qualify for the aid provided for in Regulation (EEC) No 1725/79 ; whereas it should also be made clear that, where the authorization provided for in the second subparagraph of Article 3 (1) of Regulation (EEC) No 986/68 is used, the aid provided for in Regulation (EEC) No 1725/79 will be granted provided that the provisions of Commission Regulation (EEC) No 1624/76 ⁽¹⁾, as last amended by Regulation (EEC) No 1102/83 ⁽²⁾, have been observed ;

Whereas, since it is in the operator's interests to know, at the time of submitting his tender with the proposed level of aid, the amount which he will receive, the amount of the aid provided for in this Regulation should be converted into national currency at the representative rate applicable on the closing date for the submission of tenders in response to the individual invitation to tender concerned ; whereas, so as to maintain equality of treatment between operators this rate must also be used for conversion of the aid that is fixed additionally to that resulting from the tendering procedure but is based on the maximum amount set in the invitation to tender ;

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

HAS ADOPTED THIS REGULATION :

TITLE I

Aid for partly-skimmed milk powder

Article 1

Aid shall be granted as provided in this Regulation for the fat content of skimmed-milk powder covered by Article 2 (1) (e) and (f) of Regulation (EEC) No 986/68, hereinafter referred to as partly-skimmed milk powder, used in the manufacture of compound feedingstuffs as referred to in Article 4 (1) of Regulation (EEC) No 1725/79 or denatured by the methods laid down in Article 2 (1) of that Regulation.

The aid shall be granted for milk powder containing at least 10 % milk fat and satisfying the requirements of Section I A of Annex I.

Article 2

1. Partly-skimmed milk powder shall be produced at establishments approved by the competent body appointed by the Member State in whose territory production takes place.

2. During the manufacture of partly-skimmed milk powder, the products referred to in Annex II shall be incorporated in the manner prescribed therein.

3. The manufactured product shall be supplied in tanks or containers or in packages of a maximum net weight of 50 kilograms bearing the following information in characters at least one centimetre high :

- the words 'For use as animal feed (Regulation (EEC) No 3714/84)',
- the date of manufacture,
- the batch number,
- the address of the manufacturing establishment or the serial number allotted to it after the approval referred to in paragraph 1 has been obtained. The serial number shall be followed by one or more letters identifying the Member State in which the product has been manufactured.

Where the product is delivered in tankers or containers the tankers or container shall bear the above information in characters at least five centimetres high.

Member States may make detailed rules on the marking of packages and may specify additional information that may be shown on the label.

⁽¹⁾ OJ No L 180, 6. 7. 1976, p. 9.

⁽²⁾ OJ No L 119, 6. 5. 1983, p. 13.

4. 'Batch' shall mean the quantity of milk powder covered by an offer in response to a given individual invitation to tender or by an application for the fixed aid that is of homogeneous quality and was produced by continuous process at a single manufacturing plant.

Article 3

The approval referred to in Article 2 (1) shall be given only to establishments:

- (a) that have at their disposal plant suitable for the manufacture of partly-skimmed milk powder;
- (b) that agree to submit to specific monitoring of their partly-skimmed milk powder manufacturing operation;
- (c) that undertake to keep the continuous records specified by the responsible intervention agency in the relevant Member State, entering the following particulars in respect of each batch manufactured:
 - the quantity and composition of the milk processed,
 - the quantity of partly-skimmed milk powder produced,
 - the batch number,
 - the date or dates of manufacture,
 - the type or types of packaging,
 - the name and address of the undertaking processing the partly-skimmed milk powder into feedingstuffs in accordance with Regulation (EEC) No 1725/79.

Approval shall be withdrawn if a serious infringement of this Article is discovered.

Article 4

The amount of the aid referred to in Article 1 shall, without prejudice to the provisions of Title IV, be fixed by means of a standing invitation to tender in accordance with the provisions of Title III.

Article 5

The partly-skimmed milk powder shall be produced within three months of, as appropriate

- the closing date for the submission of offers in response to each individual invitation to tender, or
- the date of receipt of the aid application referred to in Article 22.

Article 6

1. From commencement of manufacture of the partly-skimmed milk powder until completion of its processing into feedingstuffs in accordance with Regulation (EEC) No 1725/79, the partly-skimmed milk shall be placed under customs control or under a form

of administrative control offering equivalent guarantees.

The control referred to in the first subparagraph shall be governed by Article 2 (2) and (3), Article 6 (2) and (3) and Articles 7, 8, 10, 11 and 14 of Regulation (EEC) No 1687/76. The special entries to be made in boxes 104 and 106 of the control copy shall be those set out in Annex IV.

2. The control methods, to be laid down by the responsible body, shall include the following, as a minimum:

- frequent and random on-the-spot inspections at the manufacturing plant, covering in particular the characteristics of the milk being processed and the non-inclusion of buttermilk and whey in accordance with the rules set out in Annex I, and the making requirements laid down in Annex II,
- supplementary checks carried out at least once every 12 months on the undertaking's commercial documents and stock records, based especially on the data contained in the records referred to in Article 3 (c).

3. When use is made of the authorization provided for in the second subparagraph of Article 3 (1) of Regulation (EEC) No 986/68 the provisions of Regulation (EEC) No 1624/76 shall apply.

Article 7

The recipient undertaking shall communicate its manufacturing programme to the responsible body not later than four working days before manufacture begins, specifying the manufacturing date or dates proposed, the place of manufacture, and the quantities of partly-skimmed milk powder which are to be produced.

Article 8

1. Processing into feedingstuffs shall be carried out within six months of, as appropriate:

- the closing date for the submission of tenders, or
- the date of receipt of the aid application referred to in Article 22.

