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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 798/85

of 26 March 1985

amending Regulation (EEC) No 337/79 on the common organization of the market in wine and Regulation (EEC) No 338/79 laying down special provisions relating to quality wines produced in specified regions

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the northern parts of wine-growing zone A experienced exceptionally adverse weather in 1984; whereas these production areas have seen very high rainfall and a considerable reduction in sunshine hours; whereas, as a result, some of the wines produced have such a high level of acidity that the methods of deacidification currently permitted by Community rules are not adequate if these wines are to be converted into balanced table wines or, as the case may be, quality wines psr, matching market requirements; whereas increasing the alcoholic strength of these wines by adding sucrose in aqueous

solution would help to reduce their acid taste considerably; whereas, in view of the exceptional circumstances outlined above, the period during which the addition of sucrose in aqueous solution is permitted, under Regulation (EEC) No 337/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 775/85 ⁽⁵⁾, and under Regulation (EEC) No 338/79 ⁽⁶⁾, as last amended by Regulation (EEC) No 2145/82 ⁽⁷⁾, should be extended by approximately one year,

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 33 (3) of Regulation (EEC) No 337/79, '15 March 1984' is hereby replaced by '31 March 1985'.

Article 2

In the fifth subparagraph of Article 8 (2) of Regulation (EEC) No 338/79, '15 March 1984' is hereby replaced by '31 March 1985'.

Article 3

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, 26 March 1985.

For the Council

The President

F.M. PANDOLFI

⁽¹⁾ OJ No C 259, 27. 9. 1984, p. 5 and OJ No C 23, 25. 1. 1985, p. 3.

⁽²⁾ OJ No C 72, 18. 3. 1985, p. 102.

⁽³⁾ Opinion delivered on 30 January 1985 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁵⁾ OJ No L 88, 28. 3. 1985, p. 1.

⁽⁶⁾ OJ No L 54, 5. 3. 1979, p. 48.

⁽⁷⁾ OJ No L 227, 3. 8. 1982, p. 10.

COUNCIL REGULATION (EEC) No 799/85**of 26 March 1985****opening, allocating and providing for the administration of a Community tariff quota for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus (1985)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983⁽¹⁾, as amended by Regulation (EEC) No 3628/84⁽²⁾, provides, for the period 1 April to 15 May 1985, for the opening of a Community tariff quota of 2 500 tonnes of carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus, at a rate of customs duty equal to 40 % of the customs duty in the Common Customs Tariff; whereas the Community tariff quota should therefore be opened for this period;

Whereas it is necessary, in particular to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up; whereas, however, since the period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the shares allocated to that economic union may be carried out by any one of its members,

Article 1

1. From 1 April to 15 May 1985, the Common Customs Tariff duty for carrots falling within subheading ex 07.01 G II of the Common Customs Tariff and originating in Cyprus shall be suspended at 6,8 % within the limits of a Community tariff quota of 2 500 tonnes.

Within the limits of this tariff quota, Greece shall apply the customs duties calculated in accordance with the relevant provisions in the 1979 Act of Accession and the Protocol of Adaptation.

The Protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation⁽³⁾, annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said quota have free access to the quota so long as the residual balance of the quota volume allows this.

3. Member States shall charge imports of the said goods against their shares as and when the goods are entered for free circulation.

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 335, 22. 12. 1984, p. 6.

⁽³⁾ OJ No L 339, 28. 12. 1977, p. 19.

4. The extent to which the quota has been exhausted shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 April 1985.

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

Done at Brussels, 26 March 1985.

For the Council

The President

F. M. PANDOLFI

COUNCIL REGULATION (EEC) No 800/85**of 26 March 1985****amending for the second time Regulation (EEC) No 1/85 fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1985 and certain conditions under which they may be fished**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 170/83
of 25 January 1983 establishing a Community system
for the conservation and management of fishery
resources ⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 3 of Regulation (EEC) No
170/83, the Council is required to fix the total
allowable catch for each stock or group of stocks, the
share available to the Community and the specific
conditions for taking these catches; whereas, under
Article 4 of the same Regulation, the share available to
the Community is to be distributed among the
Member States;

Whereas Council Regulation (EEC) No 1/85 ⁽²⁾, as
amended by Regulation (EEC) No 97/85 ⁽³⁾, fixes for
certain fish stocks and groups of fish stocks, provisi-
onal total allowable catches for 1985 and certain
conditions under which they may be fished;

Whereas the trilateral consultations with Norway and
Sweden concerning reciprocal fishing rights and the
conditions governing them, in the Skagerrak and
Kattegat in 1985 have now been concluded; whereas,
consequently, it is possible to fix the total allowable
catches for the stocks located in these waters;

Whereas the by-catch percentage for herring caught
with small-meshed nets other than those caught
during sprat fishing should be fixed for the Skagerrak
and Kattegat;

Whereas the state of the herring stock in the
Skagerrak and Kattegat makes it possible to increase
the quantity available to the Community and to end
the prohibition applied to fishing in this division for
certain periods;

Whereas, pending further scientific advice on the
conditions for sprat fishing in the Skagerrak and the
Kattegat, there should be an extension of the deadline
by which detailed rules must be laid down for fishing
with small-meshed trawls,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1/85 is hereby amended as
follows:

1. Article 5 (1) (iv) is replaced by the following:

‘(iv) for herring, they are within the limits laid
down in paragraph 2,
or’;

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

‘2. In areas other than the Skagerrak, the
Kattegat and the Baltic Sea (ICES divisions III b, c,
d) it shall be prohibited to retain on board catches
of herring mixed with other species unless such
catches are not sorted and unless the herring, if
mixed with sprat only, does not exceed 10 % by
weight of the total weight of herring and sprat
combined.

In areas other than the Baltic Sea, it shall be prohi-
bited to retain on board catches of herring mixed
with other species unless such catches are not
sorted and unless the herring, if mixed with other
species whether or not including sprat, does not
exceed 5 % by weight of the total weight of the
herring and other species combined.’;

3. Article 6 (1) is deleted;

4. In the second subparagraph of Article 7 (1), ‘1 April
1985’ is replaced by ‘15 June 1985’;

5. Annex I is amended as follows:

(a) the figures relating to cod, haddock, whiting,
plaice, herring and sprat stocks in the Skagerrak
and the Kattegat (ICES division III a) shall be
replaced by those shown in Annex I to this
Regulation;

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 1, 1. 1. 1985, p. 1.

⁽³⁾ OJ No L 13, 16. 2. 1985, p. 5.

(b) the following footnotes are added :

⁽¹⁶⁾ Not including 2 000 tonnes allocated to Norway.

⁽¹⁷⁾ Excluding catches taken by Norway in the Norwegian fjords west of Lindesnes.';

6. In Annex II the figures relating to herring stocks in the Skagerrak and the Kattegat (ICES division III a) shall be replaced by those shown in Annex II 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, 26 March 1985.

For the Council

The President

F. M. PANDOLFI

TACs by stock and by area for 1985 — shares available to the Community

Species	ICES division or NAFO zone	1985 TAC	Shares available to the Community for 1985
Cod	III a Skagerrak	29 000	23 920
Cod	III a Kattegat	16 000	9 650
Haddock	III a ; III b, c, d (EC zone)	11 500 (*)	9 930
Whiting	III a	22 150 (*)	19 650
Plaice	III a Skagerrak	12 000 (*)	11 280
Plaice	III a Kattegat	5 500 (*)	4 950
Sprat	III a	58 000 (*) ⁽⁶⁾ ⁽¹⁷⁾	38 150 ⁽⁴⁾
Herring	III a	115 000 (*) ⁽¹⁶⁾	49 500

(tonnes)				
Species	Geographical region	ICES division or NAFO zone	Member State	Quota 1985
Herring	Skagerrak and Kattegat	III a	Belgium Denmark Federal Republic of Germany Greece France Ireland Italy Luxembourg Netherlands United Kingdom Available for Member States	48 720 ⁽¹⁾ 780 ⁽²⁾
			EEC total	49 500

COUNCIL REGULATION (EEC) No 801/85

of 26 March 1985

allocating, for 1985, Community catch quotas in Greenland waters

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas an Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other ⁽²⁾, entered into force on 1 February 1985;

Whereas a Protocol on the conditions relating to fishing between the European Economic Community, on the one hand, and the Government of Denmark and the local Government of Greenland, on the other ⁽³⁾, also entered into force on 1 February 1985; whereas that Protocol fixes the catch quotas allocated to the Community in Greenland waters;

Whereas the catch quotas allocated to the Community may be taken by vessels which do not fly the flag of a Member State of the Community, to the extent to which this is necessary for the proper functioning of the fisheries agreements concluded by the Community with third countries; whereas the Community has agreed to allocate part of its catch quotas in Greenland waters in 1985 to Norway;

Whereas the Community and Greenland have held consultations on the application of the Agreement and the Protocol in 1985; whereas the parties agreed that the Community catch quotas, except for cod in NAFO 1, may be fished in 1985 as set out in the Protocol;

Whereas a special arrangement applies to the cod stock in NAFO 1, taking into account the difficult situation of this stock; whereas the situation of this stock is to be reviewed in the light of further developments;

Whereas, under Article 3 of Regulation (EEC) No 170/83, the Council is required to fix the total

allowable catch for each stock or group of stocks, the share available to the Community and the specific conditions for taking these catches; whereas, under Article 4 of the same Regulation, the share available to the Community is to be distributed among the Member States;

Whereas information about actual catches should be made available in order to ensure that the allocations are respected;

Whereas it is necessary, taking into account Greenland's withdrawal from the Community, to repeal Council Regulation (EEC) No 2/85 of 19 December 1984 allocating, for 1985, catch quotas in Greenland waters ⁽⁴⁾, as amended by Regulation (EEC) No 97/85 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The allocation in 1985 of the Community catch quotas in Greenland waters shall be as fixed in the Annex.

Article 2

Member States and the masters of vessels flying the flag of a Member State shall comply, as far as fishing in Greenland waters is concerned, with Articles 3 to 9 of Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽⁶⁾, as amended by Regulation (EEC) No 1729/83 ⁽⁷⁾.

Article 3

Regulation (EEC) No 2/85 is hereby repealed.

Article 4

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

It shall apply with effect from 1 February 1985.

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 29, 1. 2. 1985, p. 9.

⁽³⁾ OJ No L 29, 1. 2. 1985, p. 14.

⁽⁴⁾ OJ No L 1, 1. 1. 1985, p. 36.

⁽⁵⁾ OJ No L 13, 16. 1. 1985, p. 5.

