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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 477/85
of 26 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 25 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 27 February 1985.

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

Done at Brussels, 26 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 26 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	61,11
10.01 B II	Durum wheat	91,78 ⁽¹⁾ ⁽²⁾
10.02	Rye	71,08 ⁽⁶⁾
10.03	Barley	66,05
10.04	Oats	39,49
10.05 B	Maize, other than hybrid maize for sowing	54,00 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	54,20 ⁽⁴⁾
10.07 C	Grain sorghum	64,12 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	100,25
11.01 B	Rye flour	114,21
11.02 A I a)	Durum wheat groats and meal	155,84
11.02 A I b)	Common wheat groats and meal	106,40

⁽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 478/85

of 26 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
25 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 27 February
1985.

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

Done at Brussels, 26 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 26 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	12,59
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	8,34	8,34	9,08
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	4,44	4,44	4,44
10.07 C	Grain sorghum	0	0	0	23,39
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 479/85

of 26 February 1985

fixing additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat ⁽¹⁾, as last amended by Regulation (EEC) No 2966/80 ⁽²⁾, and in particular the second subparagraph of Article 13 (5) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 202/67/EEC of 28 June 1967 on fixing the additional amount for imports of pigmeat products from third countries ⁽³⁾, as amended by Regulation No 614/67/EEC ⁽⁴⁾;

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

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports listed according to product and country of origin in that Annex;

Whereas Council Regulation (EEC) No 2767/75 of 29 October 1975 ⁽⁵⁾, as last amended by Regulation (EEC) No 1906/83 ⁽⁶⁾, laid down general rules for the fixing of additional amounts for those products for which no sluice-gate price is fixed;

Whereas Regulation No 202/67/EEC lays down certain detailed rules, to that end, and in particular for

determining the free-at-frontier offers for those products; whereas, according to the information received by the Commission, offers from third countries in the determination of which not only the prices shown in customs documents but also all other indications concerning the prices ruling in third countries, are taken into account, are developing in such a way that additional amounts should be fixed for those products at the level shown in the Annex;

Whereas, in accordance with Article 1 of Regulation No 121/65/EEC ⁽⁷⁾ and with Regulations (EEC) No 564/68 ⁽⁸⁾, (EEC) No 998/68 ⁽⁹⁾, as amended by Regulation (EEC) No 328/83 ⁽¹⁰⁾, (EEC) No 2260/69 ⁽¹¹⁾, as amended by Regulation (EEC) No 328/83, and (EEC) No 1570/71 ⁽¹²⁾, as amended by Regulation (EEC) No 328/83, the levy on certain products listed in those Regulations which originate in and come from the Federal Republic of Austria, the People's Republic of Poland, the Hungarian People's Republic, the Socialist Republic of Romania and the People's Republic of Bulgaria should not be increased by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 13 of Regulation (EEC) No 2759/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 27 February 1985.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No 134, 30. 6. 1967, p. 2837/67.

⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 29.

⁽⁶⁾ OJ No L 190, 14. 7. 1983, p. 4.

⁽⁷⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽⁸⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁹⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽¹⁰⁾ OJ No L 38, 10. 2. 1983, p. 12.

⁽¹¹⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽¹²⁾ OJ No L 165, 23. 7. 1971, p. 23.

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

Done at Brussels, 26 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 26 February 1985 fixing additional amounts for certain pigmeat products

(ECU/100 kg)

CCT heading No	Description	Supplementary amount	Origin of imports
01.03	Live swine : A. Domestic species : II. Other : b) Other	20,00	Origin : Switzerland and the German Democratic Republic (1)
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 6. Other : aa) Boned or boneless bb) Other	5,00 70,00	Origin : Romania Origin : Hungary and Bulgaria

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

COMMISSION REGULATION (EEC) No 480/85

of 26 February 1985

introducing a countervailing charge on cucumbers originating in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 270/85 of 31 January 1985 fixing for the 1985 marketing year the reference prices for cucumbers⁽³⁾ fixed the reference price for products of class I for the period 21 to 28 February 1985 at 118,94 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3110/83⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative

markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 270/85;

Whereas, for Spanish cucumbers, the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these cucumbers;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 7,36 ECU per 100 kilograms net is applied to cucumbers (subheading 07.01 P I of the Common Customs Tariff) originating in Spain.

