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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 435/85 of 18 February 1985 amending Regulation (EEC) No 1180/77 on imports into the Community of certain agricultural products originating in Turkey (1984/85)** 1
- ★ **Council Regulation (EEC) No 436/85 of 18 February 1985 amending Regulations (EEC) No 1508/76 and (EEC) No 1521/76 on imports of olive oil originating in Tunisia and Morocco (1984/85)** 2
- ★ **Council Regulation (EEC) No 437/85 of 18 February 1985 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1984 to 31 October 1985** 3
- Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1984 to 31 October 1985** 4
- ★ **Council Regulation (EEC) No 438/85 of 18 February 1985 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November to 31 December 1984 and the period 1 January to 31 October 1985** 6
- Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November to 31 December 1984 and the period 1 January to 31 October 1985** 7

(Continued overleaf)

Contents (continued)

★ Council Regulation (EEC) No 439/85 of 18 February 1985 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1984 to 31 October 1985	9
Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1984 to 31 October 1985	10
★ Council Regulation (EEC) No 440/85 of 18 February 1985 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco (1985)	12
Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco	13
★ Council Regulation (EEC) No 441/85 of 18 February 1985 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia (1985)	15
Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia	16
★ Council Regulation (EEC) No 442/85 of 18 February 1985 on the conclusion of the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel and concerning the import into the Community of preserved fruit salads originating in Israel (1985)	18
Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel concerning the import into the Community of preserved fruit salads originating in Israel (1985)	19
Commission Regulation (EEC) No 443/85 of 21 February 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal	21
Commission Regulation (EEC) No 444/85 of 21 February 1985 fixing the premiums to be added to the import levies on cereals, flour and malt	23
Commission Regulation (EEC) No 445/85 of 21 February 1985 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	25
★ Commission Regulation (EEC) No 446/85 of 21 February 1985 amending Regulation (EEC) No 2407/83 laying down detailed rules for the application of Article 39 of Regulation (EEC) No 337/79 for the 1983/84 wine-growing year	28

(Continued on inside back cover)

Contents (continued)

★ Commission Regulation (EEC) No 447/85 of 21 February 1985 determining for the Member States the estimated loss of income and the estimated level of the premium payable per ewe for the 1984/85 marketing year	30
★ Commission Regulation (EEC) No 448/85 of 21 February 1985 amending Regulation (EEC) No 2677/84 on transitional measures in readiness for the revaluation of the representative rate for the German mark on 1 January 1985	32
Commission Regulation (EEC) No 449/85 of 21 February 1985 amending Regulation (EEC) No 1810/84 on the application of a special intervention measure for common wheat of breadmaking quality at the beginning of the 1984/85 marketing year	34
★ Commission Regulation (EEC) No 450/85 of 21 February 1985 fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency	36
★ Commission Regulation (EEC) No 451/85 of 21 February 1985 amending for the 24th time Regulation (EEC) No 2730/81 establishing a list of agencies in non-member importing countries entitled to issue invitations to tender in the milk and milk products sector	38
★ Commission Decision No 452/85/ECSC of 20 February 1985 fixing the rates of abatement for the second quarter of 1985 in accordance with Decision No 234/84/ECSC on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry	39
★ Commission Regulation (EEC) No 453/85 of 21 February 1985 amending Regulation (EEC) No 262/79 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs, and Regulation (EEC) No 1932/81	40
Commission Regulation (EEC) No 454/85 of 21 February 1985 altering the export refunds on cereals and on wheat or rye flour, groats and meal	43
Commission Regulation (EEC) No 455/85 of 21 February 1985 fixing the export refunds on malt	46

II *Acts whose publication is not obligatory*

Commission

85/143/EEC :

★ Commission Decision of 18 February 1985 terminating the anti-dumping proceeding concerning imports of certain boots with fitted ice skates originating in Czechoslovakia, Yugoslavia, Romania and Hungary	48
---	----

Corrigenda

★ Corrigendum to Council Regulation (EEC) No 3385/84 of 28 November 1984 temporarily suspending the autonomous Common Customs Tariff duties on a number of industrial products (OJ No L 321, 10. 12. 1984)	52
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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 435/85**of 18 February 1985****amending Regulation (EEC) No 1180/77 on imports into the Community of certain agricultural products originating in Turkey (1984/85)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

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

Whereas Annex IV to Council Decision No 1/77 of the EEC-Turkey Association Council on new concessions for imports of Turkish agricultural products into the Community stipulates that the additional amount, if any, to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, is to be fixed for each year of application by an exchange of letters between the Community and Turkey;

Whereas Regulation (EEC) No 1180/77⁽²⁾, as last amended by Regulation (EEC) No 664/84⁽³⁾, implemented the abovementioned Decision, in particular as regards olive oil;

Whereas the Contracting Parties have agreed, by an exchange of letters, to fix the additional amount in question at 10,88 ECU per 100 kilograms for the period 1 November 1984 to 31 October 1985;

Whereas Article 9 of Regulation (EEC) No 1180/77 should accordingly be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 (1) (b) of Regulation (EEC) No 1180/77 is hereby replaced by the following:

'(b) an amount equal to the special export charge imposed by Turkey on such oil within a limit of 10,88 ECU per 100 kilograms, that amount being increased from 1 November 1984 to 31 October 1985 by 10,88 ECU per 100 kilograms.'

Article 2

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

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

Done at Brussels, 18 February 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ Opinion delivered on 15 February 1985 (not yet published in the Official Journal).

⁽²⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽³⁾ OJ No L 73, 16. 3. 1984, p. 11.

