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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 364/85 of 13 February 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 365/85 of 13 February 1985 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 366/85 of 13 February 1985 fixing the import levies on rice and broken rice	5
Commission Regulation (EEC) No 367/85 of 13 February 1985 fixing the premiums to be added to the import levies on rice and broken rice	7
Commission Regulation (EEC) No 368/85 of 13 February 1985 fixing the export refunds on white sugar and raw sugar exported in the natural state	9
★ Commission Regulation (EEC) No 369/85 of 13 February 1985 amending Regulation (EEC) No 2729/81 as regards the transferability of rights arising from an export licence in the milk and milk products sector and repealing Regulation (EEC) No 664/83	11
★ Commission Regulation (EEC) No 370/85 of 13 February 1985 on arrangements for imports into the United Kingdom of certain textile products (category 86) originating in the Philippines	12
★ Commission Regulation (EEC) No 371/85 of 13 February 1985 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export and amending Regulation (EEC) No 1687/76	14
Commission Regulation (EEC) No 372/85 of 13 February 1985 discontinuing the additional amounts for eggs in shell	19

(Continued overleaf)

Contents (continued)

Commission Regulation (EEC) No 373/85 of 13 February 1985 fixing additional amounts for egg products	20
Commission Regulation (EEC) No 374/85 of 13 February 1985 fixing additional amounts for live and slaughtered poultry	22
Commission Regulation (EEC) No 375/85 of 13 February 1985 fixing additional amounts for poultrymeat products	24
Commission Regulation (EEC) No 376/85 of 13 February 1985 fixing the aid for cotton	26
Commission Regulation (EEC) No 377/85 of 13 February 1985 fixing the maximum export refund for white sugar for the 25th partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2382/84	27
Commission Regulation (EEC) No 378/85 of 13 February 1985 fixing the maximum export refund for raw sugar for the 19th partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2383/84	28
Commission Regulation (EEC) No 379/85 of 13 February 1985 altering the import levies on products processed from cereals and rice	29

II *Acts whose publication is not obligatory*

Commission

85/106/EEC :

- ★ **Commission Decision of 21 December 1984 authorizing the United Kingdom to apply intra-Community surveillance to imports of certain products falling within headings No 69.11 and No ex 69.12 of the Common Customs Tariff, originating in Romania** 31

85/107/EEC :

- ★ **Commission Decision of 7 January 1985 prolonging the temporary suspension of the status of certain parts of the territory of the Federal Republic of Germany with regard to classical swine fever** 33

(Continued on inside back cover)

Contents (continued)

85/108/EEC :	
★ Commission Decision of 14 January 1985 on certain protective measures against foot-and-mouth disease in Italy	34
85/109/EEC :	
★ Commission Decision of 15 January 1985 amending Decision 81/92/EEC as regards the list of establishments in Uruguay approved for the purpose of importing fresh meat into the Community	36
85/110/EEC :	
★ Commission Decision of 15 January 1985 amending Decision 81/91/EEC as regards the list of establishments in Argentina approved for the purpose of importing fresh meat into the Community	38
85/111/EEC :	
★ Commission recommendation of 15 January 1985 concerning the Convention of 19 June 1980 on the law applicable to contractual obligations . .	42
85/112/EEC :	
★ Commission Decision of 15 January 1985 approving a multiannual guidance programme presented by the Belgian Government pursuant to Council Regulation (EEC) No 2908/83 of 4 October 1983	44

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 364/85**of 13 February 1985****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 12 February 1985;

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 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 13 February 1985 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	71,10
10.01 B II	Durum wheat	102,86 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	79,28 ⁽⁶⁾
10.03	Barley	74,39
10.04	Oats	48,65
10.05 B	Maize, other than hybrid maize for sowing	58,27 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	56,03 ⁽⁴⁾
10.07 C	Grain sorghum	72,55 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	114,23
11.01 B	Rye flour	125,69
11.02 A I a)	Durum wheat groats and meal	173,02
11.02 A I b)	Common wheat groats and meal	121,50

⁽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 365/85

of 13 February 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 2222/84⁽⁵⁾ and subsequent amending Regulations;

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

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

provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽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 12 February 1985;

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 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 13 February 1985 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 2	1st period 3	2nd period 4	3rd period 5
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	8,83
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	7,68	7,68	7,68
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	19,56
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 366/85

of 13 February 1985

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 307/85 ⁽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 14 February
1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 34, 7. 2. 1985, p. 5.

⁽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 13 February 1985 fixing the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)	
		Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	239,37	116,08
	2. Long grain	228,95	110,87
	b) Husked rice :		
	1. Round grain	299,21	146,00
	2. Long grain	286,19	139,49
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	314,67	145,41
	2. Long grain	509,04	242,63
	b) Wholly milled rice :		
	1. Round grain	335,13	155,21
	2. Long grain	545,69	260,49
	III. Broken rice	58,18	26,09

⁽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 367/85

of 13 February 1985

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 308/85 ⁽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, 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 14 February
1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 34, 7. 2. 1985, p. 7.
⁽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 13 February 1985 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 2	1st period 3	2nd period 4	3rd period 5
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 368/85

of 13 February 1985

fixing the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 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 point (a) of the first subparagraph of 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) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas 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 when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be

fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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⁽⁸⁾, as last amended by Regulation (EEC) No 855/84⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

⁽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 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

and exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 13 February 1985 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid : A. White sugar ; flavoured or coloured sugar : (I) White sugar : (a) Candy sugar (b) Other (II) Flavoured or coloured sugar B. Raw sugar : II. Other : (a) Candy sugar (b) Other raw sugar	39,81 40,68 36,62 ⁽¹⁾ 37,42 ⁽¹⁾	 0,3981

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 369/85**of 13 February 1985****amending Regulation (EEC) No 2729/81 as regards the transferability of rights arising from an export licence in the milk and milk products sector and repealing Regulation (EEC) No 664/83**

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 13 (3) and 17 (4) thereof,

Whereas the special rules implementing the system of import and export licences and the advance-fixing of refunds in respect of milk and milk products were laid down in Commission Regulation (EEC) No 2729/81 ⁽³⁾, as last amended by Regulation (EEC) No 1994/84 ⁽⁴⁾; whereas Article 10 (2) of the said Regulation lays down that by way of derogation from Article 9 (1) of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products ⁽⁵⁾, as last amended by Regulation (EEC) No 1994/84, the rights arising from an export licence with advance-fixing of the refund for products falling within subheading 04.02 A II b) and heading No 04.03 of the Common Customs Tariff shall not be transferable;

Whereas the said derogation was temporarily suspended until 31 March 1985 by Commission Regulation (EEC) No 664/83 ⁽⁶⁾ as amended by Regulation

(EEC) No 180/84 ⁽⁷⁾, on the grounds that the non-transferability of rights had adverse effects on trade;

Whereas the experience acquired has shown that this suspension has not given rise to problems of a speculative nature; whereas, by contrast, suspension has had a positive effect on trade; whereas provision should be made for the transferability of the rights arising from an export licence;

Whereas, for reasons of clarity, Regulation (EEC) No 664/83 should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 10 (2) of Regulation (EEC) No 2729/81 is hereby repealed.

