

Official Journal

of the European Communities

ISSN 0378-6978

L 118

Volume 28

1 May 1985

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1106/85**of 30 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 29 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 1 May 1985.

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

Done at Brussels, 30 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 30 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	89,48
10.01 B II	Durum wheat	134,64 ⁽¹⁾ ⁽²⁾
10.02	Rye	88,90 ⁽⁶⁾
10.03	Barley	87,42
10.04	Oats	75,36
10.05 B	Maize, other than hybrid maize for sowing	74,32 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	66,72 ⁽⁴⁾
10.07 C	Grain sorghum	97,69 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	140,81
11.01 B	Rye flour	140,00
11.02 A I a)	Durum wheat groats and meal	222,53
11.02 A I b)	Common wheat groats and meal	149,28

⁽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 1107/85

of 30 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 organization 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 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 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 coefficient;

Whereas these exchange rates being those recorded on 29 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 1 May 1985.

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

Done at Brussels, 30 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 30 April 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 5	1st period 6	2nd period 7	3rd period 8
10.01 B I	Common wheat, and meslin	0	3,12	3,12	4,20
10.01 B II	Durum wheat	0	2,01	2,01	2,01
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	0,56	0,56	0,56
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	4,38	4,38	5,88

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	5,55	5,55	7,48	7,48
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	4,15	4,15	5,59	5,59
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 1108/85**of 30 April 1985****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1025/84 ⁽²⁾, and in particular Article 11 (2) thereof,

Whereas the import levies on rice and broken rice were fixed by Regulation (EEC) No 576/85 ⁽³⁾, as last amended by Regulation (EEC) No 1037/85 ⁽⁴⁾;

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 ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,
- 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 contained in Regulation (EEC) No 576/85 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.
⁽³⁾ OJ No L 67, 7. 3. 1985, p. 5.
⁽⁴⁾ OJ No L 112, 25. 4. 1985, p. 6.
⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 30 April 1985 fixing the import levies on rice and broken rice

(ECU/tonne)			
CCT heading No	Description	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	263,99	128,39
	2. Long grain	257,87	125,33
	b) Husked rice :		
	1. Round grain	329,99	161,39
	2. Long grain	322,34	157,57
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	357,26	166,70
	2. Long grain	546,43	261,33
	b) Wholly milled rice :		
	1. Round grain	380,48	177,89
	2. Long grain	585,78	280,54
	III. Broken rice	77,17	35,58

⁽¹⁾ Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

⁽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⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1109/85
of 30 April 1985
fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1025/84 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Regulation (EEC) No 2505/84 ⁽³⁾, as last amended by Regulation (EEC) No 1038/85 ⁽⁴⁾;

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 ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,

- 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, 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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.
⁽³⁾ OJ No L 234, 1. 9. 1984, p. 8.
⁽⁴⁾ OJ No L 112, 25. 4. 1985, p. 8.
⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 30 April 1985 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 5	1st period 6	2nd period 7	3rd period 8
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1110/85

of 30 April 1985

fixing the import levies on syrups and certain other products in the sugar sector

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,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 (1) of Regulation (EEC) No
1785/81 provides for charging a levy on imports of the
products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1)
(d) of Regulation (EEC) No 1785/81 must be calcu-
lated, where appropriate, at a standard rate on the basis
of the sucrose content (including other sugars
expressed as sucrose) of the product concerned and of
the levy on white sugar ; whereas, however, the levies
on maple sugar and maple syrup are limited to the
amount resulting from application of the rate of duty
bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC)
No 837/68 of 28 June 1968 on detailed rules for the
application of levies on sugar⁽³⁾, as last amended by
Regulation (EEC) No 1428/78⁽⁴⁾, provides that the
basic amount of the levy for 100 kilograms of product
must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal
to one-hundredth of the average of the levies appli-
cable to 100 kilograms of white sugar during the first
20 days of the month preceding the month for which
the basic amount of the levy is fixed ; whereas,
however, the levy applicable to white sugar on the day
of the fixing of the basic amount must be substituted
for the average of the levies, where that levy differs by
at least 0,73 ECU from that average ;

Whereas the basic amount must be fixed each month ;
whereas it must, however, be altered during the period

between the day on which it is fixed and the first day
of the month following the month for which the basic
amount is applicable, if the levy on white sugar differs
by at least 0,73 ECU from the average referred to
above or from the levy on white sugar used to fix the
basic amount ; whereas, in this case, the basic amount
must be equal to one-hundredth of the levy on white
sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted
on the basis of variations in the threshold price for
white sugar occurring between the month in which
the basic amount is fixed and the period of applica-
tion ; whereas this adjustment, equal to one-hundredth
of the difference between these two threshold prices,
must be deducted from or added to the basic amount
in the circumstances provided for in Article 7 (6) of
Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article
1 (1) (f) and (g) of Regulation (EEC) No 1785/81
comprises, under Article 16 (6) of that Regulation, a
variable element and a fixed element, with the latter,
per 100 kilograms of dry matter, being equal to one-
tenth of the fixed element established pursuant to
point B of Article 14 (1) of Regulation (EEC) No
2727/75⁽⁵⁾ for the fixing of the import levy on the
products falling within subheading 17.02 B II of the
Common Customs Tariff, and the variable element,
per 100 kilograms of dry matter, being equal to one
hundred times the basic import levy applicable as
from the first of each month in the case of the
products listed in Article 1 (1) (d) of Regulation (EEC)
No 1785/81 ; whereas the levy must be fixed each
month ;

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⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

- 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 the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,4797	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	57,64
	ex II. Other	0,4797	—
	E. Artificial honey, whether or not mixed with natural honey	0,4797	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4797	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	57,64
	IV. Other	0,4797	—

COMMISSION REGULATION (EEC) No 1111/85**of 30 April 1985****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

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 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying

down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 17.02 B II a) of the Common Customs Tariff and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;

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⁽⁹⁾, as last amended by Regulation (EEC) No 855/84⁽¹⁰⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹⁰⁾ OJ No L 90, 1. 4. 1984, p. 1.