COUNCIL REGULATION (EEC) No 436/85

of 18 February 1985

amending Regulations (EEC) No 1508/76 and (EEC) No 1521/76 on imports of olive oil originating in Tunisia and Morocco (1984/85)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

Having regard to the proposal from the Commission,

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

Whereas Articles 16 and 17 and Annex B to the Cooperation Agreements between the European Economic Community and Tunisia⁽²⁾, and Morocco⁽³⁾ respectively stipulate that, if the country in question levies a special export charge on imports into the Community of olive oil falling within subheading 15.07 A I of the Common Customs Tariff, the levy applicable to such oil is to be reduced by a fixed amount of 0,60 ECU per 100 kilograms and by an amount equal to the special charge, but not exceeding 12,09 ECU per 100 kilograms in the case of the reduction provided for in the aforementioned Articles and 12,09 ECU per 100 kilograms in the case of the additional amount provided for in the aforementioned Annex B;

Whereas, the aforementioned Agreements were implemented by Regulations (EEC) No 1508/76⁽⁴⁾ and (EEC) No 1521/76⁽⁵⁾, as last amended by Regulations (EEC) No 1112/84⁽⁶⁾ and (EEC) No 663/84⁽⁷⁾;

Whereas the Contracting Parties have agreed, by exchanges of letters, to fix the additional amount, on the one hand, at 12,09 ECU per 100 kilograms for the

period 1 November 1984 to 31 October 1985, and on the other hand, for Tunisia, exceptionally and only for the period 1 November to 31 December 1984 at 22,09 ECU per 100 kilograms;

Whereas Regulations (EEC) No 1508/76 and (EEC) No 1521/76 should accordingly be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) (b) of Regulations (EEC) No 1508/76 and (EEC) No 1521/76 shall be replaced by the following:

- (b) an amount equal to the special charge levied by Tunisia and Morocco on exports of the said oil but not exceeding 12,09 ECU per 100 kilograms, this amount being increased for the period 1 November 1984 to 31 October 1985 by 12,09 ECU per 100 kilograms.

In addition, for Tunisia, exceptionally and for the period 1 November to 31 December 1984, the said amount shall be increased by 22,09 ECU per 100 kilograms.

Article 2

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

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

Done at Brussels, 18 February 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ Opinion delivered on 15 February 1985 (not yet published in the Official Journal).

⁽²⁾ OJ No L 265, 27. 9. 1978, p. 2.

⁽³⁾ OJ No L 264, 27. 9. 1978, p. 2.

⁽⁴⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 108, 25. 4. 1984, p. 4.

⁽⁷⁾ OJ No L 73, 16. 3. 1984, p. 10.

COUNCIL REGULATION (EEC) No 437/85**of 18 February 1985**

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1984 to 31 October 1985

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco ⁽¹⁾, which entered into force on 1 November 1978, and in particular to Annex B thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Morocco, for the period 1 November 1984 to 31 October 1985,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Morocco, for the period 1 November 1984 to 31 October 1985, is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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, 18 February 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ OJ No L 264, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Morocco, for the period 1 November 1984 to 31 October 1985

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates that for untreated olive oil falling within sub-heading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period 1 November 1984 to 31 October 1985.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

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

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

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

'Annex B to the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 17 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 12,09 ECU per 100 kilograms for the period 1 November 1984 to 31 October 1985.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

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

*For the Government
of the Kingdom of Morocco*

COUNCIL REGULATION (EEC) No 438/85
of 18 February 1985

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November to 31 December 1984 and the period 1 January to 31 October 1985

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Article 1

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

Having regard to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia⁽¹⁾, which entered into force on 1 November 1978, and in particular Annex B thereof,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Tunisia, for the period 1 November to 31 December 1984 and for the period 1 January to 31 October 1985,

The Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Tunisia, for the period 1 November to 31 December 1984 and the period 1 January to 31 October 1985 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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, 18 February 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Tunisia, for the period 1 November to 31 December 1984 and the period 1 January to 31 October 1985

Letter No 1

Sir,

Annex B to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia stipulates that for untreated olive oil falling within sub-heading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 22,09 ECU per 100 kilograms, exceptionally and only for the period 1 November to 31 December 1984 and at 12,09 ECU per 100 kilograms for the period 1 January to 31 October 1985.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

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

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

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

'Annex B to the Cooperation Agreement between the European Economic Community, and the Republic of Tunisia stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 16 (1) (b) of the Cooperation Agreement may, in order to take account of certain factors and of the situation on the olive oil market, be increased by an additional amount under the same conditions and arrangements as laid down for the application of the abovementioned provisions.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex, the Community will take the necessary steps to fix the additional amount at 22,09 ECU per 100 kilograms, exceptionally and only for the period 1 November to 31 December 1984 and at 12,09 ECU per 100 kilograms for the period 1 January to 31 October 1985.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I am able to confirm the agreement of my Government to the foregoing.

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

*For the Government
of the Republic of Tunisia*

COUNCIL REGULATION (EEC) No 439/85**of 18 February 1985**

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1984 to 31 October 1985

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

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

Having regard to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community, and in particular Annex IV thereto,

Having regard to the recommendation from the Commission,

Whereas it is necessary to approve the Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1984 to 31 October 1985,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff and originating in Turkey, for the period 1 November 1984 to 31 October 1985 is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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, 18 February 1985.

For the Council

The President

G. ANDREOTTI

AGREEMENT

in the form of an exchange of letters between the European Economic Community and Turkey fixing the additional amount to be deducted from the levy on imports into the Community of untreated olive oil, originating in Turkey, for the period 1 November 1984 to 31 October 1985

Letter No 1

Sir,

Annex IV to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 2 of that Decision is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the said Article.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex IV, the Community will take the necessary steps to fix the additional amount at 10,88 ECU per 100 kilograms for the period 1 November 1984 to 31 October 1985.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.

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

*On behalf of the Council
of the European Communities*

Letter No 2

Sir,

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

'Annex IV to Decision No 1/77 of the EEC-Turkey Association Council of 17 May 1977 on new concessions for imports of Turkish agricultural products into the Community stipulates that for untreated olive oil falling within subheading 15.07 A I of the Common Customs Tariff the amount to be deducted from the amount of the levy in accordance with Article 2 of that Decision is increased, in order to take account of certain factors and of the situation on the olive oil market, by an additional amount under the same conditions and arrangements as laid down for the application of the said Article.

I have the honour to inform you that, having regard to the criteria specified in the aforementioned Annex IV, the Community will take the necessary steps to fix the additional amount at 10,88 ECU per 100 kilograms for the period 1 November 1984 to 31 October 1985.

I should be grateful if you would acknowledge receipt of this letter and confirm your Government's agreement to its content.'

I confirm the agreement of my Government to the foregoing.

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

*For the Government
of the Republic of Turkey*

COUNCIL REGULATION (EEC) No 440/85**of 18 February 1985****on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco (1985)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco (1) was signed on 27 April 1976 and entered into force on 1 November 1978;

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the

Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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, 18 February 1985.

For the Council

The President

G. ANDREOTTI

(1) OJ No L 264, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Kingdom of Morocco concerning the import into the Community of preserved fruit salads originating in Morocco

Sir,

With a view to implementing the 55 % reduction in the Common Customs Tariff duties provided for in Article 20 of the Cooperation Agreement concluded between the European Economic Community and the Kingdom of Morocco, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1985 do not exceed 100 tonnes.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by the 'Office de commercialisation et d'exportation (OCE)' (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

Please accept, Sir the assurance of my highest consideration.