⁽⁶⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽⁷⁾ OJ No L 169, 28. 6. 1983, p. 14.

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

Done at Brussels, 26 March 1985.

For the Council

The President

F. M. PANDOLFI

ANNEX

Allocation of Community catch quotas in Greenland waters for 1985

Species	Area	Community catch quotas (tonnes)	Member State shares (tonnes)	Norwegian shares (tonnes) (shown for information only)	Faroese quotas in Greenland waters according to EC/Greenland Fisheries Protocol ⁽¹⁾ (tonnes) (shown for information only)
1	2	3	4	5	6
Cod	NAFO 1 ICES XIV/V	(^(*)) 11 500	(^(*)) Germany 10 000 United Kingdom 1 500	—	
Redfish	NAFO 1 ICES XIV/V	5 500 57 820	Germany 5 395 United Kingdom 105 Germany 57 140 France 410 United Kingdom 270	— —	 500
Greenland halibut	NAFO 1 ICES XIV/V	1 850 3 750	Germany 1 290 United Kingdom 60 Germany 3 090 United Kingdom 160	— 500 ^(?) 500 ^(?)	150 150
Halibut	NAFO 1	200	—	200 ^(?)	
Shrimps	NAFO 1 ICES XIV/V	1 300 3 050	France 425 Denmark 425 France 500 Denmark 500	450 ^(?) 2 050	475 ^(*) 675 ^(?)
Catfish	NAFO 1	2 000	Germany 2 000	—	
Blue whiting	ICES XIV/V	30 000	30 000	—	
Capelin	ICES XIV/V				10 000

(^(*)) Fishing by the Community may continue mainly in February and not later than 31 March 1985 on the basis of the quotas fixed by Regulation (EEC) No 320/84.

(⁽¹⁾) These Faroese quotas are additional to the Community catch quotas and form part of the fishery arrangement for 1985 agreed on by the Community and the Faroe Islands.

(⁽²⁾) Only to be fished by long-liners.

(⁽³⁾) South of 68° N.

(⁽⁴⁾) South of 68° N, may be fished only after 1 July 1985.

(⁽⁵⁾) A maximum of 405 tonnes may be fished until 30 June 1985.

COUNCIL REGULATION (EEC) No 802/85

of 26 March 1985

amending for the second time Regulation (EEC) No 4/85 laying down for 1985 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Regulation (EEC) No 4/85 is hereby amended as follows:

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, and in particular Article 11 thereof,

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

Having regard to the proposal from the Commission,

'1. Fishing by vessels flying the flag of Norway in the 200-mile zone of the Member States in the North Sea, the Skagerrak, the Kattegat, the Baltic Sea and the Atlantic Ocean north of 43°00' N shall be authorized until 31 December 1985 for the species listed in Annex I within the geographical and quantitative limits laid down therein and in accordance with the provisions laid down in this Regulation.'

Whereas, by Regulation (EEC) No 4/85⁽²⁾, as amended by Regulation (EEC) No 97/85⁽³⁾, the Council laid down for 1985 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway;

2. Article 3 is replaced by the following:

Whereas Greenland's withdrawal from the European Communities became effective on 1 February 1985;

Article 3

Whereas the abovementioned Regulation includes provisions concerning Greenland waters which are now the subject of a separate Regulation;

1. Fishing within all ICES subareas by vessels exceeding 200 grt under the quotas established in Article 1 shall be subject to the holding on board of a licence issued by the Commission on behalf of the Community and to the observance of the conditions set out in the licence.

Whereas, in accordance with the procedures laid down in the Fisheries Agreement between the European Economic Community and the Kingdom of Norway⁽⁴⁾, the parties have held consultations on fishery licence arrangements for 1985;

2. The Commission shall issue the licences to fish as provided for in paragraph 1 to every ship for which a licence is requested by the Norwegian authorities.

Whereas, under Article 3 of Regulation (EEC) No 170/83, the Council is required to fix the total catches allocated to third countries and the specific conditions for taking these catches;

3. Each licence shall be valid for one vessel only. When two or more vessels are taking part in the same fishing operation, each vessel shall be in possession of a licence.

Whereas Regulation (EEC) No 4/85 should be amended in order firstly to take account of Greenland's withdrawal from the European Communities and secondly to implement the results of the consultations between the delegations of the Community and Norway on licence arrangements in 1985,

4. In the event of failure to comply with the obligations laid down in this Regulation, the licence shall be withdrawn.

5. For a maximum period of 12 months no licence shall be issued in respect of vessels for which the obligations laid down in this Regulation have not been observed.

6. Licences issued pursuant to Regulation (EEC) No 3746/83⁽¹⁾ and valid until 31 December 1984 shall remain valid until 31 March 1985 at the latest if so requested by the Norwegian authorities.'

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 1, 1. 1. 1985, p. 42.

⁽³⁾ OJ No L 13, 16. 1. 1985, p. 5.

⁽⁴⁾ OJ No L 226, 29. 8. 1980, p. 48.

3. Article 5 is replaced by the following :

'Fishing within the quotas referred to in Article 1 for blue ling, ling and tusk shall be allowed only by the method commonly known as "long-lining".'

4. Annexes I, II and III are replaced by the Annexes to this Regulation.

Article 2

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

It shall apply from 1 February to 31 December 1985.

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

Done at Brussels, 26 March 1985.

For the Council

The President

F. M. PANDOLFI

ANNEX I

Fishing quotas for 1985

Species	Area within which fishing is authorized	(tonnes)
		Quantity
Mackerel	ICES VI a ⁽¹⁾ + VII d, e, f, h, + II a	27 000
Herring	ICES VI a ⁽¹⁾	5 400
Sprat	ICES IV	20 000
Cod	ICES IV	12 000
Haddock	ICES IV	20 000
Saithe	ICES IV and Skagerrak ⁽²⁾	65 000
Whiting	ICES IV	8 000
Plaice	ICES IV	8 000
Mackerel	ICES IV; III a	26 200
Sand-eel, Norway pout, blue whiting	ICES IV	50 000 ⁽³⁾
Blue whiting	ICES II; IV a; VI a ⁽¹⁾ ; VI b; VII ⁽⁴⁾	200 000 ⁽⁵⁾
Blue ling	ICES IV; V b; VI; VII; II a	1 000 ⁽⁶⁾
Ling and tusk	ICES IV; V b; VI; VII; II a	26 000 ⁽⁶⁾ ⁽⁷⁾
Dogfish	ICES IV; VI; VII	1 000
Basking shark ⁽⁸⁾	ICES IV; VI; VII	400
Porbeagle	ICES IV; VI; VII	200
Shrimp	ICES IV	400
Other species	ICES IV	5 000

⁽¹⁾ North of 56° 30' N.

⁽²⁾ Limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse of Tistlarna and from there to the nearest coast of Sweden.

⁽³⁾ Of which sand-eel alone not more than 50 000 tonnes or Norway pout and blue whiting together not more than 40 000 tonnes. Up to 10 000 tonnes of the Norway pout quota may be fished in ICES VI a north of 56° 30' N. However, this quantity should be deducted from the quota of sand-eel, Norway pout and blue whiting in ICES IV.

⁽⁴⁾ West of 12° 00' W.

⁽⁵⁾ Of which no more than 40 000 tonnes may be fished in ICES division IV a.

⁽⁶⁾ Of which a by-catch of 20 % of cod per ship, at any moment, is authorized in ICES sub-areas VI and VII. However, this percentage may be exceeded in the first 24 hours following the beginning of the fishing on a specific ground. The total by-catches should not exceed 1 000 tonnes.

⁽⁷⁾ Of which ling may be a maximum of 20 000 tonnes and tusk a maximum of 10 000 tonnes.

⁽⁸⁾ Basking shark liver.

ANNEX II

The following details are to be entered in the log-book after each haul when fishing within the 200-nautical-mile fishing zone off the coasts of the Member States of the Community which is covered by exclusive Community rules on fisheries:

1. the quantity (in kilograms) of each species caught;
2. the date and the time of the haul;
3. the geographical position in which the catches were made;
4. the fishing method used;
5. all radio messages sent in conformity with Annex III.

ANNEX III

1. The information to be transmitted to the Commission and the timetable for its transmission are as follows :

- 1.1. On each occasion the vessel enters the 200-nautical-mile fishing zone off the coasts of the Member States of the Community :

- (a) the information specified under 1.4 ;
- (b) the quantity (in kilograms) of each species of fish in the hold ;
- (c) the date and ICES sub-area within which the master intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1 on a given day one communication shall suffice on first entry.

- 1.2. On each occasion the vessel leaves the zone referred to under 1.1 :

- (a) the information specified under 1.4 ;
- (b) the quantity (in kilograms) of each species of fish in the hold ;
- (c) the quantity (in kilograms) of each species caught since the previous transmission ;
- (d) the ICES sub-area in which the catches were taken ;
- (e) the quantity (in kilograms) of each species transferred to other vessels since the vessel entered the zone and the identification of the vessel to which the transfer was made ;
- (f) the quantity (in kilograms) of each species landed in a port of the Community since the vessel entered the zone.

- 1.3. At three-day intervals, commencing on the third day after the vessel first enters the zones referred to under 1.1 when fishing for herring and mackerel and at weekly intervals, commencing on the seventh day after the vessel first enters the zones referred to under 1.1 when fishing for all species other than herring and mackerel :

- (a) the information specified under 1.4 ;
- (b) the quantity (in kilograms) of each species caught since the previous transmission ;
- (c) the ICES division in which the catches were made.

- 1.4. (a) The name, call sign, identification numbers and letters of the vessel and the name of its master ;

- (b) the licence number if the vessel is under licence ;
- (c) the serial number of the message ;
- (d) identification of the type of message ;
- (e) the date, the time and the geographical position of the vessel.

- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24 189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

- 2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

<i>3. Name of radio station</i>	<i>Call sign of radio station</i>
Skagen	OXF
Blåvand	OXB
Rønne	OYE
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	GKA
	GKB
	GKC
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Thorshavn	OXJ
Bergen	LGN
Farsund	LGZ
Florø	LGL
Rogaland	LGQ
Tjøme	LGT
Ålesund	LGA

4. Form of communications

The information specified under point 1 concerning the fishing operations in the zones referred to under 1.1 shall contain the following elements, which shall be given in the following order :

- name of vessel,
- call sign,
- external identification letters and numbers,
- serial number of the message for the voyage in question,
- indication of the type of message according to the following code :
 - message when entering one of the zones referred to under 1.1 : 'IN',
 - message when leaving one of the zones referred to under 1.1 : 'OUT',
 - message when moving from one ICES sub-area to another : 'ICES',
 - weekly message : 'WKL',
 - three-day message : '2 WKL',
- the geographical position,
- the ICES sub-area in which fishing is expected to commence,
- the date on which fishing is expected to commence,
- the quantity (in kilograms) of each species of fish in the hold using the code mentioned in point 5,
- the ICES division in which the catches were made,
- the quantity (in kilograms) of each species transferred to other vessels since the previous transmission,
- the name and call sign of the vessel to which the transfer was made,
- the quantity (in kilograms) of each species landed in a port of the Community since the previous transmission,

— the name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above :

- A. Deep-water prawn (*Pandalus borealis*),
 - B. Hake (*Merluccius merluccius*),
 - C. Greenland halibut (*Reinhardtius hippoglossoides*),
 - D. Cod (*Gadus morhua*),
 - E. Haddock (*Melanogrammus aeglefinus*),
 - F. Halibut (*Hippoglossus hippoglossus*),
 - G. Mackerel (*Scomber scombrus*),
 - H. Horse mackerel (*Trachurus trachurus*),
 - I. Round-nose grenadier (*Coryphaenoides rupestris*),
 - J. Saithe (*Pollachius virens*),
 - K. Whiting (*Merlangus merlangus*),
 - L. Herring (*Clupea harengus*),
 - M. Sand-eel (*Ammodytes* spp),
 - N. Sprat (*Clupea sprattus*),
 - O. Plaice (*Pleuronectes platessa*),
 - P. Norway pout (*Trisopterus esmarkii*),
 - Q. Ling (*Molva molva*),
 - R. Other,
 - S. Shrimp (*Pandalidae*),
 - T. Anchovy (*Engraulis encrassicholus*),
 - U. Redfish (*Sebastes* spp),
 - V. American plaice (*Hypoglossoides platessoides*),
 - W. Squid (*Illex*),
 - X. Yellowtail (*Limanda ferruginea*),
 - Y. Blue whiting (*Gadus poutassou*),
 - Z. Tuna (*Thunnidae*),
 - AA. Blue ling (*Molva dypterygia*),
 - BB. Tusk (*Brosme brosme*),
-

COUNCIL REGULATION (EEC) No 803/85

of 26 March 1985

amending for the second time Regulation (EEC) No 5/85 laying down for 1985 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 3 of Regulation (EEC) No 170/83, the Council is required to fix the total catches allocated to third countries and the specific conditions for taking those catches;

Whereas, by Regulation (EEC) No 5/85⁽²⁾, as amended by Regulation (EEC) No 97/85⁽³⁾, the Council laid down for 1985 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands;

Whereas Greenland's withdrawal from the European Communities became effective on 1 February 1985;

Whereas the abovementioned Regulation includes provisions concerning Greenland waters which are now the subject of a separate Regulation;

Whereas Regulation (EEC) No 5/85 should therefore be amended in order to take account of Greenland's withdrawal from the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 5/85 is hereby amended as follows:

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

'1. The only fishing activities by vessels registered in the Faroe Islands in the 200-nautical-mile zone of the Member States in the North Sea, the Skagerrak, the Kattegat, the Baltic Sea and the

Atlantic Ocean north of 43°00' N which shall be authorized until 31 December 1985 are those for the species listed in Annex I within the geographical and quantitative limits laid down in this Regulation.';

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

'3. Vessels referred to in paragraph 1 shall forward to the Commission the information set out in Annex III. This information is to be forwarded according to the rules set out in that Annex.';

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

'1. Fishing within the waters referred to in Article 1 under the quotas established therein shall be permitted only where a licence issued by the Commission on behalf of the Community is held on board and where the conditions set out in the licence are observed.

2. The issue of licences for the purposes of paragraph 1 shall be subject to the condition that the number of licences valid on any one day shall not exceed:

(a) 14 for fishing mackerel in ICES divisions VI a (north of 56°30' N) and VII e, f and h, sprat in ICES sub-area IV and division VI a (north of 56°30' N) horse mackerel in ICES sub-area IV and divisions VI a (north of 56°30' N) VII e, f and h and herring in ICES divisions VI a (north of 56°30' N), four for fishing herring in ICES division III a N (Skagerrak);

(b) 12 for fishing Norway pout in ICES sub-area IV and division VI a (north of 56°30' N) and sand-eel in ICES sub-area IV;

(c) 20 for fishing ling and tusk in ICES division VI b. However, the total number of vessels allowed to fish simultaneously shall be limited to 10;

(d) 16 for fishing blue ling in ICES divisions VI a (north of 56°30' N) and VI b;

(e) 16 for fishing blue whiting in ICES sub-area VII (west of 12°00' W) and ICES divisions VI a (north of 56°30' N) and VI b;

(f) three for fishing porbeagle in the whole Community zone with the exception of NAFO 3 PS.';

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 1, 1. 1. 1985, p. 52.

⁽³⁾ OJ No L 13, 16. 1. 1985, p. 5.

4. Article 6 is replaced by the following :

Article 6

Fishing in the Skagerrak within the limits of the quotas referred to in Article 1 shall be subject to the following conditions :

1. Directed fishing for herring for purposes other than human consumption shall be prohibited.

2. The use of trawl and purse seine for the capture of pelagic species shall be prohibited from Saturday midnight to Sunday midnight.';

5. Annexes I, II and III are replaced by the Annexes to this Regulation.

Article 2

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

It shall apply with effect from 1 February 1985.

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

Done at Brussels, 26 March 1985.

For the Council

The President

F. M. PANDOLFI

ANNEX I

Fishing quotas for 1985

Species	Fishing zone ICES sub-area	Quantity (tonnes)
Ling	VI b	400 ⁽¹⁾
Tusk	VI b	400 ⁽¹⁾
Blue ling	VI a ⁽²⁾ , VI b	1 100
Mackerel	IV	—
	VI a ⁽²⁾ , VII e, f and h	7 500 ⁽²⁾
Horse mackerel	IV, VI a ⁽²⁾ , VII e, f and h	6 000
Norway pout	IV, VI a ⁽²⁾	18 500 ⁽³⁾ ⁽⁴⁾ ⁽⁸⁾
Sprat	IV, VI a ⁽²⁾	3 000
Sand-eel	IV	10 000 ⁽³⁾ ⁽⁸⁾
Blue whiting	VI a ⁽²⁾ , VI b, VII ⁽²⁾	45 000
Other white fish (by-catches only)	IV, VI a ⁽²⁾	750
Herring	III a N (Skagerrak) ⁽⁶⁾	500
	VI a ⁽²⁾	700 ⁽¹⁰⁾
Porbeagle	Entire Community zone excluding NAFO 3 Ps	150 ⁽⁷⁾

⁽¹⁾ These quotas are interchangeable.

⁽²⁾ North of 56°30' N.

⁽³⁾ Each of these quotas may be exceeded by a maximum of 10 000 tonnes provided that the total catches of Norway pout, sand-eel and sprat do not exceed 31 500 tonnes.

⁽⁴⁾ Of which maximum 6 000 tonnes may be fished in ICES VI a north of 56°30' N subject to the provision on request by the EEC of details of the quantity and composition of any by-catch taken.

⁽⁵⁾ West of 12°00' W.

⁽⁶⁾ Limited in the west by a line drawn from the lighthouse of Hanstholm to the lighthouse of Lindesnes and in the south by a line drawn from Skagen lighthouse to the lighthouse on Tistlarna and from there to the nearest coast of Sweden.

⁽⁷⁾ May only be fished by longliners.

⁽⁸⁾ Catches of Norway pout and sand-eel may include unavoidable by-catches of blue whiting.

⁽⁹⁾ Of which no more than 2 250 tonnes may be fished up to 30 June 1985.

⁽¹⁰⁾ Of which no more than 210 tonnes may be fished up to 30 June 1985.

ANNEX II

The following details are to be entered in the log-book after each haul when fishing within the 200-nautical-mile fishing zone off the coasts of the Member States of the Community:

1. the quantity (in kilograms) of each species caught, including by-catches;
2. the date and the time of the haul;
3. the geographical position in which the catches were made;
4. the fishing method used;
5. all radio messages sent in conformity with Annex III.

ANNEX III

1. The information to be transmitted to the Commission and the timetable for its transmission are as follows :
 - 1.1. On each occasion the vessel enters the 200-nautical-mile fishing zone off the coasts of the Member States of the Community which is under the jurisdiction of the Member States as regards fisheries :
 - (a) the information specified under 1.4 ;
 - (b) the quantity (in kilograms) of each species of fish in the hold ;
 - (c) the date and ICES sub-area within which the master intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1 on a given day, one communication shall suffice on first entry.
 - 1.2. On each occasion the vessel leaves the zone referred to under 1.1 :
 - (a) the information specified under 1.4 ;
 - (b) the quantity (in kilograms) of each species of fish in the hold ;
 - (c) the quantity (in kilograms) of each species caught since the previous transmission ;
 - (d) the ICES sub-area in which the catches were taken ;
 - (e) the quantity (in kilograms) of each species transferred to other vessels since the vessel entered the zone and the identification of the vessel to which the transfer was made ;
 - (f) the quantity (in kilograms) of each species landed in a port of the Community since the vessel entered the zone.
 - 1.3. At three-day intervals, commencing on the third day after the vessel first enters the zones referred to under 1.1 when fishing for herring and mackerel, and at weekly intervals, commencing on the seventh day after the vessel first enters the zones referred to under 1.1 when fishing for all species other than herring and mackerel :
 - (a) the information specified under 1.4 ;
 - (b) the quantity (in kilograms) of each species caught since the previous transmission ;
 - (c) the ICES in which the catches were made.
 - 1.4.
 - (a) The name, call sign, identification numbers and letters of the vessel and the name of its master ;
 - (b) the licence number if the vessel is under licence ;
 - (c) the serial number of the message ;
 - (d) identification of the type of message ;
 - (e) the date, the time and the geographical position of the vessel.
- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex address 24 189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.
- 2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. <i>Name of radio station</i>	<i>Call sign of radio station</i>
Skagen	OXF
Blåvand	OXB
Rønne	OYE
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	GKA
	GKB
	GKC
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Thorshavn	OXJ
Bergen	LGN
Farsund	LGZ
Florø	LGL
Rogaland	LGQ
Tjøme	LGT
Ålesund	LGA

4. Form of communications

The information specified under point 1 concerning the fishing operations in the zones referred to under 1.1 shall contain the following particulars, which shall be given in the following order :

- name of vessel,
- call sign,
- external identification letters and numbers,
- serial number of the message for the voyage in question,
- indication of the type of message according to the following code :
 - message when entering one of the zones referred to under 1.1 : 'IN',
 - message when leaving one of the zones referred to under 1.1 : 'OUT',
 - message when moving from one ICES division to another : 'ICES',
 - weekly message : 'WKL',
 - three-day message : '2 WKL',
 - notice of departure from the zone referred to under 1.1.2 : 'NL',
- the geographical position,
- the ICES in which fishing is expected to commence,
- the date on which fishing is expected to commence,
- the quantity (in kilograms) of each species of fish in the hold using the code mentioned in point 5,
- the ICES in which the catches were made,
- the quantity (in kilograms) of each species transferred to other vessels since the previous transmission,
- the name and call sign of the vessel to which the transfer was made,
- the quantity (in kilograms) of each species landed in a port of the Community since the previous transmission,
- the name of the master.

