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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 457/85
of 19 February 1985**

**laying down implementing rules for 1985 for Regulation (EEC) No 3331/82 on
food-aid policy and food-aid management**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3331/82⁽¹⁾, and in particular the first, fourth, fifth,
sixth and seventh indents of Article 4 (1) and Article 4
(2) thereof,

Having regard to the proposal from the Commission,

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

Whereas, in order to implement Regulation (EEC) No
3331/82, it is necessary to determine the total quanti-
ties of each product to be supplied under the food-aid
programmes in compliance with the Community's
international commitments;

Whereas the Community has entered into certain
commitments under the Food Aid Convention;

Whereas the Community has also entered into certain
commitments under the Convention between the
European Economic Community and the United
Nations Relief and Works Agency for Palestine Refu-
gees (UNRWA) on aid to refugees in the countries of
the Near East⁽³⁾;

Whereas a list of the countries and organizations
eligible for food-aid operations should be drawn up
without prejudice to emergency operations;

Whereas provision should also be made for the possi-
bility of making food aid available to non-govern-
mental organizations; whereas the latter must meet

certain conditions guaranteeing the successful execu-
tion of food-aid operations;

Whereas the basic and derived products which may be
supplied under food-aid operations should be deter-
mined by taking account, in particular, of the available
stocks of the products in question;

Whereas general criteria should also be established for
the transport of food aid beyond the fob stage, taking
into account the financial and geographical situation
of the countries concerned and the channels and inter-
mediaries via which the aid will be dispatched;
whereas account should also be taken to this end of
the need to ensure that the effectiveness of the food-
aid operations is increased;

Whereas, in order to ensure that the objectives of
food-aid operations are attained, it is furthermore
necessary to stipulate that aid is granted only where
the recipients undertake to comply with the supply
terms laid down by the Commission;

Whereas the methods of mobilizing, transporting and
delivering the products should be specified; whereas it
is also necessary to determine the procedure for mobi-
lizing the products outside the Community;

Whereas the Commission must be able to take all the
measures necessary for the proper execution of food-
aid programmes and operations; whereas, to this end,
Member States must provide the Commission with all
the assistance required and, in particular, with all rele-
vant information;

Whereas, in certain circumstances and subject to
appropriate conditions, multiannual food-aid
programmes can make a positive contribution to the
development of the recipient country; whereas,
however, it is not intended to lay down multiannual
quantities of food aid;

Whereas this Regulation could be re-examined at a
later date, in the light, in particular, of objective factors
concerning the needs of potential beneficiaries, and on
the basis of a Commission proposal,

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽²⁾ Opinion delivered on 15 February 1985 (not yet published
in the Official Journal).

⁽³⁾ OJ No L 188, 16. 7. 1984, p. 18.

HAS ADOPTED THIS REGULATION :

Article 1

1. The quantities of products to be made available for 1985 to certain developing countries and certain organizations as food aid are indicated in Annex I.

The products listed in the fourth, fifth and sixth indents of Annex I shall be made available to certain developing countries or certain organizations under international commitments or in the form of specific projects or emergency aid to be decided on by the Commission in accordance with Article 5 or 6, as applicable, of Regulation (EEC) No 3331/82.

2. The products to be considered for food-aid operations under paragraph 1 are laid down in Annex II.

Article 2

1. The countries and organizations eligible to receive the aid referred to in Article 1 are listed in Annex III.

2. The aid may also be placed at the disposal of non-governmental organizations which must *inter alia* :

- (a) have their headquarters in a Member State of the Community or, exceptionally, in a third country ;
- (b) have a statute that is characteristic of an organization of this type ;
- (c) have shown that they have the capacity to carry out food-aid operations successfully ;
- (d) have given an undertaking to comply with the supply terms laid down by the Commission pursuant to Article 6 of Regulation (EEC) No 3331/82.

Article 3

Where the Commission considers that the Community should meet transport costs for food aid beyond the fob stage, it shall take account of the following general criteria :

- whether the recipient country is included on the list of least-developed countries,
- whether or not the recipient country is a land-locked country,
- the financial situation of the recipient country,
- whether the food aid is intended for the organizations or non-governmental organizations referred to in Article 2,

- the need to mobilize the product on the market of a developing country,
- the need to allocate the food aid on an emergency basis,
- the need to make a given food-aid operation more effective.

Article 4

Distribution costs may, in exceptional circumstances, be met by the Community where necessary for the proper execution of the food-aid operations concerned.

Article 5

1. The Commission shall inform the recipients of the conditions governing the supply of food aid as referred to in point (c) of the first paragraph of Article 6 of Regulation (EEC) No 3331/82.

2. Food aid shall be granted to the recipients only where they undertake to comply with the supply terms notified to them by the Commission.

Article 6

1. Except in the case of emergency operations or where products have to be purchased in a developing country because they are unavailable on the Community market, tenders shall be called for within the Community :

- for the mobilization of the product on the Community market and, where appropriate, for its purchase and manufacture on that market,
- for the transportation and delivery of the product after mobilization.

Where, however, a food-aid operation relates only to relatively small amounts, paragraph 2 may also apply.

2. For emergency operations or where products must be purchased in a developing country because they are unavailable on the Community market, the Commission may conclude the necessary private contracts or instruct the Member States and, where appropriate, an authorized agent to conclude such contracts on terms laid down by the Commission.

Article 7

1. The Commission shall lay down rules for the mobilization of products which must be purchased in a developing country because they are unavailable on the Community market.

In order to establish that they are unavailable, the Commission shall have regard to the availability of stocks of the products in question in the Community and to the Community market's needs as regards such products.