— 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 the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	41,93
	ex II. Other, excluding sorbose	0,4193	—
	E. Artificial honey, whether or not mixed with natural honey	0,4193	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4193	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	41,93
	IV. Other (other than lactose, glucose and malto-dextrine syrups)	0,4193	—

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 1112/85
of 30 April 1985
fixing the export refunds on olive oil

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 683/85 ⁽²⁾,

Having regard to Council Regulation No 171/67/EEC of 27 June 1967 on export refunds and levies on olive oil ⁽³⁾, as last amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, and in particular the first sentence of Article 7 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations No 171/67/EEC and (EEC) No 616/72 ⁽⁵⁾, as last amended by Regulation (EEC) No 2962/77 ⁽⁶⁾;

Whereas Article 2 of Regulation No 171/67/EEC provides that the refund must be the same for the whole Community;

Whereas Article 3 of Regulation No 171/67/EEC provides that when the refund on olive oil is being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of olive oil on the Community market and prices for olive oil on the world market,
- the aims of the common organization of the market in olive oil which are to ensure equilibrium

and the natural development of prices and trade on this market,

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas, furthermore, Article 4 of Regulation No 171/67/EEC provides that the said refund must be fixed in accordance with the following criteria:

- the olive oil prices in the main producing areas of the Community,
- the most favourable quotations recorded on the various markets of importing third countries, and
- the marketing costs and the most favourable transport charges from Community markets in the main producing areas to ports or other points of export in the Community, as well as costs incurred in placing the goods on the world market;

Whereas Article 5 of Regulation No 171/67/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 7 of Regulation No 171/67/EEC provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 ⁽⁷⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁸⁾,

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽³⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁶⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

— 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 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 export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the export refunds on olive oil

CCT heading No	Description	(ECU/100 kg) Refund
15.07 A I (a)	Fixed vegetable oils, fluid or solid, crude, refined or purified : Olive oil : Untreated : Virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	62,00
II (a)	Other : Obtained by processing oils falling within subheading 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	76,00

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 1113/85

of 30 April 1985

fixing the export refunds 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 683/85⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 855/84⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 1474/84⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most

favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

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 and October 1985 for colza and rape seed, the amount of the refunds in the case of advance fixing for July, August, September and October 1985 for colza and rape seed and August and September 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 Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽⁹⁾, as last amended by Regulation (EEC) No 1815/84⁽¹⁰⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹¹⁾;

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁰⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽¹¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount; whereas Article 1 of Regulation (EEC) No 1813/84⁽¹⁾ defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate,

(b) for Italy, the United Kingdom and Greece, the difference between:

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas the said Article 2a fixed the coefficient for the beginning of the 1984/85 marketing year; whereas account should be taken thereof in respect of colza and rape seed with effect from 1 July 1984, and in respect of sunflower seed with effect from 1 August 1984;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one

or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas where, for one or more months, forward exchange rates are not available, the rate adopted for the previous month or the following month, as the case may be, is to be used;

Whereas, for the period 17 to 23 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 these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

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

In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

The amount of the refunds in the case of advance fixing for July, August, September and October 1985 for colza and rape seed and August and September 1985 for sunflower seed will, however, be confirmed or replaced as from 1 May 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 and October 1985 for colza and rape seed.

No refund is fixed for sunflower seed.

Article 2

This Regulation shall enter into force on 1 May 1985.

⁽¹⁾ OJ No L 170, 29. 6. 1984, p. 41.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans 'ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross refunds (ECU)	8,000	8,000	2,150 ⁽¹⁾	2,150 ⁽¹⁾	2,670 ⁽¹⁾	3,190 ⁽¹⁾
2. Final refunds						
Seeds harvested and exported from :						
— Federal Republic of Germany (DM)	22,03	22,03	8,11 ⁽¹⁾	8,38 ⁽¹⁾	9,63 ⁽¹⁾	11,70 ⁽¹⁾
— Netherlands (Fl)	24,82	24,82	9,10 ⁽¹⁾	9,39 ⁽¹⁾	10,79 ⁽¹⁾	13,03 ⁽¹⁾
— BLEU (Bfrs/Lfrs)	371,29	371,29	99,79 ⁽¹⁾	98,09 ⁽¹⁾	122,22 ⁽¹⁾	133,63 ⁽¹⁾
— France (FF)	44,65	44,65	3,81 ⁽¹⁾	2,60 ⁽¹⁾	6,17 ⁽¹⁾	9,76 ⁽¹⁾
— Denmark (Dkr)	67,32	67,32	18,09 ⁽¹⁾	18,09 ⁽¹⁾	22,47 ⁽¹⁾	25,94 ⁽¹⁾
— Ireland (£ Irl)	6,001	6,001	1,606 ⁽¹⁾	1,527 ⁽¹⁾	1,917 ⁽¹⁾	1,734 ⁽¹⁾
— United Kingdom (£)	5,241	5,241	1,622 ⁽¹⁾	1,622 ⁽¹⁾	1,944 ⁽¹⁾	1,972 ⁽¹⁾
— Italy (Lit)	9 109	9 104	399 ⁽¹⁾	83 ⁽¹⁾	828 ⁽¹⁾	574 ⁽¹⁾
— Greece (Dr)	278,66	278,66	0,00 ⁽¹⁾	0,00 ⁽¹⁾	0,00 ⁽¹⁾	0,00 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 1114/85

of 30 April 1985

fixing the rates of the refunds applicable from 1 May 1985 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 591/85 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1028/83 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 698/85 ⁽⁸⁾, Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁹⁾ and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹⁰⁾, as last amended by Regulation (EEC) No 2927/84, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 68, 8. 3. 1985, p. 5.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 116, 30. 4. 1983, p. 9.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 76, 19. 3. 1985, p. 5.

⁽⁹⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽¹⁰⁾ OJ No L 191, 14. 7. 1981, p. 6.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable from 1 May 1985 to the basic products appearing in Annex A to

Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the rates of the refunds applicable from 1 May 1985 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	(ECU/100 kg) Rate of refund
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CCT heading No 35.01 b) On exportation of other goods	— 78,60
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	101,16
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7,5 % and a content by weight in dry matter equal to 25 % (PG 4)	25,33
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of the following goods manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 442/84 and (EEC) No 1932/81: — goods falling within CCT heading No 19.08 or subheadings 18.06 B and 21.07 C, — preparations for making ice-cream and similar edible products called 'ice-mix' falling within CCT subheading 18.06 D and heading No 21.07; and preparations called 'chocolate milk crumb' falling within subheading 18.06 D II b) 2, — the following goods put up for retail sale: sugar confectionery falling within subheading 17.04 D II; sugar confectionery falling within subheading 18.06 C II b); chocolate goods, filled, falling within subheading 18.06 C II b), with the exception of their chocolate coating; other food preparations containing cocoa and falling within subheading 18.06 D II a) or b) — raw doughs and powdered preparations falling within CCT subheading 19.02 B II b) b) On exportation of goods of CCT subheadings 21.07 G VII to IX c) On exportation of other goods	— — — — — 138,23 ⁽¹⁾ 125,23

⁽¹⁾ Rate applicable only in the cases indicated in Article 7 of Regulation (EEC) No 1760/83.