5. The code to be used to indicate the quantities of fish on board as mentioned in point 4 above :

- A. Deep-water prawn (*Pandalus borealis*),
 - B. Hake (*Merluccius merluccius*),
 - C. Greenland halibut (*Reinhardtius hippoglossoides*),
 - D. Cod (*Gadus morhua*),
 - E. Haddock (*Melanogrammus aeglefinus*),
 - F. Halibut (*Hippoglossus hippoglossus*),
 - G. Mackerel (*Scomber scombrus*),
 - H. Horse mackerel (*Trachurus trachurus*),
 - I. Round-nose grenadier (*Coryphaenoides rupestris*),
 - J. Saithe (*Pollachius virens*),
 - K. Whiting (*Merlangus merlangus*),
 - L. Herring (*Clupea harengus*),
 - M. Sand-eel (*Ammodytes* spp),
 - N. Sprat (*Clupea sprattus*),
 - O. Plaice (*Pleuronectes platessa*),
 - P. Norway pout (*Trisopterus esmarkii*),
 - Q. Ling (*Molva molva*),
 - R. Other,
 - S. Shrimp (*Pandalidae*),
 - T. Anchovy (*Engraulis encrasicolus*),
 - U. Redfish (*Sebastes* spp),
 - V. American plaice (*Hypoglossoides platessoides*),
 - W. Squid (*Illex*),
 - X. Yellowtail (*Limanda ferruginea*),
 - Y. Blue whiting (*Gadus poutassou*),
 - Z. Tuna (*Thunnidae*),
 - AA. Blue ling (*Molva dypterygia*),
 - BB. Tusk (*Brosme brosme*),
 - CC. Dogfish (*Scyliorhinus retifer*),
 - DD. Basking shark (*Cetorhina* spp),
 - EE. Porbeagle (*Lamna nasus*),
 - FF. Squid loligo (*Loligo vulgaris*),
 - GG. Ray's bream (*Brama brama*),
 - HH. Sardine (*Sardina pilchardus*).
-

COMMISSION REGULATION (EEC) No 804/85

of 28 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 27 March 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 29 March 1985.

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

Done at Brussels, 28 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 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 28 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	82,90
10.01 B II	Durum wheat	125,83 ⁽¹⁾ ⁽²⁾
10.02	Rye	85,22 ⁽⁶⁾
10.03	Barley	84,50
10.04	Oats	64,91
10.05 B	Maize, other than hybrid maize for sowing	73,80 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	84,50 ⁽⁴⁾
10.07 C	Grain sorghum	72,55 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	131,03
11.01 B	Rye flour	134,29
11.02 A I a)	Durum wheat groats and meal	208,71
11.02 A I b)	Common wheat groats and meal	139,34

⁽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 805/85

of 28 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
27 March 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 29 March
1985.

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

Done at Brussels, 28 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 28 March 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 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	6,75	6,75	6,75
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	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	25,59	25,59	25,59
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 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 806/85

of 28 March 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco ⁽⁵⁾, as last amended by Regulation (EEC) No 436/85 ⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia ⁽⁷⁾, as last amended by Regulation (EEC) No 436/85, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey ⁽⁸⁾, as last amended by Regulation (EEC) No 435/85 ⁽⁹⁾, and in particular Article 10 (2) thereof,

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 25 and 26 March 1985 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 52, 22. 2. 1985, p. 1.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 29 March 1985.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	68,00 ⁽¹⁾
15.07 A I b)	73,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	80,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

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

- (a) Spain and Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 22,36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.
- (d) Tunisia and Morocco: 24,78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries however, the repayment may not exceed the amount of the tax in force.

^(*) This amount may be increased by an additional amount to be determined by the Community and the third country in question.

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	16,06
07.03 A II	16,06
15.17 B I a)	36,50
15.17 B I b)	58,40
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 807/85

of 28 March 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 11 to 17 March 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 11 to 17 March 1985 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1063/84, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1355/84 which left the territory of the United Kingdom during the week 11 to 17 March 1985 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 11 March 1985.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 105, 18. 4. 1984, p. 1.

⁽²⁾ OJ No L 131, 17. 5. 1984, p. 19.

⁽³⁾ OJ No L 187, 14. 7. 1984, p. 46.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 11 to 17 March 1985

(ECU/100 kg net weight)

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

COMMISSION REGULATION (EEC) No 808/85

of 27 March 1985

re-establishing the levying of customs duties applicable to alginic acid and its salts and esters falling within subheading 39.06 A, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3562/84 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3562/84 of 18 December 1984 applying generalized tariff preferences for 1985 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Articles 1 and 10 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I; whereas, as provided for in Article 11 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of alginic acid and its salts and esters, falling within subheading 39.06 A, the individual ceiling was fixed at 400 000 ECU; whereas, on 26 March 1985, imports of these products into the Community originating in China reached the ceiling

in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 1 April 1985, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3562/84, shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
39.06 A (NIMEXE code 39.06-10)	Alginic acid and its salts and esters

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, 27 March 1985.

For the Commission
COCKFIELD
Vice-President

⁽¹⁾ OJ No L 338, 27. 12. 1984, p. 1.

COMMISSION REGULATION (EEC) No 809/85

of 28 March 1985

fixing advance payments in respect of the production levies in the sugar sector
for the 1984/85 marketing year

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
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 28 (7) thereof,

Whereas Article 5 of Commission Regulation (EEC)
No 1443/82 of 8 June 1982 laying down detailed rules
for the application of the quota system in the sugar
sector⁽³⁾, as last amended by Regulation (EEC) No
2682/84⁽⁴⁾, provides for the fixing before 1 April, and
the collection before the following 1 June, of the unit
amounts to be paid by sugar producers and isoglucose
producers as advance payments of the production
levies for the current marketing year; whereas the esti-
mate of the basic production levy and of the B levy,
referred to in Article 6 of Regulation (EEC) No
1443/82, gives an amount which is more than 60 % of
the maximum amounts indicated in Article 28 (3) and
(4) of Regulation (EEC) No 1785/81; whereas, in
accordance with Article 6 of Regulation (EEC) No
1443/82, the unit amounts for sugar should therefore
be fixed at 50 % of the maximum amounts concerned
and for isoglucose the unit amount of the advance
payment should therefore be fixed at 40 % of the unit

amount of the basic production levy estimated for
sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

The unit amounts referred to in Article 5 (1) (b) of
Regulation (EEC) No 1443/82 in respect of the
1984/85 marketing year are hereby fixed as follows:

- (a) the advance payment of the basic production levy
for A sugar and B sugar shall be 0,535 ECU per
100 kilograms of white sugar;
- (b) the advance payment of the B levy for B sugar
shall be 10,026 ECU per 100 kilograms of white
sugar;
- (c) the advance payment of the basic production levy
for A isoglucose and B isoglucose shall be 0,428
ECU per 100 kilograms of dry matter.

Article 2

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

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

Done at Brussels, 28 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 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 254, 22. 9. 1984, p. 9.

COMMISSION REGULATION (EEC) No 810/85**of 28 March 1985****amending Regulation (EEC) No 2827/84 as regards the period of validity of measures relating to the boning of beef bought in by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 6 (5) (d) thereof,

Whereas Commission Regulation (EEC) No 2827/84 ⁽²⁾ derogates from Regulation (EEC) No 2226/78 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 1811/84 ⁽⁴⁾, as regards the boning of meat bought in by intervention agencies; whereas the period of application of that derogation should be extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EEC) No 2827/84, '29 March 1985' is hereby replaced by '26 July 1985'.

Article 2

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, 28 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 266, 6. 10. 1984, p. 12.

⁽³⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁴⁾ OJ No L 289, 6. 11. 1984, p. 5.

COMMISSION DECISION No 811/85/ECSC

of 28 March 1985

amending for the third time Decision No 3715/83/ECSC fixing minimum prices
for certain steel products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Coal and Steel Community, and in particular Articles
47, 61 and 64 thereof,

On the basis of studies made jointly with undertakings
and associations of undertakings and after consulting
the Consultative Committee and the Council as to the
level of minimum prices for certain steel products,

Whereas :

The Commission fixed minimum prices for certain
steel products by Decision No 3715/83/ECSC⁽¹⁾, as
last amended by Decision No 2765/84/ECSC⁽²⁾;

Although the crisis measures taken have had some
effect and some improvement is beginning to show,
the crisis in the steel industry is not over. Conse-
quently a number of special measures must continue
to be applied provisionally. These include the Deci-
sion on minimum prices which continues to be indis-
pensable in the present market situation. The steel
industry is now in a phase where restructuring is
speeding up and the repercussions on the employment
situation are having a greater impact. Minimum prices
are designed to ensure that a price level is reached in
the steel industry which will provide the industry with
sufficient income to finance the restructuring
measures which need to be undertaken and take
account of the dangerous financial structure which has
developed over the many years during which the crisis
has persisted. Minimum prices also ensure greater
price discipline for products imported from non-
member countries with which agreements have been
concluded. Under the detailed rules of application laid
down in Commission communication No
84/C 37/03⁽³⁾ they will also help to restore normal
competition on the steel market;

Under the European steel policy the Commission has
worked out a target price level with the Member
States; this was fixed with the publication of the
guidance prices on 29 April 1983⁽⁴⁾. The minimum

prices decided by the Commission have since been
amended twice in the light of several factors which
determined the setting of their level. The Commission
has taken cost trends and the market situation into
account in this further slight adjustment of minimum
prices for a few products. Its main intention is to raise
selling prices to catch up with the rapid rise in raw
material prices. The Commission has, however, also
borne in mind the consumers' present economic posi-
tion. The increase in economic activity recorded last
year will not be sustained in the coming months.
Demand for the steel products in question is not likely
to exceed last year's level. This will mean that
minimum prices will continue to lag behind guidance
prices with the exception of one product.

