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I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EEC) No 546/85****of 1 March 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 28 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 2 March 1985.

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 293, 10. 11. 1984, p. 1.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 1 March 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	70,62
10.01 B II	Durum wheat	103,54 ⁽¹⁾ ⁽²⁾
10.02	Rye	79,35 ⁽⁶⁾
10.03	Barley	74,41
10.04	Oats	48,42
10.05 B	Maize, other than hybrid maize for sowing	69,25 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	67,25 ⁽⁴⁾
10.07 C	Grain sorghum	70,94 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	113,84
11.01 B	Rye flour	126,07
11.02 A I a)	Durum wheat groats and meal	174,16
11.02 A I b)	Common wheat groats and meal	120,77

⁽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 486/85 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 547/85

of 1 March 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
28 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 2 March
1985.

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

Done at Brussels, 1 March 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 1 March 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	13,63	13,63	13,63
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	2,15	2,15	2,15
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	24,10	24,10	24,10
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
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 548/85**of 1 March 1985****amending Regulation (EEC) No 3714/84 laying down detailed rules for the granting of aid for the use of partly skimmed milk and partly skimmed milk powder in feedingstuffs**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1557/84 ⁽²⁾, and in particular
Articles 10 (3) and 28 thereof,

Whereas Annex II to Commission Regulation (EEC)
No 3714/84 ⁽³⁾ lays down a formula for the tracing of
partly skimmed milk powder; whereas later examina-
tion of this formula has shown that there are certain

difficulties in applying it; whereas, therefore, the said
formula should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 3714/84 is hereby
replaced by the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 1 March 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 341, 21. 12. 1984, p. 65.

*ANNEX**ANNEX II***TRACING OF PARTLY SKIMMED MILK POWDER**

1. To each 1 000 kilograms of partly skimmed milk powder meeting the requirements laid down in Annex I must be added, at the time of manufacture, not less than :

- (a) 130 g of butylated hydroxytoluene — BHT (E 321);

- and

- (b) 1 000 grams of titanium dioxide (E 171) or 4 g of lithium as a salt, e.g. carbonate.

The minimum quantities specified in (a) and (b) above relate to pure compounds present in partly skimmed milk powder; these products may however be used in another form after addition of diluting substances, etc. or following another treatment that enables the water solubility to be altered.

2. The products mentioned in paragraph 1 (a) and (b) must satisfy, in particular with regard to their composition, the requirements laid down on the quality of products to be used in human consumption. They shall be incorporated either in the liquid milk before or during the manufacture of the powder or directly into the partly skimmed milk powder during the last stage of manufacture.
 3. It is prohibited to submit partly skimmed milk powder, either in powder form or after dissolution in water, to any chemical or physical treatment with a view to weakening or neutralizing the effects of the tracing. Only antioxidants may be added to the milk before or during the manufacturing process with a view to ensuring that the partly skimmed milk powder will keep longer.
 4. The products mentioned in paragraph 1 (a) and (b) must be evenly distributed, such that two 50-g samples taken at random from a 25-kilogram batch have the same chemical composition within the margins of error allowed by the analytic method used.
 5. The quantities and the quality of the products to be incorporated in the partly skimmed milk powder are set without prejudice to the provisions relating to the maximum quantities of additives which may be contained in animal feed, as laid down pursuant to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs.
-

COMMISSION REGULATION (EEC) No 549/85
of 1 March 1985
suspending advance fixing of the import levy for cereals

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organi-
zation of the market in cereals⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84⁽²⁾, and in particular the
first subparagraph of Article 15 (7) thereof,

Whereas Article 15 (7) of Regulation (EEC) No
2727/75 provides that the provisions concerning
advance fixing of the levy may be suspended if the
market situation shows that the application of such
provisions will or is likely to cause difficulties;

Whereas Commission Regulation (EEC) No 513/85 of
27 February 1985⁽³⁾ temporarily suspended advance
fixing of the import levy for all cereals; whereas the
reasons which led to that suspension still exist for
certain cereals; whereas it is important, therefore, to

continue that measure for a limited period, which will
make it possible to monitor the situation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the import levy for the products
referred to in Article 1 (a) and (b) of Regulation (EEC)
No 2727/75 is hereby suspended from 2 until 7 March
1985.

Article 2

This Regulation shall enter into force on 2 March
1985.

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 60, 28. 2. 1985, p. 44.

COMMISSION REGULATION (EEC) No 550/85

of 1 March 1985

correcting Regulation (EEC) No 900/84 fixing the monetary compensatory amounts and certain coefficients and rates required for their application

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

1984⁽³⁾, as last amended by Regulation (EEC) No 462/85⁽⁴⁾; whereas a check has revealed errors in part 5 of Annex I to that Regulation; whereas it is necessary, therefore, to correct the Regulation in question,

Having regard to the Treaty establishing the European Economic Community,

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 were fixed by Commission Regulation (EEC) No 900/84 of 31 March

The table in footnote 6 of Part 5 of Annex I to Regulation (EEC) No 900/84 is replaced by the following:

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	0,322				1,29	60,5	
30 % or more but less than 50 %	2,60	2,93	0,644				2,58	121,1	
50 % or more but less than 70 %	3,90	4,39	0,965				3,87	181,6	
70 % or more but less than 80 %	4,87	5,49	1,207				4,83	227,0	
80 % or more but less than 88 %	5,45	6,15	1,351				5,41	254,3	
88 % or more	5,84	6,58	1,448				5,80	272,4	

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 101, 13. 4. 1984, p. 3.

