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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1598/85

of 11 June 1985

opening, allocating and providing for the administration of a Community tariff quota of 38 000 head of heifers and cows, other than those intended for slaughter, of certain mountain breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

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

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

Whereas the European Economic Community undertook, within the framework of GATT, to open an annual Community tariff quota of 20 000 head at a duty of 6 % for heifers and cows, other than those intended for slaughter, of certain mountain breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff; whereas eligibility for such quota is subject to conditions to be determined by the competent authorities of the Member State of destination; whereas, in an exchange of letters with Austria dated 21 July 1972, the Community has undertaken unilaterally to increase the size of the tariff quota from 20 000 to 30 000 head and to lower the quota duty from 6 to 4 %; whereas, subsequently, this quota was increased unilaterally to 38 000 head; whereas the abovementioned tariff quota for the period 1 July 1985 to 30 June 1986 should therefore be opened at a duty of 4 % in relation to a quantity of 38 000 head;

Whereas, under Articles 2 and 64 (2) (b) of the 1979 Act of Accession, Greece is obliged to apply the Regulations of the common agricultural policy from 1 January 1981, and to apply in its entirety from that date, the duty in the Common Customs Tariff to the animals in question; whereas it is therefore necessary

to meet import requirements from third countries which might arise in that Member State; whereas within the framework of this tariff quota the duty to be applied by Greece is also 4 %;

Whereas it is in particular necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties, to all imports of the animals in question until the quota is exhausted; whereas, having regard to the principles defined above, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas possibilities for the use of such mountain breeds are, however, limited by special factors, both geographical and zootechnical; whereas the Benelux countries and Denmark do not have regions suitable for breeding this kind of cattle; whereas, however, in view of such special factors, Community nature of the tariff quota in question should be preserved by making provision for requirements which may arise in these Member States; whereas, to this end, these Member States may proceed to draw adequate shares from the Community reserve which has been set up; whereas, in order to reflect as closely as possible the actual trend of the market in question, the initial allocation must be made in proportion to the requirements of each of the Member States concerned, calculated in accordance with statistical data concerning imports from third countries during a representative reference period and with economic prospects for the quota period in question;

Whereas, since the animals in question belong to certain specific breeds which are not specified as such in the statistical nomenclatures of the Member States, no data on imports provided by the Member States could be considered to be sufficiently accurate and representative to be used as a basis for the allocation in question; whereas the extent to which Community

⁽¹⁾ OJ No C 48, 20. 2. 1985, p. 7.

⁽²⁾ OJ No C 122, 20. 5. 1985, p. 135.

tariff quotas for those animals in the Community have been exhausted and the estimates made by certain Member States enable the requirements of each of them as regards imports from third countries for the quota period envisaged to be assessed as follows :

Germany	20 000 head
Greece	2 000 head
France	1 800 head
Italy	14 000 head

whereas in the absence of precise information, the needs of the Benelux countries, the United Kingdom and Ireland may be assessed at 100, 50 and 50 head respectively ;

Whereas, in order to take into account the possible trend of imports of the aforementioned animals into the said Member States, the quota amount of 38 000 head should be divided into two parts, the first being allocated among certain Member States, the second forming a reserve intended subsequently to cover the requirements of those Member States when their initial shares are exhausted and requirements which may arise within other Member States ; whereas, in order to ensure a certain degree of security for importers in the aforementioned Member States, the first part of the Community quota should be determined at a level which, under the present circumstances, may be approximately 79 % of the quota amount ;

Whereas, the initial shares of those Member States may be used up more or less rapidly ; whereas, in order to take this fact into account and avoid any break in continuity, it is important that that Member State having used up almost the whole of its initial share should draw an additional share from the reserve ; whereas this must be done by each of these Member States as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows ; whereas the initial and additional shares must be available until the end of the quota period ; whereas such method of administration calls for close cooperation between Member States and the Commission, which latter must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof ;

Whereas if, at a specified date within the quota period, a considerable balance of the initial share of one or other of the Member States is left over, it is essential that that State should return a considerable part of such balance to the reserve in order that part of the Community tariff quota should not remain unused in one Member State while 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 measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. During the period 1 July 1985 to 30 June 1986, a Community tariff quota of 38 000 head shall be opened within the European Economic Community in respect of imports from third countries of cows and heifers, other than those intended for slaughter, of the following mountain breeds ; grey, brown, yellow and mottled Simmental breed and mottled Pinzgau breed, falling within subheading ex 01.02 A II of the Common Customs Tariff.

2. For the purposes of this Regulation, the above-mentioned cows and heifers shall be considered not intended for slaughter if they are not slaughtered within four months following the date of their importation.

Derogations may, however, be granted in the event of an act of God duly attested by a local authority certificate setting out the reasons for the slaughter.

3. The said quota shall be administered in accordance with the following Articles.

Article 2

Within the framework of the quota referred to in Article 1 (1), the Common Customs Tariff duty for the animals referred to in the said paragraph shall be suspended at 4 %.

Article 3

1. A first part of 30 000 head shall be allocated among the Member States listed below. The shares shall apply from 1 July 1985 to 30 June 1986 subject to Article 7, and shall be as follows :

Benelux	100 head
Germany	16 000 head
Greece	2 100 head
France	1 700 head
Ireland	50 head
Italy	10 000 head
United Kingdom	50 head

2. The second part of 8 000 head shall be held as a Community reserve.

Article 4

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

Article 5

1. If 90 % or more of the initial quota share of one of the Member States referred to in Article 3, or of that share less the amount returned to the reserve, where Article 7 has been applied, has been used up, that Member State shall immediately, by notifying the Commission, draw a second share in so far as the reserve permits, equal to 10 % of its initial share, rounded off upwards, if necessary, to the next unit.

2. If, after the initial share has been exhausted, 90 % or more of the second share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, immediately draw a third share equal to 5 % of its initial share, rounded off upwards, if necessary, to the next unit.

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

The same method shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, each of these Member States may draw shares lower than those fixed in these paragraphs if there are reasons to consider that such shares might not be exhausted. They shall inform the Commission of the grounds which led them to apply this paragraph.

Article 6

The additional shares drawn in pursuance of Article 5 shall apply until 30 June 1986.

Article 7

Member States shall return to the reserve, not later than 1 March 1986, the unused portion of their initial share in excess, on 15 February 1986, of 5 % of the initial amount. They may return a larger quantity if there are reasons to consider that such quantity may not be used.

However, amounts for which import certificates have been issued but not used shall not be returned to the reserve.

The Member States shall, not later than 1 March 1986, notify the Commission of the total imports of the animals in question effected, up to 15 February 1986 inclusive, and charged against the tariff quota, the amounts referred to in the second subparagraph and, where appropriate the proportion of their initial share that they return to the reserve.

Article 8

The Commission shall keep accounts of the amounts of the shares opened by Member States in accordance with Articles 3, 4 and 5 and shall inform each of them of the extent to which the reserve has been exhausted as soon as it receives the notifications.

The Commission shall, not later than 5 March 1986, notify Member States of the amount in the reserve after the return of shares pursuant to Article 7.

The Commission shall ensure that any drawing which exhausts the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the last drawing.

Article 9

Member States shall take all measures necessary to ensure that when additional shares are drawn pursuant to Articles 4 or 5 it is possible for imports to be counted without interruption against their accumulated shares of the Community quota.

Article 10

1. Member States shall take all measures necessary to ensure that access to the tariff quota in question is restricted to cattle as specified in Article 1 (1) and (2).

2. They shall ensure free access to the shares allocated to them for importers.

3. The extent to which the shares of the Member States have been used up shall be recorded on the basis of imports submitted for customs clearance under cover of declarations that they have been made available for free circulation.

4. Where import documents are used for the administration of the quota, they shall be sent to the issuing body as soon as possible and at all events on their expiry.

Article 11

On request by the Commission, Member States shall inform it of imports actually charged against their shares.

Article 12

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

Article 13

This Regulation shall enter into force on 1 July 1985.

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

Done at Luxembourg, 11 June 1985.

