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Legislation

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I

(Πράξεις για την ισχύ των οποίων απαιτείται δημοσίευση)

ΚΑΝΟΝΙΣΜΟΣ (ΕΟΚ) αριθ. 1004/85 ΤΗΣ ΕΠΙΤΡΟΠΗΣ

της 19ης Απριλίου 1985

περί καθορισμού των εισφορών κατά την εισαγωγή οι οποίες εφαρμόζονται στα σιτηρά, στα άλευρα και στα πλιγούρια και σιμιγδάλια σίτου ή σικάλεως

Η ΕΠΙΤΡΟΠΗ ΤΩΝ ΕΥΡΩΠΑΪΚΩΝ ΚΟΙΝΟΤΗΤΩΝ,

Έχοντας υπόψη:

τη συνθήκη για την ίδρυση της Ευρωπαϊκής Οικονομικής Κοινότητας,

τον κανονισμό (ΕΟΚ) αριθ. 2727/75 του Συμβουλίου της 29ης Οκτωβρίου 1975 περί κοινής οργανώσεως αγοράς στον τομέα των σιτηρών⁽¹⁾, όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΟΚ) αριθ. 1018/84⁽²⁾, και ιδίως το άρθρο 13 παράγραφος 5,τον κανονισμό αριθ. 129 του Συμβουλίου περί της αξίας της λογιστικής μονάδας και των τιμών συναλλάγματος που πρέπει να εφαρμοσθούν στο πλαίσιο της κοινής γεωργικής πολιτικής⁽³⁾, όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΟΚ) αριθ. 2543/73⁽⁴⁾, και ιδίως το άρθρο 3,

τη γνώμη της Νομισματικής Επιτροπής,

Εκτιμώντας:

ότι οι εισφορές που εφαρμόζονται κατά την εισαγωγή των σιτηρών, των αλεύρων σίτου και σικάλεως και των πλιγουριών και σιμιγδαλιών σίτου έχουν καθορισθεί από τον κανονισμό (ΕΟΚ) αριθ. 3131/84⁽⁵⁾ και όλους τους μεταγενέστερους κανονισμούς που τον έχουν τροποποιήσει·

ότι για να καταστεί δυνατόν να λειτουργήσει κανονικά το καθεστώς των εισφορών, ο υπολογισμός τους πρέπει να βασίζεται στα εξής:

- για νομίσματα τα οποία διατηρούν μεταξύ τους σχέση μέγιστου στιγμιαίου ανοίγματος όψεως 2,25 %, σε τιμή μετατροπής που βασίζεται επί της κεντρικής

τους τιμές, πολλαπλασιαζόμενη με το συντελεστή που προβλέπεται στο άρθρο 26 παράγραφος 2 του κανονισμού (ΕΟΚ) αριθ. 974/71⁽⁶⁾, όπως τροποποιήθηκε τελευταία από τον κανονισμό (ΕΟΚ) αριθ. 855/84⁽⁷⁾,

- για άλλα νομίσματα, σε τιμή μετατροπής που βασίζεται στον αριθμητικό μέσο των συναλλαγματικών ισοτιμιών όψεως καθενός από αυτά τα νομίσματα, όπως αυτή διαπιστώθηκε κατά τη διάρκεια μιας ορισμένης περιόδου σε σχέση με τα νομίσματα της Κοινότητας που αναφέρονται στην προηγούμενη περίπτωση και του προαναφερθέντος συντελεστή·

ότι οι τιμές αυτές συναλλάγματος είναι εκείνες που διαπιστώθηκαν στις 18 Απριλίου 1985·

ότι η εφαρμογή των λεπτομερειών που αναφέρονται στον κανονισμό (ΕΟΚ) αριθ. 3131/84 στις τιμές προσφοράς και στις τιμές αυτής της ημέρας, των οποίων έλαβε γνώση η Επιτροπή, οδηγεί στην τροποποίηση των εισφορών που ισχύουν επί του παρόντος, σύμφωνα με το παράρτημα του παρόντος κανονισμού,

ΕΞΕΔΩΣΕ ΤΟΝ ΠΑΡΟΝΤΑ ΚΑΝΟΝΙΣΜΟ:

Άρθρο 1

Οι εισφορές προς είσπραξη κατά την εισαγωγή των προϊόντων που αναφέρονται στο άρθρο 1 στοιχεία α), β) και γ) του κανονισμού (ΕΟΚ) αριθ. 2727/75 καθορίζονται στο παράρτημα.

Άρθρο 2

Ο παρών κανονισμός αρχίζει να ισχύει στις 20 Απριλίου 1985.

Ο παρών κανονισμός είναι δεσμευτικός ως προς όλα τα μέρη του και ισχύει άμεσα σε κάθε κράτος μέλος.

Βρυξέλλες, 19 Απριλίου 1985.

Για την Επιτροπή

Frans ANDRIESEN

Αντιπρόεδρος

⁽¹⁾ ΕΕ αριθ. L 281 της 1. 11. 1975, σ. 1.⁽²⁾ ΕΕ αριθ. L 107 της 19. 4. 1984, σ. 1.⁽³⁾ ΕΕ αριθ. 106 της 30. 10. 1962, σ. 2553/62.⁽⁴⁾ ΕΕ αριθ. L 263 της 19. 9. 1973, σ. 1.⁽⁵⁾ ΕΕ αριθ. L 293 της 10. 11. 1984, σ. 1.⁽⁶⁾ ΕΕ αριθ. L 106 της 12. 5. 1971, σ. 1.⁽⁷⁾ ΕΕ αριθ. L 90 της 1. 4. 1984, σ. 1.