⁽³⁾ OJ No L 92, 2. 4. 1984, p. 2.

⁽⁴⁾ OJ No L 54 23. 2. 1985, p. 15.

Article 2

This Regulation shall enter into force on 4 March 1985.

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 551/85**of 1 March 1985****laying down detailed implementing rules for imports of rice originating in the African, Caribbean and Pacific States and the overseas countries and territories**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, and in particular Article 22 thereof,

Having regard to Council Regulation (EEC) No 129 on the value of the unit of account and exchange rates to be applied for the purposes of the common agricultural policy ⁽²⁾, as last amended by Regulation (EEC) No 2543/73 ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Regulation (EEC) No 486/85 provides that the levy calculated in accordance with Article 11 of Council Regulation (EEC) No 1418/76 ⁽⁴⁾, as last amended by Regulation (EEC) No 1025/84 ⁽⁵⁾, shall be reduced by an amount of 50 % of the said levy and by a flat-rate component, which differs according to the extent to which the rice has been milled, provided that a corresponding charge has been collected on export from the non-member country concerned;

Whereas this export charge cannot be collected in a precise manner unless the levy that will be applied on import into the Community is known; whereas, for this purpose, the import levy must be fixed in advance, thereby enabling the trade to know the amount that will be deducted from the levy and, consequently, the amount that must be collected on export;

Whereas it is necessary to ascertain that the exporting country has actually collected the export charge corres-

ponding to the amount of the reduction of the levy applied;

Whereas suitable administrative measures should be laid down in order to ensure that the volume of the quota fixed is not exceeded;

Whereas, in order to enable the Commission, should the need arise, to implement Article 11 (3) of Regulation (EEC) No 486/85, it should be laid down that the Member States should notify the Commission daily of the quantities in respect of which applications for import licences in respect of rice originating in the ACP States and the overseas countries and territories have been made;

Whereas, pursuant to Article 20 (5) of Regulation (EEC) No 486/85, the levies are not to be applied to the French overseas departments until 30 June 1985; whereas the Commission should be notified of the quantities of rice imported into those departments;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the levies referred to in Article 10 (1) of Regulation (EEC) No 486/85 shall be calculated each week by the Commission on the basis of the levies fixed according to the criteria set out in Article 11 of Regulation (EEC) No 1418/76.

Article 2

1. Article 10 (1) of Regulation (EEC) No 486/85 shall apply only to imports of rice in respect of which an import charge corresponding to the difference between the levy applicable to imports of rice from non-member countries and the amounts referred to in Article 1 has been collected by the country of exportation.

2. One of the following indications shall be placed in the 'Remarks' box of the EUR 1 movement certificate by the customs authorities of the country of exportation as proof that the amount has been collected:

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽³⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 13.

'Særafgift, der opkræves ved eksport af ris':

'Bei der Ausfuhr von Reis erhobene Sonderabgabe':

'Ειδικός φόρος που εισπράττεται κατά την εξαγωγή ορύζης':

'Special charge collected on export of rice':

'Taxe spéciale perçue à l'exportation du riz':

'Tassa speciale riscossa all'esportazione del riso':

'Bij uitvoer van de rijst opgelegde bijzondere heffing':

(Amount in national currency)

(signature and stamp of office)

3. Where the charge collected by the country of exportation is less than the reduction referred to in Article 10 (1) of Regulation (EEC) No 486/85, the reduction shall not exceed the amount collected.

4. Where the amount of the export charge collected is expressed in a currency other than that of the Member State of importation, the exchange rate to be used to determine the amount of the charge actually collected shall be the rate recorded on the most representative foreign exchange market or markets in that Member State on the day of the advance fixing of the levy.

Article 3

1. In addition to the other conditions laid down by Community rules, in order to qualify for the reduced levy referred to in Article 10 of Regulation (EEC) No 486/85, the application for a licence and the import licence itself shall include:

(a) in box 12, one of the following indications:

'Reduceret afgift AVS/OLT',

'Verringerte Abschöpfung AKP/ÜLG',

'Μειωμένη εισφορά ΑΚΕ/ΥΧΕ',

'Reduced levy ACP/OCT',

'Prélèvement réduit ACP/PTOM',

'Prelievi ridotti ACP/PTOM',

'Verminderde heffing ACS-staten/LGO';

(b) in box 14, the name of the State, country or territory in which the product originates.

The licence shall require importation to be made from the country of origin stated. In addition, the import levy must be fixed in advance.

2. The import licence referred to in paragraph 1 shall be issued on the third working day following the date on which the application was submitted, provided

that no measure suspending the advance-fixing of the levy has been taken during that period and that the quantity qualifying for the reduced levy has not already been reached.

On the day when the quantities applied for exceed the quantities for which a reduced levy is granted, the Commission shall fix a single percentage reduction in respect of the quantities applied for.

