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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1057/85**of 25 April 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 24 April 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 26 April 1985.

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

Done at Brussels, 25 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 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 25 April 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	86,00
10.01 B II	Durum wheat	133,37 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	85,55 ⁽⁶⁾
10.03	Barley	81,36
10.04	Oats	72,00
10.05 B	Maize, other than hybrid maize for sowing	71,47 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	63,28 ⁽⁴⁾
10.07 C	Grain sorghum	95,47 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	135,66
11.01 B	Rye flour	135,03
11.02 A I a)	Durum wheat groats and meal	220,48
11.02 A I b)	Common wheat groats and meal	144,03

⁽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 1058/85

of 25 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
24 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 26 April
1985.

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

Done at Brussels, 25 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 25 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	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	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	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 1059/85

of 25 April 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 22 and 23 April 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 26 April 1985.

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

Done at Brussels, 25 April 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)	64,00 ⁽¹⁾
15.07 A I b)	66,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	78,00 ⁽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	14,52
07.03 A II	14,52
15.17 B I a)	33,00
15.17 B I b)	52,80
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 1060/85

of 25 April 1985

fixing additional amounts for certain pigmeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 26 April 1985.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

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

⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 29.

⁽⁶⁾ OJ No L 190, 14. 7. 1983, p. 4.

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

⁽⁸⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁹⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽¹⁰⁾ OJ No L 38, 10. 2. 1983, p. 12.

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

⁽¹²⁾ OJ No L 165, 23. 7. 1971, p. 23.

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

Done at Brussels, 25 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 April 1985 fixing additional amounts for certain pigmeat products

(ECU/100 kg)

CCT heading No	Description	Supplementary amount	Origin of imports
01.03	Live swine : A. Domestic species : II. Other : b) Other	20,00	Origin : German Democratic Republic ⁽¹⁾
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen : A. Meat : III. Of swine : a) Of domestic swine : 1. Whole carcasses or half-carcasses 2. Legs and parts thereof 4. Loins and parts thereof 5. Bellies and parts thereof 6. Other : aa) Boned or boneless bb) Other	40,00 20,00 20,00 25,00 5,00 20,00	Origin : German Democratic Republic ⁽¹⁾ Origin : German Democratic Republic ⁽¹⁾ Origin : German Democratic Republic ⁽¹⁾ Origin : Sweden Origin : Romania, Czechoslovakia and Hungary Origin : Hungary

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

COMMISSION REGULATION (EEC) No 1061/85

of 25 April 1985

amending Regulation (EEC) No 3749/83 as regards the amounts expressed in ECU

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 1 (3) thereof,

Having regard to Council Regulation (EEC) No 3563/84 of 18 December 1984 applying generalized tariff preferences for 1985 to textile products originating in developing countries⁽²⁾, and in particular Article 1 (3) thereof,

Having regard to Council Regulation (EEC) No 3564/84 of 18 December 1984 applying generalized tariff preferences for 1985 in respect of certain agricultural products originating in developing countries⁽³⁾, and in particular Article 1 (3) thereof,

Having regard to Decision 84/637/ECSC of the representatives of Governments of the Member States of the European Coal and Steel Community, meeting within the Council of 18 December 1984 applying for 1985 generalized tariff preferences for certain steel products originating in developing countries⁽⁴⁾, and in particular Article 1 (2) thereof,

Whereas, to take account of monetary evolution, it is necessary to modify the amounts in ECU fixed in 1983 in Articles 7 and 10 of Commission Regulation (EEC) No 3749/83 of 23 December 1983 on the definition of the concept of originating products for the purposes of the application of tariff preferences granted by the European Economic Community in

respect of certain products from developing countries⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3749/83 is hereby amended as follows:

1. In Article 7 (2), '2 000 ECU' is replaced by '2 355 ECU'.
2. The footnote to Article 7 (2) is replaced by the following:

'The equivalent in national currencies of the ECU is as follows:

1 ECU	{	45,3837	Belgian franc/ Luxembourg franc
		2,23596	German mark
		2,52050	Dutch florin
		0,592085	Pound sterling
		8,09937	Danish krone
		6,85840	French franc
		1 383,98	Italian lira
		0,721675	Irish pound
		92,1772	Greek drachma

The amounts in the national currencies which result from the conversion of the amounts expressed in ECU may be rounded up.'