*For the Government of
the Kingdom of Morocco*

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'With a view to implementing the 55 % reduction in the Common Customs Tariff duties provided for in Article 20 of the Cooperation Agreement concluded between the European Economic Community and the Kingdom of Morocco, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Morocco, I have the honour to inform you that the Moroccan Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1985 do not exceed 100 tonnes.

To this end the Moroccan Government declares that all exports to the Community of the said products will be effected exclusively by the "Office de commercialisation et d'exportation (OCE)" (Marketing and Exports Office).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Marketing and Exports Office and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55 % reduction in the Common Customs Tariff duties will apply from 1 January to 31 December 1985 to the quantities of preserved fruit salads originating in Morocco referred to in your letter.

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

*On behalf of the Council
of the European Communities*

COUNCIL REGULATION (EEC) No 441/85

of 18 February 1985

on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Republic of Tunisia⁽¹⁾ was signed on 25 April 1976 and entered into force on 1 November 1978;

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters between the European Economic Community and the

Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement for the purpose of binding the Community.

Article 3

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, 18 February 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ OJ No L 265, 27. 9. 1978, p. 2.

AGREEMENT

in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia concerning the import into the Community of preserved fruit salads originating in Tunisia

Sir,

With a view to implementing the 55 % reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the Republic of Tunisia, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1985 do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the 'Office de Commerce de Tunisie' (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Tunisian Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

*For the Government of
the Republic of Tunisia*

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows:

'With a view to implementing the 55 % reduction in the Common Customs Tariff duties provided for in Article 19 of the Cooperation Agreement concluded between the European Economic Community and the Republic of Tunisia, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Tunisia, I have the honour to inform you that the Tunisian Government undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1985 do not exceed 100 tonnes.

To this end the Tunisian Government declares that all exports to the Community of the said products will be effected exclusively by exporters whose operations are controlled by the "Office de Commerce de Tunisie" (Tunisian Board of Trade).

The guarantees relating to quantities will be met in accordance with the procedures agreed between the Tunisian Board of Trade and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing and consequently to state that the 55 % reduction in the Common Customs Tariff duties will apply from 1 January to 31 December 1985 to the quantities of preserved fruit salads originating in Tunisia referred to in your letter.

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

*On behalf of the Council
of the European Communities*

COUNCIL REGULATION (EEC) No 442/85
of 18 February 1985

on the conclusion of the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel and concerning the import into the Community of preserved fruit salads originating in Israel (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas the Agreement between the European Economic Community and the State of Israel⁽¹⁾ was signed on 11 May 1975;

Whereas the Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the said Agreement and concerning the import into the Community of preserved fruit salads originating in Israel should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement

between the European Economic Community and the State of Israel and concerning the import into the Community of preserved fruit salads originating in Israel (1985) is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

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

Article 3

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

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

Done at Brussels, 18 February 1985.

For the Council
The President
G. ANDREOTTI

⁽¹⁾ OJ No L 136, 28. 5. 1975, p. 3.

AGREEMENT

in the form of an exchange of letters relating to Article 9 of Protocol 1 to the Agreement between the European Economic Community and the State of Israel concerning the import into the Community of preserved fruit salads originating in Israel (1985)

Sir,

In pursuance of Article 9 of Protocol 1 to the Agreement concluded between the European Economic Community and the State of Israel, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Israel, I have the honour to inform you that Israel undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1985 will not exceed 220 tonnes.

To this end the Government of the State of Israel declares that all exports to the Community of the products concerned will be effected exclusively by exporters whose operations are controlled by the Israeli Ministry of Commerce, Industry and Tourism.

The guarantees relating to quantities will be met in accordance with the procedures agreed between that Ministry and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.

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

*For the Government
of the State of Israel*

Sir,

I have the honour to acknowledge receipt of your letter of today worded as follows :

'In pursuance of Article 9 of Protocol 1 to the Agreement concluded between the European Economic Community and the State of Israel, and following the clarifications exchanged concerning the conditions governing imports into the Community of preserved fruit salads falling within subheadings 20.06 B II a) ex 9 and 20.06 B II b) ex 9 of the Common Customs Tariff and originating in Israel, I have the honour to inform you that Israel undertakes to take all necessary measures to ensure that the quantities supplied to the Community from 1 January to 31 December 1985 do not exceed 220 tonnes.

To this end the Government of the State of Israel declares that all exports to the Community of the products concerned will be effected exclusively by exporters whose operations are controlled by the Israeli Ministry of Commerce, Industry and Tourism.

The guarantees relating to quantities will be met in accordance with the procedures agreed between that Ministry and the Directorate-General for Agriculture of the Commission of the European Communities.

I should be grateful if you would confirm the agreement of the Community with the foregoing.'

I am able to confirm the agreement of the Community with the foregoing.

Please accept, Your Excellency, the assurance of my highest consideration.

*On behalf of the Council
of the European Communities*

COMMISSION REGULATION (EEC) No 443/85

of 21 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 organi-
zation of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84 ⁽²⁾, and in particular
Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 3131/84 ⁽⁵⁾ and subsequent amending
Regulations;

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

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

No 974/71 ⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁷⁾,

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

Whereas these exchange rates being those recorded on
20 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 22 February
1985.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESSEN

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 21 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	68,86
10.01 B II	Durum wheat	98,56 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	74,59 ⁽⁶⁾
10.03	Barley	72,52
10.04	Oats	46,60
10.05 B	Maize, other than hybrid maize for sowing	58,01 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	53,96 ⁽⁴⁾
10.07 C	Grain sorghum	72,23 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	111,10
11.01 B	Rye flour	119,12
11.02 A I a)	Durum wheat groats and meal	166,35
11.02 A I b)	Common wheat groats and meal	118,12

⁽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 444/85

of 21 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 organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84 ⁽²⁾, and in particular
Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary
Committee,

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

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

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

provided for in Article 2b (2) of Regulation (EEC)
No 974/71 ⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁷⁾,

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

Whereas these exchange rates being those recorded on
20 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 22 February
1985.