Article 4

The Member States shall communicate to the Commission each day by telex the following information:

- the quantities of each type of rice that have been the subject of an application for a licence for importation from ACP States and overseas countries and territories, stating in each case the country of exportation;
- the quantities of each type of rice in respect of which an import licence has actually been issued, stating the date and the country of exportation;
- the quantities of each type of rice and for each department that have been imported without levy into the French overseas departments;
- the quantities of each type of rice for which import licences have been cancelled.

This information must be communicated separately from the information relating to other applications for import licences for rice.

Article 5

1. The quantities that may be imported into the Community from ACP States and overseas countries and territories in the period from 1 March to 31 December 1985 shall be 101 666 tonnes of husked rice falling within subheading 10.06 B I b) and 14 166 tonnes of broken rice falling within subheading 10.06 B III of the Common Customs Tariff.

2. Quantities of rice imported in a form other than husked shall be entered into the accounts as husked rice on the basis of the conversion rates referred to in Article 1 of Regulation No 467/67/EEC⁽¹⁾.

Article 6

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

It shall apply from 1 March 1985.

⁽¹⁾ OJ No L 204, 24. 8. 1967, p. 1.

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 552/85

of 1 March 1985

laying down detailed rules for the application in the beef and veal sector of Regulation (EEC) No 486/85 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and amending Regulation (EEC) No 2377/80

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, and in particular Article 22 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⁽²⁾, as last amended by Regulation (EEC) No 2543/73⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 4 of Regulation (EEC) No 486/85 lays down that the duties on imports of beef and veal originating in the African, Caribbean and Pacific States are to be reduced, provided that a tax of a corresponding amount was levied when the goods were exported from the country of origin;

Whereas the amount of the import duties depends upon the level of the levy applicable, and that levy may be adjusted by monetary compensatory amounts; whereas, having regard to the monetary trends in the individual Member States, the amount of the reduction should be calculated separately for each Member State on the basis of the monetary compensatory amount applicable to imports into the Member State concerned;

Whereas the reduction consists of levy and monetary compensatory amount components; whereas, moreover, the fixing of the reduction in ECU may create problems, especially for the exporting country, as regards the exchange rate to be used; whereas conse-

quently, the amount of the reduction should be fixed in national currency for each Member State of destination;

Whereas it appears useful to outline the manner in which the amount to be actually levied on imports is calculated;

Whereas the amount by which the import duties are reduced is fixed quarterly; whereas this amount may vary during transport to the Community; whereas at the time of export the exporting country, when calculating the export tax to be levied, can only base itself on the reduction in force; whereas the export tax must be compared to the reduction applicable at the time of export;

Whereas the amount representing import duties is that applicable on the day of acceptance of the entry of the goods for home use; whereas these duties are reduced by the reduction applicable on that date;

Whereas proof that the export tax provided in Regulation (EEC) No 486/85 has been collected may be furnished by entering the relevant amount on the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the second ACP-EEC Convention signed at Lomé on 31 October 1979⁽⁴⁾ and by the provisions that will replace it as from the entry into force of the third ACP-EEC Convention signed at Lomé on 8 December 1984;

Whereas Regulation (EEC) No 2377/80⁽⁵⁾, as last amended by Regulation (EEC) No 1994/84⁽⁶⁾, lays down special detailed rules for the application of the system of import and export licences in the beef and veal sector; whereas the special detailed rules for licences issued within the scope of Regulation (EEC) No 486/85, which replaces Regulation (EEC) No 435/80⁽⁷⁾, should be amended;

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

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽³⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁴⁾ OJ No L 347, 22. 12. 1980, p. 1.

⁽⁵⁾ OJ No L 241, 4. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 186, 13. 7. 1984, p. 17.

⁽⁷⁾ OJ No L 55, 28. 2. 1980, p. 4.

HAS ADOPTED THIS REGULATION :

Article 1

1. Import licences shall be issued for beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe under the conditions laid down in this Regulation and within the limits of the quantities, expressed in tonnes of boned meat, fixed in Regulation (EEC) No 486/85.

2. For the purposes of this Regulation, 100 kilograms of boned meat shall be equivalent to 130 kilograms of unboned meat.

Article 2

Importation under the arrangements for import duty reduction may take place only if the origin of the products concerned is certified by the competent authorities of the exporting countries in accordance with the rules of origin applicable to the products in question pursuant to Protocol 1 to the Second ACP-EEC Convention signed at Lomé on 31 October 1979.

Article 3

1. The amount provided for in Article 4 (1) of Regulation (EEC) No 486/85 for each product intended for importation into a Member State shall be equal to 90 % of the amount of the levy, adjusted as appropriate by the monetary compensatory amount valid for imports into that Member State during the week preceding that in which the quarter for which the reduction is calculated begins.

The reduction shall be fixed for each Member State in its national currency.

2. The reduction shall be deducted from the levy valid on the day on which the customs import formalities are completed in the Member State concerned, adjusted as appropriate by the monetary coefficient shown in Annex II to the relevant Commission Regulation fixing the monetary compensatory amounts and by the monetary compensatory amount valid in the Member State concerned on the same date.