For the Council

The President

F. M. PANDOLFI

COUNCIL REGULATION (EEC) No 1599/85

of 11 June 1985

opening, allocating and providing for the administration of a Community tariff quota of 5 000 head of bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 113 thereof,

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

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

Whereas the European Economic Community undertook, within the framework of GATT, to open an annual Community tariff quota of 5 000 head at a duty of 4 % for bulls, cows and heifers, other than those intended for slaughter, of certain Alpine breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff; whereas eligibility for such quota is subject to submission of the following documents:

- bulls: a pedigree certificate,
- female animals: a pedigree certificate of registration in the herdbook, certifying purity of breed;

Whereas the abovementioned tariff quota for the period 1 July 1985 to 30 June 1986 should, therefore, be opened at a duty of 4 %; whereas a check should be carried out to ascertain that the imported animals have not been slaughtered within a certain period in accordance with Article 1 (3);

Whereas, under Articles 2 and 64 (2) (b) of the 1979 Act of Accession, Greece is obliged to apply the Regulations of the common agricultural policy since 1 January 1981, and to apply in its entirety, from that date, the duty in the Common Customs Tariff to the animals in question; whereas it is therefore necessary to meet import requirements from third countries which might arise in that Member State; whereas within the framework of this tariff quota the duty to be applied by Greece is also 4 %;

Whereas, it is in particular necessary to ensure equal and continuous access for all Community importers to the abovementioned quota, and the uninterrupted application of the quota duties to all imports of the animals in question until the quota is exhausted; whereas, having regard to the principles defined above,

the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas possibilities for the use of such mountain breeds are, however, limited by special factors, both geographical and zootechnical; whereas the Benelux countries and Denmark do not have regions suitable for breeding this kind of cattle; whereas, however, in view of such special factors, the Community nature of the tariff quota in question should be preserved by making provision for requirements which may arise in these Member States; whereas, to this end, these Member States may proceed to draw adequate shares from the Community reserve which has been set up; whereas, in order to reflect as closely as possible the actual trend of the market in question, the initial allocation must be made in proportion to the requirements of each of the Member States concerned, calculated in accordance with statistical data concerning imports from third countries during a representative reference period and with economic prospects for the quota period in question;

Whereas, since the animals in question belong to certain specific breeds which are not specified as such in the statistical nomenclatures of the Member States, no data on imports provided by the Member States could be considered to be sufficiently accurate and representative to be used as a basis for the allocation in question; whereas the extent to which Community tariff quotas for those animals in the Community have been exhausted and the estimates made by certain Member States enable the requirements of each of them as regards imports from third countries for the quota period envisaged to be assessed as follows:

Germany	1 000 head
France	120 head
Italy	4 630 head

whereas the needs of the United Kingdom and of Ireland may, in the absence of precise information, be assessed at 75 and 25 head respectively;

Whereas, in order to take into account the possible trend of imports of the aforementioned animals into the said Member States, the quota amount of 5 000 head should be divided into two parts, the first part being allocated among certain Member States, the second forming a reserve intended subsequently to cover the requirements of those Member States when their initial shares are exhausted and requirements which may arise within other Member States; whereas,

⁽¹⁾ OJ No C 48, 20. 2. 1985, p. 10.

⁽²⁾ OJ No C 122, 20. 5. 1985, p. 135.

in order to ensure a certain degree of security for importers in the aforementioned Member States, the first part of the Community quota should be determined at a comparatively high level which under the present circumstances may be about 84 % of the quota amount;

Whereas, the initial shares of those Member States may be used up more or less rapidly; whereas, in order to take this fact into account and avoid any break in continuity, it is important that that Member State having used up almost the whole of its initial share should draw an additional share from the reserve; whereas this must be done by each of these Member States as and when each of its additional shares is almost entirely used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be available until the end of the quota period; whereas such method of administration calls for close cooperation between Member States and the Commission, which latter must, in particular, be able to observe the extent to which the quota amounts are used and inform Member States thereof;

Whereas if, at a specified date within the quota period, a considerable balance of the initial share of one or other of the Member States is left over, it is essential that that State should return a considerable part of such balance to the reserve in order that part of the Community quota should not remain unused in one Member State while 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 measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. During the period 1 July 1985 to 30 June 1986, a Community tariff quota of 5 000 head shall be opened within the European Economic Community in respect of the imports from third countries of bulls, cows and heifers, other than those intended for slaughter, of the following mountain breeds: the mottled Simmental breed and the Schwyz and Fribourg breeds, falling within subheading ex 01.02 A II of the Common Customs Tariff.

2. Eligibility for this tariff quota shall be subject to the submission of:

- in the case of bulls: a pedigree certificate,
- in the case of female animals: a pedigree certificate or certificate of registration in the herdbook, certifying purity of breed.

3. For the purposes of this Regulation, the above-mentioned cows and heifers shall be considered not intended for slaughter if they are not slaughtered within four months following the date of their importation.

Derogations may, however, be granted in the event of an act of God (disease, accident) duly attested by a local authority certificate setting out the reasons for the slaughter.

4. The said quota shall be administered in accordance with the following Articles.

Article 2

Within the framework of the quota referred to in Article 1 (1), the Common Customs Tariff duty for the animals referred to in the said paragraph shall be suspended at 4 %.

Article 3

1. A first part of 4 200 head shall be allocated among the Member States listed below. The shares shall apply from 1 July 1985 to 30 June 1986 subject to Article 7, and shall be as follows:

Germany	850 head
France	100 head
Ireland	25 head
Italy	3 150 head
United Kingdom	75 head

2. The second part of 800 head shall be held as a Community reserve.

Article 4

If an importer notifies an imminent importation of the animals in question in countries of the Benelux Economic Union, in Denmark or in Greece and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

Article 5

1. If 90 % or more of the initial share of one of the Member States referred to in Article 3, or of that share less the amount returned to the reserve, where Article 7 has been applied, has been used up, that Member State shall immediately, by notifying the Commission, draw a second share, in so far as the reserve permits equal to 10 % of its initial share rounded off upwards, if necessary, to the next unit.

2. If, after the initial share has been exhausted, 90 % or more of the second share drawn by one of these Member States has been used up, that Member State shall, in accordance with paragraph 1, immediately draw a third share equal to 5 % of its initial share, rounded off upwards, if necessary, to the next unit.

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

The same method shall be applied until the reserve is exhausted.

4. By way of derogation from paragraphs 1, 2 and 3, each of these Member States may draw shares lower than those fixed in these paragraphs if there are reasons to consider that such shares might not be exhausted. They shall inform the Commission of the grounds which led them to apply this paragraph.

Article 6

Additional shares drawn in pursuance of Article 5 shall apply until 30 June 1986.

Article 7

Member States shall return to the reserve, not later than 1 March 1986, the unused portion of their initial share in excess, on 15 February 1986, of 5 % of the initial amount. They may return a larger quantity if there are reasons to consider that such quantity may not be used.

However, amounts for which import certificates have been issued but not used shall not be returned to the reserve.

The Member States shall, not later than 1 March 1986, notify the Commission of the total imports of the animals in question effected up to 15 February 1986 inclusive, and charged against the tariff quota, the amounts referred to in the second subparagraph and, where appropriate the proportion of their initial share that they return to the reserve.

Article 8

The Commission shall keep accounts of the amounts of the shares opened by Member States in accordance with Articles 3, 4 and 5 and shall inform each of them

of the extent to which the reserve has been exhausted as soon as it receives the notification.

The Commission shall, not later than 5 March 1986, notify Member States of the amount in the reserve after the return of shares pursuant to Article 7.

The Commission shall ensure that any drawing which exhausts the reserve is limited to the balance available and, to this end, shall specify the amount thereof to the Member State making the last drawing.

Article 9

The Member States shall take all measures necessary to ensure that when additional shares are drawn pursuant to Articles 4 or 5 it is possible for imports to be counted without interruption against their accumulated shares of the Community quota.

Article 10

1. Member States shall take all measures necessary to ensure that the access to the tariff quota in question is restricted to cattle as specified in Article 1 (1) and (2).

2. They shall ensure free access to the shares allocated to them for importers.

3. The extent to which the shares of the Member States have been used up shall be recorded on the basis of imports submitted for customs clearance under cover of declarations that they have been made available for free circulation.

4. Where import documents are used for the administration of the quota, they shall be sent to the issuing body as soon as possible and at all events on their expiry.

Article 11

On request by the Commission, Member States shall inform it of imports actually charged against their shares.

Article 12

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

Article 13

This Regulation shall enter into force on 1 July 1985.

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

Done at Luxembourg, 11 June 1985.

For the Council

The President

F. M. PANDOLFI

COMMISSION REGULATION (EEC) No 1600/85

of 13 June 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 12 June 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 14 June 1985.

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

Done at Brussels, 13 June 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 13 June 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	103,92
10.01 B II	Durum wheat	150,96 ⁽¹⁾ ⁽²⁾
10.02	Rye	102,85 ⁽⁶⁾
10.03	Barley	96,15
10.04	Oats	82,72
10.05 B	Maize, other than hybrid maize for sowing	87,01 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	75,63 ⁽⁴⁾
10.07 C	Grain sorghum	106,55 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	161,31
11.01 B	Rye flour	159,81
11.02 A I a)	Durum wheat groats and meal	247,82
11.02 A I b)	Common wheat groats and meal	171,11

⁽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 1601/85

of 13 June 1985

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2727/75 of 29 October 1975 on the common organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84 ⁽²⁾, and in particular
Article 15 (6) thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agricul-
tural policy ⁽³⁾, as last amended by Regulation (EEC)
No 2543/73 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2222/84 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC)
No 974/71 ⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁷⁾,

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

Whereas these exchange rates being those recorded on
12 June 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 14 June
1985.