COMMISSION REGULATION (EEC) No 1115/85

of 30 April 1985

fixing the rates of the refunds applicable from 1 May 1985 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

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 first sentence of the fourth subparagraph of Article 16 (2) 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 the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 1028/83⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate

of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas a production refund is granted in respect of common wheat, maize and broken rice under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 1026/84⁽⁸⁾; whereas, for the purposes of applying the provisions of Article 4 (3) of Regulation (EEC) No 3035/80, the amount of the production refund applicable during the month of exportation should be taken into account;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 18. 4. 1984, p. 13.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 116, 30. 4. 1983, p. 9.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

The rates of the refunds applicable from 1 May 1985 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of

Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission
COCKFIELD
Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the rates of the refunds applicable from 1 May 1985 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	Rate of refund (ECU/100 kg)
10.01 B I	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch	2,421 5,200
10.01 B II	Durum wheat	10,530
10.02	Rye	6,184
10.03	Barley	6,861
10.04	Oats	6,086
10.05 B	Maize, other than hybrid maize for sowing: — For the manufacture of starch — Other than for the manufacture of starch	5,895 7,836
10.06 B I b) 1	Round grain husked rice	32,019
10.06 B I b) 2	Long grain husked rice	31,161
10.06 B II b) 1	Round grain wholly milled rice	41,315
10.06 B II b) 2	Long grain wholly milled rice	45,161
10.06 B III	Broken rice: — For the manufacture of starch — Other than for the manufacture of starch	4,521 6,912
10.07 C	Sorghum	9,051
11.01 A	Wheat or meslin flour	5,997
11.01 B	Rye flour	12,982
11.02 A I a)	Durum wheat groats and meal	16,322
11.02 A I b)	Common wheat groats and meal	5,997

COMMISSION REGULATION (EEC) No 1116/85

of 30 April 1985

fixing the rates of the refunds applicable from 1 May 1985 to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 amended by Regulation (EEC) No 606/82⁽²⁾, and in particular Article 19 (1) and (2) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that for the products listed in Article 1 (1) (a), (c), (d), (g) and (h) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I of that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 1028/83⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas a production refund is granted in respect of white sugar or raw sugar under the conditions laid down in Council Regulation (EEC) No 1400/78 of 20 June laying down general rules for the production refund on sugar used in the chemical industry⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 1 May 1985 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown:

- (a) in Table A of the Annex hereto for those same goods in so far as they have not benefited from the granting of a production refund provided for by Regulation (EEC) No 1400/78;
- (b) in Table B of the Annex hereto for goods other than those mentioned under (a).

Article 2

This Regulation shall enter into force on 1 May 1985.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 116, 30. 4. 1983, p. 9.

⁽⁵⁾ OJ No L 170, 27. 6. 1978, p. 9.

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

Done at Brussels, 30 April 1985.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 April 1985 fixing the rates of the refunds applicable from 1 May 1985 to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Table A

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	41,93
	Raw sugar:	38,57
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$41,93 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose or flavoured or coloured isoglucose syrups:	41,93 ⁽²⁾

Table B

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	38,05
	Raw sugar:	35,00
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$38,05 \times \frac{S^{(1)}}{100}$
	Molasses:	—

⁽¹⁾ 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

⁽²⁾ Amount of refund for 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1117/85

of 30 April 1985

fixing the amount of the aid for peas, field beans and sweet lupins used in the feeding of animals

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1431/82 of 18 May 1982 laying down special measures
for peas and field beans ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1032/84 ⁽²⁾, and in particular Article 3
(6) thereof,

Whereas the amount of the aid referred to in Article 3
of Regulation (EEC) No 1431/82 was fixed by Regula-
tion (EEC) No 262/85 ⁽³⁾, as last amended by Regula-
tion (EEC) No 837/85 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 262/85
and in Article 105 of the Act of Accession of Greece
to the information at present available to the Commis-

sion that the amount of the subsidy at present in force
should be altered as shown in Article 1 of this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The amount of the aid referred to in Article 3 (1) of
Regulation (EEC) No 1431/82 is fixed at :

- 14,199 ECU per 100 kilograms for peas and field
beans processed in Member States other than
Greece,
- 14,110 ECU per 100 kilograms for peas and field
beans processed in Greece,
- 16,880 ECU per 100 kilograms for sweet lupins.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 39.

⁽³⁾ OJ No L 28, 1. 2. 1985, p. 28.

⁽⁴⁾ OJ No L 91, 30. 3. 1985, p. 34.

COMMISSION REGULATION (EEC) No 1118/85
of 30 April 1985
fixing the rate of the additional aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1220/83⁽²⁾, and in particular Article 5 (3) thereof,

Whereas the amount of the additional aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 was fixed by Regulation (EEC) No 2232/84⁽³⁾, as last amended by Regulation (EEC) No 838/85⁽⁴⁾;

Whereas, because of the delay in the fixing of the prices for the 1985/86 marketing year, this percentage and the guide price were fixed in Council Regulation (EEC) No 1072/85⁽⁵⁾ on the basis of the amounts applicable during the previous marketing year; whereas, therefore, the amount of the aid should be applied only provisionally and will have to be confirmed or replaced as soon as the prices for the 1985/86 marketing year are known;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2232/84

and Article 104 of the Act of Accession of Greece to the information at present available to the Commission that the amount of the additional aid at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the additional aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.
2. The amount of the subsidy for May to December 1985 will, however, for dried fodder, be confirmed or replaced as from 1 May 1985 to take into account the guide price which is fixed for these products for the 1985/86 marketing year.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 132, 21. 5. 1983, p. 29.

⁽³⁾ OJ No L 205, 1. 8. 1984, p. 27.

⁽⁴⁾ OJ No L 91, 30. 3. 1985, p. 35.