2. The partly-skimmed milk powder may not be incorporated in a mixture as referred to in Article 1 (3) of Regulation (EEC) No 1725/79 before being used in the manufacture of a compound feedingstuff.

Article 9

1. The aid specified in Article 1 shall be paid in respect of the quantity of partly-skimmed milk powder actually produced. This may not be more than 102 % of the quantity for which the offer was submitted. The following conditions shall apply.

1. The partly-skimmed milk powder shall conform to the terms of this Regulation; this shall be shown by production of an inspection report as defined in Annex III.
2. Persons concerned shall submit a copy of the sales contract under which they have supplied the partly-skimmed milk powder to a feedingstuffs manufacturer, or a document certifying the sale and the use to which the milk powder is to be put.
3. Persons concerned shall produce evidence that the feedingstuffs manufacturer has lodged a processing security equivalent to 110 % of the aid with the body designated for this purpose by the Member State in which the partly-skimmed milk powder is to be processed. Where the partly-skimmed milk powder is processed into feedingstuffs in a Member State other than that in which it was manufactured, evidence that the security has been lodged shall be furnished in accordance with Article 13 (3) of Regulation (EEC) No 1687/76.

2. Where the recipient undertaking processes the partly-skimmed milk powder into feedingstuffs itself, the application for payment shall be accompanied by an inspection report as referred to in paragraph 1 (1) and by evidence that a security equal to 110 % of the amount of aid has been lodged.

3. A recipient submitting an application for payment under paragraph 1 in conjunction with an application under Article 9 of Regulation (EEC) No 1725/79 shall not be required to lodge the processing security. In such cases aid shall be paid only if the recipient also complies with the conditions of Regulation (EEC) No 1725/79.

4. If the inspection report shows that the partly-skimmed milk powder contains less than 10 % but at least 9,5 % milk fat, the amount of the aid shall be reduced by 10 %.

5. Should the period for manufacture specified in Article 5 be exceeded, the aid payment shall be reduced by 0,5 ECU per 100 kilograms for each extra day, up to a maximum of 30 days, except in cases of *force majeure*. No payment shall be made where the period is exceeded by more than 30 days.

6. Applications for payment of the aid shall be submitted within 45 days of the last day of the period of manufacture of the quantities specified in the offer. If the application is submitted after the stipulated deadline, the amount of the aid shall, except in cases of *force majeure*, be reduced by 0,2 ECU per 100 kilo-

grams for each extra day. The aid shall be paid within 60 days from the date of receipt of the application.

TITLE II

Aid for partly-skimmed liquid milk

Article 10

1. Aid shall be granted as provided for in this Title for the fat content of skimmed milk as referred to in Article 2 (2) of Regulation (EEC) No 986/68, hereinafter referred to as partly-skimmed milk, that is used directly in the manufacture of compound feedingstuffs as referred to in Article 4 (1) of Regulation (EEC) No 1725/79.

2. The aid shall be granted for milk that contains at least 0,9 % milk fat and meets the requirements of Section II A of Annex I.

3. For the purposes of this Regulation, 100 kilograms of partly-skimmed liquid milk shall be considered to be equivalent to 9 kilograms of partly-skimmed milk powder.

4. Where an inspection report establishes that the milk contains less than 0,9 % but not less than 0,8 % milk fat, the aid paid shall be reduced by 20 %.

Article 11

1. The provisions of Articles 2 (1), 3, 7, 8 and 9 shall apply, with the exception of points 2 and 3 of paragraph 1 and of paragraph 2 of Article 9. The aid shall be paid in accordance with Article 9 (3), (5) and (6).

2. Continuous on-the-spot inspection shall be carried out throughout the period of manufacture in accordance with Section II of Annex I. The inspection costs shall be borne by the undertaking concerned.

3. References in Title III to partly-skimmed milk powder shall also apply to partly-skimmed liquid milk, account being taken of the provisions of Article 10 (3).

TITLE III

Standing invitation to tender

Article 12

1. Intervention agencies shall draw up notices of invitation to tender specifying

(a) the rules and the address for the submission of offers;

(b) the rules governing the lodging of securities.

2. Notices of invitation to tender shall be published in the *Official Journal of the European Communities* at least eight days before the expiry of the first deadline for the submission of tenders. Intervention agencies may also publish such notices elsewhere.

Article 13

1. During the period in which the standing invitation to tender remains open, intervention agencies shall conduct individual tenders.

2. The deadline for the submission of tenders under the first individual tendering procedure shall be 12 noon local time on 12 February 1985.

3. The deadline for the submission of offers under subsequent individual tendering procedures shall be 12 noon, local time on each second Tuesday of the month. Where the relevant Tuesday falls on a public holiday, the deadline shall be extended to 12 noon local time on the first working day thereafter.

Article 14

1. Without prejudice to the provisions of Title IV, in order to obtain the aid specified in Article 1 interested parties shall participate in an individual tendering procedure either by lodging a written offer with the competent intervention agency against a receipt or by submitting it by registered letter addressed to the intervention agency. Intervention agencies may authorize the submission of offers by telex. Persons submitting offers may be represented by another party acting on their behalf.

2. Offers shall be submitted to the intervention agency in the Member State where the manufacturing operations are to be carried out.

3. Offers shall indicate :

- (a) the name and address of the undertaking participating in the tendering procedure and, where appropriate, those of its representative, and the address of the plant where the manufacturing operations are to be carried out ;
- (b) the quantities of partly-skimmed milk and milk powder for which aid is requested that the interested party undertakes to produce if successful ;
- (c) the level of aid proposed per 100 kilograms of partly-skimmed milk powder, in the currency of the Member State in which the offer is submitted ;
- (d) if appropriate, that aid is being applied for under the provisions of Title II.