Article 2

Regulation (EEC) No 664/83 is hereby repealed.

Article 3

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, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 272, 26. 9. 1981, p. 19.

⁽⁴⁾ OJ No L 186, 13. 7. 1984, p. 17.

⁽⁵⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽⁶⁾ OJ No L 78, 24. 3. 1983, p. 13.

⁽⁷⁾ OJ No L 21, 26. 1. 1984, p. 14.

COMMISSION REGULATION (EEC) No 370/85**of 13 February 1985****on arrangements for imports into the United Kingdom of certain textile products (category 86) originating in the Philippines**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3589/82 of 23 December 1982 on common rules for imports of certain textile products originating in third countries ⁽¹⁾, as last amended by Regulation (EEC) No 3762/83 ⁽²⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 3589/82 lays down the conditions under which quantitative limits may be established; whereas imports into the United Kingdom of textile products of category 86 specified in the Annex hereto and originating in the Philippines exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 3589/82, the Philippines was notified on 13 December 1984 of a request for consultations;

Whereas, pending the outcome of the requested consultations, imports into the United Kingdom were made subject to a provisional quantitative limit for the period 13 December 1984 to 12 March 1985 by Commission Regulation (EEC) No 3608/84 of 19 December 1984 ⁽³⁾;

Whereas in consultations held on 24 January 1985 it was agreed that imports of the textile products in question should be subject to quantitative limits for the years 1985 and 1986;

Whereas paragraph 13 of the said Article 11 provides for compliance with the quantitative limits to be ensured by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 3589/82;

Whereas the products in question exported from the Philippines between 1 January 1985 and the date of entry into force of this Regulation must be set off against the quantitative limit for the year 1985;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into the United Kingdom of the category of products originating in the Philippines and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

1. Products as referred to in Article 1, shipped from the Philippines to the United Kingdom before the date of entry into force of Regulation (EEC) No 3608/84 and not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place before that date.

2. Imports of products as referred to in Article 1 shipped from the Philippines to the United Kingdom from the date of entry into force of Regulation (EEC) No 3608/84 shall remain subject to the double-checking system described in Annex VI to Regulation (EEC) No 3589/82.

3. All quantities of products as referred to in Article 1 shipped from the Philippines to the United Kingdom on or after 1 January 1985 and released for free circulation, shall be deducted from the quantitative limits laid down.

Article 3

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

It shall apply until 31 December 1986.

⁽¹⁾ OJ No L 374, 31. 12. 1982, p. 106.

⁽²⁾ OJ No L 380, 31. 12. 1983, p. 1.

⁽³⁾ OJ No L 333, 21. 12. 1984, p. 36.

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

Done at Brussels, 13 February 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

ANNEX

Category	CCT heading No	NIMEXE code (1985)	Description	Third country	Member State	Units	Quantitative limits from 1 January to 31 December
86	61.09 A B C E	61.09-20, 30, 40, 80	Corsets, corset-belts suspender-belts, brassières, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), whether or not elastic : Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like (including such articles of knitted or crocheted fabric), other than brassières, whether or not elastic	Philippines	UK	1 000 pieces	1985 : 700 1986 : 735

COMMISSION REGULATION (EEC) No 371/85

of 13 February 1985

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export and amending Regulation (EEC) No 1687/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽²⁾ has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas the Danish, Irish, Italian and United Kingdom intervention agencies are holding certain stocks of beef bought in before 1 April 1983; whereas an extension of the period of storage for the meat should be avoided on account of the ensuing high costs; whereas, in consequence, it is advisable to make use of the selling procedure laid down in Regulation (EEC) No 2539/84;

Whereas it is necessary to lay down a time limit for export of the said meat; whereas this time limit should be fixed in taking into account Article 5 (b) of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 1994/84 ⁽⁴⁾;

Whereas the export of meat sold under this Regulation must be guaranteed by the lodging of a security, the amount of which may differ from that provided for in Article 15 of Regulation (EEC) No 2173/79; whereas such security shall be released when proof, as required by Article 12 of Commission Regulation (EEC) No 1687/76 ⁽⁵⁾, as last amended by Regulation (EEC) No 3443/84 ⁽⁶⁾, has been furnished within the time limit

laid down in Article 31 of Commission Regulation (EEC) No 2730/79 ⁽⁷⁾, as last amended by Regulation (EEC) No 202/82 ⁽⁸⁾;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Regulation (EEC) No 1687/76; whereas, however, Annex I of the said Regulation setting out the entries to be made in control copies should be expanded;

Whereas Commission Regulation (EEC) No 3605/84 ⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of approximately:

- 40 tonnes of bone-in beef held by the Danish intervention agency and put into store before 1 April 1983,
- 21 700 tonnes of bone-in beef held by the Italian intervention agency and put into store before 1 April 1983,
- 435 tonnes of bone-in beef held by the United Kingdom intervention agency and put into store before 1 April 1983,
- 150 tonnes of boned beef held by the Danish intervention agency and put into store before 1 April 1983,
- 2 500 tonnes of boned beef held by the Irish intervention agency and put into store before 1 April 1983.

This meat is for export.

2. The sale shall take place in accordance with the provision of Regulation (EEC) No 2539/84.

The provisions of Regulation (EEC) No 985/81 shall not apply to this sale.

3. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 186, 13. 7. 1984, p. 17.

⁽⁵⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁶⁾ OJ No L 318, 7. 12. 1984, p. 31.

⁽⁷⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁸⁾ OJ No L 21, 29. 1. 1982, p. 23.

⁽⁹⁾ OJ No L 333, 21. 12. 1984, p. 28.

4. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 25 February 1985.

5. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The products referred to in Article 1 must be exported within six months from the date of conclusion of the contract of sale.

Article 3

1. The amount of security referred to in Article 5 of Regulation (EEC) No 2539/84 shall be :

- 140 ECU per 100 kilograms in respect of the meat referred to under indents 1 to 3 of Article 1 (1),
- 290 ECU per 100 kilograms in respect of the meat referred to under indents 4 and 5 of Article 1 (1).