Since mid-1984 various Community currencies have
fluctuated upwards or downwards. In order to maintain
a uniform price level within the common market, it is
appropriate to update the ECU conversion rates for
establishing the minimum prices in national curren-
cies. Consequently, these upward or downward
currency fluctuations will be reflected in the values of
minimum prices for sections and beams, the nominal
prices of which in ECU have not been altered. In
order to achieve a similar effect for sections and beams
of 'imperial sizes' for which a special system has been
provided, it is necessary to adjust the minimum prices
for these sizes.

For these reasons, it is necessary to make the appro-
priate amendments to Decision No 3715/83/ECSC
principally to bring about a moderate increase in
prices for some of the products in question,

HAS ADOPTED THIS DECISION :

Article 1

Article 1 of Decision No 3715/83/ECSC is hereby
amended as follows :

1. In the first subparagraph of paragraph 1 the
maximum temporary rebate is amended as follows
for the following products :

- 18 instead of 27 ECU per tonne in the case of
hot-rolled wide strip,
- 4 instead of 13 ECU per tonne for hot-rolled
narrow strip,

⁽¹⁾ OJ No L 373, 31. 12. 1983, p. 1.

⁽²⁾ OJ No L 260, 29. 9. 1984, p. 68.

⁽³⁾ OJ No C 37, 11. 2. 1984, p. 2.

⁽⁴⁾ OJ No C 116, 29. 4. 1983, p. 2.

- 13 instead of 22 ECU per tonne for narrow strip obtained by slitting hot-rolled wide strip,
 - 13 instead of 22 ECU per tonne for hot-rolled strip obtained by cutting hot-rolled wide strip,
 - 30 instead of 39 ECU per tonne for reversing mill plate,
 - 0 instead of 7 ECU per tonne for cold-rolled sheet,
 - 17 instead of 26 ECU per tonne for sections and beams in category I,
 - 4 instead of 13 ECU per tonne for sections and beams in category IIa.
2. The last subparagraph of paragraph 1 is replaced by the following :
- ‘As regards sections and beams whose dimensions correspond to the specifications of British Standard No 4 or to a similar dimensional standard, the minimum prices shall be equivalent to the prices published in the British Steel Corporation price list No 5, applicable from 31 March 1985, reduced by £ 15 per tonne.’
3. Paragraph 2 is hereby replaced by the following :
- ‘2. The minimum prices resulting from the provisions of paragraph 1 shall be converted into national currencies using the following exchange

rates, which correspond to the average value of the ECU in the three-month period December 1984, January and February 1985 :

Bfrs/Lfrs	44,68
DM	2,22729
Fl	2,51721
£	0,614785
Dkr	7,97047
FF	6,81576
Lit	1 373,03
£ Irl	0,714939
Dr	90,9366’

Article 2

The minimum prices laid down by this Decision shall be compulsory for deliveries effected within the common market as from 1 April 1985.

Article 3

The Commission may amend or repeal the Decision on minimum prices if the situation warrants.

Article 4

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

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

Done at Brussels, 28 March 1985.

For the Commission

Karl-Heinz NARJES

Vice-President

COMMISSION DECISION No 812/85/ECSC**of 28 March 1985****amending for the fourth time Decision No 3717/83/ECSC introducing for steel undertakings and steel dealers, a production certificate and an accompanying document for deliveries of certain steel products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 95 thereof,

With the unanimous assent of the Council and after consulting the Consultative Committee,

Whereas :

Commission Decision No 3717/83/ECSC⁽¹⁾, as last amended by Decision No 3579/84/ECSC⁽²⁾, lists in Annex I the products covered by that Decision.

That Annex was amended for the first time by Commission Decision No 1285/84/ECSC⁽³⁾. Further amendments should be made in the light of the additional experience gained in the application of Decision No 3717/83/ECSC.

As a result of comparisons undertaken between the nomenclature used in the NIMEXE codes and that used in the quota system, it is apparent that a table of

equivalence should be introduced which will in future permit the drawing up of the statistics required by Article 9 of Decision No 3717/83/ECSC on the basis of a regrouping of products according to the product categories under the quota system.

For the above reasons it is desirable to republish Annexes I, III and IV in their entirety together with all amendments made since the publication of Decision No 3717/83/ECSC,

HAS ADOPTED THIS DECISION :

Article 1

Annexes I, III and IV to Decision No 3717/83/ECSC are hereby replaced by Annexes A, B and C to this Decision.

Article 2

This Decision shall enter into force on 1 April 1985.

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

Done at Brussels, 28 March 1985.

For the Commission

Karl-Heinz NARJES

Vice-President

⁽¹⁾ OJ No L 373, 31. 12. 1983, p. 9.

⁽²⁾ OJ No L 332, 20. 12. 1984, p. 41.

⁽³⁾ OJ No L 124, 11. 5. 1984, p. 9.

ANNEX A

List of product codes (all qualities, all choices)

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.08-01	1/11101		Ia
	1/11102		Ia
	1/11302		Ia
	1/11404		Ia
73.08-03	1/11101		Ia
	1/11102		Ia
	1/11302		Ia
73.08-05	1/11101		Ia
	1/11102		Ia
	1/11302		Ia
73.08-07	1/11101		Ia
	1/11102		Ia
	1/11302		Ia
	1/11403		Ia
73.08-21	1/11101		Ia
	1/11102		Ia
	1/11200		Ia
	1/11301		Ia
73.08-25	1/11101		Ia
	1/11102		Ia
	1/11200		Ia
	1/11301		Ia
73.08-29	1/11101		Ia
	1/11102		Ia
	1/11200		Ia
	1/11301		Ia
73.08-41	1/11101		Ia
	1/11200		Ia
	1/11301		Ia
	1/11302		Ia
	1/11404		Ia
73.08-45	1/11101		Ia
	1/11200		Ia
	1/11301		Ia
	1/11302		Ia
	1/11404		Ia
73.08-49	1/11101		Ia
	1/11200		Ia
	1/11301		Ia
	1/11302		Ia
	1/11404		Ia
(1)	(2)	(3)	(4)
73.09-00	1/15103		II
73.10-11	1/17100	5/17100	IV
73.10-12	1/17100		IV
73.10-14	1/18100		V
73.10-15	1/17100	5/17100	IV
73.10-17	1/18100	5/19100	V
	1/19100		VI
73.10-18	1/19100		VI
73.11-11	1/19100		VI
73.11-12	1/16101		III
73.11-14	1/16102		III
73.11-16	1/16102		III
73.11-19	1/16102	5/19100	III
	1/16104		III
	1/19100		VI
73.12-11	1/11102		Ia
	1/11404		Ia
73.12-19	1/11102		Ia
	1/11301		Ia
73.13-16	1/12101		Ib
	1/12404		Ib
73.13-17	1/11103		Ia
	1/15101		II
73.13-19	1/11103		Ia
	1/11200		Ia
	1/11301		Ia
	1/15101		II
	1/15103		II
73.13-21	1/15201		II
73.13-21	1/11103		Ia
	1/15101		II

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.13-23	1/11103		Ia
	1/11200		Ia
	1/11301		Ia
	1/15101		II
	1/15103		II
	1/15201		II
73.13-26	1/12101		Ib
	1/12102		Ib
73.13-32	1/12101		Ib
	1/12102		Ib
	1/11101		Ia
73.13-34	1/12101		Ib
	1/12102		Ib
73.13-36	1/12101		Ib
	1/12102		Ib
73.13-41	1/12102		Ib
	1/12103		Ib
73.13-43	1/12101		Ib
	1/12102		Ib
	1/12403		Ib
	1/12404		Ib
73.13-45	1/12101		Ib
	1/12102		Ib
	1/12403		Ib
	1/12404		Ib
73.13-47	1/12101		Ib
	1/12102		Ib
	1/12403		Ib
	1/12404		Ib
73.13-49	1/12101		Ib
	1/12102		Ib
	1/12403		Ib
	1/12404		Ib
73.13-50	1/12101		Ib
	1/12103		Ib
73.13-67	1/14101		Id
	1/14104		Id
73.13-68	1/13101		Ic
	1/13102		Ic
73.13-72	1/13101		Ic
	1/13102		Ic

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.13-74	1/14103		Id
73.13-84	1/14103		Id
73.13-86	1/14103		Id
73.13-87	1/14103		Id
73.13-88	1/14102		Id
73.13-89	1/14103		Id
73.13-92	1/11103		Ia
	1/15101		II
	1/12101		Ib
	1/12103		Ib
73.62-10	1/11101		Ia
	1/11102		Ia
	1/11200		Ia
	1/11301		Ia
	1/11302		Ia
73.62-30	1/15103		II
73.63-21	1/17100	5/17100	IV
73.63-29	1/16101		III
	1/16102		III
	1/16104		III
	1/17100	5/17100	IV
	1/19100	5/19100	VI
73.64-20	1/11102		Ia
	1/11301		Ia
73.65-21	1/11103		Ia
	1/11200		Ia
	1/15101		II
	1/15103		II
	1/15201		II
73.65-23	1/11103		Ia
	1/11200		Ia
	1/15101		II
	1/15103		II
	1/15201		II
73.65-25	1/12101		Ib
	1/12102		Ib
73.65-53	1/12102		Ib
	1/12103		Ib

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.65-55	1/12101 1/12102		Ib Ib
73.65-81	1/11103 1/15101 1/12101 1/12103		Ia II Ib Ib
73.72-11	1/11404		Ia
73.72-13		5/11101 5/11102 5/11200 5/11301 5/11302	Ia Ia Ia Ia Ia
73.72-19	1/11101 1/11102 1/11200 1/11301 1/11302	5/11101 5/11102 5/11200 5/11301 5/11302	Ia Ia Ia Ia Ia
73.72-33		5/15103	II
73.72-39	1/15103	5/15103	II
73.73-23		5/17100	IV
73.73-24		5/17100 5/17101	IV IV
73.73-25	1/17100	5/17100	IV
73.73-26	1/17100	5/17100 5/17101	IV IV
73.73-29	1/17100	5/17100 5/17101	IV IV
73.73-33		5/16101 5/16102 5/16104 5/17100 5/19100 5/18100	III III III IV VI V
73.73-34		5/17100 5/17101 5/19100 5/19101	IV IV VI VI