4. Offers shall not be valid unless :

- (a) they relate to a quantity of not less than 20 tonnes of partly-skimmed milk powder ;
- (b) evidence is provided that the participant has lodged the tendering security for the individual

tendering procedure concerned before the time limit for the submission of offers.

Offers may not be withdrawn after the time limit set for their submission under the individual tendering procedure concerned has expired.

Article 15

1. The tendering security shall be 2 ECU per 100 kilograms of partly-skimmed milk powder.

2. Tendering securities shall be lodged at the choice of the interested party either in cash or in the form of a guarantee provided by an establishment satisfying the criteria set by the Member State with which the security is being lodged.

3. Tendering securities shall be lodged in the Member State in which the tender is submitted.

Article 16

A maximum aid amount shall be fixed in the light of the offers received in response to each individual invitation to tender, in accordance with the procedure provided for in Article 30 of Regulation (EEC) No 804/68. A decision to make no award may be taken.

Article 17

The conversion rate to be used in expressing :

- the maximum level of aid in national currency,
- the amount of aid to be paid

shall be the representative rate valid on the closing date for the submission of offers.

Article 18

1. Awards shall be made to participants proposing a level of aid equal to or lower than the maximum level fixed.

2. Rights and obligations arising from a tender award shall not be transferable.

Article 19

1. Each participant shall be informed immediately by the competent intervention agency, by letter or by telex, of the outcome of his participation in the tendering procedure.

2. When a participant is declared successful, the reply to him shall include :

- (a) a recapitulation of the terms of the individual tendering procedure concerned ;
- (b) the particulars referred to in Article 14 (3) (b) and (c) ;
- (c) the final date for the manufacture of the quantity of partly-skimmed milk powder indicated in the offer.

Article 20

1. Except in cases of *force majeure*, tendering securities shall be forfeit in respect of quantities for which a participant :

- (a) withdraws his offer after the time limit for the submission of offers ;
- (b) has not within the specified time limit furnished, in accordance with Article 9 (1), a copy of the sales contract and evidence of the lodging of a processing security.

2. Tendering securities shall be released immediately

- (a) where the offer has not been accepted ;
- (b) when the successful participant provides evidence that 98 % of the quantity indicated in the offer has been produced.

TITLE IV

Fixed aid

Article 21

Fixed aid shall be granted on the terms set out in this Title for partly-skimmed milk powder as referred to in Article 1 and partly-skimmed milk as referred to in Article 10.

Article 22

1. Aid applications shall be submitted :

- to the intervention agency of the Member State where manufacture is to take place,
- during the period beginning on the fourth Tuesday of each month and ending on the Tuesday of the following week.

2. Applications shall indicate :

- the name and address of the undertaking making the application and the address of the plant where manufacture is to take place,
- the quantity of partly-skimmed milk and milk powder in respect of which aid is applied for and which the applicant undertakes to produce.

3. Applications shall be valid only if :

- they relate to a quantity of not less than 20 tonnes of partly-skimmed milk powder but not more than 100 tonnes per undertaking applying,
- they are accompanied by evidence that the applicant has lodged a security on the terms set out in Article 15. This security shall be considered equivalent to a tendering security.

4. The intervention agency concerned shall issue an acknowledgement of receipt of the application as soon as possible, indicating :

- the amount of aid granted,
- the details listed in paragraph 2,
- the date of receipt of the application.

Article 23

1. The amount of the aid shall be the same as the maximum of aid amount as referred to in Article 16 fixed under the individual tendering procedure immediately preceding the period referred to in Article 22 (1), less 1,5 ECU per 100 kilograms.

2. The conversion rate to be used to express the amount of aid to be paid in national currency shall be the representative rate valid on the closing date for offers under the individual tendering procedure referred to in paragraph 1.

3. The provisions of Titles I and II and of Article 20 shall apply to aid granted in accordance with this Title.

TITLE V

General provisions

Article 24

The processing security referred to in Article 9 (1) and (2) shall be released in respect of quantities for which evidence has been furnished that the partly-skimmed milk powder has been used as specified in the first paragraph of Article 1 of this Regulation within the period laid down in Article 8 (1).

Except in cases of *force majeure*, where the period for manufacture is exceeded the security shall be forfeit to an amount of 0,5 ECU per 100 kilograms per day, up to a maximum of 30 days.

Except in cases of *force majeure*, the security shall be forfeit in its entirety if the said period is exceeded by more than 30 days.

Article 25

When partly-skimmed milk powder as referred to in Article 1 is shipped to another Member State the monetary compensatory amounts fixed pursuant to Council Regulation (EEC) No 974/71⁽¹⁾ shall be multiplied by the coefficient given in the appropriate note in Part 5 of Annex I to the Commission Regulation fixing the monetary compensatory amounts.

The Commission may alter the said coefficient as necessary.

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

Article 26

The Member States shall inform the Commission, by the 10th of each month at the latest, of the quantities of partly-skimmed milk and milk powder for which, during the preceding month,

— aid has been granted by tendering procedure as specified in Title III,

— fixed aid has been granted in accordance with Title IV,

— aid has been paid.