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

Done at Brussels, 13 June 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 13 June 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	1,31	1,31	5,27
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0,86
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	2,65	2,65	2,65
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)						
CCT heading No	Description	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1602/85

of 13 June 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 683/85⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1201/85⁽⁴⁾, and in particular Article 5 thereof,

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

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

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

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

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

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 10 and 11 June 1985 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 124, 9. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 52, 22. 2. 1985, p. 1.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 14 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	62,00 ⁽¹⁾
15.07 A I b)	65,50 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	77,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

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

(a) Spain and Lebanon: 0,60 ECU/100 kg;

(b) Turkey: 22,36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;

(c) Algeria, Tunisia and Morocco: 24,78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

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

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

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

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	14,41
07.03 A II	14,41
15.17 B I a)	32,75
15.17 B I b)	52,40
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 1603/85

of 13 June 1985

amending Regulation (EEC) No 756/70 on granting aid for skimmed milk processed into casein and caseinates

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 1298/85 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas the amount of aid for 100 kilograms of skimmed milk processed into casein or caseinates was fixed at 8,00 ECU by Article 2 (1) of Commission Regulation (EEC) No 756/70 ⁽³⁾, as last amended by Regulation (EEC) No 976/84 ⁽⁴⁾; whereas the intervention price for skimmed-milk powder has been amended for the new milk year and for this reason, account should be taken of the new valuation of liquid skimmed milk for processing into caseins and caseinates;

Whereas, in addition, account should be taken of the development of casein prices in international trade;

Whereas Article 2 of Regulation (EEC) No 756/70 makes temporary provision for aid for casein of quality B; whereas no aid has been given for several years; whereas, therefore, the said Regulation should be amended;

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

Regulation (EEC) No 756/70 is hereby amended as follows:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 91, 25. 4. 1970, p. 28.

⁽⁴⁾ OJ No L 99, 14. 4. 1984, p. 8.

1. Article 2 is replaced by the following:

Article 2

1. The aid for 100 kilograms of skimmed milk processed into casein or caseinate as referred to in paragraph 2 shall be 8,55 ECU.

2. For the purposes of calculating the amount of aid:

(a) one kilogram of acid casein of quality A as defined in Annex I shall be deemed to have been manufactured from 37,75 kilograms of skimmed milk;

(b) one kilogram of

— caseinate as defined in Annex I, or

— rennet casein of quality A as defined in Annex I, or

— acid casein of quality A as defined in Annex II

shall be deemed to have been manufactured from 37,75 kilograms of skimmed milk;

(c) one kilogram of

— rennet casein of quality A as defined in Annex II, or

— caseinate as defined in Annex II

shall be deemed to have been manufactured from 39,75 kilograms of skimmed milk;

(d) one kilogram of casein as defined in Annex III shall be deemed to have been manufactured from 27,75 kilograms of skimmed milk;

(e) one kilogram of caseinate as defined in Annex III shall be deemed to have been manufactured from 31,75 kilograms of skimmed milk.

The caseins and caseinates referred to in the first subparagraph must meet the requirements set out in the relevant annexes.

2. The compositional requirements relating to quality B in Annex I are deleted.

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 1 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1604/85

of 13 June 1985

amending Regulation (EEC) No 2793/77 on detailed rules of application for granting special aid for skimmed milk for use as feed for animals other than young calves

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 1298/85 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Commission Regulation (EEC) No 2793/77 ⁽³⁾, as last amended by Regulation (EEC) No 583/85 ⁽⁴⁾, fixes the amount of the special aid for skimmed milk for use as feed for animals other than young calves and the maximum selling price applied by dairies; whereas, in view of changes in the market situation, this aid and the maximum selling price should be adapted;

Whereas Article 2a of Council Regulation (EEC) No 986/68 ⁽⁵⁾, as last amended by Regulation (EEC) No 1304/85 ⁽⁶⁾, states that the aid shall be fixed on the basis of the intervention price for skimmed-milk powder; whereas the conditions for granting aid should in consequence be adapted from the beginning of the milk year; whereas, on account of administrative constraints, and in particular the monthly basis on which accounting systems operate, the adaptation should come into effect from the beginning of the following month;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2793/77 is hereby amended as follows:

1. In Article 1 (2), '10,60 ECU per 100 kilograms' is replaced by '11 ECU per 100 kilograms' and '106 ECU per 100 kilograms' is replaced by '110 ECU per 100 kilograms'.
2. Article 3 (1) (c) shall read as follows:
'(c) if the dairy has adhered to:
 - for this skimmed milk, a maximum ex-dairy selling price of 2,80 ECU per 100 kilograms,
 - for the skimmed milk referred to at the third indent of Article 4 (1) (c) and the third indent of Article 4 (2), a maximum ex-dairy selling price of 6,47 ECU per 100 kilograms.'

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 1 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.
⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.
⁽³⁾ OJ No L 321, 16. 12. 1977, p. 30.
⁽⁴⁾ OJ No L 67, 7. 3. 1985, p. 18.
⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 4.
⁽⁶⁾ OJ No L 137, 27. 5. 1985, p. 11.

COMMISSION REGULATION (EEC) No 1605/85

of 12 June 1985

fixing the quantity of young male bovine animals which may be imported on special terms in the third quarter of 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has established an estimate of 190 000 head under the new import arrangements for young male bovine animals for fattening, for the period 1 January to 31 December 1985; whereas, under Article 13 (4) (a) of Regulation (EEC) No 805/68, the quantity which may be imported each quarter and the rate of reduction of the import levy on these animals must be determined;

Whereas detailed rules for the practical application of the special arrangements were laid down in Commission Regulation (EEC) No 612/77 ⁽²⁾, as last amended by Regulation (EEC) No 411/84 ⁽³⁾, and in Commission Regulation (EEC) No 2377/80 ⁽⁴⁾, as last amended by Regulation (EEC) No 552/85 ⁽⁵⁾;

Whereas the supply requirements of certain regions of the Community which have a serious deficit in bovine animals for fattening must be taken into account; whereas these requirements are apparent in Italy and in Greece and may be estimated for the third quarter of 1985 at 41 300 head and 6 300 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the third quarter of 1985, a higher rate of reduction of the levy for animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia;

Whereas the partial reduction of the levy is intended to help improve cattle rearing and beef and veal production structures in Italy and in Greece; whereas appropriate measures must therefore be taken to ensure that producers can, as far as possible, benefit directly from the arrangements without traditional trade being excluded; whereas this objective can be achieved by giving agricultural producers and their organizations priority when issuing the licences conferring entitlement to benefit from the arrangements;

Whereas, according to Article 9 (1) of Regulation (EEC) No 2377/80, the applicant shall undertake either to carry out himself or to have carried out under his responsibility the task of fattening; whereas, in the case of agricultural producers or their professional organization, it appears that the opportunity given to the applicant not to carry out himself the task of fattening could give rise to abuses in certain cases; whereas it seems appropriate consequently to abolish that opportunity for the quarter in question;

Whereas, in the case of import licence applications made by agricultural producers or their professional organizations, or the traditional trade, it is necessary, in order to permit a more equitable distribution of the quantities available, to limit the maximum quantity which each application may cover;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 30 September 1985, the maximum quantity referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 47 600 head of young male bovine animals for fattening, of a live weight of 300 kilograms or less, of which 41 300 head must be imported into and fattened in Italy and 6 300 head must be imported into and fattened in Greece.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽³⁾ OJ No L 48, 18. 2. 1984, p. 12.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 63, 2. 3. 1985, p. 13.

2. The levy charged on imports of the young bovine animals referred to in paragraph 1 shall be equal to the levy applicable on the day of import, less 60 %.

However, the levy applicable on the day of import shall be reduced by 70 % in respect of a maximum of 12 000 young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia.

This maximum quantity may be imported up to a maximum of:

- 10 400 head in Italy,
- 1 600 head in Greece.

3. The application for a licence and the licence shall be in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80 and shall relate to:

- either young bovine animals of a weight per head not exceeding 300 kilograms, or
- young bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case, sections 13 and 14 of the application for a licence and the licence shall include one of the following entries:

- 'Joegoslavië',
- 'Jugoslawien',
- 'Γιουγκοσλαβία',
- 'Yugoslavia',
- 'Yougoslavie',
- 'Iugoslavia',
- 'Jugoslavien'.

The licence shall make it compulsory to import from the country indicated.

4. Member States shall specify in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 the category of live weight, and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 3.

5. Within the quantity reserved for Italy, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 27 500 head, including a maximum of 6 900 head originating in and coming from Yugoslavia;

Italy shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 13 800 head, including a maximum of 3 500 head originating in and coming from Yugoslavia.

6. Within the quantity reserved for Greece, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 4 200 head, including a maximum of 1 070 head originating in and coming from Yugoslavia;

Greece shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 2 100 head, including a maximum of 530 head originating in and coming from Yugoslavia.