2. Milk products supplied as food aid must have been manufactured and purchased in the Community.

3. The Commission shall lay down the rules referred to in paragraph 1 in accordance with the procedure provided for in Article 8 of Regulation (EEC) No 3331/82.

Article 8

The Commission shall, in accordance with the procedure provided for in Article 8 of Regulation (EEC) No 3331/82, establish the technical coefficient and equivalence criterion referred to in Article 3 of that Regulation.

Article 9

The Commission shall take all necessary measures to ensure the proper execution of food-aid programmes and operations.

To this end, the Member States shall provide the Commission with all the assistance required and shall, in particular, provide it with all relevant information.

Article 10

The European Parliament shall be kept informed of the management of food aid by being notified of the decisions taken pursuant to Articles 7 and 8 upon their adoption.

Article 11

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

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

Done at Brussels, 19 February 1985.

For the Council

The President

G. ANDREOTTI

*ANNEX I***Quantities referred to in Article 1 (1) made available for 1985**

- For *cereals*:
 - (a) an initial instalment of 927 700 tonnes,
 - (b) a second instalment of up to 232 300 tonnes;
 - for *milk powder*: a maximum of 108 600 tonnes;
 - for *butteroil*: a maximum of 28 700 tonnes;
 - for *sugar*: a maximum of 11 000 tonnes;
 - for *vegetable oil* (seed oil and olive oil): a maximum of 9 100 tonnes;
 - for *other products*, quantities equivalent to not more than 211 700 tonnes.
-

ANNEX II

List of products referred to in Article 1

CCT heading No	Description
03.02	Fish, dried, salted or in brine ; smoked fish, whether or not cooked before or during the smoking process
04.02 A II and B I	Milk and cream, in powder or granules
ex 04.03	Butteroil (as defined in Annex III to Regulation (EEC) No 1354/83)
07.05 B	Dried leguminous vegetables, shelled, whether or not skinned or split (other than for sowing)
08.04 B	Dried grapes
ex Chapter 10 (ex 10.01 to 10.07)	Cereals (other than for sowing)
11.01	Cereal flours
ex 11.02	Cereal groats and cereal meal ; other worked cereal grains (for example rolled, flaked, polished, pearled or kibbled but not further prepared), except rice falling within heading No 10.06
11.04 A	Flour of the dried leguminous vegetables falling within heading No 07.05
15.07 A	Olive oil
15.07 D II	Fixed vegetable oils, fluid or solid, crude, refined or purified (other than olive oil, China-wood and oitica oils, myrtle wax and Japan wax, castor oil and other oils for technical or industrial uses other than the manufacture of foodstuffs for human consumption)
16.04 D ex 16.04 F	Sardines Mackerel and anchovies
17.01 A and B	Beet sugar and cane sugar, in solid form
19.02	Food preparations of flour, meal, etc.
ex 19.03	Macaroni, spaghetti and similar products
19.08 B	Biscuits
21.07 G	Food preparations not specified

*ANNEX III***Countries and organizations referred to in Article 2****1. COUNTRIES**

Angola	Guinea (Conakry)	Peru
Antigua and Barbuda	Guinea Bissau	Philippines
Bangladesh	Guyana	Rwanda
Benin	Haiti	Saint Christopher and Nevis
Bolivia	Honduras	St Lucia
Botswana	India	St Vincent and Grenadines
Burkina Faso	Indonesia	São Tomé and Príncipe
Burma	Jamaica	Senegal
Burundi	Jordan	Seychelles
Cape Verde	Kenya	Sierra Leone
Central African Republic	Lebanon	Somalia
Chad	Lesotho	Sri Lanka
China	Madagascar	Sudan
Comoros	Malawi	Syria
Costa Rica	Maldives	Swaziland
Djibouti	Mali	Tanzania
Dominican Republic	Malta	Thailand
Dominica	Mauritania	Togo
Ecuador	Mauritius	Tunisia
Egypt	Morocco	Uganda
Equatorial Guinea	Mozambique	North Yemen (Arab Republic)
Ethiopia	Nepal	South Yemen (Democratic Republic)
Gambia	Nicaragua	Zaire
Ghana	Niger	Zambia
Grenada	Pakistan	Zimbabwe

2. ORGANIZATIONS

ICRC	UNHCR	WFP
LICROSS	UNRWA	UNICEF

COMMISSION REGULATION (EEC) No 458/85

of 22 February 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas these exchange rates being those recorded on 21 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 23 February 1985.

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

Done at Brussels, 22 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 293, 10. 11. 1984, p. 1.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 22 February 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)
		Levies
10.01 B I	Common wheat, and meslin	66,75
10.01 B II	Durum wheat	98,56 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	75,72 ⁽⁶⁾
10.03	Barley	70,76
10.04	Oats	44,67
10.05 B	Maize, other than hybrid maize for sowing	56,70 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	52,02 ⁽⁴⁾
10.07 C	Grain sorghum	67,95 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	108,14
11.01 B	Rye flour	120,70
11.02 A I a)	Durum wheat groats and meal	167,10
11.02 A I b)	Common wheat groats and meal	114,93

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 459/85

of 22 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
21 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 23 February
1985.