Article 2

This Regulation shall enter into force on 28 February 1985.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 28, 1. 2. 1985, p. 42.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ JO No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ JO 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, 26 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 481/85

of 26 February 1985

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

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⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽³⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country
which grants the variable slaughter premium, in region
5, within the meaning of Article 3 (5) of Regulation
(EEC) No 1837/80; whereas it is necessary therefore
for the Commission to fix, for the week beginning 4
February 1985, the level of the premium and the
amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter
premium is to be fixed each week by the Commis-
sion;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 5 shall be fixed weekly by the Commis-
sion;

Whereas it follows from the application of the rules
laid down in Article 9 (1) of Regulation (EEC) No
1837/80 and in Article 4 (1) and (3) of Regulation

(EEC) No 1633/84 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
region 5 of the aforesaid Member State during the
week beginning 4 February 1985, shall be set out in
the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the
United Kingdom in region 5, within the meaning of
Article 3 (5) of Regulation (EEC) No 1837/80, for the
variable slaughter premium during the week beginning
4 February 1985 the level of the premium shall be
equivalent to the amount fixed in Annex I.

Article 2

For products referred to in Article 1 (a) and (c) of
Regulation (EEC) No 1837/80 which left the territory
of region 5 during the week beginning 4 February
1985, the amounts to be charged shall be equivalent to
those fixed in Annex II hereto.

Article 3

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

It shall apply with effect from 4 February 1985.

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

Done at Brussels, 26 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 35.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 4 February 1985

Description	Premium
Certified sheep or sheepmeat	129,594 ECU per 100 kilograms of estimated or actual dressed carcase weight (1)

(1) Within the weight limits laid down by the United Kingdom.

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
4 February 1985

(ECU/100 kg)

CCT heading No	Description	Charge
		Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	60,909
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	129,594
	2. Short forequarters	90,716
	3. Chines and/or best ends	142,553
	4. Legs	168,472
	5. Other :	
	aa) Unboned (bone-in)	168,472
	bb) Boned or boneless	235,861
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	97,196
	2. Short forequarters	68,037
	3. Chines and/or best ends	106,916
	4. Legs	126,355
	5. Other :	
	aa) Unboned (bone-in)	126,355
	bb) Boned or boneless	176,897
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	168,472
	2. Boned or boneless	235,861
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	— unboned (bone-in)	168,472
	— boned or boneless	235,861

COMMISSION REGULATION (EEC) No 482/85

of 26 February 1985

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 208/85⁽⁷⁾, as last amended by Regulation (EEC) No 474/85⁽⁸⁾;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽¹¹⁾ as last amended by Regulation (EEC) No 855/84⁽¹²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 25 February 1985;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹³⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 27 February 1985.

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

Done at Brussels, 26 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 13.

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

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 24, 29. 1. 1985, p. 5.

⁽⁸⁾ OJ No L 58, 26. 2. 1985, p. 14.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽¹³⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 26 February 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	135,23	129,19
11.02 B II b) ⁽²⁾	98,47	95,45
11.02 C II ⁽²⁾	117,85	114,83
11.02 D II ⁽²⁾	76,23	73,21
11.02 E II b) ⁽²⁾	135,23	129,19
11.02 F II ⁽²⁾	135,23	129,19

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

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

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

COUNCIL REGULATION (EEC) No 483/85**of 26 February 1985**

amending Regulation (EEC) No 349/84 suspending tariff concessions and increasing duties under the Common Customs Tariff with regard to certain products originating in the United States of America and establishing quantitative restrictions with regard to other products originating in that country

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 349/84⁽¹⁾, as amended by Regulation (EEC) No 1346/84⁽²⁾, the Council increased customs duties and established quantitative restrictions for imports of certain products originating in the United States of America to compensate, in accordance with Article XIX (3) (a) of the General Agreement on Tariffs and Trade, for the unilateral measures taken by the United States of America regarding the import of certain steel products;

Whereas the re-examination of these measures undertaken by the United States of America after their first year of application has not led to their being repealed; whereas, under these circumstances, the Community remains free to suspend the application to the trade of the United States of America of substantially equivalent concessions or other obligations under the General Agreement;

Whereas the compensatory measures in respect of the United States of America should therefore be extended for the period 1 March 1985 to 28 February 1986;

Whereas it is nevertheless necessary to adjust the level of compensation to take account of the degressive nature of the United States' measures and of the special increase in the quota by the United States of America during the year; whereas, the quotas being expressed in ECU, allowance should be made for changes in the exchange rate between the ECU and the United States dollar since the entry into force of the measures,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 349/84 is hereby replaced by the following:

'Article 1

1. The Annex "Common Customs Tariff" to Council Regulation (EEC) No 950/68⁽¹⁾, as last amended by Regulation (EEC) No 3400/84⁽²⁾, is hereby amended as follows:

⁽¹⁾ OJ No L 40, 11. 2. 1984, p. 1.