Article 27

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, 21 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

QUALITY REQUIREMENTS AND CONTROL METHODS

I. PARTLY-SKIMMED MILK POWDER

A. Composition

- | | |
|---|--|
| 1. Fat content : | at least 10,0 % m/m |
| 2. Water content (on the non-fat-solids) : | not more than 5,0 % m/m ⁽¹⁾ |
| 3. Titratable acidity (on the non-fat-dry-solids) : | |
| — in ml of decinormal NaOH solution : | not more than 3,6 |
| — in lactic acid : | not more than 0,18 % m/m |
| 4. Lactates content (on the non-fat-dry-solids) : | not more than 300 mg/100 g |
| 5. Detection of extraneous substances other than neutralizing agents and products referred to in Annex II : | Negative |
| 6. Detection of buttermilk : | Negative |
| 7. Detection of whey : | Negative |

B. Control

1. *Method of laboratory analysis*

Without prejudice to the provisions on the harmonization of analytical methods, the following reference methods must be used for the purposes of applying this Regulation :

- | | |
|--|-------------------------|
| (a) Quantitative determination of fat content : | IDF standard 9 B : 1984 |
| (b) Quantitative determination of water content : | IDF standard 26 : 1964 |
| (c) Quantitative determination of titratable acidity : | ISO standard 6091-1980 |
| (d) Quantitative determination of lactates : | IDF standard 69A : 1984 |

As far as the samples procedure is concerned, the provisions adopted pursuant to Council Directive 70/373/EEC of 20 July 1970 on the introduction of Community methods of sampling and analysis for the official control of feedingstuffs shall apply (OJ No L 170, 3. 8. 1970, p. 2).

2. *Detection of buttermilk*

- (a) The absence of buttermilk shall be ensured by an on-the-spot inspection, without prior notice, carried out at least twice a week during the period of manufacture referred to in Article 6 ; such inspection shall include checks on the following :
 - the origin, and the composition of the milk and cream used as raw materials and of the partly-skimmed milk powder which has been obtained,
 - incoming and outgoing quantities of raw materials or any other product which may be used in the manufacture of partly-skimmed milk powder,
 - the keeping of the stock accounts,
 - any other aspect of manufacturing.
- (b) The laboratory analysis methods for the detection of buttermilk shall include the following :
 - the quantitative determination of phospholipids (Walstra P., de Graaf J. J., 1962, Neth. Milk and Dairy Journal, 16 : 283), and/or
 - any other laboratory test laid down by the Member States.
- (c) The minimum and maximum values recorded and the average value determined each month in accordance with footnote ⁽¹⁾ in Annex I to Commission Regulation (EEC) No 625/78 may be used to establish the absence of buttermilk.

⁽¹⁾ If the water content exceeds 5,0 %, (the aid referred to in Article 1 shall be reduced by 1 % for each additional 0,2 % of water content.

3. *Detection of whey*

The laboratory control shall include :

(a) in the case of rennet whey :

the quantitative determination of the free sialic acid in accordance with the procedure outlined in points 1 to 7 of Annex IV to Regulation (EEC) No 625/78. If the results thus obtained are greater than :

- 60 ppm of non-fat solids in the case of spray-dried partly-skimmed milk powder, the tests specified in point 8 of the same Annex must be carried out,
- 80 ppm of non-fat solids in the case of roller-dried partly-skimmed milk powder, the total protein content must be determined in accordance with point 8 of the abovementioned Annex and the following formula shall be applied to establish the percentage m/m of rennet whey :

$$S = \frac{[40 + (x - 31)^2]}{10}$$

where S = free sialic acid content in ppm and x = total protein in % m/m ;

(b) in the case of acid whey :

the laboratory tests laid down by the Member States.

II. PARTLY-SKIMMED LIQUID MILK

A. Composition

- | | |
|--|---------------------------|
| 1. Fat content : | at least 0,90 % m/m |
| 2. Titratable acidity in lactic acid : | not more than 0,20 % m/m |
| 3. Lactates content : | not more than 30 mg/100 g |
| 4. Detection of extraneous substances other than neutralizing agents | Negative |
| 5. Detection of buttermilk : | Negative |
| 6. Detection of whey : | Negative |

B. Control

1. *Methods of laboratory analysis*

Without prejudice to the provisions on the harmonization of analytical methods, the following reference methods must be used for the purposes of applying this Regulation :

- | | |
|--|-------------------------|
| (a) Quantitative determination of fat content : | IDF standard 1B : 1983 |
| (b) Quantitative determination of non-fat dry matter : | IDF standard 21A : 1982 |
| (c) Quantitative determination of titratable acidity : | ISO standard 6091-1980 |
| (d) Quantitative determination of lactates : | ISO standard 3495-1975 |

2. *Continuous on-the-spot inspection*

on-the-spot inspection shall continue throughout the period of manufacture and shall cover the following in particular :

- the quantitative determination of the fat and non-fat solids of the partly-skimmed milk before and during manufacture with a view to establishing the balance of the not-fat milk solids and milk fat during the processing of the partly-skimmed milk into compound feedingstuffs for animals,

- the measures necessary to ensure the absence of buttermilk and whey in the partly-skimmed milk during the manufacture of compound feedingstuffs for animals,
- the keeping of the registers containing the results of the checks on composition and, in particular, the results of the laboratory analysis relating to the determination of fats and non-fat solids and the detection of buttermilk and whey,
- the quantities of partly-skimmed liquid milk used in the manufacture of compound feedingstuffs,
- the keeping of the stock accounts,
- any other measure designed to ensure compliance with the provisions of this Regulation.

3. *Detection of buttermilk and whey*

The laboratory methods mentioned in subsections B. 2 and B. 3 of paragraph I of this Annex must be used; the results of these tests shall be supplemented by the results of the other checks.

ANNEX II**Tracing of partly-skimmed-milk powder**

1. To each 1 000 kilograms of partly-skimmed milk powder meeting the requirements laid down in Annex I to this Regulation must be added, at the time of manufacture, not less than :
 - (a) 15 g of Canthaxanthin (E 161 g). However, this product shall be substituted, until 31 March 1985, by 10 g of Azorubin (E 122);
 - (b) 1 000 g of titanium dioxide (E 171), or 4 g of lithium as a salt, e.g. carbonate.