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

Done at Brussels, 21 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 21 February 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 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	11,43
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	8,83	8,83	9,55
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

(ECU/tonne)						
CCT heading No	Description	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 445/85

of 21 February 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 231/85⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general

rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 18 and 19 February 1985 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 108, 25. 4. 1984, p. 4.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 73, 16. 3. 1984, p. 11.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 22 February 1985.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	60,00 ⁽¹⁾
15.07 A I b)	64,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	70,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	14,08
07.03 A II	14,08
15.17 B I a)	32,00
15.17 B I b)	51,20
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 446/85

of 21 February 1985

amending Regulation (EEC) No 2407/83 laying down detailed rules for the application of Article 39 of Regulation (EEC) No 337/79 for the 1983/84 wine-growing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 3685/84⁽²⁾, and in particular Articles 6 (3), 39 (8) and 65 thereof,

Whereas under the terms of Article 8 (2) of Commission Regulation (EEC) No 2407/83⁽³⁾, distillers who, as provided for in Article 39 (6) of Regulation (EEC) No 337/79, wish to receive aid in respect of the product to be distilled are required to submit an application to the intervention agency accompanied by various supporting documents including a copy of the accompanying documents relating to the transport of sub-products or wine delivered to them or a summary of the contents of those documents;

Whereas certain distillers, having applied sampling procedures to verify the characteristics of the products delivered for distillation, have not recorded the details of all deliveries systematically from the beginning of the wine-making year; whereas the difficulties thus confronting such distillers threaten to impede the proper execution of the distillation operation in question and justify the adoption of a measure which, while offering equivalent safeguards as regards control, introduces greater flexibility to the provision in Article 8 (2) of Regulation (EEC) No 2407/83 for the 1983/84 wine-making year;

Whereas, moreover, as from the 1984/85 wine-making year and precisely in order to cope with the difficulties in question, Article 17 of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules

for distillation operations involving wine and the by-products of wine-making⁽⁴⁾ was amended in this particular respect by Council Regulation (EEC) No 2687/84⁽⁵⁾, which lays down that distillers must no longer submit to the intervention agency a copy of the accompanying documents relating to the transport of products delivered to them or a summary of such documents but a list of the deliveries made giving the number of the accompanying document used where such a document is required or, where it is not required, the reference to the document used in accordance with national provisions;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following is added to Article 8 (2) (a) of Regulation (EEC) No 2407/83:

'However, Member States may exempt the distiller from the requirement to furnish the said copy or summary on condition that he communicates to the intervention agency a list giving the names of the producers having delivered sub-products to him and the quantities of alcohol obtained for each of them under the distillation operation in question, duly endorsed by the supervisory body responsible for holding the accompanying documents relating to the deliveries made.'

Article 2

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

It shall apply with effect from 1 September 1983.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 341, 29. 12. 1984, p. 1.

⁽³⁾ OJ No L 236, 26. 8. 1983, p. 15.

⁽⁴⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁵⁾ OJ No L 255, 25. 9. 1984, p. 1.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 447/85

of 21 February 1985

determining for the Member States the estimated loss of income and the estimated level of the premium payable per ewe for the 1984/85 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 871/84⁽²⁾, and in particular Article 15 (10) thereof,

Whereas Article 5 (1) of Regulation (EEC) No 1837/80 provides for the granting of a premium to compensate for the loss of income sustained by producers of sheepmeat;

Whereas pursuant to Article 5 (4) of Regulation (EEC) No 1837/80 and to enable an advance payment to be made to sheepmeat producers operating in less-favoured agricultural areas, the foreseeable loss of income should be estimated in the light of the foreseeable trend in market prices;

Whereas under Article 5 (3) of Regulation (EEC) No 1837/80 the amount of the premium per ewe and per region is obtained by multiplying the loss of income referred to in Article 5 (2) by a coefficient expressing for each region the normal annual average production of lamb meat per ewe expressed per 100 kilograms of carcase weight; whereas, however, for region 5 this loss of income must be reduced by the weighted average of the variable premiums actually granted and the foreseeable premiums for the remainder of the 1984/85 marketing year, such average being obtained in accordance with the provisions of Article 5 (6);

Whereas pursuant to Article 4 (1) of Commission Regulation (EEC) No 3007/84⁽³⁾, the advance is fixed at 30 % of the amount of the estimated foreseeable premium; whereas under Article 4 (3) of the said Regulation the advance is to be paid only if the amount thereof is at least 1 ECU;

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

Article 1

A difference is hereby found between the basic price and the foreseeable market price during the 1984/85 marketing year for the following regions:

Region	Difference in ECU/100 kg
2	30,040
3	61,040
4	108,040
5	147,040
6	137,040

Article 2

1. The estimated amount of the premium payable per ewe and per region is as follows:

Region	Estimated amount of the premium payable per ewe in ECU
2	5,708
3	14,039
4	19,447
5	9,409
6	24,667

2. Pursuant to Article 5 (4) of Regulation (EEC) No 1837/80, the advance which the Member States are authorized to pay to producers located in less-favoured agricultural areas shall be as follows:

Region	Advance on premium payable per ewe in ECU
2	1,747
3, of which:	4,278
Denmark	4,244
Netherlands	4,309
Luxembourg	4,309
Belgium	4,176
Germany	5,866
4	2,748
5	7,435
6	

Article 3

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

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 35.

⁽³⁾ OJ No L 283, 27. 10. 1984, p. 28.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 448/85

of 21 February 1985

amending Regulation (EEC) No 2677/84 on transitional measures in readiness for the revaluation of the representative rate for the German mark on 1 January 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 855/84 of 31 March 1984 on the calculation and the dismantlement of the monetary compensatory amounts applying to certain agricultural products⁽¹⁾, and in particular Article 7 thereof,

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

Whereas, pursuant to Article 1 (3) of Commission Regulation (EEC) No 2677/84⁽³⁾, the Federal Republic of Germany has fixed closing dates for the acceptance of cereals offered into intervention; whereas, owing to the quantities involved, delivery was unable to take place before the beginning of 1985;

Whereas, under the terms of Article 3 (3) of Commission Regulation (EEC) No 1569/77 of 11 July 1977 fixing the procedures and conditions for the taking over of cereals by intervention agencies⁽⁴⁾, as last amended by Regulation (EEC) No 2096/84⁽⁵⁾, the price to be paid to the seller is the price valid for the month specified as the month of delivery; whereas, however, where delivery takes place in the course of a month during which the intervention price is lower than that of the month of offer, it is the latter price which applies; whereas application of the said provisions would mean that, for deliveries from 1 January

1985, the price paid to interested parties would be that valid on 30 November 1984; whereas this situation is not in accordance with the considerations underlying Regulation (EEC) No 2677/84; whereas, therefore, the provisions of Regulation (EEC) No 1569/77 should be derogated from by laying down that the price to be paid for deliveries made in January, February and after should be that valid in December 1984 increased by one or two monthly increments, converted into national currency at the representative rate in force on 1 January 1985;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is added to Article 1 (1) (a) of Regulation (EEC) No 2677/84:

'However, by way of derogation from the provisions of Article 3 of Regulation (EEC) No 1569/77, the price to be paid for quantities delivered after 31 December 1984 shall be equal to the intervention price valid on 31 December 1984 increased by one monthly increment for a delivery in January 1985 and two monthly increments for a delivery in February 1985 or later, these monthly increments being converted into national currency at the representative rate valid from 1 January 1985.'