ANNEX

to the Commission Regulation of 19 April 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)
		Levies
10.01 B I	Common wheat, and meslin	91,21
10.01 B II	Durum wheat	139,99 ⁽¹⁾ ⁽²⁾
10.02	Rye	90,01 ⁽⁶⁾
10.03	Barley	89,33
10.04	Oats	76,53
10.05 B	Maize, other than hybrid maize for sowing	78,97 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	68,27 ⁽⁴⁾
10.07 C	Grain sorghum	98,17 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	142,95
11.01 B	Rye flour	141,27
11.02 A I a)	Durum wheat groats and meal	230,74
11.02 A I b)	Common wheat groats and meal	151,90

⁽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 1005/85

of 19 April 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
18 April 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 20 April
1985.

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

Done at Brussels, 19 April 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 19 April 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	1,82
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	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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	3,24	3,24
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	2,42	2,42
11.07 B	Roasted malt	0	0	0	2,82	2,82

COMMISSION REGULATION (EEC) No 1006/85

of 15 April 1985

**amending quantitative limits fixed for imports of certain textile products
originating in Poland**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
3589/82 of 23 December 1982 on common rules for
imports of certain textile products originating in third
countries ⁽¹⁾, as last amended by Regulation (EEC) No
1003/85 ⁽²⁾, and in particular Articles 7 and 9 (2)
thereof,

Whereas, by Regulation (EEC) No 3589/82 quantita-
tive limits agreed with third countries are shared
between the Member States for 1985;

Whereas, in the bilateral agreements, the Community
has given undertakings to the supplier countries to
adjust the allocation of limits among Member States in
such a way as to ensure optimum utilization and to
establish efficient and speedy procedures for adjusting
the allocations;

Whereas Poland has asked that the allocation of
Community quantitative limits among the Member
States be adjusted in order to take account of the trend

of trade flows, and to enable suppliers to utilize agreed
Community limits more fully;

Whereas, under Article 9 (2) of Regulation (EEC) No
3589/82, quantitative limits may be increased where it
appears that additional imports are required;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantitative limits for textile products originating
in Poland, as fixed in Annex III to Regulation (EEC)
No 3589/82, are hereby amended for 1985 as laid
down in the Annex hereto.

Article 2

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

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

Done at Brussels, 15 April 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 374, 31. 12. 1982, p. 106.

⁽²⁾ OJ No L 116, 29. 4. 1985, p. 1.

ANNEX

Category	CCT heading No	NIMEXE code (1985)	Description	Third countries	Member States	Units	Quantitative limits from 1 January to 31 December 1985
3 a)	56.07 A	56.07-01, 05, 07, 08, 12, 15, 19, 22, 25, 29, 31, 35, 38, 40, 41, 43, 46, 47, 49	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres: Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics: a) Of which other than unbleached or bleached	Poland	IRL EEC	Tonnes	80 716
5	60.05 A I a) II b) 4 bb) 11 aaa) bbb) ccc) ddd) eee) 22 bbb) ccc) ddd) eee) fff)	60.05-01, 31, 33, 34, 35, 36, 39, 40, 41, 42, 43	Outer garments and other articles, knitted or crocheted, not elastic or rubberized: A. Outer garments and clothing accessories: Jerseys, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed jackets and jumpers, knitted or crocheted, not elastic or rubberized, of wool, of cotton or of man-made textile fibres	Poland	D EEC	1 000 pieces	428 1 895
19	61.05 A C	61.05-10, 99	Handkerchiefs	Poland	D F BNL	1 000 pieces	1 805 1 361 1 372

COMMISSION REGULATION (EEC) No 1007/85**of 19 April 1985****amending Regulation (EEC) No 2268/84 as regards the age of intervention butter
sold for export**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 591/85 ⁽²⁾, and in particular
Article 6 (7) thereof,

Whereas, under Article 1 (1) of Commission Regula-
tion (EEC) No 2268/84 ⁽³⁾, as last amended by Regula-
tion (EEC) No 463/85 ⁽⁴⁾, butter must, in order to
qualify for the scheme provided for in that Regulation,
be at least six months old on the day the contract is
concluded; whereas, owing to exceptional circum-
stances the quantities of butter held by the interven-
tion agencies in some Member States are no longer
sufficient to meet the obligations arising from the
contracts concluded; whereas the intervention agen-
cies concerned should in such cases be authorized to
sell butter which is at least six months old on the day
it is removed from storage;

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

Article 1

The following subparagraph is hereby added to Article
1 (1) of Regulation (EEC) No 2268/84:

'However, the intervention agency may, if it has
concluded a contract and if, owing to exceptional
circumstances, sufficient quantities are no longer
available, sell butter purchased in accordance with
Article 6 (1) of Regulation (EEC) No 804/68 which
is at least six months old on the day of removal
referred to in Article 4 (1).'

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, 19 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 68, 8. 3. 1985, p. 5.