⁽²⁾ OJ No L 131, 17. 5. 1984, p. 1.

Heading number	Description	Rates of duty	
		Autonomous %	Conventional %
1	2	3	4
29.04	Acyclic alcohols and their halogenated, sulphonated, nitrated or nitrosated derivatives : A. Saturated monohydric alcohols : I. Methanol (methyl alcohol) II to V. (unchanged) B and C. (unchanged)	18,0 (b) (unchanged) (unchanged)	13,4 (c) (unchanged) (unchanged)
(b) The autonomous duty applicable to products originating in the United States of America is set at 18,5 % until 31 December 1985. (c) Products originating in the United States of America do not receive the benefit of the conventional duty rate.			

Heading number	Description	Rates of duty	
		Autonomous %	Conventional %
1	2	3	4
29.14	Monocarboxylic acids and their anhydrides, halides, peroxides and peracids, and their halogenated, sulphonated, nitrated or nitrosated derivatives : A. Saturated acyclic monocarboxylic acids : I. (unchanged) II. Acetic acid and its salts and esters : a) (unchanged) b) (unchanged) c) Esters of acetic acid : 1. Ethyl acetate, vinyl acetate, propyl acetate and isopropyl acetate 2 to 4. (unchanged) III to XI. (unchanged) B to D. (unchanged)	(unchanged) (unchanged) (unchanged) (unchanged) 20,0 (a) (unchanged) (unchanged) (unchanged)	(unchanged) (unchanged) (unchanged) (unchanged) 12,6 (b) (unchanged) (unchanged) (unchanged)
(a) The autonomous duty applicable to vinyl acetate originating in the United States of America is set at 17,7 % until 31 December 1985. (b) Vinyl acetate originating in the United States of America does not receive the benefit of this conventional duty.			

Heading number	Description	Rates of duty	
		Autonomous %	Conventional %
1	2	3	4
85.17	Electric sound or visual signalling apparatus (such as bells, sirens, indicator panels, burglar and fire alarms, other than those of heading No 85.09 and 85.16 : A. For use in civil aircraft, excluding parts of such goods (a) B. Other	(unchanged) 15,0 (b)	(unchanged) 4,8 (c)
(b) The autonomous duty applicable to signalling apparatus against burglary, fire and similar situations (excluding their components and parts), originating in the United States of America, is set at 10,1 % until 31 December 1985. (c) Signalling apparatus against burglary, fire and similar situations (excluding their components and parts), originating in the United States of America, does not receive the benefit of this conventional duty.			

2. From 1 January to 28 February 1986, the autonomous duties applicable to products originating in the United States of America shall be reduced as follows:

- | | |
|------------------------------------|------------|
| — for subheading 29.04 A I | to 18,3 %, |
| — for subheading 29.14 A II C ex I | to 17,2 %, |
| — for subheading 85.17 ex B | to 9,9 % |

(¹) OJ No L 172, 22. 7. 1968, p. 1.

(²) OJ No L 320, 10. 12. 1984, p. 1.

Article 2

In Article 5 of Regulation (EEC) No 349/84, '28 February 1985' is hereby replaced by '28 February 1986'.

Article 3

The Annex to Regulation (EEC) No 349/84 is hereby replaced by the Annex to this Regulation.

Article 4

Article 3 (2) of Regulation (EEC) No 349/84 is hereby replaced by the following:

'2. The detailed rules for the application of this Regulation, and in particular those concerning the distribution of quotas and the treatment of products benefiting from the inward processing regime, shall be adopted in accordance with the procedure referred to in Article 11 of Regulation (EEC) No 1023/70 (¹).

(¹) OJ No L 124, 8. 6. 1970, p. 1.'

Article 5

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 1 March 1985.

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

Done at Brussels, 26 February 1985.