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

Done at Brussels, 22 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 22 February 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 2	1st period 3	2nd period 4	3rd period 5
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	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	9,75	9,75	9,75
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	22,28
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

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

COMMISSION REGULATION (EEC) No 460/85

of 21 February 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 4 to 10 February 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1063/84 of 16 April 1984 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom during the 1984/85 marketing year ⁽¹⁾, and in particular Article 5 thereof,

Whereas, under Article 3 of Regulation (EEC) No 1063/84, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Commission Regulation (EEC) No 1355/84 of 16 May 1984 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom during the 1984/85 marketing year ⁽²⁾, as amended by Regulation (EEC) No 2018/84 ⁽³⁾, the amounts to be charged on departure from the territory of the United Kingdom of the

products listed in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 4 to 10 February 1985 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1063/84, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1355/84 which left the territory of the United Kingdom during the week 4 to 10 February 1985 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 4 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 105, 18. 4. 1984, p. 1.

⁽²⁾ OJ No L 131, 17. 5. 1984, p. 19.

⁽³⁾ OJ No L 187, 14. 7. 1984, p. 46.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 4 to 10 February 1985

(ECU/100 kg net weight)

CCT heading No	Description	Amount
1	2	3
ex 02.01 A II a) and ex 02.01 A II b)	Meat of adult bovine animals, fresh, chilled or frozen :	
	1. Carcases, half-carcases or 'compensated' quarters	26,26474
	2. Separated or unseparated forequarters	21,01179
	3. Separated or unseparated hindquarters	31,51769
	4. Other :	
	aa) Unboned (bone-in)	21,01179
	bb) Boned or boneless	35,98269
ex 02.06 C I a)	Meat salted, in brine, dried or smoked, of adult bovine animals :	
	1. Unboned (bone-in)	21,01179
	2. Boned or boneless	29,94180
ex 16.02 B III b) 1	Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals :	
	aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	11. Containing 80 % or more by weight of beef meat excluding offals and fat	29,94180
	22. Other	21,01179

COMMISSION REGULATION (EEC) No 461/85

of 21 February 1985

amending quantitative limits fixed for imports of certain textile products
(categories 1 and 2) originating in PeruTHE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No
3589/82 of 23 December 1982 on common rules for
imports of certain textile products originating in third
countries ⁽¹⁾, as last amended by Regulation (EEC) No
3762/83 ⁽²⁾, and in particular Article 9 (2) thereof,Whereas under Article 9 (2) of Regulation (EEC) No
3589/82, quantitative limits may be increased where it
appears that additional imports are required;Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Textile
Committee,

HAS ADOPTED THIS REGULATION:

*Article 1*The quantitative limits for textile products originating
in Peru, as fixed in Annex III to Regulation (EEC) No
3589/82, are hereby amended for 1985 as laid down in
the Annex hereto.*Article 2*This Regulation shall enter into force on the day
following its publication in the *Official Journal of the
European Communities*.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 21 February 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission⁽¹⁾ OJ No L 374, 31. 12. 1982, p. 106.⁽²⁾ OJ No L 380, 31. 12. 1983, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1985
1	55.05	55.05-13, 19, 21, 25, 27, 29, 33, 35, 37, 41, 45, 46, 48, 51, 53, 55, 57, 61, 65, 67, 69, 72, 78, 81, 83, 85, 87	Cotton yarn, not put up for retail sale	Peru ⁽¹⁾	UK EEC	Tonnes	151 4 508
2	55.09	55.09-03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 29, 32, 34, 35, 37, 38, 39, 41, 49, 51, 52, 53, 54, 55, 56, 57, 59, 61, 63, 64, 65, 66, 67, 68, 69, 70, 71, 73, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 87, 88, 89, 90, 91, 92, 93, 98, 99	Other woven fabrics of cotton : Woven fabrics of cotton, other than gauze, terry fabrics, narrow woven fabrics, pile fabrics, chenille fabrics, tulle and other net fabrics	Peru	UK EEC	Tonnes	170 2 731

⁽¹⁾ See Appendix, Annex III to Regulation (EEC) No 3589/82.

COMMISSION REGULATION (EEC) No 462/85

of 22 February 1985

repealing Regulation (EEC) No 532/75 and amending Regulations (EEC) No 900/84 and (EEC) No 398/85 as regards export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1557/84⁽²⁾, and in particular Articles 10 (3) and 17 (4) 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⁽³⁾, as last amended by Regulation (EEC) No 855/84⁽⁴⁾, and in particular Article 6 thereof,

Whereas, in accordance with Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed⁽⁵⁾, as last amended by Regulation (EEC) No 2128/84⁽⁶⁾, aid is granted for liquid and powdered skimmed milk and buttermilk fulfilling certain conditions which are denatured or incorporated in feedingstuffs; whereas, in accordance with Article 2 (8) of the said Regulation, where the products referred to are exported after denaturing or in the form of compound feedingstuffs, an amount equal to the aid is levied;

Whereas the amounts of aid to be recovered on exportation are laid down by Commission Regulation (EEC) No 532/75⁽⁷⁾, as last amended by Regulation (EEC) No 1047/84⁽⁸⁾; whereas it is necessary to determine the amounts of aid to be recovered for milk and buttermilk powder which has been denatured or incorporated in feedingstuffs; whereas the determination of

these amounts causes problems *inter alia* owing to the fact that varying quantities of milk powder with varying fat contents may be incorporated in feedingstuffs; whereas the amount of the aid should no longer be recovered by means of a levy on exportation;

Whereas a refund is granted on exportation for skimmed-milk powder which has been denatured or incorporated in feedingstuffs, in accordance with Commission Regulation (EEC) No 398/85⁽⁹⁾; whereas the amount of the refund is slightly higher than the amount of the aid; whereas, because it is no longer possible to recover the amount of the aid by means of a levy on exportation, refunds for skimmed milk and buttermilk powder, denatured or incorporated in compound feedingstuffs, should be reduced or, if necessary, should not be granted in order to ensure that such products are not exported at a price lower than the world market price;

Whereas the compensatory monetary amounts fixed by Commission Regulation (EEC) No 900/84⁽¹⁰⁾, as last amended by Regulation (EEC) No 456/85⁽¹¹⁾, should be altered in consequence;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 532/75 is hereby repealed.