The quantities specified in (a) and (b) above relate to pure compounds, which may however be used in another form, either after the addition of diluting substances or following another treatment, provided that one or more substances are incorporated so that they can disperse in water.

2. The composition of the products mentioned in 1 (a) and (b) above must satisfy the requirements laid down on the quality of products to be used in human consumption.

To ensure homogeneous distribution throughout the partly-skimmed milk powder, the Canthaxanthin shall be dispersed, and lithium salts dissolved, in liquid milk and even in condensed form. The titanium dioxide and Azorubin shall be incorporated either in the liquid milk before or during the manufacture of the powder or directly into the partly-skimmed milk powder during the last stage of manufacture.

3. It is prohibited to submit partly-skimmed milk powder, either in powder form or after dissolution in water, to any chemical or physical treatment with a view to weakening or neutralizing the effects of the tracing. Only antioxidants may be added to the milk before or during the manufacturing process with a view to ensuring that the partly-skimmed milk powder will keep longer.
4. The titanium dioxide and the Azorubin must contain at least 70 % m/m of particles of 300 microns or less. These must be evenly distributed, such that two 50-g samples taken at random from a 25-kilogram batch have the same chemical composition within the margins of error allowed by the analytic method used.
5. The quantities and the quality of the products to be incorporated in the partly-skimmed milk powder are set without prejudice to the provisions relating to the maximum quantities of additives which may be contained in animal feed, as laid down pursuant to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs.

*ANNEX III***INSPECTION REPORT****Partly-skimmed milk powder (Article 9 of Commission Regulation (EEC) No 3714/84)**

- A. On the basis of the results of laboratory analysis and the controls defined in Annex I to Commission Regulation (EEC) No 3714/84 of 21 December 1984, the partly-skimmed milk powder (marking of bags or containers) / the partly-skimmed milk :
- (complies) :
 - (does not comply) :
- with the provisions of Commission Regulation (EEC) No 3714/84 particularly as regards :
1. the milk-fat content
 2. the water content
 3. the absence of buttermilk
 4. the absence of whey.
- B. The partly-skimmed milk powder mentioned in A above has been traced by the addition of the tracers specified in Annex II to Commission Regulation (EEC) No 3714/84, in the quantities and in the manner laid down in the said Annex.
- C. The period of manufacture referred to in Article 5 of Regulation (EEC) No 3714/84 :
- (has been respected)
 - (has been exceeded by ... days).

Place and date :

Signature of person responsible

ANNEX IV

Special entries in boxes 104 and 106 on the control copy

- Box 104: 'Skummetmælkspulver til foderbrug i henhold til forordning (EØF) nr. 1725/79 (forordning (EØF) nr. 3714/84)',
'Teilenträhmtes Milchpulver zur Verfütterung nach Verordnung (EWG) Nr. 1725/79 (Verordnung (EWG) Nr. 3714/84)',
'Μερικώς αποκορυφωμένο γάλα σε σκόνη προοριζόμενο να χρησιμοποιηθεί σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1725/79 [κανονισμός (ΕΟΚ) αριθ. 3714/84]',
'Partly-skimmed milk powder for use in accordance with Regulation (EEC) No 1725/79 [Regulation (EEC) No 3714/84]',
'Lait en poudre partiellement écrémé destiné à être utilisé selon le règlement (CEE) n° 1725/79 [règlement (CEE) n° 3714/84]',
'Latte in polvere parzialmente scremato secondo il regolamento (CEE) n. 1725/79 (regolamento (CEE) n. 3714/84)',
'Poeder van gedeeltelijk ontroomde melk bestemd voor gebruik overeenkomstig Verordening (EEG) nr. 1725/79 (Verordening (EEG) nr. 3714/84)'.
- Box 106: The closing date for the submission of tenders under the relevant individual tendering procedure in accordance with Article 13 of Regulation (EEC) No 3714/84.
-

COMMISSION REGULATION (EEC) No 3715/84**of 28 December 1984****correcting Regulation (EEC) No 900/84 fixing the monetary compensatory amounts**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽¹⁾, as last amended by Regulation (EEC) No 1004/84 ⁽²⁾, and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 900/84 of 31 March 1984 ⁽³⁾, as last amended by Regulation (EEC) No 3622/84 ⁽⁴⁾; whereas a check has revealed errors in part 3 of Annex I to that Regulation; whereas it is necessary, therefore, to correct the Regulation in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

The columns headed 'Deutschland' and 'Nederland' in part 3 of Annex I to Regulation (EEC) No 900/84 are hereby replaced by those given in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 101, 13. 4. 1984, p. 2.

⁽³⁾ OJ No L 92, 2. 4. 1984, p. 2.

⁽⁴⁾ OJ No L 336, 22. 12. 1984, p. 1.

ANNEXE — ANNEX — ANHANG — ALLEGATO — BIJLAGE — BILAG — ΠΑΡΑΡΤΗΜΑ

PARTIE 3 — PART 3 — TEIL 3 — PARTE 3ª — DEEL 3 — DEL 3 — ΜΕΡΟΣ 3

SECTEUR DE LA VIANDE BOVINE — BEEF AND VEAL — SEKTOR RINDFLEISCH
SETTORE CARNI BOVINE — SECTOR RUNDVLEES — OKSEKØD — ΤΟΜΕΑΣ ΤΟΥ ΒΟΕΙΟΥ ΚΡΕΑΤΟΣ

Montants compensatoires monétaires — Monetary compensatory amounts — Währungsausgleichsbeträge
 Importi compensativi monetari — Monetaire compenserende bedragen — Monetære udligningsbeløb —
 Νομισματικά εξισωτικά ποσά