Article 2

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

It shall apply with effect from 1 January 1985.

⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽²⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽³⁾ OJ No L 253, 21. 9. 1984, p. 31.

⁽⁴⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁵⁾ OJ No L 193, 21. 7. 1984, p. 20.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 449/85

of 21 February 1985

amending Regulation (EEC) No 1810/84 on the application of a special intervention measure for common wheat of breadmaking quality at the beginning of the 1984/85 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular the first subparagraph of Article 8 (4) thereof,

Having regard to Council Regulation (EEC) No 855/84 of 31 March 1984 on the calculation and the dismantlement of the monetary compensatory amounts applying to certain agricultural products⁽³⁾, and in particular Article 7 thereof,

Whereas, according to the provisions of Article 5 of Commission Regulation (EEC) No 1810/84⁽⁴⁾, delivery of the quantities accepted under the special intervention measures for the 1984/85 marketing year must take place within two months of the date of acceptance of the offer by the intervention agency; whereas the price to be paid for a delivery in December 1984 or later is that valid on 31 December 1984;

Whereas, in view of the size of the quantities which could be presented for intervention in November on the one hand and the special problems inherent in inspection of the quality of the quantities in question on the other, the delivery of a part of the quantities accepted could take place only from January 1985; whereas, for the quantities in question and in order to ensure fair management, provision should therefore be made for the intervention price to be paid in respect of the quantities delivered in January 1985 or later to be that valid in January 1985; whereas, as regards the quantities delivered in January 1985 or later in the Federal Republic of Germany and the Netherlands,

account should be taken in calculating the monthly increment for January 1985 of the change in the agricultural representative rate which took effect in the said countries on 1 January 1985;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 of Regulation (EEC) No 1810/84 is hereby replaced by the following:

Article 5

Delivery of accepted quantities shall take place within two months of the date of acceptance of the offer by the intervention agency. Where delivery takes place in January 1985 or later, the price payable is that set out in Article 2 increased by five monthly increments, converted into national currency at the representative rate applicable on 1 January 1985.

However, for deliveries made in January 1985 or later in the Federal Republic of Germany and the Netherlands, the price payable shall be that applicable on 31 December 1984 increased by one monthly increment converted into national currency at the representative rate applicable on 31 January 1985.

Article 2

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

It shall apply with effect from 1 January 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 33.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 450/85

of 21 February 1985

fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 3685/84⁽²⁾,

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 Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in certain third countries⁽⁵⁾, as last amended by Regulation (EEC) No 2135/84⁽⁶⁾, and in particular Article 1a (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 1a of Regulation (EEC) No 1393/76, special rates are used to convert the free-at-frontier prices for imported liqueur wines into national currency; whereas the special rates applicable at present were fixed by Commission Regulation (EEC) No 2439/84⁽⁷⁾;

Whereas, for the currencies of the Member States maintained at any given moment with a maximum spread of 2,25 %, the special rate is the conversion rate resulting from the central rate; whereas, for the other currencies, the special rate for the period 1 March to 31 August 1985 is equal to the conversion rate in relation to all the currencies of the Member States, maintained at any given moment with a maximum spread of 2,25 %, resulting from the average rate taken into consideration for the purposes

of calculating the monetary compensatory amounts valid on 1 February 1985;

Whereas, pursuant to Council Regulation (EEC) No 855/84 of 31 March 1984 on the calculation and dismantlement of the monetary compensatory amounts applying to certain agricultural products⁽⁸⁾, the central rate and the market rate used under the common agricultural policy have been subjected to a corrective factor of 1,033651 with effect from the 1984/85 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 shall be:

- (a) for the Belgian franc and the Luxembourg franc :
Bfr/Lfr 1 = 0,0215462 ECU;
- (b) for the Danish krone :
Dkr 1 = 0,118836 ECU;
- (c) for the German mark :
DM 1 = 0,431540 ECU;
- (d) for the French franc :
FF 1 = 0,140728 ECU;
- (e) for the pound sterling :
£ 1 = 1,51892 ECU;
- (f) for the Irish pound :
£ Irl 1 = 1,33314 ECU;
- (g) for the Italian lira :
Lit 100 = 0,0696116 ECU;
- (h) for the Dutch guilder :
Fl 1 = 0,383002 ECU;
- (i) for the Greek drachma :
Dr 1 = 0,0105099 ECU.

Article 2

Regulation (EEC) No 2439/84 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 March 1985.

(¹) OJ No L 54, 5. 3. 1979, p. 1.
 (²) OJ No L 341, 29. 12. 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 157, 18. 6. 1976, p. 20.
 (⁶) OJ No L 196, 26. 7. 1984, p. 21.
 (⁷) OJ No L 228, 25. 8. 1984, p. 6.

(⁸) OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 451/85

of 21 February 1985

amending for the 24th time Regulation (EEC) No 2730/81 establishing a list of agencies in non-member importing countries entitled to issue invitations to tender in the milk and milk products sector

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 Commission Regulation (EEC) No 2730/81 ⁽³⁾, as last amended by Regulation (EEC) No 2778/84 ⁽⁴⁾, established a list of agencies in non-member importing countries entitled to issue invitations to tender in the milk and milk products sector ;

Whereas, in the light of the most recent information available to the Commission on the trade practices followed by the importing countries concerned and the official nature of the agencies in question, this Regulation should be amended ;

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

In the Annex to Regulation (EEC) No 2730/81, the list of issuing organizations should be completed by addition of the following organization, insertion being made in the alphabetical order of the importing country :

<i>Importing country</i>	<i>Issuing organization</i>
Jordan	Civil Service Consumer Corporation PO box 9706 Amman Jordan

Article 2

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

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

Done at Brussels, 21 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. 25.

⁽⁴⁾ OJ No L 261, 2. 10. 1984, p. 8.