For the Council

The President

F. PANDOLFI

ANNEX

ANNEX

(million ECU)			
CCT heading No	NIMEXE code (1984)	Description	Quota level from 1 March 1985 to 28 February 1986
29.01 D II	29.01-71	Styrene	36,350
ex 39.02 C I b)	39.02-09, 11, 12	Polyethylene in one of the forms mentioned in note 3 (d) to Chapter 39 ⁽¹⁾	20,700
ex 93.04 A	93.04-20, 30, 41, 49, 60	Sporting and target shooting guns, rifles and carbines other than double barrelled, smooth bore	10,700
ex 97.06 C	97.06-10	Gymnasium and athletic equipment	5,600
ex 97.06 C	97.06-33, 34	Snow skis	6,300

⁽¹⁾ Excluding polyethylene sheets of a thickness exceeding 0,30 mm and less than, or equal to, 0,35 mm, composed of one or more layers of polyethylene of differing quality between which are inserted a layer of aluminium, of a thickness not exceeding 20 microns, and a thin layer of paper.

COMMISSION REGULATION (EEC) No 484/85

of 26 February 1985

allocating import quotas fixed for certain products originating in the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 349/84 of 6 February 1984 suspending tariff concessions and increasing duties under the Common Customs Tariff with regard to certain products originating in the United States of America and establishing quantitative restrictions with regard to other products originating in that country⁽¹⁾, as amended by Regulation (EEC) No 483/85⁽²⁾, and in particular Article 3 (2) thereof,

Whereas for administrative reasons the Council has decided that the quantities to which these imports have been limited by Regulation (EEC) No 483/85 should be distributed amongst the Member States; whereas it remains for the Member States to distribute the quantities which they have been allocated to importers, in accordance with the provisions of Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽³⁾;

Whereas, the setting up of a Community reserve permits the correction of certain effects of the method of allocation applied and ensures that the effects of the measures remain within the limits of the objectives pursued;

Whereas for the same reasons, it is essential that each Member State should return to the Community reserve the major part of its allocation which has not been used up by a given date;

Whereas the quotas should be allocated between the Member States on the basis of imports in 1982 and taking into account adjustments which are found necessary in the course of the first year of application of the measures in question and of certain variations in supply needs which are at present foreseen;

Whereas, where the goods which are the subject of the present Regulation are brought into the customs territory of the Community and entered for a customs procedure with economic impact or put in a free zone,

it is necessary to specify rules to be applied as set in Directive 69/73/EEC⁽⁴⁾, Directive 69/74/EEC⁽⁵⁾ or Directive 69/75/EEC⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community quotas set out in Regulation (EEC) No 349/84 shall be broken down into two parts, the first of which shall be distributed amongst the Member States in accordance with the Annex to the present Regulation.

2. The second part shall constitute a Community reserve; details thereof are set out in column 3 of the Annex.

Article 2

1. Member States shall inform the Commission by 1 November 1985 at the latest of total imports effected and set against the Community quota on 30 September 1985.

They shall return to the reserve by 1 November 1985 at the latest that part of their allocation which has not been used up by 30 September 1985 and exceeds 20 % of the volume.

They may return a larger quantity if they have reason to believe that it will not be used.

2. The licences granted by the competent authorities of the Member States for the quotas allocated in accordance with Article 1 (1) have a period of validity not exceeding 31 October 1985.

Article 3

The reserve shall be distributed by 1 December 1985 at the latest in accordance with the procedure provided for in Article 11 of Regulation (EEC) No 1023/70.

⁽¹⁾ OJ No L 40, 11. 2. 1984, p. 1.

⁽²⁾ See page 14 of this Official Journal.

⁽³⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽⁴⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽⁵⁾ OJ No L 58, 8. 3. 1969, p. 7.

⁽⁶⁾ OJ No L 58, 8. 3. 1969, p. 11.

Article 4

The exchange rates of the ECU valid on the first working day of February 1985 shall be used to calculate the value of the quota allocations in the national currencies.

Article 5

1. The goods referred to in the Annex shall not be counted against quotas :

- where they are entered for inward processing relief arrangements in accordance with Directive 69/73/EEC or for temporary importation subject to their subsequent re-exportation outside the

customs territory of the Community, whether as compensating products or in the unaltered state,

- where they are entered for customs warehousing arrangements in accordance with Directive 69/74/EEC or put in free zones in accordance with Directive 69/75/EEC.

2. The subsequent entry for free circulation of the goods referred to in paragraph 1, whether as compensating products or in the unaltered state, shall give rise to their being counted against quotas.

Article 6

This Regulation shall enter into force on 1 March 1985.

It shall apply until 28 February 1986.