⁽⁵⁾ OJ No L 114, 27. 4. 1985, p. 5.

ANNEX

to the Commission Regulation of 30 April 1985 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 May 1985 to dried fodder

	(ECU/tonne)	
	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.06 B	Fodder otherwise dried ex 12.10 B
Additional aid	66,317 ⁽¹⁾	33,159 ⁽¹⁾

Additional aid in case of advance fixing for the month of :

	(ECU/tonne)	
June 1985 ⁽¹⁾	76,701	38,351
July 1985 ⁽¹⁾	79,059	39,530
August 1985 ⁽¹⁾ ⁽²⁾	79,059	39,530
September 1985 ⁽¹⁾ ⁽²⁾	76,594	38,297
October 1985 ⁽¹⁾ ⁽²⁾	76,986	38,493
November 1985 ⁽¹⁾ ⁽²⁾	75,152	37,576
December 1985 ⁽¹⁾ ⁽²⁾	75,152	37,576
January 1986 ⁽³⁾	0	0
February 1986 ⁽³⁾	0	0
March 1986 ⁽³⁾	0	0

⁽¹⁾ Based on the Commission proposal concerning the guide price for dried fodder and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1985/86 marketing year and subject to a Council Decision.

⁽²⁾ Subject to the fixing of the threshold price for barley for the 1985/86 marketing year.

⁽³⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1119/85

of 30 April 1985

fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece, and
in particular paragraphs 3 and 10 of Protocol 4 thereto,

Having regard to Council Regulation (EEC) No
2169/81 of 27 July 1981 laying down the general rules
for the system of aid for cotton ⁽¹⁾, as last amended by
Regulation (EEC) No 1462/84 ⁽²⁾, and in particular
Article 5 (1) thereof,

Whereas the amount of the additional aid referred to
in Article 5 (1) of Regulation (EEC) No 2169/81 was
fixed by Regulation (EEC) No 2515/84 ⁽³⁾, as last
amended by Regulation (EEC) No 999/85 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2515/84

to the information at present available to the Commis-
sion that the amount of the aid at present in force
should be altered as shown in Article 1 to this Regula-
tion,

HAS ADOPTED THIS REGULATION :

Article 1

The aid for unginned cotton referred to in Article 5 of
Regulation (EEC) No 2169/81 shall be 38,782 ECU
per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 142, 29. 5. 1984, p. 1.

⁽³⁾ OJ No L 234, 1. 9. 1984, p. 33.

⁽⁴⁾ OJ No L 107, 19. 4. 1985, p. 16.

COMMISSION REGULATION (EEC) No 1120/85

of 30 April 1985

fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1614/79 of 24 July 1979 laying down special measures
in respect of soya beans ⁽¹⁾, as last amended by Regula-
tion (EEC) No 1037/84 ⁽²⁾, and in particular Article
2 (5) thereof,

Whereas the amount of the aid referred to in Article
2 (1) of Regulation (EEC) No 1614/79 was fixed by
Regulation (EEC) No 2892/84 ⁽³⁾, as last amended by
Regulation (EEC) No 972/85 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2892/84

to the information at present available to the Commis-
sion that the amount of the aid at present in force
should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC)
No 1614/79 is hereby fixed at 25,551 ECU per 100
kilograms.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 46.

⁽³⁾ OJ No L 273, 16. 10. 1984, p. 16.

⁽⁴⁾ OJ No L 104, 16. 4. 1985, p. 7.

COMMISSION REGULATION (EEC) No 1121/85

of 30 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 683/85 ⁽²⁾,
and in particular Article 27 (4) thereof,

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 Regula-
tion (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 Article 27 of Regulation No 136/66/EEC
provides that a subsidy should be granted in respect of
oil seeds harvested and processed within the Commu-
nity when the target price for a species of seed is
higher than the price on the world market; whereas
these provisions at present apply only in respect of
colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically,
be equal to the difference between those two prices;

Whereas the target price and the monthly increases in
the target price for oil seeds for the 1984/85 marketing
year were fixed by Regulations (EEC) No 1102/84 ⁽⁷⁾
and (EEC) No 1103/84 ⁽⁸⁾; whereas Article 29 of Regu-
lation No 136/66/EEC provides that the world market
price, calculated for a Community frontier crossing
point, is to be determined on the basis of the most
favourable purchasing opportunities, quotations being

adjusted where necessary to take account of quotations
for competing products;

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 and October 1985 for colza
and rape seed, the amount of the subsidy in the case of
advance fixing for July, August, September and
October 1985 for colza and rape seed and August and
September 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 Article 4 of Council Regulation No 115/
67/EEC of 6 June 1967 laying down criteria for deter-
mining world market prices for oil seeds and fixing
the frontier crossing point ⁽⁹⁾, as last amended by
Regulation (EEC) No 1983/82 ⁽¹⁰⁾, fixed the said cross-
ing point at Rotterdam; whereas Article 1 of that
Regulation provides that when the world market price
is being determined account should be taken of all
offers on the world market known to the Commission
and of quotations on those exchanges which are signi-
ficant for international trade; whereas Article 2 of
Commission Regulation No 225/67/EEC of 28 June
1967 on detailed rules for determining the world
market price for oil seeds ⁽¹¹⁾, as last amended by
Regulation (EEC) No 2940/84 ⁽¹²⁾, provides that offers
and quotations which do not relate to shipments to be
effected within 30 days following the date on which
the world market price is determined should be disre-
garded; whereas offers and quotations which the
Commission believes, in view of general price move-
ments or information available to it, not to be repre-
sentative of the real trend of the market must also be
disregarded; whereas offers and quotations relating to
quantities of less than 500 tonnes and offers relating to
seed of a quality other than that normally acceptable
on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC
provides that of the offers and quotations taken into

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽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 113, 28. 4. 1984, p. 8.

⁽⁸⁾ OJ No L 113, 28. 4. 1984, p. 10.