3. In the second subparagraph of Article 10 (2), '140 ECU' and '400 ECU' are replaced by '165 ECU' and '470 ECU' respectively.

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 from 1 May 1985.

⁽¹⁾ OJ No L 338, 27. 12. 1984, p. 1.

⁽²⁾ OJ No L 338, 27. 12. 1984, p. 98.

⁽³⁾ OJ No L 338, 27. 12. 1984, p. 183.

⁽⁴⁾ OJ No L 338, 27. 12. 1984, p. 225.

⁽⁵⁾ OJ No L 372, 31. 12. 1983, p. 1.

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

Done at Brussels, 25 April 1985.

For the Council

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1062/85

of 25 April 1985

amending Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for 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 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 (5) thereof,

Whereas Article 8 of Commission Regulation (EEC)
No 2681/83⁽³⁾, as last amended by Regulation (EEC)
No 1814/84⁽⁴⁾, specifies the time limits for lodging
applications for certificates; whereas in cases where
the amount of aid applicable is not affected by the
failure to comply with them, those time limits need
not and should not be maintained, provided the actual
day on which the application for a certificate was
lodged can be ascertained;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article
8 (1) of Regulation (EEC) No 2681/83:

'However, with regard to the ID part of the certifi-
cate, where the failure to comply with the time
limits specified above does not alter the amount of
aid applicable,

- the 4 p.m. deadline shall be extended to
midnight,
- the provision concerning compliance with the
5.30 p.m. deadline referred to in (c) of the first
subparagraph shall not apply.'

Article 2

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

It shall, at the request of the parties concerned, also
apply to cases pending.

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

Done at Brussels, 25 April 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. 2.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 44.

COMMISSION REGULATION (EEC) No 1063/85

of 25 April 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 998/85 ⁽⁸⁾;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza, rape and sunflower seed and in the absence of the amount of the monthly increase for September 1985 for colza and rape seed, the amount of the subsidy in the case of advance fixing for July, August and September 1985 for colza and rape seed and August 1985 for sunflower seed has been obtainable only provisionally on the basis of the target price and the monthly increase 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 3 to 9 April 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, August and September 1985 for colza and rape seed and August 1985 for sunflower seed will, however, be confirmed or replaced as from 26 April 1985 to take into account the indicative price which is fixed for these products for the 1985/86 marketing year, and the amount of the monthly increase for September 1985 for colza and rape seed.

Article 2

This Regulation shall enter into force on 26 April 1985.

⁽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 107, 19. 4. 1985, p. 13.