Article 2

1. In the case of the quantity referred to in Article 1 (5) (a) and (6) (a):

- (a) notwithstanding Article 9 (1) (d) of Regulation (EEC) No 2377/80, the applications for import licences lodged:

- by agricultural producers, directly or through their professional organizations, shall be acceptable only if the agricultural producers undertake in writing to fatten on their farms the young bovine animals imported under this Regulation,
- by professional organizations, shall be acceptable only if they undertake in writing to have the young bovine animals imported under this Regulation fattened on the farms of those who are found to be members of the said organizations at the time the declaration referred to in Article 1 (1) (d) of Regulation (EEC) No 612/77 is made;

- (b) applications for import licences may not cover more than 100 head when made by individual applicants or more than 100 head per member when made by professional organizations. The total quantity applied for by a professional organization may not, however, exceed 2 500 head.

2. In the case of the quantity referred to in Article 1 (5) (b) and (6) (b), applications for import licences may not cover more than 10 % of that quantity.

3. Without prejudice to Article 1 (3) of Regulation (EEC) No 612/77, the security there referred to shall

not be released, in whole or in part, unless proof is provided to the competent authorities of the Member State in question that the undertaking in paragraph 1 (a) has been complied with.

Article 3

For the purpose of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which

relate to the same category of weight and the same rate of reduction of the levy shall be treated as one application.

Article 4

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

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

Done at Brussels, 12 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1606/85

of 12 June 1985

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the third quarter of 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 14 (4) (a) and (c) thereof,

Whereas the Council, under the special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1985, an estimate of 50 000 tonnes divided into two equal quantities of 25 000 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the third quarter of 1985, the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 6 250 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 6 250 tonnes of meat, expressed in bone-in meat.

Article 2

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import, less 55 %.

Article 3

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

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

Done at Brussels, 12 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

COMMISSION REGULATION (EEC) No 1607/85

of 12 June 1985

on the sale at a price fixed at a standard rate in advance of boned beef held by the intervention agencies of Denmark, France, Ireland and the United Kingdom and intended for export

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 7 (3) thereof,

Whereas the intervention agencies of Denmark, France, Ireland and the United Kingdom hold substantial stocks of boned intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas outlets exist in certain non-member countries for the products in question;

Whereas it is appropriate therefore to offer this meat for sale at a price fixed at a standard rate in advance in accordance with Commission Regulation (EEC) No 985/81 ⁽²⁾;

Whereas Council Regulation (EEC) No 1055/77 ⁽³⁾ provides that, in the case of products held by an intervention agency and stored outside the territory of the Member State within whose jurisdiction that agency falls, a selling price different from that for products stored on that territory may be fixed; whereas Commission Regulation (EEC) No 1805/77 ⁽⁴⁾ laid down the method of calculating the selling price for those products; whereas, in order to avoid any confusion, it should be made clear that the prices fixed by this Regulation do not apply as they stand to those products;

Whereas it is necessary to provide for the lodging of a security sufficiently high to guarantee the export of this beef;

Whereas it is appropriate to specify that, in view of the prices which have been fixed in the context of this sale in order to permit the disposal of certain cuts, exports of such cuts should not be eligible for the refunds periodically fixed in the beef and veal sector;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of approximately:
 - (a) 220 tonnes of boned beef held by the French intervention agency;
 - (b) 1 000 tonnes of boned beef held by the Irish intervention agency;
 - (c) 1 000 tonnes of boned beef held by the Danish intervention agency;
 - (d) 900 tonnes of boned beef held by the intervention agency of the United Kingdom.

This meat is for export.

The sale shall take place in accordance with the provisions of Regulation (EEC) No 985/81.

2. The qualities and the selling price of the products are given in Annex I hereto.
3. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

The security provided for in Article 3 of Regulation (EEC) No 985/81 is hereby fixed at 270 ECU per 100 kilograms.

Article 3

No export refund shall be granted in respect of cuts referred to under 2 and 3 of Annex I and sold pursuant to this Regulation.

Article 4

This Regulation shall enter into force on 17 June 1985.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 99, 10. 4. 1981, p. 38.

⁽³⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽⁴⁾ OJ No L 198, 5. 8. 1977, p. 19.

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

Done at Brussels, 12 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I

Salgspriser i ECU/ton ⁽¹⁾ ⁽²⁾ — Verkaufspreise, ausgedrückt in ECU/Tonne ⁽¹⁾ ⁽²⁾ — Τιμές πώλησεως εκφραζόμενες σε ECU ανά τόνο ⁽¹⁾ ⁽²⁾ — Selling prices expressed in ECU per tonne ⁽¹⁾ ⁽²⁾ — Prix de vente exprimés en Écus par tonne ⁽¹⁾ ⁽²⁾ — Prezzi di vendita espressi in ECU per tonnellata ⁽¹⁾ ⁽²⁾ — Verkooprijzen uitgedrukt in Ecu per ton ⁽¹⁾ ⁽²⁾

1. FRANCE	2. IRELAND	3. DANMARK	Ungtyre 1 Tyre under 2 år	Stude 1 Stude	4. UNITED KINGDOM
Jarret 1 400	Shins and shanks 1 100 Shanks 1 100 Shins 1 100 Plates and flanks 700 Forequarters 1 400 Flanks 700 Plates 700	Bryst og slag Øvrigt kød af forfjerdinger	800 1 200	800 1 200	Fillets 8 600 Striploin 4 700 Topsides 3 000 Silversides 2 900 Thick flanks 2 600 Rumps 2 900

⁽¹⁾ I tilfælde, hvor varerne er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

⁽¹⁾ Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

⁽¹⁾ Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

⁽¹⁾ In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

⁽¹⁾ Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

⁽¹⁾ Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

⁽¹⁾ Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

⁽²⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽²⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽²⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽²⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽²⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽²⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.

⁽²⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

*BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II*

Interventionsorganernes adresser — Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli organismi d'intervento — Adressen van de interventiebureaus

DANMARK : Direktoratet for markedsordningerne
EF-Direktoratet
Frederiksborggade 18
DK-1360 København K
Tlf. (01) 92 70 00, telex 151 37 DK

FRANCE : OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
tél. 538 84 00, télex 26 06 43

IRELAND : Department of Agriculture
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berks.
Tel. (0734) 58 36 26
Telex 848 302

COMMISSION REGULATION (EEC) No 1608/85
of 13 June 1985
fixing the import levies on milk and milk products

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 1298/85 ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1374/85 ⁽³⁾, as
amended by Regulation (EEC) No 1409/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1374/85 to the
prices known to the Commission that the levies at

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

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 (2) of Regu-
lation (EEC) No 804/68 shall be as set out in the
Annex hereto.

Article 2

This Regulation shall enter into force on 16 June
1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 139, 27. 5. 1985, p. 47.

⁽⁴⁾ OJ No L 141, 30. 5. 1985, p. 29.

ANNEX

to the Commission Regulation of 13 June 1985 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	27,15
04.01 A I b)	0120	24,74
04.01 A II a) 1	0130	24,74
04.01 A II a) 2	0140	30,14
04.01 A II b) 1	0150	23,53
04.01 A II b) 2	0160	28,93
04.01 B I	0200	58,94
04.01 B II	0300	124,69
04.01 B III	0400	192,70
04.02 A I	0500	17,63
04.02 A II a) 1	0620	126,99
04.02 A II a) 2	0720	168,77
04.02 A II a) 3	0820	171,19
04.02 A II a) 4	0920	242,19
04.02 A II b) 1	1020	119,74
04.02 A II b) 2	1120	161,52
04.02 A II b) 3	1220	163,94
04.02 A II b) 4	1320	234,94
04.02 A III a) 1	1420	27,57
04.02 A III a) 2	1520	37,22
04.02 A III b) 1	1620	124,69
04.02 A III b) 2	1720	192,70
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,1974 ⁽⁴⁾
04.02 B I b) 1 bb)	2320	per kg 1,6152 ⁽⁴⁾
04.02 B I b) 1 cc)	2420	per kg 2,3494 ⁽⁴⁾
04.02 B I b) 2 aa)	2520	per kg 1,1974 ⁽⁵⁾
04.02 B I b) 2 bb)	2620	per kg 1,6152 ⁽⁵⁾
04.02 B I b) 2 cc)	2720	per kg 2,3494 ⁽⁵⁾
04.02 B II a)	2820	52,91
04.02 B II b) 1	2910	per kg 1,2469 ⁽⁵⁾
04.02 B II b) 2	3010	per kg 1,9270 ⁽⁵⁾
04.03 A	3110	226,70
04.03 B	3210	276,57
04.04 A	3300	189,59 ⁽⁶⁾
04.04 B	3900	213,54 ⁽⁷⁾
04.04 C	4000	162,97 ⁽⁸⁾
04.04 D I a)	4410	168,34 ⁽⁹⁾
04.04 D I b)	4510	175,18 ⁽⁹⁾
04.04 D II	4610	271,90
04.04 E I a)	4710	213,54
04.04 E I b) 1	4800	184,40 ⁽¹⁰⁾