⁽⁹⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹⁰⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹¹⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

⁽¹²⁾ OJ No L 277, 20. 10. 1984, p. 7.

consideration, those for delivery c and f should be increased by 0,2 % ; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point ; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam ; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest ; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0,242 ECU ;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk ;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation ; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation ; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied ; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds ;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake ; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC ; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation ;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used

as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC ; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration ;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community ;

Whereas the factors to be taken into consideration for the purpose of determining that margin are defined in Article 8 of Regulation No 225/67/EEC ; whereas no adjustment should be made where the margin is found to be less than 0,604 ECU ;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds ⁽¹⁾ laid down rules for granting the subsidy on oil seeds ; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount ; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds ⁽²⁾, as last amended by Regulation (EEC) No 1062/85 ⁽³⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83 ;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽³⁾ OJ No L 113, 26. 4. 1985, p. 12.

the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Regulation (EEC) No 1813/84⁽¹⁾ defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate,
- (b) for Italy, the United Kingdom and Greece, the difference between:
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the

marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas the said Article 2a fixed the coefficient for the beginning of the 1984/85 marketing year; whereas account should be taken thereof in respect of colza and rape seed with effect from 1 July 1984 and for sunflower seed with effect from 1 August 1984;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas where, for one or more months, forward exchange rates are not available, the rate adopted for the previous month or the following month, as the case may be, is to be used;

Whereas, for the period 17 to 23 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 the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ECU and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ECU in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

⁽¹⁾ OJ No L 170, 29. 6. 1984, p. 41.

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 Annex hereto.

2. The amount of the subsidy in the case of advance fixing for July, August, September and October 1985

for sunflower seed will, however, be confirmed or replaced as from 1 May 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 and October 1985 for colza and rape seed.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 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)	9,459	9,459	3,090 (1)	5,090 (1)	5,610 (1)	6,390 (1)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	25,41	25,41	10,29 (1)	15,18 (1)	16,42 (1)	19,03 (1)
— Netherlands (Fl)	28,63	28,63	11,56 (1)	17,05 (1)	18,45 (1)	21,30 (1)
— BLEU (Bfrs/Lfrs)	439,01	439,01	143,41 (1)	234,65 (1)	258,79 (1)	283,21 (1)
— France (FF)	55,02	55,02	10,51 (1)	23,62 (1)	27,19 (1)	32,63 (1)
— Denmark (Dkr)	79,60	79,60	26,00 (1)	42,83 (1)	47,21 (1)	52,94 (1)
— Ireland (£ Irl)	7,095	7,095	2,311 (1)	3,739 (1)	4,129 (1)	4,183 (1)
— United Kingdom (£)	6,134	6,134	2,197 (1)	3,421 (1)	3,743 (1)	3,952 (1)
— Italy (Lit)	11 277	11 273	1 803 (1)	4 496 (1)	5 241 (1)	5 451 (1)
— Greece (Dr)	425,71	425,71	0,00 (1)	45,39 (1)	92,46 (1)	165,74 (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)	16,590	16,590	16,590	14,898 (1)	14,898 (1)
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	42,65	42,65	42,69	38,72 (1)	38,72 (1)
— Netherlands (Fl)	48,05	48,05	48,05	43,57 (1)	43,57 (1)
— BLEU (Bfrs/Lfrs)	769,97	769,97	769,97	689,78 (1)	689,78 (1)
— France (FF)	103,20	103,20	102,52	90,43 (1)	90,43 (1)
— Denmark (Dkr)	139,60	139,60	139,60	125,37 (1)	125,37 (1)
— Ireland (£ Irl)	12,444	12,444	12,437	11,092 (1)	11,092 (1)
— United Kingdom (£)	10,568	10,568	10,568	9,502 (1)	9,502 (1)
— Italy (Lit)	21 307	21 302	20 960	18 405 (1)	18 405 (1)
— Greece (Dr)	1 036,80	1 036,80	1 036,80	913,05 (1)	913,05 (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 1122/85
of 29 April 1985

fixing the export refunds 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 organ-
ization 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 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 the fourth
subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
and Article 17 of Regulation (EEC) No 1418/76
provide 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 ⁽⁵⁾, and Article 2 of
Council Regulation (EEC) No 1431/76 of 21 June
1976 ⁽⁶⁾ laying down general rules for granting export
refunds on cereals and rice respectively and criteria for
fixing the amount of such refunds, provide 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, rice and broken rice
on the Community market on the one hand and
prices for cereals, rice, broken rice and cereal products
on the world market on the other; whereas the same
Articles provide that it is also important to ensure
equilibrium and the natural development of prices and
trade on the markets in cereals and rice and, further-
more, to take into account the economic aspect of the
proposed exports, and the need to avoid disturbances
on the Community market;

Whereas Article 6 of Council Regulation (EEC) No
2744/75 of 29 October 1975 on the import and export
system for products processed from cereals and from
rice ⁽⁷⁾, as last amended by Regulation (EEC) No
1027/84 ⁽⁸⁾, defines the specific criteria to be taken
into account when the refund on these products is
being calculated;

Whereas, on the basis of the criteria laid down in
Regulation (EEC) No 2744/75, particular account
should be taken of the prices and quantities of basic
products used to calculate the variable component of
the levy; whereas Article 8 of Regulation (EEC) No
2744/75 and Article 1 of Regulation (EEC) No
1077/68 ⁽⁹⁾, as amended by Regulation (EEC) No
2764/71 ⁽¹⁰⁾, provide that the amount of the export
refund should, for certain products, be reduced by an
amount equal to the production refund granted in
respect of the basic products;

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 when the refund is being calculated account
should be taken of the quantities of raw materials used
to determine the variable component of the levy;
whereas the quantities of raw materials used for certain
processed products may vary according to the end use
of the product; whereas, depending on the manufac-
turing process used, products other than the main
product are obtained, the quantity and value of which
may vary with the nature and quality of the main
products being manufactured; whereas cumulation of
the refunds on the various products manufactured by a
single process from the same basic product may make
it possible, in certain cases, to export to third countries
at prices which are lower than world market prices;
whereas the refund on certain products should there-
fore be limited to an amount which, while allowing
access to the world market, will ensure that the aims of
the common organization of the markets are
respected;

⁽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 L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product ;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products ; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time ;

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 Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice ;

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 ⁽²⁾, as last amended by Regulation (EEC) No 855/84 ⁽³⁾,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 29 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 29 April 1985 fixing the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	86,42
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	109,55
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	109,70
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II)	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	89,30
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	109,55
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ⁽¹⁾ ⁽⁷⁾	141,05
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽¹⁾ ⁽⁷⁾	109,70
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1,3 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽¹⁾ ⁽⁷⁾	94,03
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ⁽²⁾	86,42
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (ECU/tonne)
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of tegument content not exceeding 0,5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	97,38
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	86,42
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	103,46
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 B II c) (1)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('Gruetze' or 'Grutten') ^{(2) (7)}	117,54
11.02 B II c) (2)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ('Gruetze' or 'Grutten') ^{(2) (7)}	90,11
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	115,22
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	92,18
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	28,50
11.02 D II	Rye not otherwise worked than kibbled	52,00
11.02 E I b) 1 (aa)	Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	86,42
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	121,72
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	97,38
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	125,38