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

Done at Brussels, 26 February 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

ANNEX

('000 ECU)

NIMEXE code	Community quota	Reserve ± 10 %	Distributed quota	Quota distribution per Member State							
				D	F	I	BNL	UK	IRL	DK	GR
29.01-71	36 350	3 650	32 700	2 096	5 356	12 796	11 121	733	3	—	595
39.02-09, 11, 12	20 700	2 052	18 648	3 008	1 212	4 132	1 302	7 382	1 028	500	84
93.04-20, 30, 41, 49, 60	10 700	1 000	9 700	1 554	5 387	1 079	408	784	15	247	226
97.06-10	5 600	600	5 000	1 261	313	57	310	3 031	8	17	3
97.06-33, 34	6 300	600	5 700	3 567	828	820	394	91	—	—	—

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 October 1984

concerning aid which the Belgian Government granted in 1983 to a ceramic sanitary ware and crockery manufacturer

(Only the Dutch and French texts are authentic)

(85/153/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 93 (2) thereof,

After giving notice to the parties concerned to submit their comments in accordance with the above provision, and having regard to those comments,

Whereas :

The Belgian Government decided to assist a ceramics manufacturer at La Louvière through a subscription of Bfrs 83 million of new capital by the regional investment agency, the Wallonia Regional Investment Corporation (SRIW).

On 16 February 1983 the Commission had taken a decision finding that a subscription of Bfrs 475 million of new capital in the same company in 1981 was incompatible with the common market and had to be recovered.

After learning of the Belgian Government's intention to come to the firm's assistance again, the Commission raised the matter with the Belgian Government in telexes and letters sent on 31 January, 24 February, 7 June, 20 and 22 July, 1 September and 25 October

1983, stressing that such measures had to be notified at the proposal stage under Article 93 (3) of the Treaty. The Commission also on a number of occasions reminded the Belgian Government that it could be ordered to recover aid it had granted without giving the Commission an opportunity to determine whether it was compatible with the common market. When a notice was published in the *Moniteur Belge* of 25 August 1983 announcing that the Belgian authorities had subscribed Bfrs 83 million of new capital in the company, the Commission contacted not only the Belgian Government but also the SRIW and the company itself to make it clear that any aid granted without observing the notification procedure and without allowing the Commission to determine beforehand whether it was compatible with the common market could be subject to a recovery order.

The Belgian Government replied to the Commission's reminders by telexes sent on 18 February and 29 July 1983 stating that a decision to subscribe Bfrs 125 million towards further capital increases had been taken in 1981 and was therefore not new. On 1 December 1983 the Belgian Government telexed the Commission to say that further information on the new capital injection would be sent by the middle of December, but the Commission never received this information or any formal notification under Article 93 (3).

On 17 April 1984 the Commission decided to open the procedure provided for in Article 93 (2) in respect of the new assistance since it did not appear to qualify for any of the exceptions provided for in Article 92 (3), the only ones potentially applicable, and on 25 May 1984 gave the Belgian Government notice by letter to submit its comments.

The Belgian Government replied to the opening of the Article 93 (2) procedure by letter dated 6 August 1984, in which it confirmed that the subscription of Bfrs 83 million of new capital had taken place in 1983 under the Government's decision taken in 1981. It claimed, however, that the Commission had been informed of the decision by the telex sent on 18 February 1983, which constituted a notification, to which the Commission had failed to respond, and that after such a long time the Commission's objections were inadmissible. It also argued that the Commission was practising discrimination between public and private shareholders.

The governments of four other Member States, one trade association and two individual firms from the industry replied to the Commission's invitation to comment and stated that they shared the Commission's concern about the Belgian Government's assistance of the company. Three of the Member States, the trade association and the two individual firms considered that the repeated assistance given to the company would cause serious distortions of competition.

The provision of public funds to companies in the form of subscriptions of new capital may involve elements of State aid. The company in the present case was handicapped by its financial position and by the current overcapacity in the ceramics industry, particularly the sanitary-ware sector, which made it unlikely that it would be able to raise on the private capital market the finance necessary for its survival.

The firm has been making substantial losses for a number of years: Bfrs 134 million in 1979, Bfrs 243 million in 1980, Bfrs 302 million in 1981 and Bfrs 168 million in 1982. These losses represented respectively 23, 39, 45 and 20 % of its turnover in those years. The firm's accumulated arrears to the social security fund also increased between 1979 and 1983 from Bfrs 120,8 million to 248,5 million. When the Bfrs 475 million granted in 1981 is recovered as the Commission has ordered in its Decision of 16 February 1983, the company's financial position will be even worse.

In these circumstances the injection of Bfrs 83 million of new equity in the company by the State constitutes aid within the meaning of Article 92 (1) of the EEC Treaty.