Numéro du tarif douanier commun CCT heading No Nr. des Gemeinsamen Zolltarifs Numero della tariffa doganale comune Nr. van het gemeenschappelijk douanetarief Position i den fælles toldtarif Κλάση του Κοινού Δασμολογίου	Montants à percevoir à l'importation et à octroyer à l'exportation Amounts to be charged on imports and granted on exports Beträge, die bei der Einfuhr erhoben und bei der Ausfuhr gewährt werden Importi da riscuotere all'importazione e da concedere all'esportazione Bij de invoer te heffen en bij de uitvoer te verstrekken bedragen Beløb, der skal opkræves ved indførsel og ydes ved udførsel Ποσό εισπραττόμενο κατά την εισαγωγή και χορηγούμενο κατά την εξαγωγή				Montants à octroyer à l'importation et à percevoir à l'exportation Amounts to be granted on imports and charged on exports Beträge, die bei der Einfuhr gewährt und bei der Ausfuhr erhoben werden Importi da concedere all'importazione e da riscuotere all'esportazione Bij de invoer te verstrekken en bij de uitvoer te heffen bedragen Beløb, der skal ydes ved indførsel og opkræves ved udførsel Ποσό χορηγούμενο κατά την εισαγωγή και εισπραττόμενο κατά την εξαγωγή				
	Deutschland DM/100 kg	Nederland Fl/100 kg	Danmark dkr./100 kg	United Kingdom £/100 kg	Belgique/ Luxembourg FB/Flux/100 kg	Ireland £Irl/100 kg	Italia Lit/100 kg	France FF/100 kg	Ελλάδα Δρχ/100 χγρ

— Poids vif / Live weight / Lebendgewicht / Peso vivo / Levend gewicht / Levende vægt / Ζων βάρος —

01.02 A II (¹) 6,73 7,59

— Poids net / Net weight / Reingewicht / Peso netto / Nettogewicht / Nettovægt / Καθαρό βάρος —

02.01 A II a) 1	12,79	14,42
02.01 A II a) 2	10,24	11,53
02.01 A II a) 3	15,35	17,30
02.01 A II a) 4 aa)	10,24	11,53
02.01 A II a) 4 bb)	17,51	19,73
02.01 A II b) 1 (²)	11,38	12,82
02.01 A II b) 2 (²)	9,10	10,26
02.01 A II b) 3 (²)	14,22	16,03
02.01 A II b) 4 aa) (²)	9,10	10,26
02.01 A II b) 4 bb) 11 (²)	14,22	16,03
02.01 A II b) 4 bb) 22 (²) (³)	14,22	16,03
02.01 A II b) 4 bb) 33 (²)	14,22	16,03
02.06 C I a) 1	10,24	11,53
02.06 C I a) 2	14,61	16,46
ex 16.02 B III b) 1 aa) (⁴)	14,61	16,46
ex 16.02 B III b) 1 aa) (⁵)	8,75	9,86
ex 16.02 B III b) 1 aa) (⁶)	5,86	6,60

(¹) The compensatory amount shall not be applied on animals imported within an annual tariff quota to be granted by the competent authorities of the European Communities :

- (a) for heifers and cows, other than those intended for slaughter, of the grey, brown, and mottled yellow Simmental and Pinzgau breeds ;
- (b) for bulls, heifers and cows, other than those intended for slaughter, of the mottled Simmental breed, the Schwyz breed and the Friburg breed.

(²) The compensatory amount shall not be applied :

— in respect of quantities coming within an annual tariff quota of 50 000 tonnes, expressed in boned meat, to be

granted by the competent authorities of the European Communities for frozen beef and veal,

— in respect of quantities coming within an annual tariff quota of 2 250 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen buffalo meat.

(³) Entry under this subheading is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.

(⁴) Products containing 80 % or more by weight of beef meat excluding offals and fat.

(⁵) Products containing 60 % or more, but less than 80 % by weight, of beef meat excluding offals and fat.

(⁶) Products containing 40 % or more, but less than 60 % by weight, of beef meat excluding offals and fat.

COMMISSION REGULATION (EEC) No 3716/84**of 28 December 1984****abolishing the countervailing charge on apples originating in Poland**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1332/84⁽²⁾, and in
particular the second subparagraph of Article 27 (2)
thereof,

Whereas Commission Regulation (EEC) No 3556/84
of 18 December 1984⁽³⁾ introduced a countervailing
charge on apples originating in Poland;

Whereas for this product originating in Poland there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled
and the countervailing charge on imports of apples
originating in Poland can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3556/84 is hereby repealed.

Article 2

This Regulation shall enter into force on 29 December
1984.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 331, 19. 12. 1984, p. 24.

COMMISSION REGULATION (EEC) No 3717/84

of 28 December 1984

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1025/84⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 3665/84⁽⁷⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁸⁾ amended Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within sub-heading 23.02 A of the Common Customs Tariff;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on

their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽¹⁰⁾, as last amended by Regulation (EEC) No 855/84⁽¹¹⁾,

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

Whereas these exchange rates being those recorded on 27 December 1984;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹²⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to Regulation (EEC) No 3665/84, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1985.