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	101,87
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	10,90
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	19,59
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	77,64
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	102,55
11.08 A I	Maize starch ⁽⁵⁾	94,91
11.08 A II	Rice starch ⁽⁵⁾	68,72
11.08 A III	Wheat starch ⁽⁵⁾	34,83
11.08 A IV	Potato starch ⁽⁶⁾	94,91
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁵⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6,25$)	42,44
17.02 B II a)	Glucose and malto-dextrine, other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	123,80
17.02 B II b)	Malto-dextrine and malto-dextrine syrup ; glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾ .	94,91
17.02 F II a)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, in the form of powder, whether or not agglomerated	129,69
17.02 F II b)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, other than in the form of powder	90,19
21.07 F II	Flavoured or coloured glucose syrup, and malto-dextrine syrup	94,91
23.02 A I a)	Brans sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	14,37
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	14,37
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1,5 % by weight	14,37
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	14,37
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6,25$)	47,16

-
- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (⁵) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (⁶) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
- (⁷) The procedure to be followed for the determination of the fatty matter content is as follows :
- the sample has to be crushed so that 90 % or more can pass through a sieve with an aperture of 500 microns and 100 % can pass through a sieve with an aperture of 1 000 microns,
 - the analytical method to be used afterwards is that which is printed in Annex 1 (Method A) to Commission Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
-

COMMISSION REGULATION (EEC) No 1123/85

of 29 April 1985

fixing the export refunds on cereal-based compound feedingstuffs.

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as amended by Regulation (EEC) No 2560/77⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound

feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 537/83⁽⁷⁾, provides that calculation of the export refund must be based on the average of the refunds granted on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the month of exportation and on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 3634/83⁽⁹⁾, should be used;

(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. 60.

(⁵) OJ No L 303, 28. 11. 1977, p. 1.

(⁶) OJ No L 246, 30. 9. 1969, p. 11.

(⁷) OJ No L 63, 9. 3. 1983, p. 10.

(⁸) OJ No L 134, 28. 5. 1977, p. 53.

(⁹) OJ No L 360, 23. 12. 1983, p. 21.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 29 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 29 April 1985 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I):	
		Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:	
	0510	— Exceeding 5 % but not exceeding 10 %	2,62 ⁽²⁾ 4,31 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	1010	— Exceeding 10 % but not exceeding 20 %	5,24 ⁽²⁾ 8,62 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	2010	— Exceeding 20 % but not exceeding 30 %	10,48 ⁽²⁾ 17,24 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	3010	— Exceeding 30 % but not exceeding 40 %	15,71 ⁽²⁾ 25,86 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	4010	— Exceeding 40 % but not exceeding 50 %	20,95 ⁽²⁾ 34,48 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	5010	— Exceeding 50 % but not exceeding 60 %	26,19 ⁽²⁾ 43,10 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	6010	— Exceeding 60 % but not exceeding 70 %	31,43 ⁽²⁾ 51,72 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾
	7010	— Exceeding 70 %	34,29 ⁽²⁾ 56,42 ⁽²⁾ ⁽³⁾ — ⁽⁴⁾

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

⁽²⁾ For exports to Zones A, B, C, D and E specified in Annex II to Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 501/85.

⁽³⁾ Minimum content of maize and/or sorghum exceeding: 0510: 5 %; 1010: 10 %; 2010: 20 %; 3010: 30 %; 4010: 40 %; 5010: 50 %; 6010: 60 %; 7010: 60 %.

In so far as this minimum is observed, these refunds shall, at the request of the party concerned, also apply where the cereal products' content exceeds the maximum specified on the same line.

⁽⁴⁾ For export to other third countries.

COMMISSION REGULATION (EEC) No 1124/85

of 30 April 1985

altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas the corrective amount applicable to the
refund on cereals was fixed by Regulation (EEC) No
818/85 ⁽⁴⁾ as amended by Regulation (EEC) No
945/85 ⁽⁵⁾;

Whereas, the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the
market into account, the corrective amount at present
applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
amended Regulation (EEC) No 818/85, which is
applicable to the export refunds fixed in advance in
respect of cereals, is hereby altered to the amounts set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 89, 29. 3. 1985, p. 57.

⁽⁵⁾ OJ No L 101, 11. 4. 1985, p. 28.

ANNEX

to the Commission Regulation of 30 April 1985 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)								
CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
10.01 B I	Common wheat and meslin : For exports to :							
	— China	0	+ 6,00	— 44,00	— 4,00	— 12,50	— 15,00	— 17,50
	— other third countries	0	0	— 50,00	— 10,00	— 12,50	— 15,00	— 17,50
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	— 50,00	— 30,00	— 32,50	— 35,00	— 37,50
10.04	Oats	0	0	0	0	0	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0	0	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	— 50,00	— 50,00	— 50,00	—	—
11.01 B	Rye flour	0	0	— 50,00	— 50,00	— 50,00	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.02 A I b)	Common wheat groats and meal	0	0	— 50,00	— 50,00	— 50,00	—	—

(ECU/tonne)					
CCT heading No	Description	7th period 12	8th period 1	9th period 2	10th period 3
10.01 B I	Common wheat, and meslin	— 20,00	— 22,50	— 25,00	—
10.03	Barley	— 40,00	— 42,50	— 45,00	—

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 1125/85

of 30 April 1985

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 683/85 ⁽²⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods ⁽³⁾, as amended by Regulation (EEC) No 3176/84 ⁽⁴⁾, and in particular Articles 3 and 7 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the

said system for oils falling within subheading 15.07 A II a) of the Common Customs Tariff; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For May and June 1985, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 100,00 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Greece,
- 95,39 ECU per 100 kilograms for olive oil produced in the Community and utilized in Greece,
- 65,00 ECU per 100 kilograms for olive oil other than that referred to in the preceding indents.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 298, 16. 11. 1984, p. 4.