Such aid intended to preserve production capacity which market forces would ordinarily cause to go out of business, allowing expansion by more efficient competitors, is likely to have a particularly adverse effect on competitive conditions. The company exports over 70 % of its output of ceramic sanitary ware to the other Member States. Hence the aid is likely to affect trade between Member States and distort competition within the meaning of Article 92 (1) of the Treaty by favouring the firm in question and the production of ceramic sanitary ware and crockery.

Article 92 (1) provides that aid meeting the criteria laid down therein is in principle incompatible with the common market. The exceptions provided for in Article 92 (3) require that the aid should serve specified Community objectives rather than simply serving the interests of the aid recipient. These exceptions must be construed narrowly when any regional or industry aid scheme or any individual award under a general scheme is scrutinized. In particular, they may be invoked only when the Commission is satisfied that, without the aid, market forces alone would be insufficient to guide the recipients towards patterns of behaviour that would serve one of the said objectives.

To apply the exceptions in the case of aid that did not serve such an objective would be to give unfair advantages to certain Member States and allow trading conditions between Member States to be affected and competition to be distorted without any justification on grounds of Community interest.

In applying the principles set out above in its scrutiny of individual aid awards, the Commission must satisfy itself that the aid is justified by the contribution the recipient is making to one of the objectives specified in Article 92 (3) and is necessary to that end. Where this cannot be demonstrated, it is evident that the aid does not serve the objectives specified in the exceptions clauses, but does little more than bolster the financial position of the recipient.

The recipient in the present case cannot be said to be serving one of the objectives.

The Belgian Government has been unable to give, or the Commission to discover, any justification for a finding that the aid in question fulfils the conditions for application of one of the exceptions provided for in Article 92 (3).

With regard to the exceptions provided for in Article 92 (3) (a) and (c) for aids that promote or facilitate the development of certain areas, the La Louvière area is not one where the standard of living is abnormally low or where there is serious underemployment within the meaning of Article 92 (3) (a) and the Belgian aid award does not have the requisite features of aid to facilitate the development of certain economic areas within the meaning of Article 92 (3) (c).

Nor has the aid measure the features of a 'project of common European interest' or of a project likely to 'remedy a serious disturbance' in the Belgian economy, so as to qualify for the exception in Article 92 (3) (b). Belgium belongs to the central regions of the Community, which do not have, by Community standards, the most severe economic and social problems and in which there is a greater danger than elsewhere of a competitive bidding-up of aid and of aid affecting trade between Member States. The data available on the economic and social situation in Belgium do not indicate that its economy is suffering from a serious disturbance of the kind referred to in the Treaty, and the action of the Belgian Government was not meant to deal with such a situation.

Finally, as for the exception in Article 92 (3) (c) for 'aid to facilitate the development of certain economic activities', the situation of the ceramics industry, and particularly the overcapacity that exists in that industry in the Community, suggests that to preserve capacity artificially through aid is against the common interest.

The aid which the Belgian Government has granted to the company in the form of a subscription of new capital therefore does not qualify for application of any of the exceptions provided for in Article 92 (3) of the Treaty,

HAS ADOPTED THIS DECISION :

Article 1

The aid which the Belgian Government granted in 1983 to a company in the ceramics industry in the form of a subscription of Bfrs 83 million of new capital is incompatible with the common market within the meaning of Article 92 of the Treaty and must therefore be withdrawn.

Article 2

The Belgian Government shall inform the Commission, within three months of the notification of this Decision, of the measures it has taken to comply therewith.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 24 October 1984.

For the Commission

Frans ANDRIESSEN

Member of the Commission

COMMISSION DECISION**of 4 February 1985****concerning the implementation by France of certain measures to adjust capacity
in the fisheries sector pursuant to Council Directive 83/515/EEC****(Only the French text is authentic)****(85/154/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 83/515/EEC of 4
October 1983 concerning certain measures to adjust
capacity in the fisheries sector⁽¹⁾, hereinafter referred
to as the Directive, and in particular Article 7(1)
thereof,

Whereas the Government of France intends to intro-
duce a system of financial aid for measures involving
the temporary aid reduction of production capacity;
whereas on 24 April and 18 October 1984, it commu-
nicated the information concerning this scheme
required under Article 6 of the Directive;

Whereas, in accordance with Article 7 of the Directive,
the Commission has considered whether, having
regard to their compatibility with the Directive and to
the other structural measures existing or planned in
the fisheries sector, the measures contemplated fulfil
the conditions for financial contributions from the
Community;

Whereas this Decision is in accordance with the
opinion of the Standing Committee on Fisheries
Structures,

HAS ADOPTED THIS DECISION:

Article 1

The measures which France intends to take to imple-
ment a financial-aid scheme for measures involving
the temporary aid reduction of production capacities
fulfil the conditions for financial contributions from
the Community as of 1 January 1985.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 4 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 290, 22. 10. 1983, p. 15.