⁽³⁾ OJ No L 208, 3. 8. 1984, p. 35.

⁽⁴⁾ OJ No L 54, 23. 2. 1985, p. 19.

COMMISSION REGULATION (EEC) No 1008/85
of 19 April 1985

laying down to what extent applications for issue of export licences submitted during April 1985 for beef and veal products which may benefit from special import treatment in a third country may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2931/79 of 20 December 1979 on the granting of assistance for export of agricultural products which may benefit from a special import treatment in a third country ⁽¹⁾, and in particular Article 1 (2) thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽²⁾, as last amended by the Act of Accession of Greece,

Whereas Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 552/85 ⁽⁴⁾, lays down, in Articles 14 and 15, detailed rules for export licence applications for the products referred to in Article 1 of Regulation (EEC) No 2973/79 ⁽⁵⁾; whereas Article 15 (6) (c) of Regulation (EEC) No 2377/80 requires the Commission, where the quantities in respect of which licences are applied for exceed the quantities available,

to reduce the quantities requested by a fixed percentage;

Whereas Commission Regulation (EEC) No 3582/81 of 14 December 1981 ⁽⁶⁾, fixed the quantities of meat which might be exported on special terms for the second quarter of 1985;

Whereas the quantities for which licence applications have been lodged for the second quarter of 1985 are lower than those available; whereas these applications can, therefore, be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

The applications for export licences lodged for the beef and veal referred to in Regulation (EEC) No 2973/79 for the second quarter of 1985 shall be met in full.

Article 2

This Regulation shall enter into force on 21 April 1985.

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

Done at Brussels, 19 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 334, 28. 12. 1979, p. 8.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 63, 2. 3. 1985, p. 13.

⁽⁵⁾ OJ No L 336, 29. 12. 1979, p. 44.

⁽⁶⁾ OJ No L 359, 15. 12. 1981, p. 14.

COMMISSION REGULATION (EEC) No 1009/85
of 19 April 1985

amending Regulation (EEC) No 158/85 increasing to 600 000 tonnes the quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened

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 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾,

Whereas Commission Regulation (EEC) No 158/85⁽⁴⁾, as last amended by Regulation (EEC) No 708/85⁽⁵⁾, opened a standing invitation to tender for the export of 300 000 tonnes of barley held by the German intervention agency; whereas, in a communication of 10 April 1985, the Federal Republic of Germany informed the Commission of the intention of its intervention agency to increase by 300 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 600 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and

quantities in store; whereas Annex I to Regulation (EEC) No 158/85 must therefore be amended;

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

Article 2 of Regulation (EEC) No 158/85 is replaced by the following:

Article 2

1. The invitation to tender shall relate to a maximum quantity of 600 000 tonnes of barley to be exported to all third countries.
2. The regions in which the 600 000 tonnes of barley are stored are listed in Annex I.

Article 2

Annex I to Regulation (EEC) No 158/85 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 19 April 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 19, 23. 1. 1985, p. 9.

⁽⁵⁾ OJ No L 77, 20. 3. 1985, p. 11.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein / Hamburg	134 027
Niedersachsen	151 721
Nordrhein-Westfalen	171 840
Hessen	22 952
Rheinland-Pfalz	22 738
Baden-Württemberg	9 117
Bayern	83 520
Bremen	10 332'

COMMISSION REGULATION (EEC) No 1010/85
of 19 April 1985

amending Regulation (EEC) No 710/85 increasing to 400 000 tonnes the quantity of barley held by the British intervention agency for which a standing invitation to tender for export has been opened

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 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾,

Whereas Commission Regulation (EEC) No 710/85⁽⁴⁾ opened a standing invitation to tender for the export of 200 000 tonnes of barley held by the British intervention agency; whereas, in a communication of 11 April 1985, the United Kingdom informed the Commission of the intention of its intervention agency to increase by 200 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the British intervention agency for which a standing invitation to tender for export has been opened should be increased to 400 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 710/85 must therefore be amended;

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

Article 2 of Regulation (EEC) No 710/85 is replaced by the following:

Article 2

1. The invitation to tender shall relate to a maximum quantity of 400 000 tonnes of barley to be exported to all third countries.
2. The regions in which the 400 000 tonnes of barley are stored are listed in Annex I.

Article 2

Annex I to Regulation (EEC) No 710/85 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 19 April 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 77, 20. 3. 1985, p. 14.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Northern	170 000
Midlands	170 000
South	60 000'

COMMISSION REGULATION (EEC) No 1011/85

of 19 April 1985

amending Regulation (EEC) No 926/85 increasing to 600 000 tonnes the quantity of common wheat held by the French intervention agency for which a standing invitation to tender for export has been opened

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 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾,

Whereas Commission Regulation (EEC) No 926/85⁽⁴⁾ opened a standing invitation to tender for the export of 300 000 tonnes of common wheat held by the French intervention agency; whereas, in a communication of 11 April 1985, France informed the Commission of the intention of its intervention agency to increase by 300 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of common wheat held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 600 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 926/85 must therefore be amended;

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

Article 2 of Regulation (EEC) No 926/85 is replaced by the following:

'Article 2

1. The invitation to tender shall relate to a maximum quantity of 600 000 tonnes of common wheat to be exported to all third countries.
2. The regions in which the 600 000 tonnes of common wheat are stored are listed in Annex I.'