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	181,14 ⁽¹⁾
04.04 E I c) 1	5210	135,86
04.04 E I c) 2	5250	277,86
04.04 E II a)	5310	213,54
04.04 E II b)	5410	277,86
17.02 A II	5500	41,80 ⁽²⁾
21.07 F I	5600	41,80
23.07 B I a) 3	5700	92,23
23.07 B I a) 4	5800	119,77
23.07 B I b) 3	5900	111,47
23.07 B I c) 3	6000	90,25
23.07 B II	6100	119,77

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) 7,25 ECU ; and
 - (c) 24,04 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
 - (b) 24,04 ECU.
- (⁶) The levy is limited to :
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to :
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to :
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria, for products listed under (s) of that Annex imported from Finland and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 1609/85

of 13 June 1985

fixing additional amounts for egg products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2771/75 of 29 October 1975 on the common
organization of the market in eggs ⁽¹⁾, as last amended
by Regulation (EEC) No 3643/81 ⁽²⁾, and in particular
Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier
offer price (hereinafter called the 'offer price') falls
below the sluice-gate price, the levy applicable to that
product must be increased by an additional amount
equal to the difference between the sluice-gate price
and the offer price determined in accordance with
Article 1 of Commission Regulation No 163/67/EEC
of 26 June 1967 on fixing the additional amount for
imports of poultry-farming products from third coun-
tries ⁽³⁾, as last amended by Regulation (EEC) No
1527/73 ⁽⁴⁾;

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

Whereas, pursuant to Article 1 of Regulation (EEC)
No 990/69 ⁽⁵⁾, the levies on imports of eggs not in
shell and egg yolks originating in and coming from
Austria are not increased by an additional amount;

Whereas the regular review of the information serving
as a basis for the determination of average offer prices
for the products listed in Article 1 (1) (b) of Regulation
(EEC) No 2771/75 indicates that additional amounts
corresponding to the figures shown in the Annex
hereto should be fixed for the imports specified in that
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of
Regulation (EEC) No 2771/75 shall be as set out in
the Annex hereto for the products listed in Article 1
(1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 14 June
1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 19. 12. 1981, p. 1.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to certain products listed in Article 1 (1) (b) of Regulation
(EEC) No 2771/75

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
04.05	Birds' eggs and egg yolks, fresh, dried or otherwise preserved, sweetened or not:		
	B. Eggs, not in shell; egg yolks:		
	I. Suitable for human consumption:		
	a) Eggs, not in shell:		
	1. Dried	60,00	Origin: Bulgaria or the German Democratic Republic (1)
	b) Egg yolks		
	1. Liquid	60,00	Origin: Spain or the German Democratic Republic (1)

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

COMMISSION REGULATION (EEC) No 1610/85

of 13 June 1985

fixing additional amounts for live and slaughtered poultry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

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

Whereas, pursuant to Regulation (EEC) No 565/68⁽⁵⁾, the import levies on slaughtered fowls, ducks and

geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2261/69⁽⁶⁾, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2474/70⁽⁷⁾, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Regulation (EEC) No 2164/72⁽⁸⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 14 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁷⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁸⁾ OJ No L 232, 12. 10. 1972, p. 3.

ANNEX

Additional amounts applicable to live and slaughtered poultry and halves or quarters

 $(ECU/100\text{ kg})$

CCT heading No	Description	Additional amount	Imports affected
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea-fowls : B. Other : 1. Fowls	30,00	Origin : Austria
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : A. Whole poultry : I. Fowls : a) Plucked and gutted, with heads and feet, known as '83 % chickens' b) Plucked and drawn, without heads and feet, but with hearts, livers and gizzards, known as '70 % chickens' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '65 % chickens' II. Ducks : a) Plucked, bled, gutted not drawn, with heads and feet, known as '85 % ducks' b) Plucked and drawn, without heads and feet but hearts, livers and gizzards, known as '70 % ducks' c) Plucked and drawn, without heads and feet and without hearts, livers and gizzards, known as '63 % ducks' IV. Turkeys : a) Plucked and drawn, without heads and feet but with necks, hearts, livers and gizzards, known as '80 % turkeys' b) Plucked and drawn, without heads and feet and without necks, hearts, livers and gizzards, known as '73 % turkeys' B. Poultry cuts (excluding offals) : II. Unboned (bone-in) : a) Halves or quarters : 1. Of fowls	27,00 27,00 27,00 20,00 20,00 20,00 30,00 30,00	Origin : Yugoslavia or Hungary Origin : Yugoslavia or Hungary Origin : Yugoslavia or Hungary Origin : Hungary Origin : Hungary Origin : Hungary Origin : Yugoslavia Origin : Yugoslavia
		27,00	Origin : Yugoslavia or Hungary

COMMISSION REGULATION (EEC) No 1611/85

of 13 June 1985

fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by the Act of Accession of Greece⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 1527/73⁽⁴⁾;

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

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 14 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

ANNEX

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
02.02	Dead poultry (that is to say, fowls, ducks, geese, turkeys and guinea fowls) and edible offals thereof (except liver), fresh, chilled or frozen : B. Poultry cuts (excluding offals) : I. Boned or boneless : b) Of turkeys c) Of other poultry II. Unboned (bone-in) : e) Legs and cuts of legs : 1. Of geese	 30,00 50,00 20,00	 Origin : Israel, Hungary or Romania Origin : Hungary Origin : Hungary

COMMISSION REGULATION (EEC) No 1612/85
of 13 June 1985
fixing additional amounts for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽¹⁾, as amended by the Act of Accession of Greece ⁽²⁾, and in particular Article 5 (5) thereof,

Whereas, if for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries ⁽³⁾, as last amended by Regulation (EEC) No 1527/73 ⁽⁴⁾; whereas that Article 1 applies by virtue of Article 3 of Commission Regulation (EEC) No 1777/74 of 9 July 1974 fixing the value of certain items to be used in calculating the import duties and sluice-gate prices for ovalbumin and lactalbumin ⁽⁵⁾;

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

other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Article 2 of Regulation (EEC) No 990/69 ⁽⁶⁾, the import levies on ovalbumin and lactalbumin originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 of Regulation (EEC) No 2783/75 indicates that additional amounts corresponding to the figures shown in the Annex below should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 5 of Regulation (EEC) No 2783/75 are hereby fixed as shown in the Annex for the products listed in Article 1 of that Regulation which appear in the Annex.

Article 2

This Regulation shall enter into force on 14 June 1985

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 154, 9. 6. 1973, p. 1.

⁽⁵⁾ OJ No L 186, 10. 7. 1974, p. 19.

⁽⁶⁾ OJ No L 130, 31. 5. 1969, p. 4.

ANNEX

Additional amounts applicable to ovalbumin and lactalbumin

(ECU/100 kg)

CCT heading No	Description	Additional amount	Imports affected
35.02	Albumins, albuminates and other albumin derivatives : A. Albumins : II. Other (i.e. other than unfit, or rendered unfit, for human consumption) : a) Ovalbumin and lactalbumin : 1. Dried (for example, in sheets, scales, flakes, powder)	80,00	Origin : Czechoslovakia or Israel

COMMISSION REGULATION (EEC) No 1613/85

of 13 June 1985

fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 3643/81⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75 of 29 October 1975⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

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⁽⁴⁾, as last amended by Regulation (EEC) No 855/84⁽⁵⁾,

- 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 it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which, when they are exported in the natural state, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 364, 29. 12. 1981, p. 1.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁵⁾ OJ No L 90, 1. 4. 1984, p. 1.

(a) Only poultry eggs which fulfil the conditions stipulated by the competent authorities of the European Communities are eligible for entry under this subheading.

COMMISSION REGULATION (EEC) No 1614/85

of 13 June 1985

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1297/85 ⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1121/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1552/85 ⁽⁸⁾;

Whereas the target price and the monthly increments in the target price of sunflower seed for the 1985/86 marketing year have been fixed in Regulations (EEC) No 1489/85 ⁽⁹⁾, and (EEC) No 1490/85 ⁽¹⁰⁾;

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

Whereas, for the period 22 to 28 May 1985, for certain currencies:

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1121/85 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 ⁽¹¹⁾ shall be as set out in the Annexes hereto.
2. The amount of the subsidy in the case of advance fixing for July, August, September, October and November 1985 for colza and rape seed will, however, be confirmed or replaced as from 14 June 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, October and November 1985 for colza and rape seed.

Article 2

This Regulation shall enter into force on 14 June 1985.

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, 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 118, 1. 5. 1985, p. 32.

⁽⁸⁾ OJ No L 148, 7. 6. 1985, p. 22.

⁽⁹⁾ OJ No L 151, 10. 6. 1985, p. 13.