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

Done at Brussels, 28 December 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 13.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 340, 28. 12. 1984, p. 24.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹¹⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽¹²⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 28 December 1984 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	77,93 ⁽¹⁾	76,12 ⁽¹⁾ ⁽²⁾
07.06 A II	80,95 ⁽¹⁾	76,12 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	146,31	140,27
11.02 A III ⁽²⁾	146,31	140,27
11.02 B I a) 1 ⁽²⁾	127,71	124,69
11.02 B I b) 1 ⁽²⁾	127,71	124,69
11.02 C III ⁽²⁾	200,87	194,83
11.02 D III ⁽²⁾	82,51	79,49
11.02 E I a) 1 ⁽²⁾	82,51	79,49
11.02 E I b) 1 ⁽²⁾	161,90	155,86
11.02 F III ⁽²⁾	146,31	140,27
11.04 C I	80,95	74,30 ⁽³⁾
11.07 A II a)	149,60 ⁽⁴⁾	138,72
11.07 A II b)	114,53	103,65
11.07 B	131,67 ⁽⁴⁾	120,79

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

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

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

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

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

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

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

COUNCIL REGULATION (EURATOM, ECSC, EEC) No 3718/84
of 28 December 1984

introducing an interim protective measure while awaiting a Council Decision adjusting the remuneration and pensions of officials and other servants of the European Communities and also the weightings applicable to this remuneration and these pensions

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Protocol on the privileges and immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of officials and the conditions of employment of other servants of the European Communities, laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EEC, Euratom, ECSC) No 3647/83 ⁽²⁾, and in particular Article 65 of the said Staff Regulations and Article 20 (1) and Article 64 of the said conditions,

Having regard to Council Regulation (EEC, Euratom, ECSC) No 260/68 of 29 February 1968 laying down the conditions and procedures for applying the tax for the benefit of the European Communities ⁽³⁾,

Having regard to Council Decision 81/1061/Euratom, ECSC, EEC of 15 December 1981, amending the method of adjusting the remuneration of officials and other servants of the Communities ⁽⁴⁾,

Having regard to the proposal from the Commission,

Whereas it has not been possible to complete the examination of the proposals put forward by the Commission on 4 December 1984 and to decide on the adjustments to be made to the remuneration and pensions of officials and other servants before 31 December 1984;

Whereas it is appropriate to adopt an interim protective measure;

Whereas, in these circumstances, the institutions should be authorized to make advance payments

which will be taken into account when the final decision is taken pursuant to Articles 65 and 66a of the Staff Regulations;

Whereas the allocation of this advance does not prejudice the application of Council Decision 81/1061/Euratom, ECSC, EEC of 15 December 1981 and of Article 66a of the Staff Regulations;

Whereas the amount of the advance should be fixed at such a level that it does not depart appreciably from the amount which should result from the decisions to be taken by the Council for adjusting remuneration and pensions, also entailing transition to the next highest rate of the special levy,

HAS ADOPTED THIS REGULATION:

Article 1

1. In anticipation of the Council's final decisions concerning the Commission's proposals of 4 December 1984 on adjustment of the remuneration and pensions of officials and other servants of the Communities, the institutions are hereby authorized to make an advance payment calculated in the way indicated in paragraph 2, with effect from 1 July 1984.

2. The advance payment shall be determined by applying a reference rate of 2,4 % to the amounts involved in the various parts of remuneration and pensions fixed by Council Regulation (EEC, Euratom, ECSC) No 3647/83 of 19 December 1983 adjusting the remuneration and pensions of officials and other servants of the European Communities together with the weightings added to those remunerations and pensions ⁽⁵⁾. The payments to be made shall be structured so as to avoid as far as possible any need to recuperate amounts arising from subsequent application of the adjustments to be decided on by the Council and the levy rate which will then apply to remuneration.

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 361, 24. 12. 1983, p. 1.

⁽³⁾ OJ No L 56, 4. 3. 1968, p. 8.

⁽⁴⁾ OJ No L 386, 31. 12. 1981, p. 6.

⁽⁵⁾ OJ No L 361, 24. 12. 1983, p. 1.

Article 2

1. Any subsequent decisions by the Council concerning adjustments to remuneration and pensions will involve full application, with the necessary backdating, of Article 66a of the Staff Regulations and an obligation on the institutions to offset the advance payments.

2. The staff will be informed of the provisions of paragraph 1 when the individual advance payments are made.

Article 3

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

It shall apply with effect from 12 noon on 28 December 1984.

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

Done at Brussels, 28 December 1984.

For the Council

The President

P. BARRY

II

(Acts whose publication is not obligatory)

**CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES****DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES MEETING WITHIN THE
COUNCIL**

of 4 December 1984

appointing Members of the Commission of the European Communities

(84/651/Euratom, ECSC, EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COMMUNITIES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing a Single Council and a Single Commission of the
European Communities, and in particular Articles 10 and 11 thereof,

Having regard to the Treaty concerning the Accession of the Hellenic Republic to the
European Economic Community and to the European Atomic Energy Community, signed
on 28 May 1979, and to the Council Decision of 24 May 1979 concerning the Accession
of the Hellenic Republic to the European Coal and Steel Community, and in particular
Article 15 of the Act joined thereto,

HAVE DECIDED AS FOLLOWS:

Sole Article

The following are hereby appointed Members of the Commission of the European
Communities for the period 6 January 1985 to 5 January 1989:

Mr Franciscus H.J.J. Andriessen
Mr Claude Cheysson
Mr Henning Christophersen
The Right Honourable Lord Cockfield
Mr Stanley Clinton Davis
Mr Willy de Clercq
Mr Jacques Delors

Mr Nicolas Mosar
Mr Karl-Heinz Narjes
Mr Lorenzo Natali
Mr Alois Pfeiffer
Mr Carlo Ripa di Meana
Mr Peter Sutherland
Mr Grigoris Varfis

Done at Dublin, 4 December 1984.

The President

G. FITZGERALD

**DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES**

of 4 December 1984

appointing the President of the Commission of the European Communities

(84/652/Euratom, ECSC, EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 14 thereof,

Having regard to the Decision of the Representatives of the Governments of the Member States of the European Communities, meeting within the Council of 4 December 1984, appointing Members of the Commission of the European Communities,

HAVE DECIDED AS FOLLOWS:

Sole Article

Mr Jacques Delors is hereby appointed President of the Commission of the European Communities for the period 6 January 1985 to 5 January 1987.