Article 2

Annex I to Regulation (EEC) No 926/85 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 19 April 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 100, 10. 4. 1985, p. 11.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Amiens	80 000
Châlons	63 000
Dijon	43 000
Lille	45 000
Nancy	35 000
Toulouse	30 000
Orléans	124 000
Paris	65 000
Ghent	61 000
Bordeaux	15 000'

COMMISSION REGULATION (EEC) No 1012/85

of 19 April 1985

on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 106/85 of 14 January 1985 opening a Community tariff quota for high-quality fresh, chilled or frozen beef and veal falling within subheadings 02.01 A II a) and 02.01 A II b) of the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 142/85 of 18 January 1985 laying down detailed rules for the application of import arrangements provided for by Regulations (EEC) No 106/85 and (EEC) No 3688/84 in the beef and veal sector⁽²⁾, as amended by Regulation (EEC) No 951/85⁽³⁾, provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Regulation (EEC) No 2377/80 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁴⁾, as last amended by Regulation (EEC) No 552/85⁽⁵⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 142/85 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported

from the United States of America and Canada which may be imported on special terms in 1985 at 10 000 tonnes;

Whereas the applications received in April 1985 cover quantities less than the quota available; whereas, therefore, these applications can be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences in respect of April 1985 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 142/85 are hereby met in full.

Article 2

Applications for licences in respect of the meat referred to in Article 1 may be entered in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80 during the first 10 days of May 1985, the total quantity available being 9 830 tonnes.

Article 3

This Regulation shall enter into force on 21 April 1985.

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

Done at Brussels, 19 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 14, 17. 1. 1985, p. 3.

⁽²⁾ OJ No L 16, 19. 1. 1985, p. 14.

⁽³⁾ OJ No L 102, 12. 4. 1985, p. 14.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 63, 2. 3. 1985, p. 13.

COMMISSION REGULATION (EEC) No 1013/85

of 19 April 1985

concerning the stopping of fishing for whiting and cod by vessels flying the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States ⁽¹⁾, as amended by Regulation (EEC) No 1729/83 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 1/85 of 19 December 1984 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 ⁽³⁾, as last amended by Regulation (EEC) No 800/85 ⁽⁴⁾, provides for whiting and cod quotas for 1985;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of whiting and cod in the waters of ICES division VII a, by vessels flying the flag of the Netherlands or registered in the Netherlands, have reached the quotas allocated for 1985; whereas

the Netherlands have prohibited fishing for these stocks as from 18 April 1985; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of whiting and cod in the waters of ICES division VII a, by vessels flying the flag of the Netherlands or registered in the Netherlands, are deemed to have exhausted the quotas allocated to the Netherlands for 1985.

Fishing for whiting and cod in the waters of ICES division VII a, by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stocks captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 18 April 1985.

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

Done at Brussels, 19 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 169, 28. 6. 1983, p. 14.

⁽³⁾ OJ No L 1, 1. 1. 1985, p. 1.

⁽⁴⁾ OJ No L 89, 29. 3. 1985, p. 4.

COMMISSION REGULATION (EEC) No 1014/85
of 19 April 1985
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1854/84⁽³⁾, as last amended by Regulation (EEC) No 989/85⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 20 April 1985.

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

Done at Brussels, 19 April 1985.

For the Commission
 Frans ANDRIESEN
 Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.
⁽³⁾ OJ No L 172, 30. 6. 1984, p. 53.
⁽⁴⁾ OJ No L 106, 18. 4. 1985, p. 12.

ANNEX

to the Commission Regulation of 19 April 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	48,09
	B. Raw sugar	43,45 ⁽¹⁾

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

COUNCIL REGULATION (EEC) No 1015/85

of 19 April 1985

extending the provisional anti-dumping duty on imports of electronic typewriters originating in Japan

THE COUNCIL 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 11 (5) thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 3643/84⁽²⁾, the
Commission imposed a provisional anti-dumping duty
on imports of electronic typewriters originating in
Japan; whereas the examination of the facts has not
yet been completed;

Whereas the Commission has informed the Japanese
exporters concerned of its intention to extend the
period of validity of the provisional duty for a further
period not exceeding two months; whereas exporters

representing a significant percentage of the trade
involved did not object,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty on imports of elec-
tronic typewriters originating in Japan, imposed by
Regulation (EEC) No 3643/84, is hereby extended for
a period not exceeding two months.

Article 2

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

Without prejudice to Article 11 of Regulation (EEC)
No 2176/84 and to any other decision taken by the
Council, it shall apply until the entry into force of an
act of the Council adopting definitive measures or, at
the latest, until the expiry of a period of two months
beginning on 29 April 1985.

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

Done at Brussels, 19 April 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 335, 22. 12. 1984, p. 43.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 11 April 1985

amending for the second time Decision 85/163/EEC on certain protective measures against foot-and-mouth disease in Italy

(85/234/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

both in animals and fresh meat and in certain meat-based products;

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

Whereas on 14 January 1985, in view of the way in which the outbreak had developed, the Commission adopted Decision 85/108/EEC⁽⁸⁾, as amended by Decision 85/116/EEC of 18 January 1985⁽⁹⁾, and Decision 85/163/EEC of 6 February 1985⁽¹⁰⁾, as amended by Decision 85/225/EEC of 4 March 1985⁽¹¹⁾;

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

Whereas it seems necessary to amend the scope of the restrictive measures to take account of the development of the disease and of measures carried out locally by the Italian authorities;

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

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

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁶⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽⁷⁾ OJ No L 16, 19. 1. 1985, p. 46.