COMMISSION DECISION No 452/85/ECSC

of 20 February 1985

fixing the rates of abatement for the second quarter of 1985 in accordance with Decision No 234/84/ECSC on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 234/84/ECSC of 31 January 1984 on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry⁽¹⁾, and in particular Article 9 (1) thereof,

Whereas the rates of abatement in respect of certain products must be fixed for the second quarter of 1985 on the basis of studies carried out with undertakings and associations of undertakings,

HAS ADOPTED THIS DECISION:

Article 1

The rates of abatement for the establishment of production quotas for the second quarter of 1985 shall be as follows:

category Ia	44
category Ib	38
category Ic	13
category Id	+ 43
category II	43
category III	45
category IV	35
category V	45
category VI	40

The rates of abatement for the establishment of the part of the production quotas which may be delivered in the common market shall be as follows:

category Ia	50
category Ib	44
category Ic	18
category Id	+ 45
category II	50
category III	56
category IV	39
category V	48
category VI	40

Article 2

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

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

Done at Brussels, 20 February 1985.

For the Commission

Karl-Heinz NARJES

Vice-President

⁽¹⁾ OJ No L 29, 1. 2. 1984, p. 1.

COMMISSION REGULATION (EEC) No 453/85

of 21 February 1985

amending Regulation (EEC) No 262/79 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs, and Regulation (EEC) No 1932/81

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 6 (7) and 12 (3) thereof,

Whereas Commission Regulation (EEC) No 262/79⁽³⁾, as last amended by Regulation (EEC) No 2927/84⁽⁴⁾, lays down terms for the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs;

Whereas Article 4 (2) of that Regulation sets the maximum weight of milkfat which may be contained in formula B products; whereas, to make this measure more effective, the minimum weight of milkfat contained should also be laid down;

Whereas Article 8 of the abovementioned Regulation stipulates a period of three months for the processing of butter into concentrated butter and an overall period of eight months for the processing of butter into finished products; whereas, in view of commercial practice in this sector, the sale of butter would be facilitated if these periods were extended;

Whereas Annex I to the Regulation in question lists the products to be incorporated into concentrated butter which is intended for processing into formula A and formula C products; whereas, in connection with IV and V thereof, it should be stipulated that the level of milkfat derived from skimmed-milk powder may not exceed 1 %; whereas, for reasons of processing

technology, provision should be made for the option of using buttermilk powder, with the proviso that its fat content in excess of 1 % is not counted as butterfat;

Whereas Article 2 (2) of Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁵⁾, as last amended by Regulation (EEC) No 2927/84, allows the same periods as Regulation (EEC) No 262/79 for processing butter into concentrated butter and for manufacturing the finished products;

Whereas, in view of the new time limits to be set in Regulation (EEC) No 262/79 for the same processing operations, these periods should be extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 262/79 is hereby amended as follows:

1. In the second subparagraph of Article 4 (1), 'less than 26 %' is replaced by 'less than 30 %'.
2. Article 4 (2) is replaced by the following:
'2. Formula B:

(a) ice-cream falling within subheadings 18.06 B and 21.07 C of the Common Customs Tariff and containing 8 % or more by weight of milkfat but not more than 20 %, or

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁴⁾ OJ No L 276, 19. 10. 1984, p. 14.

⁽⁵⁾ OJ No L 191, 14. 7. 1981, p. 6.

(b) preparations, excluding yoghurt and yoghurt powder, for the manufacture of ice-cream, falling within subheading 18.06 D or heading No 21.07 of the Common Customs Tariff, which contain 16 % or more by weight, in the dry matter, of milkfat but not more than 33 %, together with one or more flavourings and with emulsifiers or stabilizers, and are suitable for consumption without any further treatment than the addition of water if required, any mechanical treatment necessary and freezing.'

3. The first indent of Article 4 (3) (a) (bb) is replaced by the following:

'— with a 40 % or higher flour and/or starch base'

4. Article 8 is replaced by the following:

'Article 8

The butter awarded shall be processed in the Community within a period:

- of seven months for the processing operations referred to in Article 5 (1) and (2),
- of 10 months for the processing operation referred to in Article 4,

calculated from the final day for submission of tenders as specified in Article 12 (2).'

5. In Annex I, point IV (a) is replaced by the following:

'(a) 250 kg of a mixture containing:

- one or more components of the non-fat dry content of milk
 - either unprocessed, or
 - in the form of skimmed-milk powder and/or buttermilk powder which may derive from the manufacture of concentrated butter, of which the fat content is determined in accordance with FIL Standard 9B: 1984; the level of fat in excess of 1 % shall be deducted from the quantity of milkfat eligible for aid,
- and/or wheat flour (corn),
- and/or starch or its derivatives such as dextrin, malto-dextrin, maltose, etc.,
- and/or sugar (sucrose), and
- a volume of nitrogen gas guaranteeing a foamy texture to the finished product having a maximum water content of 3 % by weight, and'.

6. In Annex I, point V (a) is replaced by the following:

'(a) 310 kg of a mixture containing:

- one or more components of the non-fat dry content of milk
 - either unprocessed, or
 - in the form of skimmed-milk powder and/or buttermilk powder which may derive from the manufacture of concentrated butter, of which the fat content is determined in accordance with FIL Standard 9B: 1984; the level of fat in excess of 1 % shall be deducted from the quantity of milkfat eligible for the price reduction,
- and/or wheat flour (corn),
- and/or starch or its derivatives such as dextrin, malto-dextrin, maltose, etc.

This mixture shall be dissolved and/or dispersed in water to obtain an aqueous phase that is emulsified with the milkfat, in which have been dissolved the products indicated in (aa), (bb) and one of the indents of (cc) in (b) hereunder. This emulsion shall then be dried by the spray process or by another process having an equivalent effect to give a powder with a maximum water content by weight of 2 % and a physical structure which makes it impossible to separate the fatty phase by the action of heat up to at least 80 °C, and'.

7. The following paragraph 3 is added to Annex IV:

'3. Confectioner's custard, powdered

(Product falling within subheading 19.02 B II b) of the Common Customs Tariff)

Composition (content by weight):

- milkfat: 4 % or more but less than 8 %,
- skimmed-milk powder: 8 % or more but less than 15 %,
- sucrose (including invert sugar expressed as sucrose): 45 % or more but less than 55 %,
- pre-gelatinized starch: 20 % or more but less than 25 %,
- emulsifiers, stabilizers, flavourings and salts: less than 5 %.'