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

Done at Brussels, 25 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

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)	10,516	10,516	10,516	5,407 (1)	7,907 (1)	8,427 (1)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	27,86	27,86	27,90	15,91 (1)	21,68 (1)	23,65 (1)
— Netherlands (Fl)	31,39	31,39	31,39	17,88 (1)	24,39 (1)	26,51 (1)
— BLEU (Bfrs/Lfrs)	488,07	488,07	488,07	249,38 (1)	365,51 (1)	378,60 (1)
— France (FF)	62,53	62,53	61,91	25,88 (1)	43,76 (1)	47,34 (1)
— Denmark (Dkr)	88,49	88,49	88,49	45,50 (1)	66,54 (1)	70,13 (1)
— Ireland (£ Irl)	7,888	7,888	7,882	3,977 (1)	5,857 (1)	5,750 (1)
— United Kingdom (£)	6,781	6,781	6,781	3,615 (1)	5,145 (1)	5,212 (1)
— Italy (Lit)	12 848	12 844	12 534	4 972 (1)	8 724 (1)	8 603 (1)
— Greece (Dr)	532,24	532,24	532,24	77,34 (1)	329,32 (1)	376,39 (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)	17,979	17,979	18,239	17,979	13,419 (1)
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	45,86	45,86	46,51	46,18	35,30 (1)
— Netherlands (Fl)	51,68	51,68	52,36	51,98	39,72 (1)
— BLEU (Bfrs/Lfrs)	834,44	834,44	846,50	832,72	621,08 (1)
— France (FF)	113,07	113,07	114,26	111,18	79,86 (1)
— Denmark (Dkr)	151,29	151,29	153,48	151,29	112,92 (1)
— Ireland (£ Irl)	13,486	13,486	13,674	13,400	9,979 (1)
— United Kingdom (£)	11,418	11,418	11,577	11,418	8,597 (1)
— Italy (Lit)	23 372	23 367	23 423	22 715	16 185 (1)
— Greece (Dr)	1 176,79	1 176,79	1 203,00	1 176,79	763,99 (1)

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

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	2,236970	2,230510	2,224350	2,218730	2,218730	2,202400
Fl	2,532710	2,527940	2,522980	2,518420	2,518420	2,503880
Bfrs/Lfrs	45,105200	45,126900	45,150600	45,172700	45,172700	45,240300
FF	6,830320	6,837150	6,844920	6,853550	6,853550	6,881760
Dkr	8,055230	8,058910	8,062060	8,065120	8,065120	8,073720
£ Irl	0,715026	0,717268	0,719479	0,721250	0,721250	0,726465
£	0,579967	0,581718	0,583243	0,584449	0,584449	0,587287
Lit	1 431,10	1 436,71	1 442,45	1 447,94	1 447,94	1 466,66
Dr	97,666100	97,659100	97,659800	97,667100	97,667100	97,727900

COMMISSION REGULATION (EEC) No 1064/85

of 25 April 1985

introducing a countervailing charge and suspending the preferential customs duty on imports of tomatoes originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 751/85 of 22 March 1985 fixing the reference price for tomatoes for the 1985 marketing year⁽³⁾ fixed the reference price for products of class I for the month of April 1985 at 197,27 ECU per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regula-

tion (EEC) No 3110/83⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 908/84;

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

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, when the Commission introduces a countervailing charge on imports of tomatoes originating in Turkey, at the same time it reintroduces for the product in question the conventional rate of customs duty; whereas, therefore, a rate of customs duty of 11 % should be reintroduced for these tomatoes, with a minimum charge of 2 ECU per 100 kilograms net;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽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 for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 81, 23. 3. 1985, p. 20.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.

⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

1. A countervailing charge of 66,08 ECU per 100 kilograms net is applied on imports of tomatoes falling within subheading 07.01 M of the Common Customs Tariff originating in Turkey.

2. The rate of customs duty on imports of these products shall be 11 % with a minimum charge of 2 ECU per 100 kilograms net.

Article 2

This Regulation shall enter into force on 27 April 1985.

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

Done at Brussels, 25 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1065/85

of 25 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 1051/85⁽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 Regu-
lation (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 26 April
1985.

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

Done at Brussels, 25 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 112, 25. 4. 1985, p. 45.

ANNEX

to the Commission Regulation of 25 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	48,06
	B. Raw sugar	44,20 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 1066/85

of 25 April 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 768/85⁽⁷⁾, as last amended by Regulation (EEC) No 1052/85⁽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 24 April 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 768/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 April 1985.