2. Without prejudice to Article 15 (2) and (3) of Regulation (EEC) No 2173/79 the security referred to in paragraph 1 shall be released when the proof provided for in Article 12 of Regulation (EEC) No 1687/76 is furnished.

3. The said proof shall be furnished within the time limit laid down in Article 31 of Regulation (EEC) No 2730/79.

Article 4

Regulation (EEC) No 1687/76 is hereby amended as follows :

In Part I of the Annex, 'Products to be exported in the same state as that in which they were when removed from intervention stock', the following item and footnote are added :

- '16. Commission Regulation (EEC) No 371/85 of 13 February 1985 on the sale by procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export ⁽¹⁶⁾

⁽¹⁶⁾ OJ No L 44, 14. 2. 1985, p. 14.'

Article 5

Regulation (EEC) No 3605/84 is hereby repealed.

Article 6

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

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

Mindstepriser i ECU/ton ⁽¹⁾ — Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾ — Ελάχιστες τιμές πώλησεως εκφραζόμενες σε ECU ανά τόνο ⁽¹⁾ — Minimum prices expressed in ECU per tonne ⁽¹⁾ — Prix minimum exprimés en Écus par tonne ⁽¹⁾ — Prezzi minimi espressi in ECU per tonnellata ⁽¹⁾ — Minimumprijzen uitgedrukt in Ecu per ton ⁽¹⁾

A. Kød med ben — Fleisch mit Knochen — Κρέας με κόκαλα — Bone-in beef — Viande avec os — Carni con osso — Rundvlees met been

DANMARK

— Bagfjerdinger, udskåret med 8 ribben, såkaldte »pistoler«, af:

Tyre P	2.200,00
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ITALIA

— Quarti posteriori, taglio a 5 costole, detto pistola, provenienti dai:

Vitelloni 1	1 850,00
Vitelloni 2	1 750,00

— Quarti posteriori, taglio a 8 costole, detto pistola, provenienti dai:

Vitelloni 1	1 850,00
Vitelloni 2	1 750,00

UNITED KINGDOM

A. Great Britain

— Hindquarters, straight cut at third rib, from:

Steers M	2 200,00
Steers H	2 200,00

— Hindquarters, 'pistola' cut at eighth rib, from:

Steers M	2 300,00
Steers H	2 300,00

B. Northern Ireland

— Hindquarters, straight cut at third rib, from:

Steers L/M	2 200,00
Steers L/H	2 200,00
Steers T	2 200,00

B. Udbenet kød ⁽²⁾ — Fleisch ohne Knochen ⁽²⁾ — Κρέας χωρίς κόκαλα ⁽²⁾ — Boneless beef ⁽²⁾ — Viande sans os ⁽²⁾ — Carni disossate ⁽²⁾ — Rundvlees zonder been ⁽²⁾

IRELAND

Fillets	8 300,00
Striploins	4 500,00
Insides	2 700,00
Outsides	2 500,00
Knuckles	2 700,00
Rumps	2 800,00

DANMARK

Ungtyre 1

Inderlår med kappe	2 600,00
Tykstegsfilet med kappe	2 700,00
Klump med kappe	2 500,00
Yderlår med lårtunge	2 500,00

- (¹) I tilfælde, hvor varerne er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.
- (¹) Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.
- (¹) Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.
- (¹) In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.
- (¹) Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.
- (¹) Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.
- (¹) Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.
- (²) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.
- (²) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.
- (²) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.
- (²) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.
- (²) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.
- (²) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.
- (²) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.
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*BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II*

Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus

DANMARK : Direktoratet for markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tlf. (01) 92 70 00, telex 151 37 DK

IRELAND : Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

ITALIA : Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Roma, via Palestro 81
Tel. 49 57 283 — 49 59 261
Telex 61 30 03

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 372/85
of 13 February 1985
discontinuing the additional amounts for eggs in shell

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2771/75 of 29 October 1975 on the common organi-
zation of the market in eggs ⁽¹⁾, as last amended by
Regulation (EEC) No 3643/81 ⁽²⁾, and in particular
Article 8 (4) thereof,

Whereas for certain of the products specified in
Article 1 of Regulation (EEC) No 2771/75, additional
amounts were fixed by Commission Regulation (EEC)
No 119/85 of 17 January 1985 fixing the additional
amounts for eggs in shell ⁽³⁾;

Whereas, from the regular review of the dates serving
as a basis for the determination of average offer prices
for the abovementioned products, it appears that the
free-at-frontier offer prices for these products are no

longer below the sluice-gate price ; whereas the condi-
tions set out in Article 8 (4) of Regulation (EEC) No
2771/75 are not satisfied ; whereas it is therefore
necessary to discontinue additional amounts laid down
in Regulation (EEC) No 119/85 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 119/85 is hereby repealed.

Article 2

This Regulation shall enter into force on 14 February
1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 19. 12. 1981, p. 1.

⁽³⁾ OJ No L 15, 18. 1. 1985, p. 8.

COMMISSION REGULATION (EEC) No 373/85
of 13 February 1985
fixing additional amounts for egg products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2771/75 of 29 October 1975 on the common
organization of the market in eggs ⁽¹⁾, as last amended
by Regulation (EEC) No 3643/81 ⁽²⁾, and in particular
Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier
offer price (hereinafter called the 'offer price') falls
below the sluice-gate price, the levy applicable to that
product must be increased by an additional amount
equal to the difference between the sluice-gate price
and the offer price determined in accordance with
Article 1 of Commission Regulation No 163/67/EEC
of 26 June 1967 on fixing the additional amount for
imports of poultry-farming products from third coun-
tries ⁽³⁾, as last amended by Regulation (EEC) No
1527/73 ⁽⁴⁾;

Whereas the offer price must be determined for all
imports from all third countries; whereas, however, if
exports from one or more third countries are effected
at abnormally low prices, lower than prices ruling for
other third countries, a second offer price must be
determined for exports from these other countries;

Whereas, pursuant to Article 1 of Regulation (EEC)
No 990/69 ⁽⁵⁾, the levies on imports of eggs not in
shell and egg yolks originating in and coming from
Austria are not increased by an additional amount;

Whereas the regular review of the information serving
as a basis for the determination of average offer prices
for the products listed in Article 1 (1) (b) of Regulation
(EEC) No 2771/75 indicates that additional amounts
corresponding to the figures shown in the Annex
hereto should be fixed for the imports specified in that
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of
Regulation (EEC) No 2771/75 shall be as set out in
the Annex hereto for the products listed in Article 1
(1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 14 February
1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 19. 12. 1981, p. 1.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation
(EEC) No 2771/75

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not : B. Eggs, not in shell ; egg yolks : I. Suitable for human consumption : a) Eggs, not in shell : 1. Dried 2. Other b) Egg yolks : 1. Liquid	120,00 10,00 10,00	Origin : Bulgaria or the German Democratic Republic (¹) Origin : Czechoslovakia or the German Democratic Republic (¹) All imports (²)

(¹) With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

(²) The additional amounts are not applied to products which are imported in accordance with Article 4 (a) of Regulation No 163/67/EEC.