COMMISSION DECISION No 1126/85/ECSC

of 30 April 1985

fixing the amended rates of abatement for the second quarter of 1985 in accordance with Decision No 234/84/ECSC on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Article 1

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 234/84/ECSC of 31 January 1984 on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry⁽¹⁾,

Whereas rates of abatement in respect of certain products were fixed for the second quarter of 1985 by Commission Decision No 452/85/ECSC⁽²⁾;

Whereas Article 9 (1) of Decision No 234/84/ECSC provides that such rates of abatement may be modified, not later than the first week of the second month of the quarter in question, in the light of the development of the market situation;

Whereas the market situation requires that the rates of abatement for the second quarter of 1985 be so modified on the studies carried out with undertakings and associations of undertakings,

1. The rates of abatement for the establishment of production quotas for the second quarter of 1985 established in Decision No 452/85/ECSC for the following categories of products shall be modified as follows:

category Ia:	40
category Ib:	34

2. The rates of abatement for the establishment of the part of the production quotas which may be delivered in the common market established in Decision No 452/85/ECSC for the following categories of product shall be modified as follows:

category Ic:	16
category III:	53

3. These rates of abatement replace the corresponding rates fixed in Decision No 452/85/ECSC.

Article 2

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

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

Done at Brussels, 30 April 1985.

For the Commission

Karl-Heinz NARJES

Vice-President

⁽¹⁾ OJ No L 29, 1. 2. 1984, p. 1.

⁽²⁾ OJ No L 52, 22. 2. 1985, p. 39.

COMMISSION REGULATION (EEC) No 1127/85

of 30 April 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 8 to 14 April 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 8 to 14 April 1985 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1063/84, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1355/84 which left the territory of the United Kingdom during the week 8 to 14 April 1985 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 8 April 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 105, 18. 4. 1984, p. 1.

⁽²⁾ OJ No L 131, 17. 5. 1984, p. 19.

⁽³⁾ OJ No L 187, 14. 7. 1984, p. 46.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 8 to 14 April 1985

(ECU/100 kg net weight)

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

COMMISSION REGULATION (EEC) No 1128/85**of 30 April 1985****fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 871/84⁽²⁾,

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

Whereas the United Kingdom is the only country
which grants the variable slaughter premium, in region
5, within the meaning of Article 3 (5) of Regulation
(EEC) No 1837/80; whereas it is necessary therefore
for the Commission to fix, for the week beginning 8
April 1985, the level of the premium and the amount
to be charged on products leaving that region;

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

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

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

(EEC) No 1633/84 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
region 5 of the aforesaid Member State during the
week beginning 8 April 1985, shall be set out in the
Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

For products referred to in Article 1 (a) and (c) of
Regulation (EEC) No 1837/80 which left the territory
of region 5 during the week beginning 8 April 1985,
the amounts to be charged shall be equivalent to those
fixed in Annex II hereto.

Article 3

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

It shall apply with effect from 8 April 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 35.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 8 April 1985

Description	Premium
Certified sheep or sheepmeat	8,235 ECU per 100 kilograms of estimated or actual dressed carcase weight (1)

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

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
8 April 1985

(ECU/100 kg)

CCT heading No	Description	Charge
		Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	3,870
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	8,235
	2. Short forequarters	5,765
	3. Chines and/or best ends	9,059
	4. Legs	10,706
	5. Other :	
	aa) Unboned (bone-in)	10,706
	bb) Boned or boneless	14,988
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	6,176
	2. Short forequarters	4,323
	3. Chines and/or best ends	6,794
	4. Legs	8,029
	5. Other :	
	aa) Unboned (bone-in)	8,029
	bb) Boned or boneless	11,240
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	10,706
	2. Boned or boneless	14,988
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	— unboned (bone-in)	10,706
	— boned or boneless	14,988

COMMISSION REGULATION (EEC) No 1129/85

of 30 April 1985

altering the export refunds on white sugar and raw sugar exported in the natural state

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 last on the common organi-
zation of the markets in the sugar sector⁽¹⁾, as last
amended by Regulation (EEC) No 606/82⁽²⁾, and in
particular the second subparagraph of Article 19 (4)
thereof,

Whereas the refunds on white sugar and raw sugar
exported in the natural state were fixed by Regulation
(EEC) No 1039/85⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1039/85 to the
information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1
(1) (a) of Regulation (EEC) No 1785/81, undenatured
and exported in the natural state, as fixed in the
Annex to Regulation (EEC) No 1039/85, are hereby
altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 April 1985.

For the Commission

Frans ANDRIESSEN

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 112, 25. 4. 1985, p. 10.

ANNEX

to the Commission Regulation of 30 April 1985 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	41,93	
	(b) Other	42,59	
	(II) Flavoured or coloured sugar		0,4193
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	38,57 ⁽¹⁾	
	(b) Other raw sugar	39,18 ⁽¹⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

COMMISSION REGULATION (EEC) No 1130/85

of 30 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 1079/85⁽⁷⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁸⁾ amended Regulation (EEC) No 2744/75⁽⁹⁾ 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⁽¹⁰⁾ as last amended by Regulation (EEC) No 855/84⁽¹¹⁾,

— 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 29 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⁽¹²⁾ 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 Regulation (EEC) No 1079/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1985.

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

Done at Brussels, 30 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 114, 27. 4. 1985, p. 20.
⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.
⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽¹¹⁾ OJ No L 90, 1. 4. 1984, p. 1.
⁽¹²⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 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
11.01 F ⁽²⁾	85,89	82,87
11.02 A VI ⁽²⁾	85,89	82,87
11.02 E II d) 1 ⁽²⁾	146,76	140,72
11.02 F VI ⁽²⁾	85,89	82,87
11.08 A II	113,32	82,49

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

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

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

COUNCIL REGULATION (EEC) No 1131/85**of 30 April 1985****amending Regulation (EEC) No 682/81 adjusting the Community loan mechanism designed to support the balances of payments of Member States**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission⁽¹⁾, submitted following consultation with the Monetary Committee,

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

Whereas the Community loan mechanism set up by Regulations (EEC) No 397/75⁽³⁾ and (EEC) No 398/75⁽⁴⁾ and adjusted by Regulation (EEC) No 682/81⁽⁵⁾ has proved effective;

Whereas the Community ought to be in a position to provide, on equal terms of access, medium-term support to any Member State experiencing balance of payments problems and undertaking to adopt an economic and monetary programme designed to ensure the adjustment necessary for better convergence within the Community;

Whereas it is appropriate to introduce a rule governing access by each Member State to the Community loan mechanism;

Whereas balance of payments difficulties justifying recourse to the mechanism may be due to factors other than an increase in price of petroleum products; whereas it is appropriate to refrain in future from subjecting implementation of the mechanism to the pressure of a specific cause of external disequilibrium,

HAS ADOPTED THIS REGULATION:

Sole Article

Regulation (EEC) No 682/81 is hereby amended as follows:

1. At the end of Article 1, 'directly or indirectly related to an increase in prices of petroleum products' is deleted.
2. In the first sentence of Article 6, '6 000 million ECU' is replaced by '8 000 million ECU'.
3. The following is inserted after the first sentence of Article 6: 'Normally no Member State may borrow more than 50 % of the borrowing authorized under this ceiling.'