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

Done at Brussels, 25 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 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 86, 27. 3. 1985, p. 11.
⁽⁸⁾ OJ No L 112, 25. 4. 1985, p. 46.
⁽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 25 April 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	81,88 ⁽¹⁾	80,07 ⁽¹⁾ ⁽⁵⁾
07.06 A II	84,90 ⁽¹⁾	80,07 ⁽¹⁾ ⁽⁵⁾
11.01 C ⁽²⁾	153,42	147,38
11.01 D ⁽²⁾	136,94	130,90
11.01 E I ⁽²⁾	134,47	128,43
11.01 E II ⁽²⁾	75,80	72,78
11.01 G ⁽²⁾	99,75	96,73
11.02 A II ⁽²⁾	161,09	155,05
11.02 A III ⁽²⁾	153,42	147,38
11.02 A IV ⁽²⁾	136,94	130,90
11.02 A V a) 1 ⁽²⁾	99,53	93,49
11.02 A V a) 2 ⁽²⁾	134,47	128,43
11.02 A V b) ⁽²⁾	75,80	72,78
11.02 A VII ⁽²⁾	99,75	96,73
11.02 B I a) 1 ⁽²⁾	134,03	131,01
11.02 B I a) 2 aa)	77,19	74,17
11.02 B I a) 2 bb) ⁽²⁾	133,92	130,90
11.02 B I b) 1 ⁽²⁾	134,03	131,01
11.02 B I b) 2 ⁽²⁾	133,92	130,90
11.02 B II a) ⁽²⁾	118,70	115,68
11.02 B II b) ⁽²⁾	117,59	114,57
11.02 B II c) ⁽²⁾	117,18	114,16
11.02 B II d) ⁽²⁾	154,75	151,73
11.02 C I ⁽²⁾	142,19	139,17
11.02 C II ⁽²⁾	140,84	137,82
11.02 C III ⁽²⁾	210,74	204,70
11.02 C IV ⁽²⁾	119,37	116,35
11.02 C V ⁽²⁾	117,18	114,16
11.02 C VI ⁽²⁾	154,75	151,73
11.02 D I ⁽²⁾	91,74	88,72
11.02 D II ⁽²⁾	90,88	87,86
11.02 D III ⁽²⁾	86,54	83,52
11.02 D IV ⁽²⁾	77,19	74,17
11.02 D V ⁽²⁾	75,80	72,78
11.02 D VI ⁽²⁾	99,75	96,73
11.02 E I a) 1 ⁽²⁾	86,54	83,52
11.02 E I a) 2 ⁽²⁾	77,19	74,17
11.02 E I b) 1 ⁽²⁾	169,80	163,76
11.02 E I b) 2 ⁽²⁾	151,48	145,44
11.02 E II a) ⁽²⁾	162,60	156,56
11.02 E II b) ⁽²⁾	161,09	155,05
11.02 E II c) ⁽²⁾	134,47	128,43
11.02 E II d) 2 ⁽²⁾	176,73	170,69
11.02 F I ⁽²⁾	162,60	156,56
11.02 F II ⁽²⁾	161,09	155,05
11.02 F III ⁽²⁾	153,42	147,38
11.02 F IV ⁽²⁾	136,94	130,90

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 F V ⁽²⁾	134,47	128,43
11.02 F VII ⁽²⁾	99,75	96,73
11.02 G I	71,28	65,24
11.02 G II	59,55	53,51
11.04 C I	84,90	78,25 ⁽³⁾
11.04 C II a)	104,17	79,99 ⁽³⁾
11.04 C II b)	135,42	111,24 ⁽³⁾
11.07 A I a)	165,70	154,82
11.07 A I b)	126,56	115,68
11.07 A II a)	156,63 ⁽⁴⁾	145,75
11.07 A II b)	119,78	108,90
11.07 B	137,79 ⁽⁴⁾	126,91
11.08 A I	104,17	83,62
11.08 A III	150,77	130,22
11.08 A IV	104,17	83,62
11.08 A V	104,17	41,81 ⁽³⁾
11.09	418,10	236,76
17.02 B II a) ⁽³⁾	205,79	109,07
17.02 B II b) ⁽³⁾	150,11	83,62
17.02 F II a)	210,99	114,27
17.02 F II b)	145,96	79,47
21.07 F II	150,11	83,62
23.02 A I a)	39,63	33,63
23.02 A I b)	78,07	72,07
23.02 A II a)	39,63	33,63
23.02 A II b)	78,07	72,07
23.03 A I	285,22	103,88