COMMISSION REGULATION (EEC) No 374/85
of 13 February 1985
fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and

geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2164/72⁽⁸⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

Additional amounts applicable to live and slaughtered poultry and halves or quarters

CCT heading No	Description	Additional amount	Imports affected
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea-fowls : B. Other : 1. Fowls	10,00	Origin : Austria
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens'	25,00 25,00 25,00	Origin : Yugoslavia or Cuba Origin : Yugoslavia or Cuba Origin : Yugoslavia or Cuba
	B. Poultry cuts (excluding offals) : II. Unboned (bone-in) : a) Halves or quarters : 1. Of fowls	25,00	Origin : Yugoslavia or Cuba

COMMISSION REGULATION (EEC) No 375/85**of 13 February 1985****fixing additional amounts for poultrymeat products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : B. Poultry cuts (excluding offals) :		
	I. Boned or boneless :		
	a) Of geese	100,00	Origin : Israel
	II. Unboned (bone-in) :		
	e) Legs and cuts of legs :		
	1. Of geese	25,00	Origin : Israel
	2. Of turkeys		
	aa) Drumsticks and cuts of drumsticks	15,00	Origin : United States of America or Hungary

COMMISSION REGULATION (EEC) No 376/85
of 13 February 1985
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 264/85 ⁽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 29,451 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 28, 1. 2. 1985, p. 32.

COMMISSION REGULATION (EEC) No 377/85**of 13 February 1985****fixing the maximum export refund for white sugar for the 25th partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2382/84**

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2382/84 of 14 August 1984 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2382/84, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 25th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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 maximum export refund for the 25th partial invitation to tender for white sugar issued under Regulation (EEC) No 2382/84 is hereby fixed at 42,727 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 221, 18. 8. 1984, p. 5.

COMMISSION REGULATION (EEC) No 378/85
of 13 February 1985

fixing the maximum export refund for raw sugar for the 19th partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2383/84

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2383/84 of 14 August 1984 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of raw sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2383/84, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 19th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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 maximum export refund for the 19th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2383/84 is hereby fixed at 39,308 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 221, 18. 8. 1984, p. 10.

COMMISSION REGULATION (EEC) No 379/85

of 13 February 1985

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 208/85⁽⁷⁾, as last amended by Regulation (EEC) No 347/85⁽⁸⁾;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽¹¹⁾ as last amended by Regulation (EEC) No 855/84⁽¹²⁾,
- 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 12 February 1985;

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⁽¹³⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 208/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 1985.

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

Done at Brussels, 13 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

(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 24, 29. 1. 1985, p. 5.
 (⁸) OJ No L 38, 9. 2. 1985, p. 18.
 (⁹) OJ No L 107, 19. 4. 1984, p. 15.
 (¹⁰) OJ No L 281, 1. 11. 1975, p. 65.

(¹¹) OJ No L 106, 12. 5. 1971, p. 1.
 (¹²) OJ No L 90, 1. 4. 1984, p. 1.
 (¹³) OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 13 February 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 B II a) ⁽²⁾	98,79	95,77
11.02 C I ⁽²⁾	118,24	115,22
11.02 D I ⁽²⁾	76,47	73,45
11.02 E II a) ⁽²⁾	135,66	129,62
11.02 F I ⁽²⁾	135,66	129,62
11.02 G I	60,05	54,01
11.07 A I a)	139,06	128,18
11.07 A I b)	106,65	95,77
11.08 A III	117,83	97,28
11.09	358,22	176,88

⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 December 1984

authorizing the United Kingdom to apply intra-Community surveillance to imports of certain products falling within headings No 69.11 and No ex 69.12 of the Common Customs Tariff, originating in Romania

(Only the English text is authentic)

(85/106/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Articles 2 and 3 thereof,

Whereas a request was made under the first paragraph of Article 115 of the Treaty by the United Kingdom Government to the Commission of the European Communities for authorization to apply surveillance and protective measures for tableware and other articles of a kind commonly used for domestic toilet purposes, of porcelain or china, of stoneware, of earthenware or fine pottery and of other kinds of pottery falling within headings No 69.11 and No ex 69.12 of the Common Customs Tariff, (NIMEXE codes 69.11-10, 90 and 69.12-20, 31, 39, 90) originating in Romania and in free circulation in the other Member States;

Whereas in the United Kingdom the importation of the products in question originating in Romania is subject under Council Decision 83/675/EEC⁽²⁾, to a quantitative quota of £ 400 000 for 1984;

Whereas, as a result of these measures, disparities still exist between the conditions governing the importation of the products in question into the different Member States;

Whereas statistics show that since the beginning of this year imports to the United Kingdom of the products concerned originating in Romania and in free circulation in the other Member States have amounted to £ 105 000;

Whereas with regard to the situation of the national output the information received by the Commission indicates that imports of the products in question originating in third countries have amounted to £ 10,9 million in 1982 to 10,8 million in 1983 and to £ 6,6 million in the first six months of 1984; whereas the market share taken by those imports has amounted to 18 % in 1982 and 1983 and to 17 % in the first six months of 1984;

Whereas output of like products in the United Kingdom has amounted to £ 229,5 million in 1982 to £ 248,3 million in 1983 and to £ 140,5 million in the first six months of 1984; whereas the domestic industry's share of the home market has amounted to 82 % in the first six months of 1984;

Whereas consumption of like products in the United Kingdom has amounted to £ 139,7 million in 1982, to £ 141,7 million in 1983 and to £ 88,1 million in the first six months of 1984;

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 381, 31. 12. 1983, p. 1.