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.73-35	1/17100 1/19100	5/17100 5/19100	IV VI
73.73-36	1/17100 1/19100	5/17100 5/17101 5/19100 5/19101	IV IV VI VI
73.73-39	1/16101 1/16102 1/16104 1/18100 1/17100 1/19100	5/16101 5/16102 5/16104 5/18100 5/17100 5/17101 5/19100 5/19101	III III III V IV IV VI VI
73.74-23		5/11102 5/11301	Ia Ia
73.74-29	1/11102 1/11301	5/11102 5/11301	Ia Ia
73.75-23		5/11103 5/11200 5/15101 5/15103 5/15201	Ia Ia II II II
73.75-24		5/11103 5/11200 5/15101 5/15103 5/15201	Ia Ia II II II
73.75-29	1/11103 1/11200 1/15101 1/15103 1/15201	5/11103 5/11200 5/15101 5/15103 5/15201	Ia Ia II II II
73.75-33		5/11103 5/11200 5/15101 5/15103 5/15201	Ia Ia II II II
73.75-34		5/11103 5/11200 5/15101 5/15103 5/15201	Ia Ia II II II

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.75-39	1/11103	5/11103	Ia
	1/11200	5/11200	Ia
	1/15101	5/15101	II
	1/15103	5/15103	II
	1/15201	5/15201	II
73.75-43		5/12101	Ib
73.75-44		5/12101	Ib
73.75-49	1/12101	5/12101	Ib
	1/12102		Ib
73.75-53		5/12103	Ib
73.75-54		5/12103	Ib
73.75-59	1/12102		Ib
	1/12103	5/12103	Ib

NIMEXE codes	Article 58 codes		Product category
	Ordinary steel	Special steel	
(1)	(2)	(3)	(4)
73.75-63		5/12101	Ib
73.75-64		5/12101	Ib
73.75-69	1/12101	5/12101	Ib
	1/12102		Ib
73.75-83		5/11103	Ia
		5/15101	II
		5/12101	Ib
		5/12103	Ib
73.75-84		5/11103	Ia
		5/15101	II
		5/12101	Ib
		5/12103	Ib
73.75-89	1/11103	5/11103	Ia
	1/15101	5/15101	II
	1/12101	5/12101	Ib
	1/12102		Ib
	1/12103	5/12103	Ib

Questionnaire 1	Receipts of certain rolled products in ordinary steel, quality, and non-alloy special steels, and low alloy special structural steels, weldable 'Sonderbaustähle' (prime plus non-prime)
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Information to be sent to the Commission of the European Communities not later than six weeks after the end of the month

Importing Member State :	Member State of consignment :		Month :
	Producers ☐	Steel dealers ☐	Year :

[illegible]

ANNEX C

Importations from non-member countries of certain rolled products originating in the Community

Importing Member State :	Member State of production :	Month :
	Non-member country of consignment :	Year :

Product category	Ordinary steel, quality, and non-alloy special steels, and low alloy special structural steels, weldable 'Sonderbaustähle' (prime plus non-prime)	Alloy steel excluding 'Sonderbaustähle' (prime plus non-prime)	Total
Ia			
Ib			
Ic			
Id			
II			
III			
IV			
V			
VI			
Total			

Information to be sent to the Commission of the European Communities not later than six weeks after the end of the month.

COMMISSION REGULATION (EEC) No 813/85**of 28 March 1985****amending for the third time Regulation (EEC) No 1864/84 fixing countervailing charges on seeds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1581/83 ⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Commission Regulation (EEC) No 1864/84 ⁽³⁾, as last amended by Regulation (EEC) No 572/85 ⁽⁴⁾, fixed countervailing charges on seeds in respect of a certain type of hybrid maize for sowing ;

Whereas, since that time, a significant variation has been recorded in the free-at-frontier offer prices which, under the terms of Article 4 (2) of Commission

Regulation (EEC) No 1665/72 ⁽⁵⁾, requires that these charges be amended ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Regulation (EEC) No 1864/84 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 1985.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 23.

⁽³⁾ OJ No L 172, 30. 6. 1984, p. 69.

⁽⁴⁾ OJ No L 65, 6. 3. 1985, p. 17.

⁽⁵⁾ OJ No L 175, 2. 8. 1972, p. 49.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CCT heading No	Description	Amount of countervailing charge ⁽¹⁾	Country of origin
ex 10.05	Maize :		
	A. Hybrid for sowing :		
	I. Double hybrids and top cross hybrids	5,7	Hungary
		19,2	Austria
		28,3	Romania
		28,3	Other countries ⁽²⁾
	II. Three cross hybrids	11,5	Austria
		11,7	Yugoslavia
		17,5	Hungary
		17,5	Other countries ⁽³⁾
	III. Single hybrids	6,1	Yugoslavia
		21,1	Romania
		23,0	Austria
		46,2	Spain
		75,1	Hungary
		75,1	Other countries ⁽⁴⁾

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value.

⁽²⁾ With the exception of Spain, USA, Canada and Yugoslavia.

⁽³⁾ With the exception of Canada, Spain, USA, Chile, Japan and Romania.

⁽⁴⁾ With the exception of the USA, Bulgaria and Canada.

COMMISSION REGULATION (EEC) No 814/85

of 28 March 1985

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 231/85 ⁽²⁾, and in particular Article 27 (4),

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed ⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84 ⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 3589/84 ⁽⁷⁾, as last amended by Regulation (EEC) No 755/85 ⁽⁸⁾;

Whereas, in the absence of the indicative price for the 1985/86 marketing year for colza and rape seed, in case of advance fixing for July and August 1985, the amount of the subsidy on these products has been obtainable only on the basis of the indicative price proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1985/86 marketing year is known;

Whereas, for the period 20 to 26 March 1985, for certain currencies:

- for the current month, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72 differs by more than one point from the percentage adopted for the previous fixing,
- for certain following months the difference referred to in Article 2 (2) of Regulation (EEC) No 1569/72 exceeds 0,5 %; whereas this difference in the case of certain forward differential amounts differs by more than one point from the percentage adopted for the previous fixing;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3589/84 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annexes hereto.
2. The amount of the subsidy in the case of advance fixing for July and August 1985 will, however, for colza and rape seed, be confirmed or replaced as from 29 March 1985 to take into account the indicative price which is fixed for these products for the 1985/86 marketing year.

Article 2

This Regulation shall enter into force on 29 March 1985.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 332, 20. 12. 1984, p. 63.

⁽⁸⁾ OJ No L 81, 23. 3. 1985, p. 36.

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	9,023	8,394	8,394	7,976	2,126 (¹)	2,126 (¹)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	24,36	22,94	22,98	22,28	8,33 (¹)	9,17 (¹)
— Netherlands (Fl)	27,45	25,85	25,85	25,05	9,33 (¹)	10,17 (¹)
— BLEU (Bfrs/Lfrs)	418,77	389,58	389,58	368,48	96,97 (¹)	84,24 (¹)
— France (FF)	52,04	47,45	46,80	42,61	2,43 (¹)	2,44 (¹)
— Denmark (Dkr)	75,93	70,64	70,64	67,12	17,89 (¹)	16,99 (¹)
— Ireland (£ Irl)	6,768	6,296	6,290	5,898	1,509 (¹)	0,936 (¹)
— United Kingdom (£)	5,864	5,482	5,482	5,227	1,607 (¹)	1,314 (¹)
— Italy (Lit)	11 567	10 625	10 299	9 368	991 (¹)	0 (¹)
— Greece (Dr)	442,18	374,96	374,96	333,38	0,00 (¹)	0,00 (¹)

(¹) On the basis of the Commission's proposal concerning the indicative price and subject to confirmation by the Council's decision.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month
1. Gross aids (ECU)	18,998	19,292	17,677	17,955	18,930
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	48,23	48,91	45,20	46,12	48,37
— Netherlands (Fl)	54,34	55,11	50,89	51,91	54,45
— BLEU (Bfrs/Lfrs)	881,73	895,38	820,42	831,60	876,89
— France (FF)	120,31	122,40	110,26	111,01	117,98
— Denmark (Dkr)	159,87	162,34	148,75	151,09	159,30
— Ireland (£ Irl)	14,251	14,471	13,253	13,382	14,115
— United Kingdom (£)	12,042	12,222	11,233	11,404	12,000
— Italy (Lit)	25 818	26 244	23 544	23 634	25 076
— Greece (Dr)	1 335,94	1 365,19	1 204,54	1 232,19	1 329,18

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	1st month	2nd month	3rd month	4th month	5th month
DM	2,232550	2,224820	2,218240	2,211440	2,211440	2,194400
Fl	2,522110	2,515810	2,510760	2,504830	2,504830	2,489860
Bfrs/Lfrs	44,842800	44,873300	44,908600	44,931800	44,931800	45,061800
FF	6,820990	6,827730	6,833970	6,842450	6,842450	6,878620
Dkr	7,990620	8,001660	8,011960	8,013650	8,013650	8,029590
£ Irl	0,715201	0,717776	0,720309	0,722229	0,722229	0,727987
£	0,591565	0,593637	0,595389	0,596816	0,596816	0,599245
Lit	1 420,84	1 428,49	1 434,41	1 442,73	1 442,73	1 459,48
Dr	95,847000	95,842900	95,863000	95,875100	95,875100	96,094600

COMMISSION REGULATION (EEC) No 815/85
of 28 March 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 504/85⁽⁷⁾, as last amended by Regulation (EEC) No 760/85⁽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 27 March 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 504/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 March 1985.

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

Done at Brussels, 28 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 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 60, 28. 2. 1985, p. 29.

⁽⁸⁾ OJ No L 84, 26. 3. 1985, p. 7.