⁽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 1067/85

of 25 April 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 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 26 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 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, 25 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 25 April 1985 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	18,50 10,00
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 20,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	45,00 52,00 — 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	37,50 37,50 33,00 30,50 28,50 25,50

		(ECU/tonne)
CCT heading No	Description	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	37,50 37,50 37,50 37,50
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	184,00 174,00 155,00 146,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	37,50

⁽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 1068/85

of 25 April 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 organi-
zation 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 Commu-
nity 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 impor-
tant to ensure equilibrium and the natural develop-
ment 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 distur-
bances 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 calcu-
lated;

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 coeffi-
cient;

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 26 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, 25 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 25 April 1985 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
CCT heading No	Refund
11.07 A I b)	24,60
11.07 A II b)	88,99
11.07 B	103,71

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 19 April 1985

on the issue of import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(85/251/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to 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⁽²⁾, as last amended by Regulation (EEC) No 552/85⁽³⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 April 1985, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya,

Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 May 1985, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁴⁾, as last amended by Directive 83/91/EEC⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue, on 22 April 1985, import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 13.

⁽⁴⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁵⁾ OJ No L 59, 5. 3. 1983, p. 34.

1. Federal Republic of Germany :
1 423,0 tonnes originating in Botswana
60,0 tonnes originating in Swaziland
2. United Kingdom :
1 400,0 tonnes originating in Botswana
3. France :
126,1 tonnes originating in Madagascar
4. Netherlands :
100,0 tonnes originating in Botswana

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of May 1985, in

respect of the following quantities of boned beef and veal :

Botswana :	14 437,9 tonnes
Kenya :	142,0 tonnes
Madagascar :	6 813,6 tonnes
Swaziland :	2 845,0 tonnes
Zimbabwe :	6 750,0 tonnes

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 23 April 1985

terminating the anti-dumping proceeding concerning imports of certain titanium mill products originating in Japan and the United States of America

(85/252/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 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 the Comité de Liaison des Industries de Métaux non-ferreux on behalf of producers of certain titanium mill products whose collective output constitutes practically all Community production of the products in question. The complaint contained evidence of dumping and of material injury resulting therefrom, 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 the Community of certain titanium mill products falling within Common Customs Tariff subheading ex 81.04 K II corresponding to NIMEXE codes 81.04 ex 59 and ex 61 and originating in Japan and the United States of America and commenced an investigation.
- (2) The Commission officially so advised the exporters and importers known to be concerned, the representatives of the exporting countries and the complainants and gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.

The Community producers, all the known Japanese and US exporters and some importers made their views known in writing. In addition, some of the Japanese and US exporters concerned requested, and were granted, hearings.

A number of submissions were also made by processors of the products concerned in the Community.

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

EEC producers :

Cezus SA, Paris, France,
IMI Titanium Ltd, Birmingham, United Kingdom,
Schmiedewerke Krupp & Klöckner GmbH, Essen, Federal Republic of Germany,
Thyssen Edelstahlwerke AG, Krefeld, Federal Republic of Germany ;

Japanese and US exporters :

Kobe Steel Ltd, Tokyo,
Nippon Mining Co. Ltd, Tokyo,
Nippon Stainless Steel Co. Ltd, Tokyo,
Sumitomo Metal Industries Ltd, Tokyo ;

Martin Marietta Aluminium Inc., Los Angeles, California,
NF & M Corporation, New York,
Oregon Metallurgical Corporation, Albany, Oregon,
RMI Company, Niles, Ohio,
Teledyne Allvac, Monroe, North Carolina,
Titanium Metals Corporation of America, Pittsburgh, Pennsylvania ;

EEC importers :

Armco International SA, Paris, France,
SNECMA SA, Paris, France.