Article 4

1. The import duties shall be reduced by the amount fixed in accordance with Article 3 only if :

(a) an export tax at least equal to that amount has been levied ;

(b) the EUR 1 certificate for the movement of goods referred to in Article 6 of Protocol 1 to the Second ACP-EEC Convention signed at Lomé on 31 October 1979 indicates :

- in box 7, the amount of the export tax levied per 100 kilograms,
- in box 8, the Common Customs Tariff sub-heading for the products in question.

A separate certificate shall be drawn up for each subheading of the Common Customs Tariff.

2. At the time of the completion of customs import formalities for the release of the goods for free circulation, the amount of the export tax levied per 100 kilograms shall be compared with the amount fixed in accordance with Article 3 in respect of the importing Member State, which was applicable at the time when the EUR 1 certificate for the movement of goods was issued.

If the amount of the export tax levied is expressed in a currency other than that of the importing Member State, the exchange rate used shall be the most recent selling rate recorded on the most representative exchange market or markets of that Member State.

The export tax levied shall be considered as corresponding to the amount fixed in accordance with Article 3 when the comparison shows that the export tax expressed in the currency of the importing Member State is not lower than the said amount.

3. The amount by which the import duties shall be reduced shall be that applicable on the date on which the entry of the goods for release for free circulation is accepted.

4. The application of this Regulation may in no case result in the granting of an amount.

Article 5

Regulation (EEC) No 2377/80 is hereby amended as follows :

1. Article 13 (1) is replaced by the following :

‘1. Applications for import licences for products to be imported duty free pursuant to Article 2 of Regulation (EEC) No 486/85 and qualifying, as appropriate, for either a reduction of import duties other than customs duties in accordance with Article 4 of the said Regulation or exemption from levies in accordance with Article 20 of the said Regulation and the licences themselves shall contain :

(a) in Section 12, one of the following endorsements :

“AVS/OLT-varer (forordning (EØF) nr. 486/85)”,

“AKP/ÜLG-Erzeugnis (Verordnung (EWG) Nr. 486/85)”,

“Προϊόν ΑΚΕ/ΥΧΕ (κανονισμός (ΕΟΚ) αριθ. 486/85)”,

“ACP/OCT product (Regulation (EEC) No 486/85)”,

“Produit ACP/PTOM (règlement (CEE) n° 486/85)”,

“Prodotto ACP/PTOM (regolamento (CEE) n. 486/85)”,

“ACS/LGO-produkt (Verordening (EEG) nr. 486/85)” ;

(b) in Section 14, the name of the State, country or territory in which the product is to originate.

2. Point 1 of Section I of Annex I is replaced by the following :

1. ACP/OCT products.

(Under Regulation (EEC) No 486/85)

(expressed in tonnes of boned meat)

CCT heading No		From				
		Madagascar	Botswana	Swaziland	Kenya	Zimbabwe
	Code	370	391	393	346	382
02.01 A II a)	110					
02.01 A II b)	120					

Article 6

Regulation (EEC) No 486/80 ⁽¹⁾ is hereby repealed.

Article 7

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

It shall apply from 1 March 1985.

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 56, 29. 2. 1980, p. 22.

COMMISSION REGULATION (EEC) No 553/85**of 1 March 1985****amending Regulation (EEC) No 2742/82 on protective measures applicable to imports of dried grapes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 516/77 of 14 March 1977 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 988/84⁽²⁾, and in particular Article 14 (2) 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,

Whereas Article 2 (3) of Commission Regulation (EEC) No 2742/82⁽⁵⁾, as last amended by Regulation (EEC) No 284/85⁽⁶⁾, provides that the minimum price and the countervailing charge shall, after having been converted into national currency, be multiplied by a coefficient;

Whereas that multiplication is made to ensure that the minimum price expressed in national currencies should not lead to distortion of trade;

Whereas the conversion rate of the pound sterling has changed;

Whereas that fact could lead to distortion of trade; whereas to avoid that risk, the coefficient in force for the pound sterling should be adapted,

HAS ADOPTED THIS REGULATION:

Article 1

The coefficient for the pound sterling referred to in Article 2 (3) of Regulation (EEC) No 2742/82 is replaced by 1,033.

Article 2

This Regulation shall enter into force on 4 March 1985.

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 73, 21. 3. 1977, p. 1.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 11.

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

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 290, 14. 10. 1982, p. 28.

⁽⁶⁾ OJ No L 30, 2. 2. 1985, p. 7.

COMMISSION REGULATION (EEC) No 554/85

of 1 March 1985

adopting exceptional support measures for the market in pigmeat

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 Article 20 thereof,

Whereas, because of the health situation in the breeding sector in one region of production in Italy, the passage of live pigs from that region is not possible for the time being; whereas pigmeat may be consigned for storage outside that region on condition that the provisions of Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 84/643/EEC⁽⁴⁾, are complied with;

Whereas, in order to take account of the limitations to free circulation resulting from the situation, exceptional measures to support the market in that specific region must be taken;

Whereas it is therefore appropriate to fix private storage aid for certain sensitive products in accordance with the detailed implementing rules for the granting of private storage aid in the pigmeat sector adopted by Commission Regulation (EEC) No 1092/80⁽⁵⁾, as last amended by Commission Regulation (EEC) No 201/85⁽⁶⁾;

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

1. As from 4 March until 30 March 1985 applications for private storage aid in the pigmeat sector may

be made to the Italian intervention agency in accordance with the provisions of Regulation (EEC) No 1092/80 and of this Regulation.