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

Done at Luxembourg, 30 April 1985.

For the Council

The President

G. ANDREOTTI

⁽¹⁾ OJ No C 167, 27. 6. 1984, p. 8.

⁽²⁾ OJ No C 94, 15. 4. 1985.

⁽³⁾ OJ No L 46, 20. 2. 1975, p. 1.

⁽⁴⁾ OJ No L 46, 20. 2. 1975, p. 3.

⁽⁵⁾ OJ No L 73, 19. 3. 1981, p. 1.

COUNCIL REGULATION (EEC) No 1132/85

of 30 April 1985

opening, allocating and providing for the administration of a Community tariff quota for fresh table grapes, falling within subheading ex 08.04 A I of the Common Customs Tariff and originating in Cyprus (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with the Republic of Cyprus beyond 31 December 1983 ⁽¹⁾, as amended by Regulation (EEC) No 3628/84 ⁽²⁾, provides for the opening of a Community tariff quota of 7 500 tonnes of fresh table grapes, falling within subheadings ex 08.04 A I a) and b) of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 40 % of the customs duty in the Common Customs Tariff, for the period 8 June to 31 July 1985; whereas the Community tariff quota in question should therefore be opened for this period;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, to take into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member

States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 86 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas the method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity of the initial share remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 8 June to 31 July 1985, the Common Customs Tariff duties for the products listed below, originating in Cyprus, shall be partially suspended at the levels shown below, within the limits of a Community tariff quota of 7 500 tonnes:

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 335, 22. 12. 1984, p. 6.

CCT heading No	Description	Rate of duty
08.04	Grapes fresh or dried : A. Fresh : I. Table grapes : a) From 1 November to 14 July : ex 2. Other : — From 8 June to 14 July ex b) From 15 July to 31 October : — From 15 July to 31 July	7,2 % 8,8 %

Within the limits of this tariff quota, Greece shall apply customs duties calculated in accordance with the relevant provisions of the 1979 Act of Accession and of the Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus consequent on the accession of the Hellenic Republic to the Community ⁽¹⁾.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 6 476 tonnes, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 July 1985, shall be as follows :

Benelux	150 tonnes
Denmark	10 tonnes
Germany	300 tonnes
Greece	2 tonnes
France	2 tonnes
Ireland	10 tonnes
Italy	2 tonnes
United Kingdom	6 000 tonnes

3. The second tranche, amounting to 1 024 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal

to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 July 1985.

Article 5

The Member States shall return to the reserve, not later than 15 July 1985, such unused portion of their initial share as, on 10 July 1985, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 July 1985, of the total quantity of the products in question imported up to 10 July 1985 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

⁽¹⁾ OJ No L 174, 30. 6. 1981, p. 2.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 July 1985, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request the Member States shall inform it of imports actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 8 June 1985.

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

Done at Luxembourg, 30 April 1985.

For the Council

The President

G. ANDREOTTI

COUNCIL REGULATION (EEC) No 1133/85

of 30 April 1985

opening, allocating and providing for the administration of a Community tariff quota for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus (1985)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983⁽¹⁾, as amended by Regulation (EEC) No 3628/84⁽²⁾, provides for the opening of a Community tariff quota of 60 000 tonnes of new potatoes, originating in Cyprus and falling within subheading 07.01 A II b) of the Common Customs Tariff, at a rate of customs duty equal to 45 % of the customs duty in the Common Customs Tariff, for the period 16 May to 30 June 1985; whereas it is necessary to open this Community tariff quota for the period in question;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Cyprus of the products concerned:

Member States	1981	1982	1983
Benelux	4,0	4,0	6,2
Denmark	—	—	—
Germany	3,5	4,4	1,9
Greece	—	—	—
France	—	—	—
Ireland	0,1	—	0,2
Italy	—	—	—
United Kingdom	92,4	91,6	91,7

Whereas, in view of these factors of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	5,0
Denmark	0,1
Germany	3,1
Greece	0,1
France	0,1
Ireland	0,6
Italy	0,1
United Kingdom	90,9

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 90 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 335, 22. 12. 1984, p. 6.

shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

Whereas if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the reserve to prevent a part of any tariff quota from remaining unused in one Member State when it could be used in others;

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

HAS ADOPTED THIS REGULATION:

Article 1

From 16 May to 30 June 1985, the Common Customs Tariff duty for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus shall be suspended at 9,4 % within the limits of a Community tariff quota of 60 000 tonnes.

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

The protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation⁽¹⁾, annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

2. A first instalment amounting to 55 000 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1985, shall be as follows:

	(tonnes)
Benelux	2 750
Denmark	50
Germany	1 750
Greece	50
France	50
Ireland	300
Italy	50
United Kingdom	50 000

3. The second instalment of 5 000 tonnes shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2) or 90 % of that share minus the portion returned to the reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1985.

⁽¹⁾ OJ No L 339, 28. 12. 1977, p. 19.

Article 5

The Member States shall return to the reserve, not later than 15 June 1985, such unused portion of their initial share as, on 10 June 1985, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 June 1985, of the total quantities of the products in question imported up to 10 June 1985 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each Member State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 June 1985, of the amount in the reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available and, to this end, notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to

Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the Commission's request, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

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

Article 10

This Regulation shall enter into force on 16 May 1985.

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

Done at Luxembourg, 30 April 1985.

For the Council

The President

G. ANDREOTTI

COMMISSION OF THE EUROPEAN COMMUNITIES

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