Article 2

The amounts of the refunds appearing in the Annex to Regulation (EEC) No 398/85 for the products falling within Common Customs Tariff subheading 23.07 ex B are hereby amended as specified in the Annex to this Regulation.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁶⁾ OJ No L 196, 26. 7. 1984, p. 6.

⁽⁷⁾ OJ No L 56, 3. 3. 1975, p. 20.

⁽⁸⁾ OJ No L 102, 14. 4. 1984, p. 26.

⁽⁹⁾ OJ No L 48, 16. 2. 1985, p. 6.

⁽¹⁰⁾ OJ No L 92, 2. 4. 1984, p. 2.

⁽¹¹⁾ OJ No L 57, 25. 2. 1985, p. 1.

Article 3

1. Note ⁽⁶⁾ in part 5 of Annex I to Regulation (EEC) No 900/84 is hereby replaced by the following:

'⁽⁶⁾ When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular the actual content by weight per 100 kg of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

For milk powder or granules (other than whey) which have been denatured in accordance with Article 2 of Regulation (EEC) No 1725/79 (OJ No L 199, 7. 8. 1979) or in accordance with Article 1 of Regulation (EEC) No 3714/84 (OJ No L 341, 29. 12. 1984) and feedingstuffs the lactic part of which contains milk powder or granules (other than whey), the amount shown shall be increased by the supplementary amounts indicated in the table below (where no amount is shown, only the supplementary amount shall apply):

Content by weight of milk powder or granules (other than whey) in the finished product	Germany DM/100 kg	Netherlands Fl/100 kg	United Kingdom £/100 kg	Belgium/ Luxembourg Bfrs/Lfrs/ 100 kg	Denmark Dkr/100 kg	Italy Lit/100 kg	France FF/100 kg	Greece Dr/100 kg	Ireland £Irl/100 kg
More than 12 % but less than 30 %	1,30	1,46	0,437				1,75	60,5	
30 % or more but less than 50 %	2,60	2,93	0,873				2,49	121,1	
50 % or more but less than 70 %	3,90	4,39	1,310				3,74	181,6	
70 % or more but less than 80 %	4,87	5,49	1,638				4,68	227,0	
80 % or more but less than 88 %	5,45	6,15	1,834				5,24	254,3	
88 % or more	5,84	6,58	1,965				5,61	272,4	

Where the products contain skimmed-milk powder purchased under the terms of Regulation (EEC) No 368/77 (OJ No L 52, 24. 2. 1977), (EEC) No 443/77 (OJ No L 58, 3. 3. 1977) or (EEC) No 1844/77 (OJ No L 205, 11. 8. 1977) and more than 9,0 grams of iron and/or 1,2 grams of copper per 100 kilograms, the supplementary amounts indicated above shall be multiplied by the coefficient 0,27.

If the product has not been produced in accordance with one of the Regulations referred to in the second and third paragraphs in this note, the coefficient 1,79 shall be applied to the supplementary amounts indicated above. However, this coefficient shall not be applied to products consigned to Italy from another Member State where Regulation (EEC) No 1624/76 (OJ No L 180, 6. 7. 1976) applies.'

2. Note ⁽⁸⁾ in part 1 of Annex I to Regulation (EEC) No 900/84 is hereby replaced by the following:

'⁽⁸⁾ If the lactic part of the milk product contains milk powder or granules (other than whey), the amount shown shall be increased by 10 times the supplementary amount shown in the table in note ⁽⁶⁾ of part 5 of this Annex in respect of "more than 12 % but less than 30 %" or "30 % or more but less than 50 %", according to the amount of milk powder contained in the finished product. In this context, the third paragraph and the first sentence of the fourth paragraph in note ⁽⁶⁾ of part 5 shall also apply.

When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.'

Article 4

This Regulation shall enter into force on 4 March 1985.

However, where the amount of the refund for one or more products falling within subheading 23.07 B has been fixed in advance in accordance with Regulation (EEC) No 2729/81 ⁽¹⁾ before the date of entry into force of this Regulation, Regulation (EEC) No 532/75

shall continue to apply in respect of the quantities shown in the advance-fixing certificate. Where the amount of the aid for skimmed-milk powder, as referred to in Article 10 of Regulation (EEC) No 804/68, is fixed at an amount other than 73 ECU per 100 kilograms during the period of validity of the advance-fixing certificate for such products, a coefficient corresponding to the new amount of the aid divided by 73 shall apply to the amount to be recovered. However, the amounts to be recovered which are applicable before the date of application of the new amount of the aid shall remain applicable to milk and milk powder which are proved to have received only the aid applying before that date.

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

Done at Brussels, 22 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 272, 26. 9. 1981, p. 19.