Only products coming from pigs reared and slaughtered in the restricted zone covering the communes in the province of Mantua fixed by orders No 594 of 13 February 1985 of local health office No 47, No 1679 of 16 February 1985 of local health office No 50 and No 1155 of 21 February 1985 of local health office No 52, can be subject to this aid. Storage may take place outside the restricted zone as defined above provided that the provisions of Directive 72/461/EEC on health problems are complied with.

The list of products which qualify for aid and the relevant amounts are set out in the Annex hereto.

2. If the period of storage is extended or curtailed, the amount of aid shall be adjusted accordingly. The amounts of the supplements per month and the deductions per day are set out in columns 7 and 8 of the Annex.

Article 2

The minimum quantities per contract and per product shall be as follows:

- (a) 10 tonnes for carcasses and half carcasses;
- (b) five tonnes for all the other products.

Article 3

The security shall be 20 % of the amounts of aid set out in the Annex.

Article 4

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

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

Done at Brussels, 1 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 114, 3. 5. 1980, p. 22.

⁽⁶⁾ OJ No L 23, 26. 1. 1985, p. 19.

ANNEX

CCT heading No	Products in respect of which aid is granted	Amount of the aid for a storage period of				Supplement or deduction	
		4 months	5 months	6 months	7 months	per month	per day
1	2	3	4	5	6	7	8
ex 02.01 A III a) 1	Whole carcasses or half carcasses without the head, flare fat, kidneys, forefeet, tail, diaphragm and spinal cord, fresh or chilled ⁽¹⁾	261	292	323	354	31	1,03
ex 02.01 A III a) 2	Legs, fresh or chilled	314	349	384	419	35	1,17
ex 02.01 A III a) 3	Fore-ends or shoulders, fresh or chilled	314	349	384	419	35	1,17
ex 02.01 A III a) 4	Loins, with or without collar, collars, fresh or chilled ⁽²⁾	314	349	384	419	35	1,17
ex 02.01 A III a) 5	Bellies whole or trimmed by rectangular cut, fresh or chilled	163	190	217	244	27	0,90
ex 02.01 A III a) 6 aa)	Bellies, whole or trimmed by rectangular cut, without rind and ribs, fresh or chilled	163	190	217	244	27	0,90
ex 02.01 A III a) 6	Cuts corresponding to 'middles', with or without rind, fat or bones, fresh or chilled ⁽³⁾	240	269	298	327	29	0,97
ex 02.01 A III a) 6 aa)	Legs, fore-ends, shoulders, loins with or without collar or collars, boned, fresh or chilled ⁽⁴⁾	314	349	384	419	35	1,17

⁽¹⁾ The aid for products falling within subheading ex 02.01 A III a) 1 can also be granted for half carcasses presented as Wiltshire sides, i.e. without the head, feet, tail, flare fat, kidneys, tenderloin, bone blade, sternum, vertebral column, pelvic bone and diaphragm.

⁽²⁾ Loins falling within subheading ex 02.01 A III a) 4 may be with or without rind, the adherent layer of fat, however, not exceeding 25 mm in depth.

⁽³⁾ Same presentation as for products falling within subheading 02.06 B I a) 2.

⁽⁴⁾ Loins and collars falling within subheading ex 02.01 A III a) 6 aa) may be with or without rind, the adherent layer of fat, however, not exceeding 25 mm in depth. The minimum quantity of 15 tonnes refers to all products.

COMMISSION REGULATION (EEC) No 555/85
of 1 March 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 543/85⁽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 2 March 1985.

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

Done at Brussels, 1 March 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 62, 1. 3. 1985, p. 61.

ANNEX

to the Commission Regulation of 1 March 1985 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	45,77
	B. Raw sugar	40,54 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES OF THE EUROPEAN COAL AND STEEL COMMUNITY,
MEETING WITHIN THE COUNCIL**

of 26 February 1985

**amending Decision 77/707/ECSC concerning Community surveillance of
imports of hard coal originating in third countries**

(85/161/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL
AND STEEL COMMUNITY, MEETING WITHIN THE
COUNCIL,

in agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Decision 77/707/ECSC⁽¹⁾ is hereby amended as follows:

1. Article 3 (2) is replaced by the following:

'2. The information referred to in paragraph 1 shall be communicated to the Commission within 80 days of the end of each quarter, broken down by the country of origin and by length of supply contract (one year and longer or less than one year).'

2. Article 4 is replaced by the following:

'Article 4

The Commission shall ensure that the information supplied pursuant to Article 3 remains confidential

and is handled by officials who are bound by professional secrecy.

This provision shall not, however, prevent the Commission from publishing general or summary information, but at the earliest on the expiry of 80 days following the end of each quarter, in a form which, in respect of statistical secrecy, meets the following requirements:

- no financial data shall be published if less than four companies undertake more than 75 % of the imports from the country of origin in each quarter,
- publication of information must be in such terms as to preclude the reconstruction of financial information about individual deliveries.'

Article 2

Member States shall take the measures necessary to implement this Decision.

Done at Brussels, 26 February 1985.

The President

F. PANDOLFI

⁽¹⁾ OJ No L 292, 16. 11. 1977, p. 11.