Whereas the United Kingdom exports of like products in the United Kingdom has mounted to £ 139,7 million in 1982, to £ 141,7 million in 1983 and to £ 88,1 million in the first six months of 1984;

Whereas the United Kingdom exports of like products have increased from £ 115 million in 1982 to £ 133 million in 1983 and have amounted to £ 112,5 million in the first 10 months of 1984;

Whereas, taking account of the above details on the development of the principal economic factors characterizing United Kingdom production as well as the total amount of the Romanian imports concerned, it appears that the conditions laid down in Article 3 of Decision 80/47/EEC for the application of measures in accordance with Article 115 of the Treaty forbidding imports to the United Kingdom of the products concerned originating in Romania and in free circulation in the other Member States have not been met;

Whereas, however, taking account of the fact that there has been a pattern of indirect trade in these products originating in Romania and coming from the other Member States, there is the risk that this will rapidly and unforeseeably increase thereby bringing economic problems to the product sector concerned;

Whereas, in these circumstances, there is reason to authorize the United Kingdom in accordance with Article 2 of Decision 80/47/EEC to apply a prior intra-Community surveillance to these imports so that any development which would justify the application of the abovementioned protective measures might be seen;

Whereas this authorization is to be limited to 30 June 1985, the date of expiry of Commission Decision 83/326/EEC⁽¹⁾ when those products subject to intra-Community surveillance in the different Member States will be completely re-examined,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized to introduce until 30 June 1985, in accordance with Article 2 of Decision 80/47/EEC, intra-Community surveillance of imports of products specified below, originating in Romania and put into free circulation in the other Member States:

CCT heading No	Description
69.11 and ex 69.12 (NIMEXE codes 69.11-10, 90 69.12-20, 31, 39, 90)	Tableware and other articles of a kind commonly used for domestic or toilet purposes, of porcelain or china, of stoneware, of earthenware or fine pottery and of other kinds of pottery

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 21 December 1984.

For the Commission

Wilhelm HAFERKAMP

Vice-President

⁽¹⁾ OJ No L 175, 30, 6. 1983, p. 1.

COMMISSION DECISION

of 7 January 1985

prolonging the temporary suspension of the status of certain parts of the territory of the Federal Republic of Germany with regard to classical swine fever

(85/107/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾ as last amended by Directive 84/336/EEC ⁽²⁾, and in particular Article 4c (1) c thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽³⁾, as last amended by Directive 84/336/EEC, and in particular Article 13a (2) thereof,

Whereas Council Decision 82/838/EEC ⁽⁴⁾ recognizes certain parts of the territory of the Federal Republic of Germany as being either officially swine fever free or swine fever free;

Whereas outbreaks of classical swine fever have been recorded in some of the parts of the territory of the Federal Republic of Germany referred to in the Annex to Decision 82/838/EEC;

Whereas by Decision 85/35/EEC ⁽⁵⁾, the Commission has suspended for a period of 15 days the status of official freedom from swine fever or freedom from swine fever of affected parts of German territory;

Whereas, taking account of the epidemiological evolution of the disease, it is necessary to prolong this period of suspension for certain regions beyond the 15 days provided for initially in order to clarify the situation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The status of those parts of the territory of the Federal Republic of Germany constituted by the regions set out in Annex I as areas recognized to be officially swine fever free within the meaning of Article 4c (1) c of Directive 64/432/EEC is temporarily suspended for the regions listed in the Annex to this Directive.

Article 2

The Commission will follow developments in the situation with a view to taking appropriate decisions in respect of such developments.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 7 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

ANNEX

Regions of the Federal Republic for which the official swine fever free status is suspended

Land of Schleswig-Holstein.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 177, 4. 7. 1984, p. 22.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 27.

⁽⁵⁾ OJ No L 16, 19. 1 1985, p. 38.

COMMISSION DECISION

of 14 January 1985

on certain protective measures against foot-and-mouth disease in Italy

(85/108/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine and porcine animals⁽¹⁾, as last amended by Directive 84/644/EEC⁽²⁾, and in particular Article 9 thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meats⁽³⁾, as last amended by Directive 84/643/EEC⁽⁴⁾, and in particular Article 8 thereof,

Having regard to Council Directive 80/215/EEC of 22 January 1980 on health problems affecting intra-Community trade in meat-based products⁽⁵⁾, as last amended by Directive 81/476/EEC⁽⁶⁾, and in particular Article 7 thereof,

Whereas an outbreak of foot-and-mouth disease has occurred in Italy; whereas this outbreak is such as to constitute a danger to the livestock of the other Member States owing to the important volume of trade both in animals and fresh meat and in certain meat-based products;

Whereas following this outbreak of foot-and-mouth disease, on 14 December 1984 the Commission adopted Decision 85/40/EEC on certain protective measures against foot-and-mouth disease in Italy⁽⁷⁾;

Whereas the persistence of the disease and the fact that it is spreading to other parts of the territory require that restrictive measures in intra-Community trade be extended and intensified;

Whereas certain Member States have taken protective measures in this connection;

Whereas all Member States should therefore adopt measures designed to protect them for the time necessary to eradicate the disease;

Whereas the measures to be implemented must be devised in a manner which takes account firstly of the special situation of certain Member States in regard to

foot-and-mouth disease and the methods used to combat the disease and secondly the health policy measures applied by the Italian authorities, more particularly the slaughtering policy applied in the various provinces;

Whereas the meats obtained from animals slaughtered before 1 November 1984 are not likely to cause spreading of the disease;

Whereas the vehicles which are or have been used to transport live animals may constitute an important vector for the disease;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

1. Germany, Belgium, France, Luxembourg and the Netherlands shall prohibit the introduction into their territory of animals of the bovine and porcine species from that part of the territory of Italy which is defined in the Annex.
2. Denmark, Greece, Ireland and the United Kingdom shall prohibit the introduction into their territory of animals of the bovine and porcine species from Italy.
3. The certificate provided for in Directive 64/432/EEC accompanying animals from Italy shall bear the following words: 'Animals complying with the Commission Decision of 14 January 1985'.

Article 2

1. Germany, Belgium, France, Luxembourg and the Netherlands shall prohibit the introduction onto their territory of fresh meats obtained from animals of the bovine, porcine, ovine and caprine species from that part of the territory of Italy which is defined in the Annex or obtained from animals from that part of the territory but slaughtered elsewhere.
2. Denmark, Greece, Ireland and the United Kingdom shall prohibit the introduction onto their territory of fresh meats obtained from animals of the bovine, porcine, ovine and caprine species from Italy.
3. However, the prohibitions provided for in paragraphs 1 and 2 shall not apply to meats obtained from animals slaughtered before 1 November 1984.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁶⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽⁷⁾ OJ No L 16, 19. 1. 1985, p. 46.

4. The health certificate provided for in Council Directive 64/433/EEC of 26 June 1984 on health problems affecting intra-Community trade in fresh meat⁽¹⁾ and accompanying fresh meat consigned from Italy shall, as appropriate, bear one of the following entries:

- 'Meats obtained from animals slaughtered before 1 November 1984',
- 'Meats not covered by the prohibition provided for in Article 2 (1) of the Commission Decision of 14 January 1985'.