⁽⁸⁾ OJ No L 44, 14. 2. 1985, p. 34.

⁽⁹⁾ OJ No L 46, 15. 2. 1985, p. 45.

⁽¹⁰⁾ OJ No L 63, 2. 3. 1985, p. 23.

⁽¹¹⁾ OJ No L 104, 16. 4. 1985, p. 12.

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 85/163/EEC of 6 February 1985 is hereby amended as follows:

1. In Article 1 (2), '4 March 1985' is replaced by '11 April 1985'.
2. In Article 2 (3), '4 March 1985' is replaced by '11 April 1985'.
3. In Article 3 (3), '4 March 1984' is replaced by '11 April 1985'.
4. The Annex is replaced by the Annex to this Decision.

Article 2

The Member States shall amend the measures which they apply to trade so as to bring them into compli-

ance with this Decision three days after its notification. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 11 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

1. Parts of the territory of Italy which are the subject of restrictions on the trade in live animals :
 - the provinces of Bologna, Brescia, Caserta, Catanzaro, Cosenza, Cremona, Cuneo, Mantova, Milano, Modena, Ravenna, Reggio-Emilia and Salerno,
 - any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 1 February 1985.
 2. Parts of the territory of Italy which are the subject of restrictions on the trade in fresh meat and meat products :
 - (a) in the case of meat obtained from animals slaughtered after 1 November 1984 but before 1 February 1985 and meat products prepared using such meats :
 - the provinces of Bologna, Brescia, Cremona, Cuneo, Mantova, Modena and Reggio-Emilia,
 - any other part of the territory of Italy situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease ;
 - (b) in the case of meat obtained from animals slaughtered after 1 February 1985 and before 10 March 1985 and products prepared using such meats :
 - the provinces of Brescia, Cremona, Cuneo, Mantova and Ravenna,
 - any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 1 February 1985 ;
 - (c) in the case of meat obtained from animals slaughtered after 10 March 1985 and products prepared using such meats :
 - the provinces of Brescia, Caserta, Catanzaro, Cosenza, Cremona, Mantova, Modena, Ravenna and Salerno,
 - in the Province of Milan the territory covered by the local Sanitary Unit Number 59,
 - any other part of the territory situated within a radius of 10 kilometres around any outbreak of foot-and-mouth disease recorded after 1 March 1985.
-

COMMISSION DECISION

of 11 April 1985

amending for the 10th time Decision 83/453/EEC concerning certain measures
of protection against classical swine fever

(85/235/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Directive 64/432/EEC of 26
June 1984 on animal health problems affecting intra-
Community trade in bovine animals and swine ⁽¹⁾, as
last amended by Directive 84/644/EEC ⁽²⁾, and in
particular Article 9 thereof,

Whereas, following the outbreak of classical swine
fever which occurred in certain Member States, on 31
August 1983 the Council adopted Decision
83/453/EEC concerning certain measures of protection
against classical swine fever ⁽³⁾ for various lengths of
time graded on the basis of the risk involved in
spreading the disease;

Whereas the subsequent development of the disease
and the institution of emergency systematic vaccina-
tion zones in the territory of certain Member States
have required several amendments to the scope of the
measures applied in intra-Community trade;

Whereas these measures should be adjusted depending
on the development of the situation;

Whereas there are persistent outbreaks of classical
swine fever in certain Member States;

Whereas, in the light of this situation, the requisite
measures should be taken to avoid any accidental
spread of the disease;

Whereas, to achieve this objective, provision should be
made for the health surveillance and, in certain cases,
for the serological testing of pigs for breeding and
production before they are introduced into the herds
of destination;

Whereas certain Member States apply protective
measures which are similar in this respect;

Whereas all Member States should adopt measures of
their own to protect themselves during the time
required to eradicate the disease;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 83/453/EEC is hereby amended as follows:

1. Article 3 is replaced by the following:

Article 3

1. The animal health certificate mentioned in
Directive 64/432/EEC and accompanying the pigs
coming from the Member States specified in the
Annex must be completed in the following
manner:

"Animals conforming to Decision 83/453/EEC,
as last amended by Commission Decision
85/235/EEC ⁽¹⁾."

2. The Member States may apply the following
provisions when pigs for breeding and production
coming from the Member States defined in the
Annex are introduced into their territory:

- (a) all the animals transported in the same vehicle
shall be consigned directly to a single holding
of destination;
- (b) pigs for breeding shall be kept separate on
arrival at destination so that they can be effec-
tively isolated and placed under health surveil-
lance for a period of 30 days. During this period
serological testing for classical swine fever anti-
bodies shall be performed according to repre-
sentative sampling of the lot concerned;
- (c) where pigs for fattening are introduced into a
holding or into a production unit the pigs shall
be kept separate as regards keeping and feeding.
The pigs on the holding or production unit
shall not be allowed to leave during the 30 days
following the introduction except in order to be
consigned under official supervision to a
slaughterhouse for slaughter without delay.