The Commission requested and received detailed written submissions from all the complainant Community producers, all the exporters concerned and some importers and verified the information therein to the extent considered necessary.

- (4) The investigation of dumping covered the period January to August 1984.

The investigation covered all imports of the products concerned during the reference period from both Japan and the USA.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 237, 7. 9. 1984, p. 2.

B. Products

- (5) The Commission has established, subsequent to the opening of the proceeding, that the relevant products exported from Japan to the Community were exclusively of commercially pure titanium, mostly sheets for chemical applications and strip for tubing, while the products exported from the USA to the Community were exclusively titanium alloys, mostly bar, rod and billet for use in the aerospace industry. These products from the two exporting countries concerned have distinct physical characteristics and end uses and have accordingly been treated separately in the investigation.

time and in respect of substantial quantities at prices lower than costs of production. In arriving at this conclusion, the Commission took into consideration the fact that this exporter's purchases of titanium sponge, the basic raw material for the product concerned, were from a related company and were not made on an arm's length basis. Using a cost for the raw material based on the costs of the other Japanese exporters concerned, costs of production exceeded the price levels of this company's trading company in the domestic market. The normal value in this case was accordingly determined on the basis of a constructed value.

(b) USA

C. Normal value

(6) (a) Japan

- (i) Sales on the domestic market in the normal course of trade

Normal value for all the relevant products of one Japanese exporter and for one product range of a second was determined on the basis of domestic prices. Sufficient evidence was supplied by the exporters concerned that these sales were in the normal course of trade being to unrelated purchasers and being at prices which covered all costs of production.

- (ii) In seeking to determine normal value for the remaining like products of the second exporter mentioned above and for all such products of a third exporter, the Commission had to take account of the fact that sales of these products on the domestic market did not permit proper comparison since all such sales were to related customers. Since these related customers were also the end users of the product concerned there were no relevant sales to independent customers on which the Commission could have relied for the purposes of establishing normal value. The Commission determined, therefore, that the normal value in these instances should be established on the basis of constructed value.

- (iii) The investigation to determine whether dumping occurred has shown that a fourth exporter, whose domestic sales of the like products were made through a wholly-owned trading company, marketed its products over an extended period of

- (i) Normal value was determined on the basis of the domestic prices of five US producers who exported to the Community and who provided evidence that these sales were made to unrelated purchasers and covered all costs of production. Certain sales of some of the exporters were excluded from the calculation of normal value since they were considered not to have been made in the normal course of trade having been made at prices below costs of production.

- (ii) The investigation to determine the existence of dumping has shown that prices of the like products marketed by the remaining US exporter on the domestic market had, over an extended period of time and in respect of substantial quantities, been lower than the costs of production. Normal value was, therefore, determined on the basis of the constructed value.

- (7) When constructed value was used as the basis of establishing normal value for both Japanese and US exporters, it was determined by adding costs of production and a reasonable margin of profit. The costs of production were computed on the basis of all costs, in the ordinary course of trade, both fixed and variable, in the country of origin, of materials and manufacture, plus a reasonable amount for selling, administrative and other general expenses. A profit margin of 8 % was added to these costs. This margin was considered to be reasonable in the light of the industry's specific requirements in the areas of research and development, technology and consequent investment.

D. Export price

- (8) Export prices were determined for all of the Japanese and five of the US exporters on the basis of the prices actually paid or payable for the products sold for export to the Community.

One US exporter sold the products concerned to a related company in the Community and accordingly this company's export prices were constructed on the basis of the prices at which the imported product was first resold to an independent buyer, suitably adjusted to take account of all costs incurred between importation and resale including customs duty, and the related importer's profit.