Article 3

1. Germany, Belgium, France, Luxembourg and the Netherlands shall prohibit the introduction onto their territory of meat-based products other than those which have undergone one of the forms of treatment laid down in Article 4 (1) of Directive 80/215/EEC from that part of the territory of Italy which is defined in the Annex or which have been prepared using meats obtained from animals from that same part of the territory of Italy but slaughtered elsewhere.

2. Denmark, Greece, Ireland and the United Kingdom shall prohibit the introduction onto their territory of meat-based products from Italy other than those which have undergone one of the processes referred to in Article 4 (1) of Directive 80/215/EEC.

3. However, the prohibitions provided for in paragraphs 1 and 2 shall not apply to meat-based products prepared using meats obtained from animals slaughtered before 1 November 1984.

4. The health certificate provided for in Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat-based products⁽²⁾ and accompanying meat-based products mentioned in paragraphs 1 and 2 and consigned from Italy shall, as appropriate, bear one of the following entries:

- 'Products prepared using meat obtained from animals slaughtered before 1 November 1984',
- 'Products not covered by the prohibition provided for in Article 3 (1) of the Commission Decision of 14 January 1985'.

Article 4

The Member States shall take steps to ensure that the vehicles which have been used to transport live animals from Italy are disinfected before entering the territory of another Member State and upon such entry at the latest.

Article 5

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 6

The Commission shall monitor the situation and shall if necessary amend this Decision accordingly.

Article 7

Commission Decision 85/40/EEC of 14 December 1984 is hereby repealed.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 14 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

ANNEX

- Provinces of Bologna, Brescia, Cuneo, Modena and Reggio Emilia.
- Any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and mouth disease.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 27, 31. 1. 1977, p. 85.

COMMISSION DECISION**of 15 January 1985****amending Decision 81/92/EEC as regards the list of establishments in Uruguay
approved for the purpose of importing fresh meat into the Community****(85/109/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 83/91/EEC ⁽²⁾, and in particular
Articles 4 (1) and 18 (1) (a) and (b) thereof,

Whereas a list of establishments in Uruguay, approved
for the purpose of importing fresh meat into the
Community, was drawn up initially by the Commis-
sion Decision of 25 November 1980, and was
amended and published by Decision 81/92/EEC ⁽³⁾, as
last amended by Decision 84/394/EEC ⁽⁴⁾;

Whereas a routine inspection under Article 5 of Direc-
tive 72/462/EEC and Article 3 (1) of Commission
Decision 83/196/EEC of 8 April 1983 concerning
on-the-spot inspections to be carried out in respect of
the importation of bovine animals and swine and fresh
meat from non-member countries ⁽⁵⁾ has revealed that
the level of hygiene of one establishment has altered
since the last inspection;

Whereas the list of establishments should therefore be
amended;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 81/92/EEC is hereby replaced
by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 58, 5. 3. 1981, p. 43.

⁽⁴⁾ OJ No L 211, 8. 8. 1984, p. 34.

⁽⁵⁾ OJ No L 108, 26. 4. 1983, p. 18.

ANNEX

LIST OF ESTABLISHMENTS

Approval No	Establishment	Address
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I. BOVINE MEAT

Slaughterhouses and cutting premises

2	Frigorífico Colonia	Tarariras, Colonia
3	Frigorífico Carrasco	Paso Carrasco, Canelones
8	Frigorífico Canelones	Canelones, Canelones
12	Frigorífico Tacuarembó	Tacuarembó
14	Frigorífico Efcsa	Planta Durazno, Durazno
20	Frigorífico Comargen	Las Piedras, Canelones
55	Frigorífico Elbio Pérez Rodríguez	San José
106	Frigorífico Inprogan	La Paz, Canelones
344	Frigorífico San Jacinto	San Jacinto, Canelones
394	Frigorífico Cybaran	Salto

II. SHEEPMEAT

Slaughterhouses and cutting premises

8	Frigorífico Canelones	Canelones, Canelones
106	Frigorífico Inprogan	La Paz, Canelones
344	Frigorífico San Jacinto	San Jacinto, Canelones
394	Frigorífico Cybaran	Salto

III. HORSEMEAT

Slaughterhouse and cutting premise

303	Frigorífico Clay	Pando, Canelones
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IV. COLD STORES

10	Frigorífico Modelo	Planta Propios, Montevideo
77	Sire, Peñarol	Montevideo
87	Frigorífico Santos Arbiza	Montevideo
175	Frigorífico Corfrisa	Las Piedras, Canelones

COMMISSION DECISION

of 15 January 1985

amending Decision 81/91/EEC as regards the list of establishments in Argentina
approved for the purpose of importing fresh meat into the Community

(85/110/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 83/91/EEC ⁽²⁾, and in particular
Article 4 (1) and 18 (1) (a) and (b) thereof,

Whereas a list of establishments in Argentina,
approved for the purpose of importing fresh meat into
the Community, was drawn up initially by the
Commission Decision of 25 November 1980, and was
amended and published by Decision 81/91/EEC ⁽³⁾, as
last amended by Decision 84/357/EEC ⁽⁴⁾;

Whereas a routine inspection under Article 5 of Direc-
tive 72/462/EEC and Article 3 (1) of Commission
Decision 83/196/EEC of 8 April 1983 concerning
on-the-spot inspections to be carried out in respect of
the importation of bovine animals and swine and fresh
meat from non-member countries ⁽⁵⁾ has revealed that
the level of hygiene of one establishment has altered
since the last inspection;

Whereas the list of establishments should therefore be
amended;

Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 81/91/EEC is hereby replaced
by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESSEN

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 58, 5. 3. 1981, p. 39.

⁽⁴⁾ OJ No L 186, 13. 7. 1984, p. 57.

⁽⁵⁾ OJ No L 108, 26. 4. 1983, p. 18.

ANNEX

LIST OF ESTABLISHMENTS FROM WHICH IMPORTS OF FRESH MEAT MAY BE AUTHORIZED WITHOUT TIME LIMIT

Approval No	Establishment	Address
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I. BOVINE MEAT