⁽¹⁰⁾ OJ No L 151, 10. 6. 1985, p. 14.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

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)	13,268	8,258 (¹)	11,036 (¹)	11,556 (¹)	11,311 (¹)	11,831 (¹)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	34,24	22,29 (¹)	28,76 (¹)	30,22 (¹)	29,69 (¹)	31,63 (¹)
— Netherlands (Fl)	38,58	25,11 (¹)	32,37 (¹)	34,00 (¹)	33,41 (¹)	35,51 (¹)
— BLEU (Bfrs/Lfrs)	615,79	383,27 (¹)	512,20 (¹)	534,95 (¹)	523,55 (¹)	537,09 (¹)
— France (FF)	82,08	53,81 (¹)	73,01 (¹)	75,64 (¹)	73,81 (¹)	77,46 (¹)
— Denmark (Dkr)	111,65	69,49 (¹)	92,87 (¹)	97,24 (¹)	95,18 (¹)	98,81 (¹)
— Ireland (£ Irl)	9,952	6,194 (¹)	8,273 (¹)	8,599 (¹)	8,413 (¹)	8,645 (¹)
— United Kingdom (£)	8,999	5,900 (¹)	7,561 (¹)	7,883 (¹)	7,747 (¹)	7,825 (¹)
— Italy (Lit)	16 938	12 096 (¹)	15 947 (¹)	16 451 (¹)	16 074 (¹)	16 525 (¹)
— Greece (Dr)	760,75	836,23 (¹)	1 121,19 (¹)	1 741,41 (¹)	1 149,16 (¹)	1 202,38 (¹)

(¹) On the basis of the Commission's last 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)	20,185	20,185	15,625	15,625	18,476
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	50,98	50,98	40,14	40,40	47,03
— Netherlands (Fl)	57,44	57,44	45,19	45,47	52,94
— BLEU (Bfrs/Lfrs)	936,82	936,82	725,18	723,55	855,96
— France (FF)	128,75	128,75	104,37	103,18	123,47
— Denmark (Dkr)	169,86	169,86	131,48	131,48	155,48
— Ireland (£ Irl)	15,141	15,141	11,714	11,638	13,781
— United Kingdom (£)	13,353	13,353	10,532	10,532	12,249
— Italy (Lit)	26 650	26 645	22 674	22 360	26 628
— Greece (Dr)	1 345,69	1 345,69	1 589,37	1 589,37	1 881,68

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	2,245280	2,238860	2,232680	2,226510	2,226510	2,209790
Fl	2,525120	2,520810	2,516570	2,511710	2,511710	2,498810
Bfrs/Lfrs	45,179800	45,167700	45,163400	45,158300	45,158300	45,174300
FF	6,834690	6,842410	6,850800	6,861730	6,861730	6,889810
Dkr	8,039150	8,042330	8,043190	8,041450	8,041450	8,045290
£ Irl	0,716449	0,718307	0,720130	0,721681	0,721681	0,725964
£	0,575651	0,577427	0,579111	0,580647	0,580647	0,584796
Lit	1 429,03	1 434,82	1 440,22	1 445,86	1 445,86	1 461,17
Dr	98,981600	98,907100	98,848700	98,788400	98,788400	98,699400

COMMISSION REGULATION (EEC) No 1615/85

of 13 June 1985

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1854/84⁽³⁾, as last amended by Regulation (EEC) No 1593/85⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 74, 18. 3. 1982, p. 1.

⁽³⁾ OJ No L 172, 30. 6. 1984, p. 53.

⁽⁴⁾ OJ No L 154, 13. 6. 1985, p. 40.

ANNEX

to the Commission Regulation of 13 June 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	47,51
	B. Raw sugar	44,81 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 1616/85

of 13 June 1985

altering 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 231/85 ⁽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 second 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 1297/85 ⁽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 the export refunds on oil seeds were fixed by Regulation (EEC) No 1436/85 ⁽⁹⁾;

Whereas the target price and the monthly increases in the target price for sunflower seed for the 1985/86 marketing year were fixed by Regulations (EEC) No 1489/85 ⁽¹⁰⁾ and (EEC) No 1490/85 ⁽¹¹⁾;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza and rape seed in the absence of the amount of the monthly increase for September, October and November 1985 for colza and rape seed, the amount of the refunds in the case of advance fixing for July, August, September, October

and November 1985 for colza and rape seed has been obtained only provisionally on the basis of the target price and the monthly increase last proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1985/86 marketing year is known;

Whereas, for the period 22 to 28 May 1985, for certain currencies:

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1436/85 to the information at present 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

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 ⁽¹²⁾, fixed in the Annex to Regulation (EEC) No 1436/85, are altered as shown in the Annex hereto.

The amount of the refunds in the case of advance fixing for July, August, September, October and November 1985 for colza and rape seed will, however, be confirmed or replaced as from 14 June 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, October and November 1985 for colza and rape seed.

Article 2

This Regulation shall enter into force on 14 June 1985.

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽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 137, 27. 5. 1985, 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 144, 1. 6. 1985, p. 16.

⁽¹⁰⁾ OJ No L 151, 10. 6. 1985, p. 13.

⁽¹¹⁾ OJ No L 151, 10. 6. 1985, p. 14.

⁽¹²⁾ OJ No L 75, 30. 3. 1971, p. 16.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 13 June 1985 altering 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)	9,000	3,990 ⁽¹⁾	3,990 ⁽¹⁾	4,510 ⁽¹⁾	5,030 ⁽¹⁾	5,550 ⁽¹⁾
2. Final refunds						
Seeds harvested and exported from :						
— Federal Republic of Germany (DM)	24,35	12,40 ⁽¹⁾	12,43 ⁽¹⁾	13,94 ⁽¹⁾	15,18 ⁽¹⁾	17,24 ⁽¹⁾
— Netherlands (Fl)	27,43	13,97 ⁽¹⁾	13,97 ⁽¹⁾	15,65 ⁽¹⁾	17,05 ⁽¹⁾	19,27 ⁽¹⁾
— BLEU (Bfrs/Lfrs)	417,71	185,18 ⁽¹⁾	185,18 ⁽¹⁾	207,66 ⁽¹⁾	231,79 ⁽¹⁾	243,49 ⁽¹⁾
— France (FF)	51,75	23,48 ⁽¹⁾	22,83 ⁽¹⁾	25,26 ⁽¹⁾	28,90 ⁽¹⁾	32,56 ⁽¹⁾
— Denmark (Dkr)	75,73	33,58 ⁽¹⁾	33,58 ⁽¹⁾	37,95 ⁽¹⁾	42,33 ⁽¹⁾	45,82 ⁽¹⁾
— Ireland (£ Irl)	6,751	2,993 ⁽¹⁾	2,986 ⁽¹⁾	3,300 ⁽¹⁾	3,690 ⁽¹⁾	3,894 ⁽¹⁾
— United Kingdom (£)	6,448	3,348 ⁽¹⁾	3,348 ⁽¹⁾	3,670 ⁽¹⁾	3,991 ⁽¹⁾	4,027 ⁽¹⁾
— Italy (Lit)	10 595	5 755 ⁽¹⁾	5 423 ⁽¹⁾	5 875 ⁽¹⁾	6 645 ⁽¹⁾	7 041 ⁽¹⁾
— Greece (Dr)	325,11	398,42 ⁽¹⁾	398,42 ⁽¹⁾	451,64 ⁽¹⁾	504,86 ⁽¹⁾	558,08 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 1617/85

of 13 June 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

Whereas the 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 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 June 1985.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 13 June 1985 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — other third countries	0 5,00
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	30,00 40,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	0 0
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	15,00 20,00 — 10,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	20,00 20,00 18,00 16,00 15,00 14,00

CCT heading No	Description	Refund (ECU/tonne)
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	 20,00 20,00 20,00 20,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	 140,00 132,00 118,00 111,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	 20,00

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

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

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

COMMISSION REGULATION (EEC) No 1618/85

of 13 June 1985

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

Whereas it may be altered in the period between fixings;

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁷⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

HAS ADOPTED THIS REGULATION:

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

Article 1

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

Article 2

This Regulation shall enter into force on 14 June 1985.

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

Done at Brussels, 13 June 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 13 June 1985 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU / tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		6	7	8	9	10	11	12
10.01 B I	Common wheat and meslin :							
	For exports to :							
	— China	0	+ 6,00	+ 31,00	+ 28,50	+ 26,00	+ 23,50	+ 21,00
	— other third countries	0	0	+ 25,00	+ 22,50	+ 20,00	+ 17,50	+ 15,00
10.01 B II	Durum wheat	0	+ 20,00	+ 16,00	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	+ 25,00	+ 22,50	+ 20,00	+ 17,50	+ 15,00
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	+ 38,00	+ 34,00	+ 30,00	—	—
11.01 B	Rye flour	0	0	+ 38,00	+ 34,00	+ 30,00	—	—
11.02 A I a)	Durum wheat groats and meal	0	+ 30,00	+ 25,00	+ 20,00	+ 15,00	+ 10,00	+ 5,00
11.02 A I b)	Common wheat groats and meal	0	0	+ 38,00	+ 34,00	+ 30,00	—	—

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 1619/85
of 13 June 1985
suspending advance fixing of the import levy for cereals

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas the uncertainty over prices for the new
marketing year is likely to encourage advance fixing of
the levy in respect of quantities considerably larger
than those to be expected in normal circumstances ;

Whereas the application of the provisions concerning
the advance fixing of the levy on cereals should

accordingly be suspended until a normal situation is
restored ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Advance fixing of the import levy on the products
referred to in Article 1 (a), (b), (c) and (d) of Regulation
(EEC) No 2727/75 is hereby suspended from 14 until
20 June 1985.