Article 2

Article 2 (2) of Regulation (EEC) No 1932/81 is hereby replaced by the following:

'2. The butter referred to in Article 1 (2) (a) and the concentrated butter referred to in Article 1 (2) (b) must be processed into the products listed in Article 4 of Regulation (EEC) No 262/79 within a period of 10 months calculated from the closing date for the submission of the individual tenders concerned.

The manufacture of the concentrated butter referred to in Article 1 (2) (b) must take place

within a period of seven months calculated from the closing date for the submission of the individual tenders concerned.'

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 to butter sold by tendering procedure after the date on which it comes into force.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 454/85

of 21 February 1985

altering the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the export refunds on cereals and on wheat
or rye flour, groats and meal were fixed by Regulation
(EEC) No 334/85⁽³⁾, as last amended by Regulation
(EEC) No 434/85⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 334/85 to the infor-
mation known to the Commission that the export
refunds at present in force should be altered to the
amounts set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(a), (b) and (c) of Regulation (EEC) No 2727/75,
exported in the natural state, as fixed in the Annex to
amended Regulation (EEC) No 334/85 are hereby
altered as shown in the Annex to this Regulation in
respect of the products set out therein.

Article 2

This Regulation shall enter into force on 22 February
1985.

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

Done at Brussels, 21 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 36, 8. 2. 1985, p. 28.

⁽⁴⁾ OJ No L 51, 21. 2. 1985, p. 37.

ANNEX

to the Commission Regulation of 21 February 1985 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU / tonne) Refund
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	7,00 17,00
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	30,00 37,00 — 10,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	26,00 26,00 26,00 26,00

(ECU/tonne)		
CCT heading No	Description	Refund
11.02 A I a)	Durum wheat groats and meal:	
	— of an ash content of 0 to 1 300 ⁽¹⁾	116,55
	— of an ash content of 0 to 1 300 ⁽²⁾	110,25
	— of an ash content of 0 to 1 300	98,40
	— of an ash content of more than 1 300	92,80

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

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

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

COMMISSION REGULATION (EEC) No 455/85
of 21 February 1985
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 February 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 21 February 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 21 February 1985 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	9,31
11.07 A II b)	64,94
11.07 B	75,69

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 February 1985

terminating the anti-dumping proceeding concerning imports of certain boots with fitted ice skates originating in Czechoslovakia, Yugoslavia, Romania and Hungary

(85/143/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

injury resulting therefrom which was considered sufficient to justify initiating a proceeding.

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 9 thereof,

After consultation within the Advisory Committee as provided for by that Regulation,

Whereas :

(2) The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of certain boots with fitted ice skates, consisting of boots made of leather with blades attached, falling within subheading ex 97.06 C of the Common Customs Tariff (NIMEXE code 97.06-53), originating in Czechoslovakia, and commenced an investigation.

(3) In June 1984, the Commission received from the same complainant a supplementary complaint requesting an extension of the proceeding to include imports of this product originating in Hungary, Romania and Yugoslavia. The supplementary complaint contained evidence of dumping and of material injury resulting therefrom which was considered sufficient to justify extension of the proceeding.

(4) The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽³⁾, the extension of the proceeding to imports of the goods concerned originating in Yugoslavia, Romania and Hungary.

A. Procedure

(1) In January 1984 the Commission received a request for initiation of an anti-dumping proceeding concerning imports of certain boots with fitted ice skates (figure-skating boots) originating in Czechoslovakia, from the German firm LICO-Sportschuhfabriken, Link & Co. GmbH, which accounts for almost the whole Community production of that product. The complaint contained evidence of dumping and of material

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 55, 28. 2. 1984, p. 3.

⁽³⁾ OJ No C 204, 3. 8. 1984, p. 4.

- (5) The Commission officially advised the exporters and importers known to be concerned, the representatives of the exporting countries and the complainant of the initiation and extension of the proceeding, and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

All exporters and some importers made known their views in writing. All exporters and representatives of the exporting countries were heard by the Commission upon request.

- (6) The Commission gathered and examined all the information it considered necessary and carried out on-the-spot verifications at the premises of the following undertakings:

(a) *Community manufacturer:*

LICO-Sportschuhfabriken, Link & Co. GmbH,
Lichtenfels-Schney, Federal Republic of Germany;

(b) *Importers:*

— Hanns Balzer,
Lauterbach, Federal Republic of Germany,
— Chemotrade GmbH,
Augsburg, Federal Republic of Germany,
— Tiger Sport, Becker KG,
Augsburg, Federal Republic of Germany,
— Wintersport Leerdam BV,
Leerdam, Netherlands;

(c) *Exporter:*

VIKO OOUR Inkotrade,
Varaždin, Yugoslavia.

The dumping investigation covered the period 1 February 1983 to 31 January 1984 in respect of imports from Czechoslovakia and the period 1 August 1983 to 31 July 1984 in the case of the other imports.

B. Normal value

- (7) The normal value of the Yugoslav exports was ascertained from the domestic price of the Yugoslav manufacturer exporting the goods to the Community.
- (8) In order to determine whether the imports from Romania, Czechoslovakia and Hungary were being dumped, the Commission had to take into account the fact that these are non-market economy countries; it therefore had to base its calculations on the normal value in a country with a market economy. The complainant suggested Yugoslavia for this purpose. The exporters and importers raised no objections to this.
- (9) The Commission investigated this proposal and found that there were no especial differences as regards the volume and conditions of production

in Yugoslavia as against the other exporting countries. It therefore concluded that the normal value could reasonably be determined on the basis of the selling prices on the Yugoslav market.

C. Export prices

- (10) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

D. Comparison

- (11) In comparing the normal value with the export prices, the Commission took due account of all differences affecting the comparability of prices. Specific allowance was made for the fact that, in the case of some of the imports from Yugoslavia, Romania and Czechoslovakia, blades, rivets and hooks and eyes for manufacturing the goods were made available to the exporters free of charge by the importers.

In addition, all the comparisons made allowance for differences in conditions of sale, and if necessary a correction was made so that export prices could be compared with the normal value at the same level of trade.

For Yugoslavia these comparisons were made for the ex-works price and in the other cases for the price free-at-frontier of the exporting country, for each individual transaction.

E. Dumping margins

- (12) The preliminary determination of the facts showed that there was dumping of imports of figure-skating boots originating in Yugoslavia, Romania, Czechoslovakia and Hungary, and that the dumping margin was equal to the amount by which the normal value established exceeded the price on export to the Community.