ANNEX

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07	Sweetened forage ; other preparations of a kind used in animal feeding : ex B. Other, containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs (*) : I. Containing starch, or glucose or glucose syrup, or maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II : a) Containing no starch or containing 10 % or less, by weight, of starch : (3) Containing 50 % or more but less than 75 %, by weight, of milk products of which content of milk in powder or granules (excluding whey), by weight, is (*) : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more (4) Containing 75 % or more, by weight, of milk products, of which content of milk in powder or granules (excluding whey), by weight, is (*) : (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more but less than 75 % (gg) 75 % or more but less than 80 % (hh) 80 % or more II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, but containing milk products of which content of milk in powder or granules (excluding whey), by weight, is (*) : (a) 50 % or more but less than 60 % (b) 60 % or more but less than 70 % (c) 70 % or more but less than 80 % (d) 80 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62 5800 13 5800 23 5800 32 5800 42 5800 52 5800 62 5800 72 5800 82 5900 12 5900 22 5900 32 5900 42	— 1,79 2,35 2,91 3,47 4,03 — 1,79 2,35 2,91 3,47 4,03 4,31 4,59 2,91 3,47 4,03 4,59

COMMISSION REGULATION (EEC) No 463/85

of 22 February 1985

amending Regulation (EEC) No 2268/84 as regards the granting of aid for butter under private storage contract

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1557/84⁽²⁾, and in particular Article 6 (7) thereof

Whereas the second subparagraph of Article 6 (3) of Regulation (EEC) No 804/68 provides that special measures may be taken for butter held in private storage which cannot be marketed on normal terms; whereas an aid should be granted for this butter in order to make its price comparable with that of butter from public stocks intended for export under Commission Regulation (EEC) No 2268/84⁽³⁾, as last amended by Regulation (EEC) No 3457/84⁽⁴⁾;

Whereas Regulation (EEC) No 2268/84 determines provisions for the export of butter from public stocks; whereas provisions should be included in that Regulation enabling an aid to be granted for butter from private stocks intended for export to non-member countries, on the condition that this butter is still the subject of a private storage contract; whereas, moreover, the restrictions on the packaging of the product exported should be deleted from the Regulation in order to improve sales prospects;

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

Regulation (EEC) No 2268/84 is hereby amended as follows:

1. The following Article 8a is inserted:

Article 8a

1. An aid of 27,50 ECU per 100 kilograms shall be granted for butter that is the subject of a storage contract in accordance with Article 8 (3) of Regulation (EEC) No 985/68 on the date of the application referred to in paragraph 2, on condition that the butter is exported to non-member countries.

2. In order to obtain the aid referred to in paragraph 1, the signatory of the storage contract shall send an application for removal from storage to the intervention agency with which he concluded the contract, stating the quantities of butter that he intends to remove from storage and the planned date of removal from storage. The intervention agency shall, as soon as possible, issue an acknowledgement of receipt permitting the removal from storage, and where appropriate partial removal, in accordance with this Regulation.

3. The aid referred to in paragraph 1 shall be paid after removal from storage within the meaning of Article 24 (2) of Regulation (EEC) No 685/69, on condition that the interested party has lodged a security in accordance with Article 13 (1) of Regulation (EEC) No 1687/76. The amount of the security shall be equal to the amount of the aid referred to in paragraph 1, plus 5 ECU per 100 kilograms.

4. Articles 2, 3 (1) (a) and (3), 4, 5, 6, 7, 8 (1), 9, 10, 11, 12, 13, 13a and 14 of Regulation (EEC) No 1687/76 shall apply *mutatis mutandis* as from the day of removal from storage referred to in paragraph 3.

The special entries in boxes 104 and 106 on the control copy shall be those referred to in point 13 of section I and point 25 of section II of the Annex to Regulation (EEC) No 1687/76.

5. The export formalities shall be completed within a period, calculated as from the date of removal from storage referred to in paragraph 3:

- of one month in the case of exports of butter,
- of four months in the case of exports of butteroil.

6. For butter from private storage in respect of which the aid referred to in paragraph 1 has been paid, Articles 5 (as regards the markings on the packaging), 6a (1) to (5), 7, 8 and 10 shall apply *mutatis mutandis*.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 208, 3. 8. 1984, p. 35.

⁽⁴⁾ OJ No L 319, 8. 12. 1984, p. 9.

7. The rights and obligations resulting from the contract for aid shall not be transferable.

clearly legible printed characters, the words "Butteroil — Regulation (EEC) No 2268/84".

8. The application for aid may not be withdrawn.'

2. Article 6a (5) is replaced by the following :

Article 2

'5. The finished product shall be packed in hermetically sealed metal containers bearing, in

This Regulation shall enter into force on 25 February 1985.

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

Done at Brussels, 22 February 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 464/85
of 22 February 1985
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Regulation (EEC) No 2515/84 ⁽³⁾, as last amended by Regulation (EEC) No 376/85 ⁽⁴⁾;

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

to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginced cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be 30,978 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 23 February 1985.

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

Done at Brussels, 22 February 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 142, 29. 5. 1984, p. 1.

⁽³⁾ OJ No L 234, 1. 9. 1984, p. 33.

⁽⁴⁾ OJ No L 44, 14. 2. 1985, p. 26.

COMMISSION REGULATION (EEC) No 465/85
of 22 February 1985
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1854/84⁽³⁾, as last amended by Regulation (EEC) No 408/85⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 23 February 1985.

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

Done at Brussels, 22 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.
⁽³⁾ OJ No L 172, 30. 6. 1984, p. 53.
⁽⁴⁾ OJ No L 49, 19. 2. 1985, p. 8.

ANNEX

to the Commission Regulation of 22 February 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	46,33
	B. Raw sugar	41,13 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 466/85**of 22 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
fifth subparagraph of Article 16 (2) thereof,

Whereas the export refunds on cereals and on wheat
or rye flour, groats and meal were fixed by Regulation
(EEC) No 334/85 ⁽³⁾, as last amended by Regulation
(EEC) No 454/85 ⁽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,

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 23 February
1985.

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

Done at Brussels, 22 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 52, 22. 2. 1985, p. 43.