Done at Dublin, 4 December 1984.

The President

P. BARRY

**DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES**

of 17 December 1984

appointing a Vice-President of the Commission of the European Communities

(84/653/Euratom, ECSC, EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 14 thereof,

Whereas Mr Edgard Pisani, Member and Vice-President of the Commission, tendered his resignation by letter dated 3 December 1984;

Whereas, in its Decision of 11 December 1984, the Council decided that it was not necessary to replace Mr Pisani in his capacity as Member of the Commission;

Whereas a Vice-President of the Commission should be appointed for the remainder of the term of office of Mr Pisani,

Having consulted the Commission,

HAVE DECIDED AS FOLLOWS:

Sole Article

Mr Richard Burke is hereby appointed Vice-President of the Commission of the European Communities for the period up to and including 5 January 1985.

Done at Brussels, 17 December 1984.

The President

P. BARRY

**DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES**

of 17 December 1984

appointing a judge to the Court of Justice

(84/654/Euratom, ECSC, EEC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 32b thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 167 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 139 thereof,

Whereas, in a letter dated 12 October 1984 addressed to the President of the Court and forwarded to the President of the Council, Mr Aindrias O'Caoimh, judge at the Court of Justice of the European Communities, tendered his resignation, with effect from 31 December 1984;

Whereas, pursuant to Article 8 of the Protocol on the Statute of the Court of Justice of the European Coal and Steel Community, to Article 7 of the Protocol on the Statute of the Court of Justice of the European Economic Community and to Article 7 of the Protocol on the Statute of the Court of Justice of the European Atomic Energy Community, a judge should be appointed for the remaining period of Mr Aindrias O'Caoimh's term of office,

HAVE DECIDED AS FOLLOWS:

Article 1

Mr Thomas Francis O'Higgins is hereby appointed judge to the Court of Justice until 6 October 1985.

Article 2

This Decision shall enter into effect on 16 January 1985.

Done at Brussels, 17 December 1984.

The President

P. BARRY

COUNCIL

COUNCIL DECISION

of 10 December 1984

concerning the extension of the machinery for medium-term financial assistance

(84/655/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 103 and 108 thereof,

Having regard to the proposal from the Commission, submitted after consultation with the Monetary Committee,

Whereas, by Decision 71/143/EEC ⁽¹⁾, as last amended by Decision 80/1264/EEC ⁽²⁾, the Council set up machinery for medium-term financial assistance valid for an initial period of four years from 1 January 1972;

Whereas this machinery has been regularly renewed, and extended, on the last occasion, for two years until 31 December 1984 by Decision 82/871/EEC ⁽³⁾;

Whereas it is appropriate that the Member States obligations remain in force until the definitive stage of the European Monetary System is established,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 (2) of Decision 71/143/EEC is hereby replaced by the following:

'2. This obligation shall apply until 31 December 1986, unless the definitive phase of the EMS is set up before this date.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 December 1984.

For the Council

The President

A. DUKES

⁽¹⁾ OJ No L 73, 27. 3. 1971, p. 15.

⁽²⁾ OJ No L 375, 31. 12. 1980, p. 16.

⁽³⁾ OJ No L 368, 28. 12. 1982, p. 43.

COUNCIL DECISION**of 18 December 1984****extending the collection of information concerning the activities of carriers
participating in cargo liner traffic in certain areas of operation****(84/656/EEC)**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Article 84 (2)
thereof,

Having regard to Council Decision 78/774/EEC of 19
September 1978 concerning the activities of certain
third countries in the field of cargo shipping⁽¹⁾,

Having regard to the draft Decision submitted by the
Commission,

Whereas the information collected under Decisions
79/4/EEC⁽²⁾, 80/1181/EEC⁽³⁾, 82/870/EEC⁽⁴⁾ gives
grounds for concern about the competitive position of
Member State liner companies because of the nature of
the competition which they face from certain carriers
in the areas of operation referred to in Annex II to
Decision 79/4/EEC; whereas the collection of infor-
mation about traffic in these areas should therefore
continue;

Whereas the information collected about the traffic
between the Community and the countries referred to
in Article 2 of Decision 80/1181/EEC, in respect of
which detailed rules are established in Decision
81/189/EEC⁽⁵⁾, which was extended by Decision
82/870/EEC also gives grounds for concern about the

competitive position of Member State liner compa-
nies; whereas the collection of information about this
traffic should therefore continue,

HAS ADOPTED THIS DECISION:

Article 1

In Articles 1 and 2 of Decision 82/870/EEC, '31
December 1984' is hereby replaced by '31 December
1986'.

Article 2

This Decision shall apply from 1 January 1985.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 December 1984.

For the Council

The President

P. BARRY

⁽¹⁾ OJ No L 258, 21. 9. 1978, p. 35.

⁽²⁾ OJ No L 5, 9. 1. 1979, p. 31.

⁽³⁾ OJ No L 350, 23. 12. 1980, p. 44.

⁽⁴⁾ OJ No L 368, 28. 12. 1982, p. 42.

⁽⁵⁾ OJ No L 88, 2. 4. 1981, p. 32.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3622/84 of 21 December 1984 altering the monetary compensatory amounts and the coefficients applicable to certain monetary compensatory amounts fixed in advance for pigmeat products

(Official Journal of the European Communities No L 336 of 22 December 1984)

Page 7, Annex I, part 2, subheading 16.01 A, column 'France':

for: '14,75',

read: '14,73'.