⁽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 28 March 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
07.06 A I	84,69 ⁽¹⁾	82,88 ⁽¹⁾ ⁽²⁾
07.06 A II	87,71 ⁽¹⁾	82,88 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	158,48	152,44
11.01 E I ⁽²⁾	139,71	133,67
11.01 E II ⁽²⁾	78,77	75,75
11.02 A II ⁽²⁾	159,18	153,14
11.02 A III ⁽²⁾	158,48	152,44
11.02 A V a) 1 ⁽²⁾	104,77	98,73
11.02 A V a) 2 ⁽²⁾	139,71	133,67
11.02 A V b) ⁽²⁾	78,77	75,75
11.02 B I a) 1 ⁽²⁾	138,52	135,50
11.02 B I b) 1 ⁽²⁾	138,52	135,50
11.02 B II a) ⁽²⁾	114,69	111,67
11.02 B II b) ⁽²⁾	116,18	113,16
11.02 B II c) ⁽²⁾	121,84	118,82
11.02 C I ⁽²⁾	137,36	134,34
11.02 C II ⁽²⁾	139,15	136,13
11.02 C III ⁽²⁾	217,77	211,73
11.02 C V ⁽²⁾	121,84	118,82
11.02 D I ⁽²⁾	88,66	85,64
11.02 D II ⁽²⁾	89,80	86,78
11.02 D III ⁽²⁾	89,40	86,38
11.02 D V ⁽²⁾	78,77	75,75
11.02 E I a) 1 ⁽²⁾	89,40	86,38
11.02 E I b) 1 ⁽²⁾	175,42	169,38
11.02 E II a) ⁽²⁾	157,17	151,13
11.02 E II b) ⁽²⁾	159,18	153,14
11.02 E II c) ⁽²⁾	139,71	133,67
11.02 F I ⁽²⁾	157,17	151,13
11.02 F II ⁽²⁾	159,18	153,14
11.02 F III ⁽²⁾	158,48	152,44
11.02 F V ⁽²⁾	139,71	133,67
11.02 G I	69,01	62,97
11.02 G II	61,74	55,70
11.04 C I	87,71	81,06 ⁽²⁾
11.04 C II a)	108,86	84,68 ⁽²⁾
11.04 C II b)	140,11	115,93 ⁽²⁾
11.07 A I a)	160,33	149,45
11.07 A I b)	122,55	111,67
11.07 A II a)	161,63 ⁽⁴⁾	150,75
11.07 A II b)	123,52	112,64
11.07 B	142,15 ⁽⁴⁾	131,27

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.08 A I	108,86	88,31
11.08 A III	144,12	123,57
11.08 A IV	108,86	88,31
11.08 A V	108,86	44,15 ⁽⁹⁾
11.09	406,02	224,68
17.02 B II a) ⁽³⁾	211,91	115,19
17.02 B II b) ⁽³⁾	154,80	88,31
17.02 F II a)	217,39	120,67
17.02 F II b)	150,41	83,92
21.07 F II	154,80	88,31
23.02 A I a)	39,59	33,59
23.02 A I b)	77,98	71,98
23.02 A II a)	39,59	33,59
23.02 A II b)	77,98	71,98
23.03 A I	291,04	109,70

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

⁽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.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

⁽⁵⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories :

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

COMMISSION REGULATION (EEC) No 816/85

of 28 March 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation No 162/67/EEC⁽⁴⁾, as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 March 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 28 March 1985 fixing the export refunds on cereals and
on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	18,50 0
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	36,00 43,00 — 10,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	38,00 38,00 33,00 31,00 29,00 26,00

CCT heading No	Description	(ECU/tonne) Refund
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	38,00 38,00 38,00 38,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	151,00 143,00 127,00 120,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	38,00

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

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

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 501/85 (OJ No L 60, 28. 2. 1985).

COMMISSION REGULATION (EEC) No 817/85

of 28 March 1985

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 April 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 March 1985 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	28,01
11.07 A II b)	71,95
11.07 B	83,86

COMMISSION REGULATION (EEC) No 818/85

of 28 March 1985

fixing the corrective amount applicable to the refund on 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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1027/84⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas pursuant to Article 11 of Regulation (EEC) No 2042/75⁽⁶⁾ a special period of validity may be fixed in respect of the export licence; whereas it seems advisable, in order to ensure that there is certainty as to the transactions, to fix corrective amounts in respect of the products in question that take account of the special periods of validity that may be granted;

Whereas Regulation (EEC) No 1281/75⁽⁷⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be

taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁸⁾, as last amended by Regulation (EEC) No 855/84⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁷⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

HAS ADOPTED THIS REGULATION :

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 1 April 1985.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESSEN

*Vice-President**ANNEX*

to the Commission Regulation of 28 March 1985 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)								
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
10.01 B I	Common wheat and meslin : For exports to :							
	— China	0	+ 6,00	+ 6,00	— 44,00	0	— 2,50	— 5,00
	— other third countries	0	0	0	— 50,00	0	— 2,50	— 5,00
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	— 50,00	0	— 2,50	— 5,00
10.04	Oats	0	0	0	0	0	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0	0	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	— 50,00	— 50,00	—	—
11.01 B	Rye flour	0	0	0	— 50,00	— 50,00	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	— 50,00	— 50,00	— 50,00	— 50,00
11.02 A I b)	Common wheat groats and meal	0	0	0	— 50,00	— 50,00	—	—

(ECU/tonne)					
CCT heading No	Description	7th period 11	8th period 12	9th period 1	10th period 2
10.01 B I	Common wheat, and meslin	— 7,50	— 10,00	— 12,50	—
10.03	Barley	— 7,50	— 10,00	— 12,50	—

N. B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 501/85 (OJ No L 60, 28. 2. 1985).

COMMISSION REGULATION (EEC) No 819/85

of 28 March 1985

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1027/84⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the

quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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⁽⁷⁾, as last amended by Regulation (EEC) No 855/84⁽⁸⁾,
- 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 preceding indent, and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 28 March 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 March 1985 fixing the corrective amount applicable to the refund on malt

CCT heading No	(ECU/tonne)					
	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	0
11.07 B	0	0	0	0	0	0

CCT heading No	(ECU/tonne)					
	6th period 10	7th period 11	8th period 12	9th period 1	10th period 2	11th period 3
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	0
11.07 B	0	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 March 1985

concerning an application for the refund of anti-dumping duties collected on certain imports of cotton yarn originating in Turkey

(Only the German text is authentic)

(85/207/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 3 December 1981 the Commission, by Regulation (EEC) No 3453/81⁽²⁾, imposed a provisional anti-dumping duty of 16 % on certain cotton yarn originating in Turkey; on 3 April 1982, by Council Regulation (EEC) No 789/82⁽³⁾, a definitive anti-dumping duty of 12 % was imposed on the product concerned and the amounts secured by way of provisional duty from 1 January 1982 pursuant to Regulation (EEC) No 3453/81 were definitively collected up to the amount of the definitive duty.
- (2) Following an arrangement entered into between the Commission, on the one hand, and the

Turkish Government and the Turkish Textile Exporters' Association, on the other, the definitive duty was partly repealed by Council Regulation (EEC) No 2306/82⁽⁴⁾ on 21 August 1982. Under the terms of the abovementioned arrangement the Turkish authorities and exporters agreed to raise the prices for exports of cotton yarn to the Community (hereinafter called 'the arrangement prices') to a level eliminating the dumping margin as finally established. The arrangement also provided for the periodic updating of prices to take account of changes in raw cotton prices in Turkey which would have corresponding effects on prices of cotton yarn in Turkey. Regulation (EEC) No 789/82, however, continued to apply for those goods which had already been introduced into the customs territory of the Community but not yet released into free circulation.

- (3) Between July 1982 and April 1983 Rotspindel GmbH, Bayreuth, an importer of cotton yarn from Turkey, submitted 17 applications to the German authorities for refunds of amounts, totalling DM...⁽⁵⁾, which it had definitively paid in anti-dumping duties on its imports of cotton yarn originating in Turkey. The German authorities forwarded the applications to the Commission.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 347, 3. 12. 1981, p. 19.

⁽³⁾ OJ No L 90, 3. 4. 1982, p. 1.

⁽⁴⁾ OJ No L 246, 21. 8. 1982, p. 14.

⁽⁵⁾ In the published version of the Decision, some figures have hereinafter been omitted, pursuant to the provisions of Article 8 of Council Regulation (EEC) No 2176/84 concerning non-disclosure of business secrets.

- (4) Following the submission by the applicant of further supporting evidence, the claims were examined by the Commission. The applicant was informed of the preliminary results of this examination and given an opportunity to comment on it. The comments made were taken into consideration prior to this Decision.
- (5) The Commission informed the Member States and gave its opinion on the matter. None of the Member States disagreed with the opinion of the Commission.

B. Arguments of the applicant

- (6) The applicant has based its claim on the allegation that the export prices concerned in the application were equal to or higher than those set out in the arrangement mentioned in paragraph 2 above.
- (7) The applicant also submitted a statement it had received from its Turkish supplier which alleged that the supplier's export prices were above its costs of production and that, therefore, the goods concerned in this refund application were not dumped. This statement was not supported by any evidence.
- (8) Following the Commission's disclosure of the results of its preliminary examination of the refund claim, the applicant argued that the normal values used for certain shipments should not be increased in line with increases in the arrangement prices mentioned in paragraph 2 above since the goods in question had been bought under contract prior to, but released into free circulation in the Community after, the coming into force of the updated arrangement prices. In this respect it argued that because goods were normally bought under contract some months prior to delivery, it could not foresee changes in the arrangement prices.

C. Admissibility

- (9) The application is admissible since it was introduced in conformity with the relevant provisions of the Community's anti-dumping legislation, in particular the time limits.

D. Merits of the claim

- (10) In considering the validity of the applicant's claim the Commission has used as normal values the arrangement prices (paragraph 2 above) in force at the time the goods concerned were released into free circulation in the Community. For goods released until 28 August 1982, the

original arrangement prices were used and for goods released after that date updated arrangement prices were used.

- (11) The Commission took the date on which the goods were released into free circulation in the Community as the basis for deciding which of the normal values mentioned in paragraph 10 above (original or updated arrangement prices) was appropriate. It is on that date that the importer pays the duty and becomes eligible to claim a refund and, consequently, it is the circumstances on that date that have to be taken into account.
- (12) In arriving at the decision to use the arrangement prices in operation at the time of release into free circulation, as normal values, consideration was given to the (unsupported) statement received from the applicant alleging that its Turkish supplier's export prices were above its costs of production and that, therefore, the goods concerned were not dumped. In this regard, the Commission decided that, since the normal values definitively determined in Regulation (EEC) No 789/82 were calculated on the basis of constructed value at representative firms in Turkey it was not possible, for the purpose of refund claims, to change the method of calculation by taking into account the alleged costs of production of the individual exporter.
- (13) This method of establishing normal values at representative firms was used by the Commission only because individual Turkish exporters failed to reply to requests for domestic and export price information. The Commission was instead contacted by the Turkish Textile Exporters' Association which, acting on behalf of all Turkish exporters, including the Turkish supplier of the present applicant, volunteered price information which they stated was representative and could be verified at the premises of some of the larger exporters to the Community. This approach was accepted by the Commission since the Community's anti-dumping legislation provides expressly for such a representative method to be used and because of the assurances given by the Turkish Textile Exporters' Association of the representative nature of the exporters selected for this purpose.
- (14) To now use individual normal values for the purposes of this refund claim would have the result of seriously undermining *ex post facto* the basis of the normal values used in imposing the abovementioned duty. Importers with suppliers having normal values below the representative level would be likely to be eligible for a refund of the duty whilst no account could be taken of the fact that, if the representative method had not

been used, higher anti-dumping duties would have been collected from those importers with suppliers having normal values above the representative level. In addition, the Commission considers that it is entitled to rely on the Turkish Textile Exporters' Association's assurances, given to the Commission on behalf of all its members, that the firms investigated were representative of all Turkish exporters.