ANNEX

to the Commission Regulation of 22 February 1985 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	7,00 15,00
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).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 January 1985

authorizing the French Republic to introduce intra-Community surveillance in respect of imports of certain beach slippers, slippers and other indoor footwear originating in the People's Republic of China

(Only the French text is authentic)

(85/144/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas Commission Regulation (EEC) No 3667/84⁽²⁾ instituted a system of import authorizations in France for certain beach slippers, slippers and other indoor footwear originating in the People's Republic of China and falling within NIMEXE codes ex 64.04-10, ex 64.04-90 and ex 64.02-69 respectively;

Whereas that Regulation takes account of the steps taken by the Government of the People's Republic of China both in order to make exports into France of the products in question subject to export certificates, and to issue such certificates in such a way as to respect certain quantitative limits for 1985, 1986 and 1987;

Whereas disparities exist between France and the other Member States in the conditions governing

imports of the products in question; whereas such disparities may give rise to deflection of trade;

Whereas in order to detect rapidly such deflection of trade, the French Government has made a request to the Commission of the European Communities to be authorized to establish prior intra-Community surveillance of the imports in question originating in the People's Republic of China and put into free circulation in the other Member States;

Whereas the Commission has examined whether the imports in question could be the subject of intra-Community surveillance measures; whereas that examination shows that such deflection of trade may increase and jeopardize the objectives pursued by Regulation (EEC) No 3667/84 referred to above and aggravate or prolong the economic difficulties of the manufacturing sector concerned;

Whereas it is therefore necessary to authorize France to introduce intra-Community surveillance of the products in question originating in the People's Republic of China and put into free circulation in the other Member States,

HAS ADOPTED THIS DECISION:

Article 1

In accordance with Article 2 of Decision 80/47/EEC, the French Republic is hereby authorized to establish, until 31 December 1987, intra-Community surveil-

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 340, 28. 12. 1984, p. 30.

lance of the products indicated below originating in the People's Republic of China and put into free circulation in the other Member States.

Article 2

This Decision is addressed to the French Republic.

CCT heading No	NIMEXE code (1985)	Description
ex 64.04	ex 64.04-10	Slippers and other indoor footwear
ex 64.04	ex 64.04-90	Beach slippers
ex 64.02 B	ex 64.02-69	Beach slippers with rubber soles

Done at Brussels, 15 January 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION DECISION

of 15 January 1985

authorizing the United Kingdom to apply intra-Community surveillance to imports of certain textile products originating in Turkey

(Only the English text is authentic)

(85/145/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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

Whereas Decision 80/47/EEC requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of the imports concerned;

Whereas in accordance with Article 1 of Council Regulation (EEC) No 1842/71⁽²⁾ on safeguard measures provided for in the Association Agreement between the European Economic Community and Turkey, the Commission, by Regulation (EEC) No 3639/84⁽³⁾, introduced protective measures in respect of imports into the Community of certain textile products originating in this third country;

Whereas such measures were authorized because of the massive and rapid increase of the imports concerned into the Community and because of the damage to Community producers;

Whereas, under such safeguard measures, imports into the Community of the textile products in question originating in Turkey are subject, until 30 June 1985, to quantitative limits;

Whereas, under such measures, disparities exist in the conditions governing imports of such textile products into the different Member States; whereas such disparities may give rise to deflection of trade;

Whereas, in order to deflect rapidly deflections of trade which could aggravate or give rise to economic difficulties in the sector concerned, the Government of the United Kingdom requested the Commission,

under Article 2 of Decision 80/47/EEC, for authorization to apply prior intra-Community surveillance to imports of textile products falling within categories 4, 6 and 83, originating in Turkey and put into free circulation in the other Member States;

Whereas the Commission has examined whether the imports concerned could be made subject to intra-Community surveillance measures under Article 2 of Decision 80/47/EEC;

Whereas this examination has shown that there is a risk of deflections of trade occurring via the other Member States, thus jeopardizing the objectives aimed at by the safeguard measures indicated above and aggravating or prolonging the economic difficulties of the industry concerned;

Whereas, in these circumstances there is a reason to authorize the United Kingdom, until 30 June 1985, to apply intra-Community surveillance to imports of the textile products in question originating in Turkey and put into free circulation in the other Member States,

HAS ADOPTED THIS DECISION:

Article 1

The United Kingdom is authorized to introduce until 30 June 1985, in accordance with Decision 80/47/EEC, intra-Community surveillance of imports of the textile products falling within categories 4, 6 and 83, originating in Turkey and put into free circulation in the other Member States.

Article 2

This Decision is addressed to the United Kingdom

Done at Brussels, 15 January 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ No L 192, 26. 8. 1971, p. 14.

⁽³⁾ OJ No L 335, 22. 12. 1984, p. 28.

COMMISSION DIRECTIVE**of 31 January 1985****adapting to technical progress Council Directive 73/362/EEC on the approximation of the laws of the Member States relating to material measures of length****(85/146/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 71/316/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control⁽¹⁾, as last amended by Directive 83/575/EEC⁽²⁾, and in particular Article 17 thereof,

Whereas Council Directive 73/362/EEC⁽³⁾, as amended by Directive 78/629/EEC⁽⁴⁾, should be amended to take account of technical developments in the field concerned;

Whereas the framework Directive 71/316/EEC has been adapted to technical progress in the manufacture of measuring instruments and accordingly permits statistical checks to be carried out for the purposes of EEC initial verification in accordance with the procedure laid down in the separate Directives; whereas, therefore, certain additions have to be made to the Annex to the specific Directive 73/362/EEC in order to determine the procedure for those checks;

Whereas, pursuant to those additions, it is necessary to state more specifically the conditions for the granting of EEC pattern approval and initial verification relating to material measures of length;

Whereas the provisions of this Directive are in accordance with the opinion of the Commission on the

adaptation to technical progress of the Directives for the removal of technical barriers to trade in measuring instruments,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In the Annex to Directive 73/362/EEC:

1. Points 2.1, 7, 7.1, 7.4 and 8 are hereby amended in accordance with the corresponding points in the Annex hereto.
2. Points 10, 11 and 12 in the Annex hereto are hereby added.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions needed in order to comply with this Directive on 1 January 1986. They shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 31 January 1985.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 202, 6. 9. 1971, p. 1.