A. Slaughterhouses and cutting premises

8	Corporación argentina de productores de carnes (CAP) — Cuatros	Daniel Cerri, Buenos Aires
13	Swift Armour	Rosario, Santa Fé
16	Frigorífico regional Santa Elena SA	Santa Elena, Entre Ríos
20	SA Frigorífico Monte Grande	Monte Grande, Buenos Aires
89	Frigorífico Carcarana SACI	Carcarana, Santa Fé
164	Frigorífico Gualeguaychu SA	Gualeguaychu, Entre Ríos
189	Frigorífico regional Salto SA	Salto, Buenos Aires
249	Industrias frigoríficas Nelson SACIA	Nelson, Santa Fé
1014	San Jorge SA	San Jorge, Santa Fé
1113	La Morocha SAAICF	Villa Mercedes, San Luis
1344	Vizental y Cia SACIA	Ramírez, Entre Ríos
1352	Frigorífico Meatex Ciafiiesa	Alejandro Korn, Buenos Aires
1373	Frigorífico el Centenario SA	Venado Tuerto, Santa Fé
1383	Barreca Hnos	Vivorata, Buenos Aires
1399	Frigorífico regional industria Argentina SAIC (FRIA)	Casilda, Santa Fé
1404	Pedro Hnos SAICIFA	Monte Chingolo, Buenos Aires
1408	Subpga SACIEI	Berazategui, Buenos Aires
1905	Frigorífico Yaguane SACIFA	González Catan, Buenos Aires
1918	Cia de carniceros SAICAI (COCARSA)	San Fernando, Buenos Aires
1920	Frigorífico rioplatense SAICIF	General Pacheco, Buenos Aires
1930	Vizental y Cia SACIA	San José, Entre Ríos
1970	Frigorífico regional industrias alimenticias reconquista SA	Reconquista, Santa Fé
1984	Matadero y Frigorífico regional de Azul SAGIC	Azul, Buenos Aires
2019	Frigorífico MCV	Tres Lomas, Buenos Aires
2035	Industrias frigoríficas Hughes SAICF	Hughes, Santa Fé
2052	Matadero y Frigorífico Antártico SAIC	González Catan, Buenos Aires
2062	Finexcor SAICIFA	Bernal, Buenos Aires
2064	Frigorífico Siracusa SAACIIF	Bahía Blanca, Buenos Aires
2065	Frigorífico Mediterráneos SAICIFA	Pajas Blancas, Córdoba
2067	Cia elaboradora de productos animales SAICAGT	Pontevedra, Buenos Aires
2072	Frigorífico ganadero SACIAFIGMS	Curuzu Cuatia, Corrientes
2082	Ramallo	Pérez Milan, Buenos Aires

B. Cutting premises

18	Quickfood, alimentos rápidos SRL	Martínez, Buenos Aires
273	Frigorífico guardia nacional SA	Cap. Federal
1098	Azul y Blanco	Avellaneda, Buenos Aires
1122	Frigorífico Lafayette SAICAG	Cap. Federal
1175	Frigorífico ganadero SACIAFIGMS	Mercedes, Corrientes
1311	Frymat SAICFA	Santa Fé, Santa Fé

Approval No	Establishment	Address
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II. SHEEPMEAT

A. Slaughterhouses and cutting premises

14	Frigorífico Austral	Río Grande, Tierra del Fuego
97	Carnes Santacruceñas SA	Pto. Deseado, Santa Cruz
286	Frigorífico San Jorge SAIC	Comodoro Rivadavia, Chubut
1408	Subpga SACIEI	Berazategui, Buenos Aires
1879	Troncomar	Ayacucho, Buenos Aires
2006	Vizental y Cia SACIA	General Pico, La Pampa
2044	Frigorífico Siracusa SAACIIF	Comodoro Rivadavia, Chubut
2062	Finexcor SACIFIA	Bernal, Buenos Aires
2072	Frigorífico ganadero SACIAFIGMS	Curuzu Cuatia, Corrientes

B. Cutting premise

1175	Frigorífico ganadero SACIAFIGMS	Mercedes, Corrientes
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III. HORSEMEAT

Slaughterhouses and cutting premises

351	SA Indio Pampa ICAG	Trenque Lauquen, Buenos Aires
1369	Frigorífico Felmar SA	San Francisco, Córdoba
1400	Frigorífico Juchco SCA	Gualeduay, Entre Ríos
1451	Lamar SRL	Mercedes, Buenos Aires
2009	Frigorífico Aimar SA	Río Cuarto, Córdoba
2028	Lamar SRL	Resistencia, Chaco

IV. COLD STORES

14 a	Frigorífico Austral	Ushuaia, Tierra del Fuego
112	La Perla	Cap. Federal
152	Comalfri	Pilar, Buenos Aires
267	Frymat SACIFA	Santa Fé, Santa Fé
391	Frigorífico Siracusa SAACIIF	Avellaneda, Buenos Aires
1101	Frigorífico ONETO	Virrey Cevallos, Buenos Aires
1326	Establecimiento Azul SRL	Azul, Buenos Aires
1523	La Pampa	Cap. Federal
1838	Guaicos SAIF	Cap. Federal

**LIST OF ESTABLISHMENTS FROM WHICH MEAT MAY BE INTRODUCED INTO
THE TERRITORY OF THE COMMUNITY ONLY UNTIL THE STATED DATE**

Approval No	Establishment	Address
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BOVINE MEAT**Slaughterhouse and cutting premise**

2073 (1)	Thomas Arias SA	Riachuelo, Corrientes
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(1) Until 15 February 1985.

COMMISSION RECOMMENDATION**of 15 January 1985****concerning the Convention of 19 June 1980 on the law applicable to contractual obligations****(Only the German text is authentic)****(85/111/EEC)****I**

The Convention on the law applicable to contractual obligations, opened for signature in Rome on 19 June 1980, has been signed by all 10 Member States of the Community: it was signed on 19 June 1980 by Belgium, the Federal Republic of Germany, France, Ireland, Italy, Luxembourg and the Netherlands, on 10 March 1981 by Denmark and on 7 December 1981 by the United Kingdom; on 10 April 1984, the representatives of the Governments of the Member States signed the Convention on the accession of the Hellenic Republic to the Convention on the law applicable to contractual obligations.

The Convention is the first step towards unification and codification of general rules of conflict in the field of civil law in the Community. Unification will make it easier to determine the law applicable and will increase legal certainty. It should also ensure that all courts in the Community always apply the same substantive law to the same matter in dispute between the same parties. Where the parties are free to choose between courts in different Member States, their choice should not prejudice the question of the substantive law in accordance with which the action is to be judged. The aim, therefore, is to prevent forum shopping. The Convention is thus a logical complement to the legal unification process begun with the Convention of 27 September 1968 on jurisdiction and the enforcement of judgments in civil and commercial matters (the Judgments Convention).

II

The Convention creates uniform conflict rules for contractual obligations within the Community. Its provisions have the character of unified law. This can be seen from the preamble, which expresses the wish of the Member States 'to continue in the field of private international law the work of unification of law which has already been done within the Community, in particular in the field of jurisdiction and enforcement of judgments' and 'to establish uniform rules

concerning the law applicable to contractual obligations'.