E. Comparison

- (9) In comparing normal value with export prices in some instances, both for Japanese and US exporters, a comparison could not be made between products which were identical in physical characteristics, e.g. size, grade or alloy. In such instances, comparison was made between the products which most closely resembled each other and appropriate allowance was made. Where data on the domestic price differences of these types were not available, the allowance was based on cost data. Allowance was also made for differences in conditions and terms of sale, salesmen's salaries and for duty drawback on imported raw material. Entitlement to the allowances granted was, in every instance, satisfactorily demonstrated by the submission of appropriate evidence in support of the claim.

F. Margins

- (10) Normal values, on a weighted average basis where prices varied, were compared with export prices on a transaction by transaction basis.

This comparison showed the existence of dumping, the margins of dumping being equal to the amount by which a normal value as established exceeded the price for export to the Community.

These margins varied according to the exporter and the type of product concerned, the weighted average margin for each of the exporters investigated being as follows:

(a) Japan

Kobe Steel Ltd	no dumping
Nippon Mining Co. Ltd	0,4 %
Nippon Stainless Steel Co. Ltd	8,8 %
Sumitomo Metal Industries Ltd	0,2 % ;

(b) USA

Martin Marietta Aluminium Inc.	1,3 %
NF & M International	no dumping
Oregon Metallurgical Corporation	1,0 %
RMI Company	0,2 %
Teledyne Allvac	0,9 %
Titanium Metals Corporation of America	1,3 %

G. Necessity of protective measures

- (11) The Commission considers that the dumping margins found for both the Japanese and US exporters, with the exception of that for Nippon Stainless Steel Company, are of such a level that it would be inappropriate for anti-dumping measures to be taken on the basis of these findings. As far as Nippon Steel Company is concerned, it is the smallest of the Japanese exporting companies in terms of capacity and exported by far the smallest quantity of the products concerned to the Community during the reference period. This was also true of all years from 1981 to 1984 during which time Nippon Stainless Steel Company's market share in the Community never exceeded 1,8 %. The Commission considered, therefore, that such volumes, in isolation, could not have caused material injury to the Community industry concerned.

H. Termination

- (12) In these circumstances, therefore, the proceeding concerning imports of certain titanium mill products originating in Japan and the USA should be terminated,

HAS DECIDED AS FOLLOWS:

Done at Brussels, 23 April 1985.

Sole Article

The anti-dumping proceeding in respect of certain titanium mill products originating in Japan and the United States of America is hereby terminated.

For the Commission

Willy DE CLERCQ

Member of the Commission

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 2349/84 of 23 July 1984 on the application of Article 85 (3) of the Treaty to certain categories of patent licensing agreements**

(Official Journal of the European Communities No L 219 of 16 August 1984)

Page 16, recital (8), fifth line :

delete: 'or distribution agreements'.

Page 16, recital (9), 14th line :

for: 'Provisions concerning the provision of know-how ...'

read: 'Provisions concerning know-how ...'

Page 16, recital (11), fifth line :

for: '... or to ...'

read: '... and not to ...'

Page 18, recital (22), third line :

for: '... have expired ...'

read: '... ceased to be in force ...'

Page 20, Article 2 (1) 7, third line :

for: '... may be held to this obligation after ...'

read: '... may be held to this obligation even after ...'

Page 20, Article 3.4, eighth line :

delete: 'by the licensee'.

Page 22, Article 5 (1) 3 is replaced by the following :

'3. to agreements under which one party grants to the other party a patent licence and that other party, albeit in separate agreements or through connected undertakings, grants to the first party a licence under patents or trade-marks or reciprocal sales rights for unprotected products or communicates to him know-how, where the parties are competitors in relation to the products covered by those agreements;'

Page 24, Article 12 (2), second line :

for: '... have the right ...'

read: '... have, directly or indirectly the rights ...'

COMMISSION OF THE EUROPEAN COMMUNITIES

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1984 Report

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COMMISSION OF THE EUROPEAN COMMUNITIES

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