⁽²⁾ OJ No L 332, 28. 11. 1983, p. 43.

⁽³⁾ OJ No L 335, 5. 12. 1973, p. 56.

⁽⁴⁾ OJ No L 206, 29. 7. 1978, p. 8.

ANNEX

2.1. In normal use at temperatures 8 °C above or below the reference temperature, variations in length are not greater than the maximum permissible errors.

7. Maximum permissible errors

The measures of length defined in this Directive shall be divided into three classes, designated I, II and III, according to their degree of precision.

7.1. The maximum permissible positive or negative error,

- (a) on the nominal length, or
- (b) on any other distance between any two non-consecutive scale marks,

shall be expressed in millimetres as a function of the length in question by the formula $(a + bL)$, in which :

- L is the length in question, rounded up to the next whole metre above,
- a and b are coefficients fixed for each precision class according to the following table :

Precision class	a	b
I	0,1	0,1
II	0,3	0,2
III	0,6	0,4

7.4. The maximum permissible error in service shall be equal to twice the maximum permissible error in the EEC initial verification.

8. EEC initial verification marks

8.1. A place must be provided near the beginning of the measure of length itself or on an additional fixture to permit the EEC initial verification marks to be affixed.

8.2. The marks must be affixed in accordance with the provisions of point 3.1 in Annex II to Council Directive 71/316/EEC of 26 July 1971, as last amended by Council Directive 83/575/EEC of 25 October 1983.

8.3. However, by derogations from point 3.1, the EEC initial verification mark may consist of the lower-case letter 'e' in a hexagon, the letter 'e' containing in its upper half the upper-case letter or letters identifying the Member State in which the EEC initial verification took place and in its lower half the year of verification. An example of the mark is shown at point 12.

8.4. The choice of one or the other form of mark is left to the discretion of the department responsible for EEC initial verification.

10. EEC pattern approval and EEC initial verification

EEC pattern approval and EEC initial verification of material measures of length shall be carried out in accordance with the procedure laid down in Directive 71/316/EEC.

10.1. EEC pattern-approval examination

Apart from the study documents, the examination shall consist of a check to ensure that the pattern submitted is in conformity with points 2, 3, 4, 5, 6 (except for point 6.4), 7, 8 and 9.

10.2. EEC initial verification checks

10.2.1. The EEC initial verification checks shall be carried out either on all the measures of length submitted or on lots composed of measures in accordance with point 11.

10.2.2. The EEC initial verification checks shall consist of a visual inspection of the measure of length to ensure its conformity with the approved pattern ; this concerns in particular the provisions of points 3.6, 4.1 and 4.3.

- 10.2.3. It also has to be verified that the measure of length complies with the requirements concerning the maximum permissible errors for the nominal length with due regard, where appropriate, to the provisions of point 9.5.
- 10.2.4. In addition, at five different places randomly distributed over the measure of length, a check shall be made of:
- the distance between two non-consecutive scale marks,
 - the length of the interval,
 - the difference between the length of two consecutive intervals,
- in order to verify their compliance with the provisions of points 7.1 (b), 7.2.1 and 7.2.2, with due regard, where appropriate, to the provisions of points 7.3 and 9.3.
- Where the results of the inspection justify, the competent department may reduce or increase the number of checks.
- 10.2.5. All the checks mentioned above shall be carried out under the reference conditions specified at point 7.5.

11. Statistical check applied as an EEC initial verification check

When the measures of length are manufactured in series and the person responsible for submitting them for EEC initial verification states that they have already been adequately inspected, at his request the lots submitted shall undergo a statistical check by attributes under the following conditions.

11.1. General

11.1.1. Lot

Lots are made up of measures of length which:

- are of the same pattern,
- belong to the same precision class,
- are manufactured by the same process.

The size of the lot is the number of measures of length it contains. The maximum lot size for EEC initial verification is 10 000 units.

11.1.2. Sample

A sample is made up of measures of length selected at random from a lot. The number of measures of length in the sample is termed the sample size.

11.1.3. Statistical check by attributes

A statistical check by attributes is an inspection in which the measures of length in the sample are classed as defective or not defective in accordance with the provisions of this Directive.

11.1.4. Limiting quality level (LQ 5)

The limiting quality is the quality level of the lot submitted that corresponds in a sampling plan to a 5 % probability of acceptance.

11.1.5. Acceptable quality level (SQL)

The standard quality level is the quality level of the lot submitted that corresponds in a sampling plan to a 95 % probability of acceptance.

11.1.6. Acceptance number

In a statistical check by attributes, the acceptance number is the greatest number of defective measures found in the sample inspected which, if attained, still entails acceptance of the lot under examination.

11.1.7. Rejection number

In a statistical check by attributes, the rejection number is the number of defective measures found in the sample inspected which, if exceeded, entails rejection of the lot under examination.