COMMISSION

COMMISSION DECISION

of 6 February 1985

temporarily suspending the status of certain parts of the territory of the Federal Republic of Germany with regard to classical swine fever

(85/162/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/432/EEC of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine ⁽¹⁾, as last amended by Directive 84/644/EEC ⁽²⁾, and in particular Article 4c (1) (c) thereof,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽³⁾, as last amended by Directive 84/643/EEC ⁽⁴⁾, and in particular Article 13a (2), thereof,

Whereas Council Decision 82/838/EEC of 3 December 1982 ⁽⁵⁾ recognizes certain parts of the territory of the Federal Republic of Germany as being either officially swine-fever free or swine-fever free ;

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

Whereas, therefore, the status of the affected parts of the territory of the Federal Republic of Germany with

regard to classical swine fever should be temporarily suspended,

HAS ADOPTED THIS DECISION

Article 1

The status of those parts of the territory of the Federal Republic of Germany constituted by the regions set out in the Annex to this Decision, as areas recognized to be officially swine-fever free within the meaning of Article 4c (1) (c) of Directive 64/432/EEC, shall be suspended for a period of 15 days.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 6 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 352, 14. 12. 1982, p. 27.

ANNEX

**Regions in the Federal Republic of Germany whose status as officially swine-fever free is
suspended**

Regierungsbezirke of Detmold, of Hannover and of Lüneburg.

COMMISSION DECISION

of 6 February 1985

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

(85/163/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas on 14 January 1985, in view of the way in which the outbreak had developed, the Commission adopted Decision 85/108/EEC⁽⁸⁾, as last amended by Decision 85/116/EEC⁽⁹⁾;

Whereas the outbreaks have, as a result of the measures introduced and the action taken by the Italian authorities, in particular as regards vaccination against foot-and-mouth disease, been confined to certain parts of Italy's territory;

Whereas in certain parts of Italy's territory no further cases of the disease have been recorded; whereas, therefore, and in view of the measures introduced by the Italian authorities, some of the restrictions on trade should be lifted in the case of meat from animals slaughtered after 1 February 1985 and products processed therefrom;

Whereas a time limit should be laid down for introducing measures designed to restore trade and provide additional safeguards;

Whereas meat obtained from animals slaughtered before 1 November 1984 is not likely to cause the disease to spread;

Whereas the vehicles used for transporting live animals can in some cases constitute a major factor in spreading the disease;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall prohibit the introduction onto their territory of live animals of the bovine and porcine species from the parts of the territory of Italy which are listed in the Annex to this Decision.

2. The accompanying certificate laid down in Directive 64/432/EEC shall, in the case of animals from Italy, bear the following: 'Animals complying with the Commission Decision of 6 February 1985'.

Article 2

1. Member States shall prohibit the introduction onto their territory of fresh meat obtained from animals of the bovine, porcine, ovine and caprine species from the parts of the territory of Italy which are listed in the Annex to this Decision, including meat obtained from animals from those parts of Italy's territory which were slaughtered elsewhere.

2. However, the prohibitions provided for in paragraph 1 shall not apply to meat obtained from animals slaughtered before 1 November 1984.

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

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁶⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽⁷⁾ OJ No L 16, 19. 1. 1985, p. 46.

⁽⁸⁾ OJ No L 44, 14. 2. 1985, p. 34.

⁽⁹⁾ OJ No L 46, 15. 2. 1985, p. 45.

3. The health certificate provided for in Council Directive 64/433/EEC of 26 June 1964⁽¹⁾ on health problems affecting intra-Community trade in fresh meat and accompanying fresh meat consigned from Italy shall bear the following: 'Meat complying with the Commission Decision of 6 February 1985'.

Article 3

1. Member States shall prohibit the introduction onto their territory of meat products, other than those which have undergone one of the forms of treatment laid down in Article 4 (1) of Directive 80/215/EEC, from those parts of the territory of Italy which are listed in the Annex to this Decision or which have been prepared using meat obtained from animals from those same parts of the territory of Italy but slaughtered elsewhere.

2. However, the prohibitions provided for in paragraph 1 shall not apply to meat products prepared using meat obtained from animals slaughtered before 1 November 1984.

3. The accompanying health certificate provided for in Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products⁽²⁾ shall, in the case of the meat products referred to in paragraph 1 consigned from Italy, bear the following: 'Products complying with the Commission Decision of 6 February 1985'.

Article 4

The Member States shall take steps to ensure that the vehicles which have been used to transport live

animals from Italy are disinfected before entering the territory of another Member State and upon such entry at the latest.

Article 5

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision as from 8 February 1985. They shall immediately inform the Commission thereof.

Article 6

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

Article 7

Commission Decision 85/108/EEC of 14 January 1985 is hereby repealed.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 6 February 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

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

⁽²⁾ OJ No L 26, 31. 1. 1977, p. 85.