COMMISSION DECISION

of 4 February 1985

fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 23/85 on the supply of various lots of butteroil as
food aid

(85/155/EEC)

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 milks products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Article 6 (7) thereof,

Whereas, under Commission Regulation (EEC) No
23/85 of 21 December 1984 on the supply of various
lots of butteroil as food aid ⁽³⁾, tenders have been
invited for the supply of 2 945 tonnes of butteroil to
certain third countries and beneficiary organizations ;

Whereas Article 13 (1) of Commission Regulation
(EEC) No 1354/83 of 17 May 1983 laying down
general rules for the mobilization and supply of
skimmed-milk powder, butter and butteroil as food
aid ⁽⁴⁾, as amended by Regulation (EEC) No
1886/83 ⁽⁵⁾, specifies that in the light of the tenders
received a maximum amount shall be fixed for each
lot, or part thereof if the third subparagraph of Article
11 (3) is used, or a decision shall be taken to make no
award ;

Whereas on the basis of the tenders received the
maximum amounts should be those specified below ;

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

HAS ADOPTED THIS DECISION :

Article 1

The maximum amounts to be adhered to when awards
are made under the tendering procedure opened by
Regulation (EEC) No 23/85 shall be :

- lot K : 121 122 ECU (NL)
 121 122 ECU (NL)
 121 494 ECU (NL)
 121 494 ECU (NL)
- lot O : 130 606 ECU (F)
- lot S : 111 769 ECU (D)

In the case of lot R no award shall be made.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 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 6, 8. 1. 1985, p. 1.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

COMMISSION DECISION**of 4 February 1985****fixing maximum amounts for contracts awarded under the tendering procedure
opened by Regulation (EEC) No 24/85 on the supply of various lots of
skimmed-milk powder as food aid****(85/156/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Article 7 (5) thereof,

Whereas, under Commission Regulation (EEC) No
24/85 of 21 December 1984 on the supply of various
lots of skimmed-milk powder as food aid ⁽³⁾, tenders
have been invited for the supply of 8 403 tonnes of
skimmed-milk powder to certain third countries and
beneficiary organizations;

Whereas Article 13(1) of Commission Regulation
(EEC) No 1354/83 of 17 May 1983 laying down
general rules for the mobilization and supply of
skimmed-milk powder, butter and butteroil as food
aid ⁽⁴⁾, as amended by Regulation (EEC) No
1886/83 ⁽⁵⁾, specifies that in the light of the tenders
received a maximum amount shall be fixed for each
lot, or part thereof if the third subparagraph of Article
11 (3) is used, or a decision shall be taken to make no
award;

Whereas on the basis of the tenders received the
maximum amounts should be those specified below;

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

HAS ADOPTED THIS DECISION:

Article 1

The maximum amounts to be adhered to when awards
are made under the tendering procedure opened by
Regulation (EEC) No 24/85 shall be:

— lot AC	1 550 985 ECU (B)
— lot AF:	1 045 472 ECU (B)
— lot AN:	796 204 ECU (B)
— lot BA:	1 372 766 ECU (B)
— lot BI:	677 231 ECU (B)
— lot BO:	1 442 319 ECU (B)
— lot U:	908 114 ECU (B)
— lot X:	1 063 846 ECU (IRL)
— lot Z:	910 868 ECU (B)

In the case of lots AO, AR, BD, BN, T and Y no
award shall be made.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 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 6, 8. 1. 1985, p. 20.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

FORTY-EIGHTH COMMISSION DIRECTIVE**of 6 February 1985****amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs****(85/157/EEC)****THE COMMISSION OF THE EUROPEAN COMMUNITIES,****Having regard to the Treaty establishing the European Economic Community,****Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽¹⁾, as last amended by the 47th Commission Directive 84/107/EEC ⁽²⁾, and in particular Article 6 thereof,****Whereas Directive 70/524/EEC provides for regular amendment of the content of its Annexes to take account of advances in scientific and technical knowledge ;****Whereas the period of authorization of use of the growth promoters 'Carbadox' and 'Olaquinox' should be extended for a specified period at national level until the results of studies being undertaken in certain Member States are available ;****Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,****HAS ADOPTED THIS DIRECTIVE :***Article 1***In Annex II to Directive 70/524/EEC under part F 'Growth promoters' the indication under items 2 and 3 is hereby replaced by the following :**

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 297, 15. 11. 1984, p. 40.