Article 2

This Regulation shall enter into force on 14 June
1985.

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

Done at Brussels, 13 June 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.

COUNCIL REGULATION (EEC) No 1620/85**of 13 June 1985****amending Regulation (EEC) No 3599/82 on temporary importation arrangements
as regards the date of its implementation**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community, and in particular Articles 28,
43 and 235 thereof,

Having regard to the proposal from the Commis-
sion ⁽¹⁾,

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

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

Whereas Article 34 of Regulation (EEC) No
3599/82 ⁽⁴⁾ stipulates that the Regulation shall be
implemented one year after the adoption of the imple-
menting provisions which will be adopted for Articles
7 (2), 10 (2), 20 (d), 21 (3) and 24 (2); whereas the said
provisions were adopted by Regulation (EEC) No
1751/84 ⁽⁵⁾ on 13 June 1984; whereas, in conse-
quence, Regulation (EEC) No 3599/82 must be imple-
mented on 13 June 1985;

Whereas numerous difficulties have been encountered
in connection with the establishment of the new
arrangements introduced by Regulation (EEC) No
3599/82; whereas it is essential that the establishment

of the new arrangements be implemented as smoothly
as possible; whereas, therefore, it is appropriate to
postpone the date of implementation of Regulation
(EEC) No 3599/82 to 1 January 1986,

HAS ADOPTED THIS REGULATION:

Article 1

Article 34 of Regulation (EEC) No 3599/82 is hereby
replaced by the following:

Article 34

This Regulation shall enter into force on 1 January
1983. It shall be implemented on 1 January 1986.

Authorizations granted pursuant to national provi-
sions before 1 January 1986 shall be revoked no
later than two years after that date if they cannot
be retained on the basis of the provisions of this
Regulation.

Article 2

This Regulation shall enter into force on 14 June
1985.

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

Done at Luxembourg, 13 June 1985.

For the Council

The President

G. DE MICHELIS

⁽¹⁾ OJ No C 117, 11. 5. 1985, p. 6.

⁽²⁾ Opinion delivered on 12 June 1985 (not yet published in
the Official Journal).

⁽³⁾ Opinion delivered on 29 May 1985 (not yet published in
the Official Journal).

⁽⁴⁾ OJ No L 376, 31. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 171, 29. 6. 1984, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 February 1985

on the United Kingdom's proposal to assist sections of the clothing, footwear, knitting and textile industries

(Only the English text is authentic)

(85/305/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice to the parties concerned to submit their comments as provided for in the said Article 93, and having regard to those comments,

Whereas :

I

By letter dated 18 April 1984, the United Kingdom Government had notified to the Commission a proposal to introduce a scheme of financial assistance under section 8 of the Industrial Development Act 1982 for the benefit of sections of the clothing, footwear, knitting and textile industries.

The declared aim of the proposed scheme was to enable small and medium-sized firms to undertake investment in advanced technology equipment. The scheme would have a limit of £ 20 million and aid would take the form of either grants of up to 20 % of investment costs or guarantees for 80 % and two years of loans granted by approved financial institutions for the purchase of advanced equipment.

Following an initial scrutiny, the Commission considered that the aim of improving productivity, cited by the United Kingdom as the main reason for the assistance, had largely been achieved. The Commission

also considered that the clothing, knitting and textile industries' economic development — being relatively favourable in comparison to the trends experienced by some of its Community counterparts — had led to a situation where financial assistance would not promote a development which would be in the interest of the Community.

In addition, the Commission took the view that the programme notified by the United Kingdom Government did not meet certain conditions and criteria for sectoral aids.

The Commission considered that the programme notified to it would — by favouring certain undertakings or the production of certain goods in sectors where there is a high volume of trade and where competition is very keen — be likely to affect trade between Member States and would, thus, be incompatible with the common market. The Commission also considered that the scheme did not meet the conditions necessary to benefit from one of the derogations of Article 92 of the EEC Treaty.

The Commission initiated the procedure provided for in the first subparagraph of Article 93 (2), and, by letter of 19 June 1984, gave the United Kingdom Government notice to submit its comments.

II

The United Kingdom Government, in submitting its comments under the procedure provided for in Article 93 (2) by letters of 8 August 1984 and 11 December

1984 modified certain elements of its proposal and reduced the proposal guarantees from 80 to 70 % of total investment costs.

In commenting, however, the United Kingdom Government did not refer to the majority of objections raised by the Commission and, in particular, did not give sufficient economic justification for the proposed programme, which the Commission had requested in view of the recent positive development and success of the industries concerned.

The comments of three other Member States and one federation of firms in the sectors, submitted to the Commission under the Article 93 (2) procedure, supported the Commission's view and expressed great concern about the proposed support measures. They underlined that the aid programme would be liable to distort competition in the Community by giving unfair advantages to the recipients in competition with other Community textile and clothing manufacturers. Furthermore, they highlighted the positive development of the United Kingdom textile and clothing industry during recent years, on the basis of which they considered that aids would not be justified.

Six federations of firms of the sector in the United Kingdom, also submitting their comments to the Commission under the Article 93 (2) procedure, supported the proposed introduction of the scheme and highlighted the advantages of advanced technology and new production techniques. They pointed to the modest size of the scheme and considered that it would make a positive contribution towards the strengthening of the Community.

III

In the clothing, footwear, knitting and textile sectors there is a high volume of trade between Member States and competition is very keen. When State financial aid strengthens the position of undertakings compared with other undertakings competing in intra-Community trade the latter must be regarded as affected by that aid. In this case, the proposed aid programme, which would reduce the costs which the undertakings in the abovementioned industries in the United Kingdom would normally have to bear, is likely to affect trade and distort or threaten to distort competition between Member States by favouring the said United Kingdom industries within the meaning of Article 92 (1). Article 92 (1) lays down the principle

that aid having the features there described is incompatible with the common market.

The exceptions from this principle set out in Article 92 (2) are not applicable in this case.

Article 92 (3) sets out which aids may be considered to be compatible with the common market. Compatibility with the Treaty must be determined in the context of the Community and not of a single Member State. In order to safeguard the proper functioning of the common market and taking into account the principles of Article 3 (f) the exceptions from the principle of Article 92 (1), as set out in Article 92 (3), must be construed narrowly when an aid scheme or any individual award is scrutinized.

In particular, they may be applied only when the Commission is satisfied that the free play of market forces alone, without the aids, would not induce the prospective aid recipient to adopt a course of action contributing to attainment of one of the said objectives.

To apply the exceptions to cases not contributing to such an objective or where an aid is not necessary to that end would be to give unfair advantages to certain Member States' industries, the financial positions of which would merely be bolstered, and allow trading conditions between Member States to be affected and competition to be distorted without any justification on grounds of Community interest.

The United Kingdom Government has been unable to give, or the Commission to discover, any justification for a finding that the planned aid programme falls within one of the categories of exceptions in Article 92 (3).

With regard to the exemptions provided for in Article 92 (3) (a) and (c) relating to aids intended to promote or facilitate the development of certain areas, it must be observed that the standard of living in the United Kingdom is not abnormally low nor is there serious under-employment within the meaning of the exemption specified in (a); and because of its scope, namely firms in given economic sectors irrespective of where they are located, the aid scheme is not intended for the development of certain areas as provided for in the exemption under (c).

As regards the exemptions provided for in Article 92 (3) (b), it is evident that the scheme in question is not intended to promote the execution of an important project of common European interest, or to remedy a

serious disturbance in the United Kingdom economy. Although the economy of the United Kingdom faces social and economic difficulties, these are not the most serious in the Community. In this situation the danger of an escalation of State aids is most immediate and any State aid is most likely to affect trade between Member States.

With regard to the exemptions provided for in Article 92 (3) (c) in favour of 'aid to facilitate the development of certain economic activities', it must be observed that market conditions in the sectors concerned seem apt, without State intervention, to ensure normal development, and that the proposed aids cannot therefore be regarded as 'facilitating' the development, when the need for aid is assessed from the standpoint of the Community interest rather than of a single Member State.

Examination of recent development and the present situation of the Community industries concerned shows that firms in these sectors are more competitive today than they were in the past. After a number of years during which the damage inflicted on the Community clothing, knitting and textile industries has been obvious and serious in the large scale of plant closures and workforce reductions, owing to a global market depression and increasing imports from low-cost sources, the said industries are now firmly on the road to recovery. During 1984 it has increasingly become manifest that a majority of firms in these industries throughout the Community, by means of rapidly rising productivity, improved marketing and management skills, a high quality range of products and the application of a new generation of technologically advanced equipment has achieved the objectives of restructuring and has regained to a large extent the level of competitiveness required to ensure economic success and viability on the international textile market.