ANNEX

1. Parts of the territory of Italy which are the subject of restrictions on the trade in live animals :
 - the provinces of Bologna, Brescia, Cremona, Cuneo, Mantova, Modena, Ragusa and Reggio-Emilia,
 - any other part of the territory situated within a radius of 10 km around any outbreak of foot-and-mouth disease recorded after 1 January 1985.
 2. Parts of the territory of Italy which are the subject of restrictions on the trade in fresh meat and meat products :
 - (a) in the case of meat obtained from animals slaughtered after 1 November 1984 but before 1 February 1985 and meat products prepared using such meats :
 - the provinces of Bologna, Brescia, Cremona, Cuneo, Mantova, Modena, Ragusa and Reggio-Emilia,
 - any other part of the territory of Italy situated within a radius of 10 km around any outbreak of foot-and-mouth disease ;
 - (b) in the case of meat obtained from animals slaughtered after 1 February 1985 and products prepared using such meats :
 - the provinces of Brescia, Cremona, Cuneo, Mantova and Ragusa,
 - the parts of the territory of the provinces of Bologna, Modena and Reggio-Emilia situated within a radius of 2 km around any outbreak of foot-and-mouth disease,
 - any other part of the territory of Italy situated within a radius of 10 km around any outbreak of foot-and-mouth disease recorded after 1 January 1985.
-

COMMISSION DECISION

of 8 February 1985

amending Decision 82/426/EEC concerning animal health conditions and veterinary certification for imports of fresh meat from the United States of America

(85/164/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and
swine and fresh meat from third countries ⁽¹⁾, as last
amended by Directive 83/91/EEC ⁽²⁾, and in particular
Article 16 thereof,

Whereas Commission Decision 82/426/EEC ⁽³⁾ laid
down conditions as to animal health and veterinary
certification for the importation of fresh meat from the
United States of America ;

Whereas it is possible, without risk of spread of
disease, to accept meat of bovine animals where such
animals have originated in the United States of
America or in Canada and have spent part of the resi-
dency period in either country ;

Whereas both the United States and Canada have
given undertakings to the Commission which will
ensure notification to the Commission and the
Member States, within 24 hours at the latest, of the
confirmation of the occurrence of serious epizootic
disease ;

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

HAS ADOPTED THIS DECISION :

Article 1

Part IV of the Animal Health Certificate contained in
the Annex to Decision 82/426/EEC is hereby replaced
by the following :

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above
has been obtained from :

- in the case of fresh meat from bovine animals, animals which have remained
in the United States of America or in Canada for at least three months before
being slaughtered or since birth in the case of animals less than three months
old,
- in the case of fresh meat from swine, sheep and goats, animals which have
remained in the territory of the United States of America for at least three
months before being slaughtered or since birth in the case of animals less
than three months old,
- in the case of fresh meat from domestic solipeds, animals which have
remained in the territory of the United States of America or a neighbouring
country on the list referred to in Council Decision 79/542/EEC for meat of
domestic solipeds, for at least three months before being slaughtered or since
birth in the case of animals less than three months old,
- in the case of fresh meat from swine, animals which have not come from
holdings which for health reasons are subject to prohibition as a result of an
outbreak of porcine brucellosis during the previous six weeks,

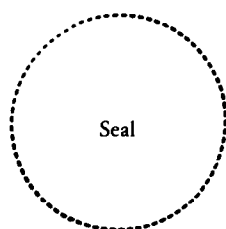
⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 186, 30. 6. 1982, p. 54.

- in the case of fresh meat from sheep and goats, animals which have not come from holdings which for health reasons are subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks.

Done at, on



.....
(Signature of official veterinarian)

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 8 February 1985

amending Decision 83/96/EEC authorizing Ireland and the United Kingdom temporarily to take additional measures to protect themselves against the introduction of *Dendroctonus micans*

(Only the English text is authentic)

(85/165/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Directive 84/378/EEC ⁽²⁾, and in particular Article 15 (2) thereof,

Whereas, under the Community plant health regime, Ireland and the United Kingdom have been authorized by Commission Decision 83/96/EEC ⁽³⁾, as last amended by Commission Decision 84/69/EEC ⁽⁴⁾, to require from other Member States certain safeguards additional to those afforded under the general Community provisions in order to prevent the introduction of *Dendroctonus micans* through plants of conifers, following recent developments in the incidence and spread of this organism in the Community;

Whereas this authorization was granted, pending strengthening of the Community safeguards by means of an amendment to Directive 77/93/EEC, for a limited period expiring on 31 January 1985;

Whereas the circumstances which justified this authorization have not changed; whereas the Commission

proposed an appropriate amendment to the above-mentioned Directive, which the Council has not yet adopted;

Whereas therefore the authorization should be extended for a further period;

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

HAS ADOPTED THIS DECISION:

Article 1

In Article 1 (1) of Decision 83/96/EEC, '31 January 1985' is hereby replaced by '31 January 1986'.

Article 2

This Decision is addressed to Ireland and to the United Kingdom.

Done at Brussels, 8 February 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 207, 2. 8. 1984, p. 1.

⁽³⁾ OJ No L 61, 8. 3. 1983, p. 20.

⁽⁴⁾ OJ No L 38, 9. 2. 1984, p. 38.