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

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 249, 9. 9. 1983, p. 28.

⁽¹⁾ OJ No L 108, 20. 4. 1985, p. 21.

2. The Annex is replaced by the Annex to this Decision.

Article 3

This Decision is addressed to the Member States.

Article 2

Done at Brussels, 11 April 1985.

The Member States shall amend the measures applied to trade so that they comply with this Decision three days from its notification. They shall immediately inform the Commission thereof.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

THE KINGDOM OF THE
NETHERLANDS

Those areas in which systematic vaccination has been carried out on an emergency basis ; elsewhere five kilometres in radius around the place of any outbreak of classical swine fever.

THE FEDERAL REPUBLIC
OF GERMANY

Those areas where systematic vaccination has been carried out on an emergency basis ; elsewhere the 'Kreis' in which classical swine fever has been recorded.

THE KINGDOM OF BELGIUM

Those areas in which systematic vaccination has been carried out on an emergency basis ; elsewhere five kilometres in radius around the place of any outbreak of classical swine fever.

COMMISSION DECISION

of 12 April 1985

amending for the first time Decision 85/192/EEC concerning certain protective measures against African swine fever in Belgium

(85/236/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas an outbreak of African swine fever has occurred in Belgium;

Whereas this outbreak is liable to endanger the herds of other Member States, in view of the trade in live pigs, fresh pigmeat and pigmeat products;

Whereas, following this outbreak of African swine fever, on 18 March 1985 the Commission adopted Decision 85/192/EEC concerning certain protective measures against African swine fever in Belgium⁽⁷⁾;

Whereas, in the light of the stringent measures adopted by the Belgian authorities, the restrictions on trade could be applied on a regional basis, provided

the disease is confined to a specific part of the country's territory;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 85/192/EEC is hereby amended as follows:

1. Paragraph 2 of Article 1 is replaced by the following:

'2. The restrictive measures referred to in paragraph 1 are lifted:

(a) as from 24 March 1985, in the area of Belgium outlined in paragraph 1 of the Annex;

(b) as from 18 April 1985, in the area of Belgium outlined in paragraph 2 of the Annex, in respect of:

— meat from livestock slaughtered before 15 January 1985,

— meat products prepared from meat referred to in the first indent;

(c) as from 18 April 1985, in the area of Belgium outlined in paragraph 3 of the Annex, in respect of:

— meat from livestock slaughtered after 17 April 1985,

— meat products prepared from meat referred to in the first indent.

The restrictive measures in respect of (c) shall be lifted only if no outbreak appears in the area of Belgium outlined in paragraphs 1 and 3 of the Annex. The Commission shall inform the Member States on 17 April 1985 whether this condition has been met. Such notification shall be based on information provided by Belgium.'

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

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 30.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁴⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁶⁾ OJ No L 186, 8. 7. 1981, p. 20.

⁽⁷⁾ OJ No L 84, 26. 3. 1985, p. 12.

2. The following Article 2a is inserted:

Article 2a

As from 18 April 1985:

1. the health certificate provided for in Council Directive 64/433/EEC of 26 June 1964 accompanying pigmeat must be completed by the following: "Meat conforming to Commission Decision 85/236/EEC⁽¹⁾";
2. the health certificate provided for in Council Directive 77/99/EEC of 21 December 1976 accompanying pigmeat products must be completed by the following: "Products conforming to Commission Decision 85/236/EEC".

⁽¹⁾ OJ No L 108, 20. 4. 1985, p. 23.

3. The Annex is replaced by the Annex to this Decision.

Article 2

The Member States shall amend the measures which they apply to trade so that they comply with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

1. The whole of Belgium, with the exception of the area to the west of the line formed by the Terneuzen-Ghent canal, the Scheldt to the Espierre canal and the Espierre canal to the French border.
2. The whole of Belgium situated to the west of the line formed by the Terneuzen-Ghent canal, the Scheldt to the Espierre canal and the Espierre canal to the French border.
3. The area of Belgium outlined in 2, with the exception of the communes of Tielt, Pittem, Meulebeke, Ardooie, Ingelmunster, Lendelede, Izegem, Roeselare, Ledegem, Moorslede, Staden, Hooglede, Zonnebeke, Poelkapelle, Lichtervelde und Zwevezele and an area within a radius of three kilometres around the two outbreaks in the communes of Reninge and Ichtegem.

COMMISSION DECISION

of 12 April 1985

amending for the fourth time Decision 84/10/EEC concerning certain protective measures against classical swine fever as regards fresh pigmeat

(85/237/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/461/EEC of 12 December 1972 on health problems affecting intra-Community trade in fresh meat ⁽¹⁾, as last amended by Directive 84/643/EEC ⁽²⁾, and in particular Article 8 thereof,

Whereas, following the outbreak of classical swine fever which occurred successively in certain areas of the Community, on 10 January 1984 the Council adopted Decision 84/10/EEC concerning certain protective measures against classical swine fever as regards fresh pigmeat ⁽³⁾;

Whereas, since then the development of the disease has required several alterations to the extent of the area in which the measures are applied in intra-Community trade in fresh meat;

Whereas the extent of the area in which the measures are applied should be altered to take account of the development of the disease in Germany;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 84/10/EEC is hereby amended as follows:

1. The wording specified in Article 2 is replaced by the following:

'Meat conforming to Decision 84/10/EEC concerning classical swine fever, as last amended by Commission Decision 85/237/EEC ⁽⁴⁾.