'EEC No	Additives	Chemical formula, description	Species of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorization
					ppm of complete feedingstuffs		ppm of complete feedingstuffs		
2	Carbadox	Methyl 3-(2-quinoxalinylmethylene) carbazate- N, N'-dioxide Minimum purity : 96 % Minimum stability : 24 months	Pigs	Four months	20	50		Use prohibited at least four weeks before slaughter. Mixing or simultaneous use with anti- biotics prohibited Maximum amount of dust emitted during handling, as determined by the method of Stauber Heubach (1) : 0,1 µg Carbadox	31 May 1985
					15	50			
3	Olaquinox	2-(N-2'-hydroxyethyl-carbamoyl) 3-methyl- quinoxaline-1,4-dioxide Minimum purity : 98 % Minimum stability : 24 months	Pigs	Four months	50	100		Use prohibited at least four weeks before slaughter. Mixing or simultaneous use with anti- biotics prohibited Milk substitutes Maximum amount of dust emitted during handling, as determined by the method of Stauber Heubach (1) : 0,1 µg Olaquinox	31 May 1985

(1) Literature references : Fresenius Z Anal Chem (1984) 318 : 522-524 Springer Verlag 1984.

Article 2

This Directive is addressed to the Member States.

Done at Brussels, 6 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 22 February 1985

terminating the anti-dumping proceeding concerning imports of certain ball bearings originating in Thailand

(85/158/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 Community⁽¹⁾, and in particular Article 9 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas,

A. Procedure

(1) In April 1984 the Commission received a complaint lodged by the Federation of European Bearing Manufacturers' Associations (FEBMA) on behalf of British, French, German and Italian producers of single-row deep-groove radial ball bearings with greatest external diameter not more than 30 mm whose collective output constitutes the majority of Community production of the product in question. This complaint suggested to the extension of the already existing proceeding concerning imports of this product originating in Japan and Singapore to include imports originating in Thailand. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the extension of the proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the extension of the anti-dumping proceeding to include imports into the Community of single-row deep-groove radial ball bearings with greatest external diameter not more than 30 mm falling within Common Customs Tariff heading No ex 84.62 and corresponding to NIMEXE code ex 84.62-01, originating in Thailand.

(2) The Commission officially so advised the exporter and importers known to be concerned, the repre-

sentatives of the exporting country and the complainants and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

- (3) One producer/exporter and its related importers in Germany, Italy and the United Kingdom made their views known in writing.
- (4) No submissions were made by Community purchasers of the product in question.
- (5) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out an investigation at the premises of NMB (UK) Ltd, Bracknell, United Kingdom.
- (6) The investigation of dumping covered the period 1 July 1983 to 30 June 1984.

B. Result of the investigation

- (7) The investigation has established that, during the period investigated, imports of the product in question were declared, for customs purposes, as being of Thai origin and were sold in the Community on this basis.
- (8) Pursuant to Commission Regulation (EEC) No 1836/78⁽³⁾, these ball bearings originate in the country in which assembly preceded by heat treatment, grinding and polishing of the inner and outer rings takes place.
- (9) Although the ball bearings referred to above were shipped from Thailand to the Community, it was ascertained during the investigation that the operations carried out in Thailand were not sufficient to confer Thai origin on the products within the meaning of Commission Regulation (EEC) No 1836/78.
- (10) In the absence therefore of imports of ball bearings of Thai origin during the period under investigation, the proceeding should be terminated,

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 179, 7. 7. 1984, p. 2.

⁽³⁾ OJ No L 210, 1. 8. 1978, p. 49.

HAS DECIDED AS FOLLOWS:

corresponding to NIMEXE code ex 84.62-01,
originating in Thailand is hereby terminated.

Sole Article

Done at Brussels, 22 February 1985.

The proceeding in connection with the anti-dumping investigation concerning imports of single-row deep-groove radial ball bearings with greatest external diameter not more than 30 mm falling within Common Customs Tariff heading No ex 84.62 and

For the Commission

Willy DE CLERCQ

Member of the Commission

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II/84

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