COMMISSION DECISION

of 11 February 1985

concerning an application for refund of anti-dumping duties collected on certain imports of glass textile fibres (rovings) originating in Czechoslovakia

(Only the German text is authentic)

(85/166/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 Economic Community⁽¹⁾, and in particular Article 16 thereof,

Whereas :

A. Procedure

- (1) On 18 June 1983 the Commission, by Regulation (EEC) No 1631/83⁽²⁾, imposed a provisional anti-dumping duty on imports of glass textile fibres (rovings) originating in Czechoslovakia. The amount of the duty was equal to the amount by which the free-at-Community-frontier net price, before duty, was less than 0,97 ECU per kilogram. On 16 December 1983, by Council Regulation (EEC) No 3540/83⁽³⁾, a definitive anti-dumping duty was imposed. The amount of the duty is equal to the amount by which the free-at-Community-frontier net price before duty is less than 1,07 ECU per kilogram. The amounts secured by way of provisional duty from 18 June 1983 pursuant to Regulation (EEC) No 1631/83 were definitively collected up to the amount of the provisional duty.
- (2) On 18 November 1983 MBG GmbH and Co., Frankfurt/Main, on 25 October 1983 Fibron Wolfgang Mellert GmbH, Bretten/Baden, and on 5 March 1984 Menzolit-Werke, Albert Schmidt GmbH and Co. KG, Menzingen, importers of rovings from Czechoslovakia, applied to the German authorities for a refund of the amounts of DM 85 473,71, DM 92 220,75 and DM 66 010,36 respectively, in connection with their imports of rovings from Czechoslovakia. These

sums were provisional anti-dumping duties which were collected. The German authorities forwarded the applications to the Commission.

- (3) Following the submission by the applicants of further supporting evidence the claims were examined by the Commission. The applicants were informed of the preliminary results of this examination and given an opportunity to comment on them. The comments made were taken into consideration prior to this Decision.
- (4) The Commission informed the Member States and gave its opinion on the matter. All Member States agreed with this opinion.

B. Arguments of the applicants

- (5) The applicants have based their claims on the allegation that because the Commission used more up-to-date rates of exchange when discussing a possible undertaking, before the imposition of the provisional duty, the official rate of exchange should not have been used when calculating the amount of the duty to be paid in national currency. The difference between the two rates is requested as a refund by the applicants.

C. Admissibility

- (6) The applications are admissible since they were introduced in conformity with the relevant provisions of the Community's anti-dumping legislation, in particular those concerning time limits.

D. Merits of the claim

- (7) The applications would be justified if the importers had shown that the amounts of duty collected exceeded the actual dumping margin. In the case in question, the dumping margin amounts to 56,03 %. However, as a lower amount was considered sufficient to eliminate the injury, the provisional duty was fixed at a lower level, i.e. the amount by which the free-at-Community-frontier net price, before duty, was less than 0,97 ECU per kilogram. This, based on the exchange rates valid during the investigation period, corresponded to a duty of approximately 13 %.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 160, 18. 6. 1983, p. 18.

⁽³⁾ OJ No L 354, 16. 12. 1983, p. 15.

- (8) Concerning the collection of this variable duty, Article 1 (4) of Regulation (EEC) No 1631/83 clearly stated that 'the provisions in force concerning customs duties shall apply for the application of the duty'. Consequently, the duty set in ECU had to be expressed in national currencies in conformity with Council Regulation (EEC) No 2779/78 ⁽¹⁾, as amended by Regulation (EEC) No 289/84 ⁽²⁾.
- (9) The Commission is well aware of the fact that the rate of exchange altered while the provisional duty was in operation. This matter was considered when the decision was made about the definitive collection of the amounts secured by way of provisional duty. It was found that, although there was an alteration in the exchange rate for the German mark between the date when securities were deposited and the date when these securities were definitively collected, the amount of that provisional duty did not exceed the definitively established margin.
- (10) The applicants argue that the abovementioned alterations in the exchange rates should not lead to any supplementary collection of duties. They also allege that these alterations led to the collection of duties, the amount of which exceeded the actual dumping margin.
- (11) The Commission has examined these allegations and has come to the conclusion that the mere fact that the effective rate of a duty in national currency has increased as a result of a change in exchange rates does not give a right to a refund *pro tanto*. As to the relation between duties collected and the dumping margin, it has, after re-examination of the matter, been found that the

amounts collected, whatever exchange rate is applied — either the one valid at the time when securities were deposited, or the one valid during discussions for a possible undertaking or finally the one valid at the time of collection of the provisional duties — did not exceed the actual dumping margin.

- (12) The applications have, thus, to be rejected,

HAS ADOPTED THIS DECISION :

Article 1

The refund claim submitted by MBG GmbH and Co., Frankfurt/Main, Fibron Wolfgang Mellert GmbH, Bretten/Baden and Menzolit-Werke, Albert Schmidt GmbH and Co. KG, Menzingen, is hereby rejected.

Article 2

This Decision is addressed to the Federal Republic of Germany and to MBG GmbH and Co., Frankfurt/Main, Fibron Wolfgang Mellert GmbH, Bretten/Baden and Menzolit-Werke, Albert Schmidt GmbH and Co. KG, Menzingen.

Done at Brussels, 11 February 1985.

For the Commission

Peter SUTHERLAND

Member of the Commission

⁽¹⁾ OJ No L 333, 30. 11. 1978, p. 5.

⁽²⁾ OJ No L 33, 4. 2. 1984, p. 2.

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II/84

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