The Commission therefore concludes that specific aids to assist the textile and clothing industries in the Community are, in principle, no longer justified and, in particular, any new sectoral aid programme in favour of these industries would purely be a palliative measure in the national interest of the Member State proposing such a scheme. It would transfer remaining structural problems and employment from one Member State to another in the Community and would, in addition, not meet the conditions defined in

the Community guidelines on aid to the textile industry.

This is particularly true in the case of the UK textile, clothing and knitting industries for which a number of significant pointers document the recent restructuring and positive economic development. New technologies, massive rationalization and re-tooling have already made the UK industries more efficient and much better able to produce high-quality yarns, fabrics and clothing; productivity has improved considerably as output per worker has increased by about 25 % since 1980. In addition, the argument put forward by the UK Government that the firms are unable to find the resources for the necessary investment because of low profitability is no longer justified as earnings have increased sharply and, consequently, there is a resurgence in investments which paves the way for continuing economic success and viability.

Furthermore, other indicators, such as production output and trading performance, lend strong support to the view that the former depressions started to lift in 1983 and that the situation is continuing to improve.

Particularly in view of the declared aim of the scheme — to enable investment in modern machinery — it has to be noted that it is in the United Kingdom that, because of considerably improved profits, the most intensive efforts in the Community are already being made to install new technology. In this context it must be observed that the United Kingdom industries in question have, over a number of years, benefited from considerable public financial support, be it under general, regional or specific aid programmes, which has contributed significantly to the positive development as described above.

As in the other branches to be aided, the negative trend in production output in quantity and value terms in the footwear industry has slowed down and even been reversed lately. In addition, an increase in the value of UK manufactured footwear and an improvement of the net output per worker and enterprise have been recorded over the past years, which can only partly be explained by a positive trend in capital expenditure and the level of reduction of the number of companies and in total employment. Moreover, while total exports in terms of quantity have not increased significantly of late, they have nevertheless progressed proportionately to the UK manufacturers' total sales, and in contrast, exports to other Member States reached more than 60 % of total exports in 1983/84.

Furthermore, the proposed aid programme would, in the situation described above, by artificially lowering the investment costs of companies in the sectors concerned, weaken the competitive position of other producers in the Community and would, therefore, have the effect of distorting competition and depressing prices, to the detriment and possible withdrawal from the market of producers which have hitherto survived owing to restructuring, productivity and quality improvements undertaken from their own resources. It should be noted that a large share of the production of the UK textile, knitting, clothing and footwear industries which it is proposed to aid is exported to the other Member States, in a situation where demand is only increasing slowly, so that it is therefore very unlikely that trading conditions would remain unaffected.

In addition, the UK Government's proposal to aid the clothing, knitting, footwear and textile industries comes close to being equivalent to an aid scheme for general investment and modernization of existing equipment, a category of aids about which the Commission has always had strong reservations, particularly in view of its 1971 and 1977 guidelines on aid to the textile industry. Under the present proposal no consideration in terms of restructuring is required of the firms, and the scheme would not allow for the required degree of selectivity of the investment which may therefore simply involve replacing existing machinery and, indeed, the extension of a firm's activities.

Furthermore, the description of the general aims of the scheme is not sufficiently clear and lacks quantitative objectives as to capacities, employment and restructuring and thus makes it virtually impossible for the Commission to evaluate the scheme in advance in terms of the resulting distortion of competition.

Despite the fact that the UK Government agreed to submit highly sensitive subsectors to a specific examination procedure, the proposal lacks any reference to a selective approach in respect of the different industries and does not sufficiently clearly define the criteria to be used for checking the viability of companies, nor does it clarify the thresholds to be applied to this end.

There are no provisions made under the proposal in respect of the simultaneous alternative application of

different aid programmes in favour of the said industries and the possibility of aiding companies which are not eligible under the programme in question would neutralize the small degree of selectivity which exists in singling out firms for support and would, thus, be likely to accentuate the effects of the aid programme.

Equally, the simultaneous cumulative application of another existing aid scheme in addition to the aids available under this sectoral programme would increase the intensity of aid for any given investment up to 30 % and, thus, would also accentuate the negative effects of the proposed aids.

Neither the initial proposal nor the comments under the procedure, sufficiently demonstrate the existence of any problems which are specific to small and medium-sized enterprises. Thus the proposed aids are even more unlikely to promote such firms without affecting trading conditions between Member States and would distort competition without justification on grounds of Community interest.

Furthermore, the UK Government explicitly wishes to promote the more far-sighted small firms who can afford expenditure on advanced equipment. Such an objective and approach is even more dangerous than aiding all small companies, as granting aid to the already most competitive and dynamic firms serves merely to bolster their financial position without contributing to the attainment of an objective specified in Article 92 (3) while at the same being likely to increase the resulting distortion of competition.

It is concluded that the proposed aids under the scheme of assistance for the benefit of the UK clothing, footwear, knitting and textile industries as notified to the Commission and as modified under the Article 93 (2) procedure, by favouring the United Kingdom's undertakings in the sectors concerned, the market situation of which would no longer be solely determined by their own efficiency, merits and powers, would only be in the national interest of the said Member State and would not contribute to a development which from the Community point of view would be adequate to counteract the resulting distortion of trade.

Consequently, the aid proposal in question does not meet the conditions necessary for application of one of the derogations contained in Article 92 (3) of the EEC Treaty,

HAS ADOPTED THIS DECISION:

Article 3

Article 1

The United Kingdom shall refrain from implementing its proposal, notified to the Commission by letter of 18 April 1984, modified by letters of 8 August 1984 and 11 December 1984 in the course of the procedure under Article 93 (2) of the EEC Treaty, to grant aid to sections of the clothing, footwear, knitting and textile industries.

This Decision is addressed to the United Kingdom.

Done at Brussels, 13 February 1985.

Article 2

The United Kingdom shall inform the Commission within two months of the date of notification of this Decision of the measures taken to comply therewith.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION DECISION

of 23 May 1985

**on the implementation of the reform of agricultural structures in Luxembourg
pursuant to Council Directives 72/159/EEC and 72/160/EEC**

(Only the French text is authentic)

(85/306/EEC)

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Directive 72/159/EEC of 17
April 1972 on the modernization of farms⁽¹⁾, as last
amended by Regulation (EEC) No 797/85⁽²⁾, and in
particular Article 18 (3) thereof,Having regard to Council Directive 72/160/EEC of 17
April 1972 concerning measures to encourage the
cessation of farming and the reallocation of utilized
agricultural area for the purposes of structural im-
provement⁽³⁾, as last amended by Regulation (EEC)
No 797/85, and in particular Article 9 (3) thereof,Whereas the Government of Luxembourg, pursuant to
Article 17 (3) of Directive 72/159/EEC and to Article 8
(3) of Directive 72/160/EEC, notified the following
provisions :

- the Grand-Ducal Regulation of 22 November 1984
laying down the comparable earned income for
1984 and certain procedures relating to that
income,
- the Law of 7 March 1985 renewing the measures of
social and economic development in the agricul-
tural sector ;

Whereas, under Article 18 (3) of Directive 72/159/EEC
the Commission has to decide whether, having regard
to the Grand-Ducal Regulation of 22 November 1984,
the existing provisions in Luxembourg for the imple-
mentation of Directive 72/159/EEC continue to satisfy
the conditions for a financial contribution by the
Community ;Whereas, under Article 9 (3) of Directive 72/160/EEC
the Commission has to decide whether the Law of 7
March 1985 satisfies the conditions for a financial
contribution by the Community to common measures
within the meaning of Article 6 of Directive
72/160/EEC ;Whereas the Grand-Ducal Regulation of 22 November
1984 is consistent with the aims and requirements of
Directive 72/159/EEC ;Whereas the Law of 7 March 1985 is consistent with
the aims and requirements of Directive 72/160/EEC ;Whereas the EAGGF Committee has been consulted
on the financial aspects ;Whereas the measures provided for in this Decision
are in accordance with the opinion of the Standing
Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

Article 1

1. Having regard to the Grand-Ducal Regulation of
22 November 1984, the provisions for the implemen-
tation of Directive 72/159/EEC in the Grand Duchy
of Luxembourg continue to satisfy the conditions for a
financial contribution by the Community to common
measures as referred to in Article 15 of Directive
72/159/EEC.

2. The Law of 7 March 1985 renewing the measures
of social and economic development in the agricul-
tural sector satisfy the conditions for a financial contri-
bution by the Community to common measures as
referred to in Article 6 of Directive 72/160/EEC.

*Article 2*This Decision is addressed to the Grand Duchy of
Luxembourg.

Done at Brussels, 23 May 1985.

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.⁽²⁾ OJ No L 93, 30. 3. 1985, p. 1.⁽³⁾ OJ No L 96, 23. 4. 1972, p. 9.