⁽⁴⁾ OJ No L 108, 20. 4. 1985, p. 25.'

2. The Annex is replaced by the Annex to this Decision.

Article 2

The Member States shall amend the measures they apply to trade so that they comply with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 12 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 27.

⁽³⁾ OJ No L 11, 14. 1. 1984, p. 33.

*ANNEX***THE FEDERAL REPUBLIC
OF GERMANY**

- The area of the region of Münster comprising the 'Kreise' of Münster (city), Coesfeld, Steinfurt and Warendorf.
- The area of the region of Weser-Ems comprising the 'Kreise' of Cloppenburg and Vechta.
- The area of the region of Detmold comprising the 'Kreise' of Herford, Minden-Lübbecke and Paderborn.
- The 'Kreis' of Soltau-Fallingb.ostel.
- The 'Kreis' of Nienburg.
- The 'Kreis' of Diepholz.
- The 'Kreis' of Schaumburg.
- The 'Kreis' of Donau-Ries.
- In the rest of the territory, the area within a radius of two kilometres around all outbreaks of classical swine fever.

**THE KINGDOM OF THE
NETHERLANDS**

The area within a radius of two kilometres around all outbreaks of classical swine fever.

COMMISSION DECISION**of 15 April 1985****approving the programme of measures submitted by the Italian Government for
1985 on the restructuring of the system for agricultural surveys in Italy****(Only the Italian text is authentic)****(85/238/EEC)**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Decision 81/518/EEC of 6
July 1981 on the restructuring of the system for agri-
cultural surveys in Italy⁽¹⁾, and in particular Article 4
(3) thereof,

Whereas, as required by Article 4 (1) of the said Deci-
sion, the Italian Government has submitted the annual
programme of measures planned for 1985;

Whereas the programme that has been submitted is
such as to attain the objective of organizing in Italy a
system of surveys on agricultural matters which will
satisfy Community requirements in respect of statis-
tical information in this field;

Whereas the Italian Government has also submitted a
report on the execution of the preceding annual
programme;

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

HAS ADOPTED THIS DECISION:

Article 1

The programme of measures on the restructuring of
the system for agricultural surveys in Italy submitted
by the Italian Government for 1985 is approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 15 April 1985.

For the Commission

Alois PFEIFFER

Member of the Commission

⁽¹⁾ OJ No L 195, 18. 7. 1981, p. 48.

COMMISSION DECISION

of 18 April 1985

terminating the anti-subsidy proceeding concerning imports of soya meal
originating in Argentina

(85/239/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 9 thereof,After consulting with the Advisory Committee set up
under that Regulation,

Whereas :

A. Procedure

1. In August 1983, the Commission received a complaint from the EEC Seed Crushers' and Oil Processors' Federation (FEDIOL) on behalf of producers accounting for almost the entire Community production of oil cake. With regard to soya meal, the complaint contained evidence of subsidization and material injury resulting therefrom that was sufficient to justify opening an investigation.

The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-subsidy proceeding concerning imports into the Community of soya meal falling within subheading ex 23.04 B of the Common Customs Tariff (NIMEXE code 23.04-40), originating in Argentina, and commenced an investigation.

2. The Commission gave official notice of his investigation to exporters and importers known to be concerned, the representatives of the exporting country and the complainants; directly interested parties were given the opportunity to make their views known in writing and to be heard orally.

The Argentinian Government, most of the exporters, all Community producers and some of the

known importers put forward their views and made detailed observations.

3. The Commission gathered and verified all the information it regarded as necessary for establishing the existence of subsidies and injury, and made on-the-spot checks on the premises of Community producers. An on-the-spot investigation in Argentina was not regarded as necessary since the Argentinian authorities were able to give the Commission satisfactory information concerning the existence of the subsidies alleged by FEDIOL.

The investigation into subsidization related to the period 1 October 1982 to 30 September 1983.

B. Subsidies

4. The complaint lodged by FEDIOL alleges the existence of the following four types of subsidy :

- preferential financing for exports,
- refunding of charges and direct or indirect taxes,
- differential taxes on exports of products of the soya bean family,
- barriers to soya bean exports.

5. *Preferential financing for exports*

- 5.1. FEDIOL alleges that Argentinian soya meal exports receive preferential financing in accordance with the Argentinian Central Bank's circular No 153 of 6 December 1977, which sets out the provisions for financing exports that are being promoted.

- 5.2. The Commission's examination of this circular revealed that soya meal did not appear among the products eligible for financing under this programme. The circular referred to above was, moreover, replaced on 24 October 1981 by circular OPRAC — 1 (communication 'A' 49). Again, the circular does not include soya meal among the exports eligible for the promotional measures provided for therein.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 283, 20. 10. 1983, p. 5.

The Commission's investigation has thus shown that during the period covered by the investigation, Argentinian exports of soya meal did not receive preferential financing.

exploit when exporting soya meal to the Community. The Community industry also alleges that the lower rate of taxation on meal by comparison with that on beans gives an additional advantage to Argentinian exporters.