11.1.8. Simple sampling plan

The number of individual measures inspected must be equal to the size of the sample as specified by the plan. If the number of defective measures found in the sample is less than or equal to the acceptance number, the lot must be accepted. If the number of defective measures is greater than or equal to the rejection number, the lot must be rejected.

11.1.9. Double sampling plan

The number of individual measures inspected must be equal to the size of the first sample as specified by the plan. If the number of defective measures found in the first sample is less than or equal to the first acceptance number, the lot must be accepted. If the number of defective measures found in the first sample is equal to or greater than the first rejection number, the lot must be rejected. If the number of defective measures found in the first sample falls between the first acceptance number and the first rejection number, a second sample must be inspected whose size is specified by the plan. The numbers of defective measures found in the first and second samples must then be added together. If the total number of defective measures is less than or equal to the second acceptance number, the lot must be accepted. If the total number of defective measures is greater than or equal to the second rejection number, the lot must be rejected.

11.2. *Inspection procedures*

One of the two inspection methods described below must be used, the choice being left to the body responsible.

The first method, hereinafter called method 'A', involves single submission schemes, whilst the second, method 'B', involves a multiple submission scheme. The check consists in counting the number of defective measures in the sample taken.

11.2.1. If method 'A' is chosen, the body responsible applies, for acceptance or rejection of the lot submitted, a sampling plan with the following characteristics :

- a standard quality level (SQL) between 0,40 and 0,90 %,
- a limiting quality (LQ 5) between 4,0 and 6,5 %.

Examples of sampling plans :

Single sampling plan

	Sample size	Acceptance number	Rejection number	LQ 5	SQL
a	80	1	2	5,8	0,44
b	125	2	3	5,0	0,65

Double sampling plan

		Sample size	Total size	Acceptance number	Rejection number	LQ 5	SQL
a	First sample	50	50	0	2	5,8	0,44
	Second sample	50	100	1	2		
b	First sample	80	80	0	3	5,0	0,65
	Second sample	80	160	3	4		

If a lot is rejected, the body responsible carries out a 100 % inspection of that lot or takes the necessary precautions to prevent the rejected lot from being marketed in that condition.

11.2.2. If the method 'B' is used, the body responsible applies, for acceptance or rejection of the lot submitted, sampling plans in accordance with the following table :

Sampling plans

Order of submission	Size	Acceptance number	Rejection number
1	70	0	1
2	85	0	1
3	105	0	1
4	120	0	1

After a lot has been accepted, the lot submitted next shall be subjected to the inspection appearing under No 1 in the order of submission.

After a lot has been rejected, the body responsible takes the necessary precautions to prevent the rejected lot from being marketed in that condition and the person responsible for submitting the measures for EEC initial verification may submit either the same lot or another one. The lot is then subjected to the inspection appearing immediately above in the order of submission. However, if the lot is not accepted after an inspection under No 4 in the order of submission, the body responsible must carry out a 100 % inspection of the lot

11.3. *Consequences of frequent rejection of lots*

In the event of frequent rejection of lots, the body responsible may suspend the statistical check. If no improvement of the quality level is found once the shortcoming has been brought to the attention of the holder of the EEC pattern approval, the procedure for revoking EEC pattern approval in accordance with Article 7 of Directive 71/316/EEC may be started.

12. Example of the EEC initial verification mark described in point 8.3 :



COMMISSION OPINION**of 1 February 1985****to the Kingdom of Belgium concerning a draft Royal Decree implementing Council Regulation (EEC) No 3568/83 on the fixing of rates for the carriage of goods by road between Member States****(85/147/EEC)**

In a letter dated 29 June 1984, the Office of the Permanent Representative of Belgium to the European Communities sent the Commission, for consultation, the text of a draft Royal Decree implementing Council Regulation (EEC) No 3568/83 of 1 December 1983 on the fixing of rates for the carriage of goods by road between Member States ⁽¹⁾.

This communication is made pursuant to Article 17 (1) of the abovementioned Regulation which states that, in due course and after consulting the Commission, the Member States should adopt the measures necessary for the implementation of that Regulation.

The Commission expresses the following opinion on the abovementioned draft Royal Decree :

1. The Commission finds that, in accordance with the first subparagraph of Article 17 (1) of Regulation (EEC) No 3568/83, the draft Royal Decree of the Belgian Government lays down the provisions necessary for the implementation of that Regulation. In particular, it lays down the special provisions on :

- the designation of the professional organizations of users and transport agents,
- the designation of the competent authority to receive the special contracts and the informa-

tion concerning the rates charged for the international carriage of goods by road,

- the monitoring of the compulsory tariffs,
- the appropriate sanctions envisaged for breaches.

2. The Commission is of the opinion that the measures proposed for extending tariff control to all the parties to the transport contract are appropriate.

It also considers that it must reserve to itself the possibility of assessing whether the implementation of the measures proposed for the control of the compulsory tariffs and any penalties arising leads to permanent and effective control and appropriate penalties for breaches.

Done at Brussels, 1 February 1985.

For the Commission

Stanley CLINTON DAVIS

Member of the Commission

⁽¹⁾ OJ No L 359, 22. 12. 1983, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 258/72 of 3 February 1972 laying down detailed rules concerning the sale by tender of sugar by intervention agencies

*(Official Journal of the European Communities No L 31 of 4 February 1972)
(Special Edition 1972 (I))*

Page 80, Article 6:

— Paragraph 3 becomes paragraph 4.

— The newly inserted paragraph 3 reads:

‘3. A tender concerning several lots shall be deemed to contain as many tenders as the lots it concerns.’

GUIDE TO THE COUNCIL OF THE EUROPEAN COMMUNITIES

II/84

The Council is at the heart of the Community deliberative process.

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