Title II of the Convention accordingly bears the heading 'Uniform rules'. Article 25 of the Convention provides for consultations between the signatory States in cases where a Contracting State considers that 'the unification achieved by this Convention is prejudiced by the conclusion of other agreements'. The Joint Declaration of 19 June 1980 annexed to the Convention also states that differences of interpretation of the Convention should not be allowed to impair its unifying effect. It may be inferred from this that all the Contracting States have an obligation to incorporate the Convention into national law in a manner which is in line with the character of the Convention as a common source of law, embodying unified rules.

Uniform interpretation is possible only if the courts of the Contracting States can acknowledge and apply the provisions of the Convention as rules common to all the Contracting States. In the Commission's view, the Contracting States are obliged to give effect to the Convention in such a way as to ensure that this is possible. If the Convention could be referred to indirectly for interpretative purposes only in cases where the interpretation of the law implementing it was doubtful, this would contradict the character of the Convention as an instrument embodying unified rules.

Giving effect to the Convention in the Federal Republic of Germany, if carried out, as planned, in accordance with Article 1 (2) of the draft Law on the Convention on the law applicable to contractual obligations (Entwurf des Gesetzes zum EuIPRU, Bundestag publication 10/503) would prevent direct application of the provisions contained in Articles 1 to 21 of the Convention. Furthermore, if the incorporation of these Community provisions into the Law introducing the Civil Code (Einführungsgesetz zum Bürgerlichen Gesetzbuch) were effected with amendments, omissions and adjustments to the logical arrangement of that introductory Law, this would undo a set of rules that was uniform and common to all the Member States of the Community.

Under Article 36 of the draft Law on the Convention, the German courts are to take account of the international character of the provisions corresponding to the Convention. Article 36 of the draft Law is modelled on Article 18 of the Convention and reads as follows:

'Article 36

Uniform interpretation

In the interpretation and application of the provisions of this chapter relating to contractual obligations, regard shall be had to the international character of the rules and to the desirability of achieving uniformity in their interpretation and application in the Contracting States which are parties to the Convention of 19 June 1980 on the Law applicable to contractual obligations (BGBL. ... II p. ...).

Article 36 of the draft Law does not allow performance of the obligations arising from Articles 1 to 21 of the Convention, Articles whose direct application is precluded by Article 1 (2) of the draft Law.

A number of provisions contained in Articles 1 to 21 of the Convention are not included in the draft Law, e.g. Article 1 (1) and (2) (a), (b), (d), (g) and (h) (Scope), Article 20 (Precedence of Community law) and Article 21 (Relationship with other conventions).

Some of the provisions of the Convention which have been incorporated into the draft Law have been redrafted or changed in substance. The provisions subject to such changes are, in particular, Article 13 'Subrogation' (Article 33 (3) EGBGB-E), Article 15 'Exclusion of renvoi' (Articles 3 and 4 of the draft Law), Article 16 'Ordre public' (Article 6 of the draft Law) and Article 19 'States with more than one legal system' (Article 4 (3) of the draft Law).

In general terms, comprehension and interpretation of the Convention are made more difficult because its provisions are divided up among various sections of the draft Law.

Even scrupulous application of Article 36 of the draft Law would not allow the desired goal of legal clarity and legal certainty through legal uniformity to be achieved. On the contrary, the work of the courts would be made more difficult, because they would have to compare texts which differed from one another in form and substance and would have to decide which provisions of national law corresponded to the Convention, in order, where necessary, to refer matters to the Court of Justice of the European Communities for interpretation.

The systematization aimed at in incorporating the Convention into the draft Law would, in its proposed form, result not only in a formal modification of the

uniform law common to all the Member States of the Community, but also in a substantive change in that uniform law.

The manner in which implementation of the Convention is envisaged would render practically nugatory the jurisdiction of the European Court in respect of the Federal Republic of Germany. This would be contrary to the obligation accepted correspondingly by the Federal Republic of Germany in the Joint Declaration on the Convention on the law applicable to contractual obligations opened for signature in Rome on 19 June 1980 'to examine the possibility of conferring jurisdiction in certain matters on the Court of Justice of the European Communities and, if necessary, to negotiate an agreement to this effect'.

Since the agreed aim in the signing of the Convention by all the Member States of the Community was to achieve unification in an important area of private international law, it is essential that the codification, arrangement and drafting of its provisions for the purposes of national law should also respect the limits necessarily imposed by such unification. Each Member State must refrain from all measures which might jeopardize achievement of the stated aims of the Convention, and should introduce only those measures which are best suited to achieving such goals.

III

For these reasons, the Commission delivers the following recommendation pursuant to the Treaty establishing the European Economic Community, and in particular the second indent of Article 155 thereof:

1. The Commission recommends that the Federal Republic of Germany should make full use of all the scope afforded by its constitution in order to ensure that:
 - (a) its courts can resort directly to the wording of the Convention on the law applicable to contractual obligations;
 - (b) changes in the content, formulation and order of the provisions of the Convention on the law applicable to contractual obligations and omissions and adaptations of those provisions are avoided in giving effect to the Convention under national law.
2. This recommendation is addressed to the Federal Republic of Germany.

Done at Brussels, 15 January 1985.

For the Commission

COCKFIELD

Member of the Commission

COMMISSION DECISION

of 15 January 1985

approving a multiannual guidance programme presented by the Belgian Government pursuant to Council Regulation (EEC) No 2908/83 of 4 October 1983

(Only the French and Dutch texts are authentic)

(85/112/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2908/83 of 4 October 1983 on a common measure for restructuring, modernizing and developing the fishing industry and for developing aquaculture⁽¹⁾,

Whereas, in accordance with Article 5 of the said Regulation, the Belgian Government forwarded on 20 March and 27 September 1984 a multiannual guidance programme within the meaning of Article 2 thereof ;

Whereas the time required for the execution of the programme, which ends on 31 December 1985, covers at least the proposed duration of the common measure ;

Whereas the aim of the Belgian programme is to maintain a fishing fleet comparable with the existing one but which meets modernization criteria enabling it to attain a catch capacity equivalent to the quotas granted to it ;

Whereas the programme contains the information referred to in Article 4 of the Regulation ;

Whereas the programme may, having regard to the production potential, the measures for the conservation and management of fish stocks, the demand for the products concerned and the guidelines of the

common fisheries policy, constitute a suitable framework for projects which may qualify for financial support from the Community ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee for the Fishing Industry,

HAS ADOPTED THIS DECISION :

Article 1

The multiannual guidance programme for restructuring modernizing and developing the fishing industry forwarded on 20 March and 27 September 1984 by the Belgian Government is hereby approved.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 15 January 1985.

For the Commission

Frans ANDRIESEN

Member of the Commission

⁽¹⁾ OJ No L 290, 22. 10. 1983, p. 1.