- (15) Therefore, as the original arrangement prices, which are equivalent to the normal values definitively determined in Regulation (EEC) No 789/82 under which the definitive duty was imposed, remained in force until 28 August 1982, it is considered appropriate that they be used as normal values for goods released into free circulation in the Community until that date.
- (16) However, for the goods which were released into free circulation in the Community after 28 August 1982, the Commission has decided that updated normal values must be used for comparison purposes. The Commission considers that for this refund claim, normal values should be updated as the original arrangement prices were updated to reflect increases in normal value and the Turkish Textile Exporters' Association agreed to this. This was done with effect after 28 August 1982.
- (17) The applicant's argument that he had entered into contracts prior to the arrangement prices being updated is not considered relevant since the updated arrangement prices agreed between the Commission and the Turkish authorities and exporters reflected changes in the normal values in Turkey and applied to all shipments made after that arrangement irrespective of whether the goods were under prior contract or not. The Commission, however, took account of the normal shipping time between Turkey and the Community frontier in that the updated arrangement prices were only used as normal values for shipments arriving in the Community seven days after the entry into force of the updated arrangement price. In any event, an importer always runs the risk of changes in customs duties for goods under contract or even in transit from the exporting country to the Community. If this were not the case, the system would be open to abuse by

allowing importers who have entered into long-term contracts to avoid any impact of changes in customs duties, e.g. the imposition of an anti-dumping duty.

- (18) Therefore, for the goods which were released into free circulation in the Community after 28 August 1982, the Commission has decided that the normal values to be used should be equivalent to the updated arrangement prices.
- (19) A comparison of the normal values referred to in paragraphs 15 and 18 above with the export prices of the goods concerned shows that the applicant's claim is only partly justified.

E. Amount of refund

- (20) The amount to be refunded should be equal to the amount by which the duty collected exceeded the difference between the normal values referred to in paragraphs 15 and 18 above and the export prices of the goods concerned. The total difference for the shipments in question amounts to DM ...

HAS ADOPTED THIS DECISION:

Article 1

The refund claims submitted by Rotspindel GmbH, Bayreuth, between 1 July 1982 and 30 April 1983 are granted for DM ... and rejected for the remainder.

Article 2

The amount set out in Article 1 shall be refunded by the authorities of the Federal Republic of Germany.

Article 3

This Decision is addressed to the Federal Republic of Germany and Rotspindel GmbH, Bayreuth.

Done at Brussels, 22 March 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION DECISION

of 25 March 1985

amending Decision 80/686/EEC setting up an Advisory Committee on the Control and Reduction of Pollution Caused by Hydrocarbons Discharged at Sea

(85/208/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas the Council has adopted Decision 81/420/EEC of 19 May 1981 on the conclusion of the Protocol concerning cooperation in combating pollution of the Mediterranean Sea by oil and other harmful substances in cases of emergency⁽¹⁾ and Decision 84/358/EEC of 28 June 1984 concerning the conclusion of the Agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances⁽²⁾; whereas on several occasions Parliament and the Economic and Social Committee have expressed the wish that the Commission's activities as regards the control and reduction of pollution of the sea by oil should be extended to include harmful substance other than oil;

Whereas it is essential that the Commission should consult highly qualified experts on the subject in the Member States;

Whereas Commission Decision 80/686/EEC⁽³⁾ should be amended so as to extend the terms of reference of

the Advisory Committee to include other harmful substances,

HAS DECIDED AS FOLLOWS:

Article 1

In the title, in Articles 1 and 2 (1) and (2) of Decision 80/686/EEC, 'hydrocarbons discharged at sea' is replaced by 'oil and other harmful substances discharged at sea'.

Article 2

This Decision shall apply from 25 March 1985.

Done at Brussels, 25 March 1985.

For the Commission

S. CLINTON DAVIS

Member of the Commission

⁽¹⁾ OJ No L 162, 19. 6. 1981, p. 4.

⁽²⁾ OJ No L 188, 16. 7. 1984, p. 7.

⁽³⁾ OJ No L 188, 22. 7. 1980, p. 11.

COMMISSION DECISION

of 26 March 1985

accepting the undertaking given in connection with the anti-dumping investigation concerning imports of plasterboard of Spanish origin into Ireland and Northern Ireland and terminating that investigation

(85/209/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 10 thereof,

After consultations within the Advisory Committee as provided for by the above Regulation,

Whereas :

A. Procedure

- (1) In July 1984 the Commission received a complaint lodged by Gypsum Industries Ltd, which manufactures plasterboard in Ireland. This firm is not the only Community producer nor does its output constitute a major proportion of the total Community production of the like product. However, it argued that Ireland and Northern Ireland should be considered to be a distinct competitive market for this product, separate from the rest of the Community. For this reason the complainant considered that it should be regarded as being a Community industry as provided for by Article 4 (5) of Regulation (EEC) No 2176/84 since it sells all of its production in this separate market and since the demand in this market is not to any substantial degree supplied by other Community producers of plasterboard.

The complaint contained evidence of dumping and of material injury resulting therefrom and also information concerning the alleged isolation of the Irish market, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into

Ireland and Northern Ireland of plasterboard falling within subheading ex 68.10 A of the Common Customs Tariff, corresponding to NIMEXE code ex 68.10-10, originating in Spain, and commenced an investigation.

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

The only known exporter and importers made their views known in writing. The exporter and one of the importers concerned requested and were granted hearings.

- (3) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following :

EEC producer :

Gypsum Industries Ltd, Dublin and Kingscourt,

Exporter :

Española de Placas de Yeso, SA, Quinto de Ebro (Zaragoza) and Madrid,

Importer in Ireland :

Iberian Trading Ltd, Dublin.

- (4) The investigation of dumping covered the period from 1 October 1983 to 30 September 1984.

B. Normal value

- (5) Normal value was provisionally determined on the basis of the domestic prices of the sole Spanish producer/exporter.

C. Export price

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

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 276, 16. 10. 1984, p. 4.

D. Comparison

- (7) In comparing normal value with export prices, the Commission took account of differences affecting price comparability and allowances were made for differences in conditions and terms of sale concerning rebates and indirect taxes. Allowances for selling, general and administrative expenses requested by the exporter were not granted by the Commission since a direct relationship between these expenses and the sales under consideration was not satisfactorily demonstrated.
- (8) All comparisons were made at ex-works level.

E. Margin of dumping

- (9) Normal value was set against export prices on a transaction by transaction basis and, as a result, the above preliminary examination of the facts showed the existence of dumping in respect of imports of plasterboard originating in Spain, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to Ireland and Northern Ireland. On this basis the dumping margin expressed as a percentage of the cif export price to the market concerned varied from 0 to 15 %, the weighted average margin being 7,0 %.

F. Injury

- (10) With regard to the injury caused by the dumped imports, the evidence available to the Commission shows that imports into Ireland and Northern Ireland of plasterboard of Spanish origin increased from an index of 100 in 1983 (exact figures are confidential) to an index of 574,6 for the first nine months of 1984 with a consequent increase in market share held by the exporting country from an index of 100 in 1983 (exact figure confidential) to 700 in the first nine months of 1984.
- (11) The resale prices of these imports undercut the prices of the Irish producer during the investigation period by from 0 to 15 %. During a significant part of the period under investigation the resale prices of these imports were lower than those required to cover the complainant producer's costs and provide a reasonable profit.
- (12) The Community industry in respect of which the injury must be assessed is the sole Community producer selling its production in the market

comprised of Ireland, where the producer is located, and Northern Ireland. The Commission is satisfied that the requirements of the Community's anti-dumping Regulation (EEC) No 2176/84 regarding the separation of the Community into more than one market are fulfilled in the present circumstances.

- (13) The consequent impact on this Community industry has been a reduction in market share from an index of 100 in 1983 (exact figure confidential) to an index of 93 in the first nine months of 1984. The numbers employed have been reduced by almost 4 % during the same period, whilst the average return on sales for the six months ending 30 September 1984 fell to an index of 62,2 (exact figures confidential) compared to an index of 100 for the year ending 30 March 1984.
- (14) The Commission has considered whether injury has been caused by other factors such as the volume and prices of undumped imports or the stagnation of demand. It has been established that imports into Ireland from countries other than Spain have remained insignificant between 1983 and 1984 and were not at prices such as to cause injury to the Community industry. With regard to consumption, the investigation has shown that between 1982 and the first nine months of 1984 the demand for plasterboard in the market under consideration expanded by almost 6 %. Despite the increase in the size of the market the Irish producer has seen his market share decrease.
- (15) The volume of the dumped imports, the market share which they have obtained and the prices at which they are offered for sale in the market concerned led the Commission to determine that the effects of the dumped imports of plasterboard originating in Spain taken in isolation have to be considered as constituting material injury to the Community industry concerned.

G. Community interest

- (16) The Commission has considered whether it is in the Community interest to take protective measures.
- (17) In view of the necessity for the Community industry concerned to generate sufficient funds to finance future investment and because of the relatively low impact of a price increase on the costs of the consuming industry the Commission has come to the conclusion that it is in the Community's interest that action be taken.

H. Undertaking

- (18) The exporter concerned was informed of the main findings of the preliminary investigation and commented on them. An undertaking was subsequently offered by Española de Placos de Yeso, SA, concerning their exports of plasterboard to Ireland and Northern Ireland.
- (19) The effect of the said undertaking will be to increase export prices to Ireland and Northern Ireland to the level necessary to eliminate the dumping. It appears that correct operation of the undertaking can be effectively monitored.
- (20) In these circumstances, the undertaking offered is considered acceptable and the investigation may, therefore, be terminated without imposition of an anti-dumping duty.

No objection to this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS :

Article 1

The undertaking given by Española de Placos de Yeso, SA in connection with the anti-dumping investigation concerning imports of plasterboard falling within Common Customs Tariff subheading ex 68.10 A, corresponding to NIMEXE code ex 68.10-10 and originating in Spain, is hereby accepted.

Article 2

The anti-dumping investigation referred to in Article 1 is hereby terminated.

Done at Brussels, 26 March 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

GUIDE TO THE COUNCIL OF THE EUROPEAN COMMUNITIES

II/84

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

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