These margins differed from one transaction and exporter to another; for the individual exporters investigated the weighted average margins were as follows:

Yugoslavia	22,7 %
Romania	17,6 %
Czechoslovakia	60,0 %
Hungary	8,6 %.

F. Injury

- (13) As regards injury caused by the dumped imports, the Commission's investigation showed that imports of figure-skating boots originating in Czechoslovakia, Yugoslavia, Romania and Hungary fell from 648 000 pairs in 1980 to

252 000 in 1983 and 48 000 in the first half of 1984. Imports from these countries into the Federal Republic of Germany, the Member State most affected, fell from 348 000 pairs in 1980 to 151 000 in 1983 and 14 000 in the first half of 1984.

Czechoslovakia's exports to the Community were 139 000 pairs in 1980, 140 000 in 1983 and 35 000 in the first half of 1984. Imports from the other three countries concerned fell sharply from 1980 to 1983, in the case of Yugoslavia, from 171 000 pairs to 54 000, in that of Romania from 286 000 to 44 000, and that of Hungary from 53 000 to 14 000. These three countries' exports of these goods to the Community in the first half of 1984 amounted to 13 000 pairs.

- (14) Sales of the goods concerned in the Community fell from about 1,7 million pairs in 1980 to some 500 000 in 1983, so that the market share accounted for by imports from Czechoslovakia, Yugoslavia, Romania and Hungary rose from 38,1 % in 1980 to 50 % in 1983, despite the absolute fall in quantities.

This rise is due to the increasing market share taken by imports from Czechoslovakia, which rose from 8,2 to 27,8 % in 1983. In the same period the market shares of Romania and Hungary fell respectively from 16,9 to 8,7 % and from 3,1 to 2,8 %. Imports from Yugoslavia rose from 10,1 % of total Community consumption in 1980 to 10,7 % in 1983. These imports, however, went entirely to the German market, where their market share fell from 23,8 % in 1980 to 19 % in 1983.

- (15) In determining whether the dumped imports have caused any injury to a Community industry, the Commission also had to take into account the fact that the complainant, who accounted for over 90 % of Community production of figure-skating boots, had himself imported the goods concerned from Czechoslovakia. It follows from Article 4 (5) of Regulation (EEC) No 2176/84 that a Community producer who himself imports the dumped goods is thereby not automatically excluded from the injury investigation.

In the case in point, however, the Commission had to take into account the following circum-

stances: the complainant was able to raise the market share of his own production (i.e. excluding imported goods) from 7,8 % in 1981 to 18,2 % in 1982. Nonetheless, in the period 1980 to 1983, he regularly imported considerable quantities of the goods in question from Czechoslovakia. The largest consignments were imported in 1983, i.e. the larger part of the investigation period, and reached an index of 208 (1980 = 100). From 1982 to 1983, the complainant increased his imports by 85 %, even though the market share of his own production in the Community had more than doubled in the previous year, as described above. During the investigation period, the complainant was thus the largest importer of figure-skating boots from Czechoslovakia to Germany. He was also one of the German importers buying at the lowest prices. It therefore would be inappropriate, in this case, to conclude that the complainant, in continually increasing his imports of the dumped products, was merely protecting his market position against dumping practices on the part of Czechoslovakia. In view of this, the Commission considers that the determination of injury by Czech imports to a Community industry should be limited to the rest of Community producers.

- (16) In the course of the investigation, other Community producers did not supply the Commission with any information. The Commission therefore concludes that imports of figure-skating boots originating in Czechoslovakia have not caused any injury to a Community industry.

- (17) As regards injury caused to the Community industry as a whole by dumped imports of figure-skating boots from Yugoslavia, Romania and Hungary, the Commission established that imports from these three countries together fell from 509 000 pairs in 1980 to 112 000 pairs in 1983. During the investigation period 28 682 pairs were imported into the Community from Yugoslavia, 14 600 pairs from Romania and 13 281 pairs from Hungary. The market share of imports from these three countries in the Community fell from 29,9 % in 1980 to 22,3 % in 1983.

- (18) The Commission's enquiries also demonstrated that the figure-skating boots imported from these three countries were sold in the Community at prices equal to or higher than those at which the

complainant was offering his dumped goods of Czech origin. Consequently, it could not be established that there had been price-undercutting of a like product in the Community, in the case of the imports from Yugoslavia, Romania and Hungary.

(19) As regards the effect of the dumped imports on the Community industry, the Commission ascertained that Community production of boots with fitted ice skates fell by 45 % between 1980 and 1983. Taking into account the imported quantities, sales nonetheless fell by only 5 %. As consumption decreased sharply from 1980, as described above, the complainant, who is by far the largest Community producer, was able to increase his market share in the Community by 12,8 % from 1980 to 1983. On the German market he achieved an increase from 12,6 % in 1980 to 38 % in 1983.

(20) In view of this situation, the Commission concludes that the dumped imports originating in Yugoslavia, Romania and Hungary caused no material injury to a Community industry.

G. Termination of the proceeding

(21) In these circumstances the anti-dumping proceeding concerning imports of certain boots with

fitted ice skates, originating in Czechoslovakia, Yugoslavia, Romania and Hungary, should be terminated.

(22) No objection to this course of action was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping proceeding concerning imports of certain boots with fitted ice skates, originating in Czechoslovakia, Yugoslavia, Romania and Hungary, is hereby terminated.

Done at Brussels, 18 February 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 3385/84 of 28 November 1984 temporarily suspending the autonomous Common Customs Tariff duties on a number of industrial products

(Official Journal of the European Communities No L 321 of 10 December 1984)

Page 8, CCT heading No ex 84.18 C II b), in the 'Description' column, for the first time ex 84.18 C II b) occurs on this page:

for: '... container (a)',
read: '... cylinder (a)'.

Page 9, CCT heading No ex 84.55 C, in the 'Description' column, for the first complete entry on this page, the introductory wording:

for: 'Assemblies for automatic data-processing machines, constituting ...',
read: 'Assemblies for automatic data-processing machines, comprising ...'.

Page 16, CCT heading No ex 85.21 D II, in the 'Description' column, for the first time ex 85.21 D II occurs on this page, the second indent:

for: 'other identification markings relating to ROMs complying ...',
read: 'other identification markings relating to C-MOS ROMs complying ...'.

Page 21, CCT heading No ex 85.21 D II, in the 'Description' column, for the last time ex 85.21 D II occurs on this page, the second line:

for: 'storage capacity of 256 K bits, in the form ...',
read: 'storage capacity of 256 K × 1 bit, in the form ...'.