6. *Refunding of charges and direct or indirect taxes*

6.1. The Community industry's complaint alleges that the Argentinian authorities illegally reimburse, in accordance with resolutions 770 of 17 July 1979 and 659 of 10 May 1980 of Argentina's Ministry of Economic Affairs, charges and direct or indirect taxes on exports of soya bean oil and meal.

6.2. The Commission noted that the two texts referred to above did indeed provide for the refunding of 10 % of certain charges and direct or indirect taxes on exports of both soya bean oil and meal.

These two resolutions, however, were replaced by resolution 437 of 5 May 1982, which abolished the abovementioned refunds and instituted a 0 % tax on the exportation of a number of products including soya bean oil and meal. Resolution 437 was replaced on 5 July 1982 by resolution 8, which set the level of tax on exports of the products in question at 10 %.

It thus appears, contrary to the allegations contained in the complaint, that exports of soya meal did not benefit from such reimbursements during the period covered by the investigation.

7. *Differential taxes on exports of products of the soya bean family*

7.1. FEDIOL argues that the Argentinian Ministry of Foreign Affairs' resolution 8 of 5 July 1982 set the level of the export tax at 10 % for meal and oil and at 25 % for soya beans. It alleges that these differential tax levels, namely a higher level of tax on exports of beans than on those of soya meal, constitute an export subsidy for the latter products. The Community industry alleges that the taxes referred to above have the effect of restricting exports of beans, so guaranteeing the Argentinian oil seed crushing industry supplies of the raw material at low cost. According to FEDIOL, the Argentinian industry thus has an advantage in terms of the cost price that it can

7.2. The Commission noted that the abovementioned resolution 8 has indeed applied during the investigation period and that its provisions correspond to the substance of FEDIOL's allegations.

7.3. The Commission realizes that official action to impose or remove disincentives to external trade, particularly in the form of export taxes or restrictions, can affect competition or trade in the product immediately concerned, as well as upstream or downstream products.

However, not all official measures can be classed as subsidies within the meaning of the international rules governing this matter simply because they have an actual or potential effect on competition or trade; this would be to blur the distinction made in GATT between subsidies and other measures which may have an impact on competition or trade. The importance of this distinction is that Article VI of the General Agreement allows the Contracting Parties to take unilateral action against certain specific practices but allows no such action against other practices, such as quantitative restrictions and import or export charges, even though they may produce distortions of competition or trade.

As far as international trade is concerned, the crucial characteristic of a subsidy is that it involves a financial contribution by government. This results *inter alia* from item (L) of the *Illustrative List of Export Subsidies* appended to the *Code on Subsidies*. The list, which is also annexed to Regulation (EEC) No 2176/84, makes it clear that any subsidy must involve a charge on the public account. To extend the concept of subsidies to include practices other than those involving such a charge would be excessive, and taken to its extreme could lead to any government intervention whatsoever in the economy being regarded as a subsidy, including tax measures or even regulatory action such as the introduction of price controls or pollution standards.

7.4. It is clear from both GATT rules and the relevant Community legislation (the Annex to Regulation (EEC) No 2176/84) that the concept of a charge on the public account includes the waiving by the authorities of taxes or other dues owed. The Commission notes that the case in point, however, involves not the waiving of a tax but the non-creation of an additional tax burden. To regard such a non-creation generally as a subsidy would be to hold the very fact that a government levies tax on some people or products but not others as equivalent to a financial contribution to the latter.

One might ask whether the above line of reasoning would still hold true if the new tax obligation constituted the general rule and the non-creation of such an obligation was an exception to this general rule. The question does not arise in this case, however, since the tax arrangements applied to exports of soya meal do not constitute an exceptional situation in the exporting country concerned.

7.5. Thus differential taxation of the various soya-based products does not constitute a charge on the public account of the country involved and cannot be regarded as a subsidy.

The distortion complained of by the Community industry results not from subsidization of exports of the processed product, soya meal, but from the levying of a tax at a higher rate on exports of the raw product, soya beans. This does not, by its very nature, constitute a financial contribution by government.

8. *Barriers to soya bean exports*

8.1. The Community industry alleges that Argentina is imposing restrictions on the exportation of soya beans.

This restriction on exports of the raw material, according to FEDIOL, keeps bean prices on the domestic market substantially lower than world market prices, so giving Argentinian oil seed crushers an advantage in terms of the cost price, which they can exploit when exporting soya meal to the Community.

8.2. For the reasons set out in 7 above, the Commission believes that a restriction of this type does not constitute a subsidy capable of giving rise to countervailing duties.

C. Termination of the proceeding

9. Under these circumstances, the examination of the possible injury caused by imports of soya meal originating in Argentina is not necessary and the anti-subsidy proceeding concerning these imports should be terminated.

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-subsidy proceeding concerning imports of soya meal originating in Argentina is hereby terminated.

Done at Brussels, 18 April 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 964/85 of 11 April 1985 re-establishing the levying of customs duties on certain woven fabrics of synthetic textile fibres, products of category 35 (code 40.0350), originating in Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3563/84 apply

(Official Journal of the European Communities No L 103 of 13 April 1985)

Page 11, Article 1, in the table, CCT heading No :

for: 'ex 54.04 A',

read: 'ex 51.04 A'.

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