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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1842/85

of 3 July 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 the 1985/86 marketing year for durum wheat begins on 1 July 1985; whereas the Council has not, to date, adopted the prices for this marketing year in respect of this product; whereas the Commission, in compliance with the tasks entrusted to it by the Treaty, is obliged to adopt the precautionary measures essential to ensure continuity of operation of the common agricultural policy as regards durum wheat;

Whereas, in order to ensure continuity of operation of the import arrangements for durum wheat and for

durum wheat groats and meal, a price equal to the threshold price fixed for the 1984/85 marketing year and applicable as from 1 July 1984 should be taken into account in calculating the levies, namely 352,67 ECU per tonne for durum wheat, and 547,09 ECU per tonne for durum wheat groats and meal; whereas these prices shall be adjusted as from 1 August 1985 by the same amounts as the monthly increments fixed by Regulation (EEC) No 1020/84⁽⁶⁾;

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⁽⁷⁾, as last amended by Regulation (EEC) No 855/84⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded 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 2 July 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,

⁽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 107, 19. 4. 1984, p. 6.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

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 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 3 July 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	111,31
10.01 B II	Durum wheat	132,59 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	113,44 ⁽⁶⁾
10.03	Barley	99,36
10.04	Oats	84,22
10.05 B	Maize, other than hybrid maize for sowing	91,12 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	76,61 ⁽⁴⁾
10.07 C	Grain sorghum	113,84 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	171,65
11.01 B	Rye flour	174,64
11.02 A I a)	Durum wheat groats and meal	218,52
11.02 A I b)	Common wheat groats and meal	182,27

⁽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 1843/85

of 3 July 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,

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

Whereas these exchange rates being those recorded on 2 July 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 4 July 1985.

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

Done at Brussels, 3 July 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 3 July 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 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	2,62	2,62	9,12
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	2,67	2,67	6,43
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1844/85

of 3 July 1985

fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on rice and broken rice
were fixed by Regulation (EEC) No 576/85 ⁽³⁾, as last
amended by Regulation (EEC) No 1776/85 ⁽⁴⁾;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient
provided for in Article 2b (2) of Regulation (EEC)
No 974/71 ⁽⁵⁾, as last amended by Regulation (EEC)
No 855/84 ⁽⁶⁾,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of

these currencies recorded over a given period in
relation to the Community currencies referred to
in the previous indent, and the aforesaid coeffi-
cient;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 576/85 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed
in Article 1 (1) (a) and (b) of Regulation (EEC) No
1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.
⁽³⁾ OJ No L 67, 7. 3. 1985, p. 5.
⁽⁴⁾ OJ No L 169, 29. 6. 1985, p. 5.
⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 3 July 1985 fixing the import levies on rice and broken rice

(ECU / tonne)			
CCT heading No	Description	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	266,74	129,77
	2. Long grain	267,18	129,99
	b) Husked rice :		
	1. Round grain	333,43	163,11
	2. Long grain	333,98	163,39
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	362,19	169,17
	2. Long grain	556,26	266,24
	b) Wholly milled rice :		
	1. Round grain	385,73	180,51
	2. Long grain	596,31	285,80
	III. Broken rice	79,70	36,85

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

⁽²⁾ In accordance with Regulation (EEC) No 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 1845/85

of 3 July 1985

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Regulation (EEC) No 2505/84 ⁽³⁾, as last amended by Regulation (EEC) No 1777/85 ⁽⁴⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71 ⁽⁵⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁶⁾,

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

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 234, 1. 9. 1984, p. 8.

⁽⁴⁾ OJ No L 169, 29. 6. 1985, p. 7.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 3 July 1985 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)					
CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10
ex 10.06	Rice :				
	B. Other				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 1846/85

of 3 July 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1482/85⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be

fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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⁽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 previous indent, and the aforesaid coefficient;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

and exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured

Article 2

This Regulation shall enter into force on 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 3 July 1985 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	43,69	
	(b) Other	43,22	
	(II) Flavoured or coloured sugar		0,4369
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	40,19 ⁽¹⁾	
	(b) Other raw sugar	39,76 ⁽¹⁾	

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

COMMISSION REGULATION (EEC) No 1847/85

of 2 July 1985

fixing the list of representative producer markets for certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1332/84⁽²⁾, and in particular Article 17 (2) thereof,

Whereas, in accordance with Article 16 (1) of Regulation (EEC) No 1035/72, for each of the products listed in Annex II to the said Regulation and for each marketing year, a basic price and a buying-in price are fixed; whereas, in accordance with Article 17 of the same Regulation, the list of representative producer markets for these products must be drawn up; whereas, for the purposes of compiling this list, only those markets in the Member States in which, for a given product, a large proportion of national production is marketed throughout the marketing year, or during one of the periods in which the marketing year has been subdivided, should be taken into account;

Whereas the list of representative producer markets has been amended many times since it was fixed by Regulation (EEC) No 604/71⁽³⁾, as last amended by Regulation (EEC) No 1341/82⁽⁴⁾; whereas, as a result, details of these markets are at present scattered throughout several separate regulations drawn up at different times; whereas in these circumstances, on account of their dispersion, these texts do not possess

the clarity which all regulations should exhibit; whereas the consolidation of these texts should consequently be undertaken and certain adjustments made to the list of representative markets;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For each of the products listed in Annex II to Regulation (EEC) No 1035/72, the markets in Member States given in the lists appearing in the Annexes to this Regulation shall be considered to be representative within the meaning of Article 17 of Regulation (EEC) No 1035/72.

Article 2

Regulation (EEC) No 604/71 is hereby repealed.

Article 3

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

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 70, 24. 3. 1971, p. 9.

⁽⁴⁾ OJ No L 150, 29. 5. 1982, p. 94.

REPRESENTATIVE PRODUCER MARKETS

ANNEX I

CAULIFLOWERS

Belgium and Luxembourg:

— Sint-Katelijne-Waver

Denmark:

— Odense

Germany:

— Hamburg
 — Kitzingen
 — Maxdorf
 — Reichenau
 — Straelen

Greece:

— Athens
 — Chalkis
 — Thessaloniki

France:

— Chalon-sur-Saône
 — Châteaurenard
 — Saint-Malo
 — Saint-Omer
 — Saint-Pol-de-Léon

Ireland:

— Dublin

Italy:

— Ascoli Piceno
 — Pesaro
 — Salerno

Netherlands:

— Delft-Westerlee
 — Zuid Holland Zuid
 — West-Friesland Oost

United Kingdom:

— Belfast
 — Birmingham
 — Liverpool
 — London

ANNEX II

TOMATOES

Belgium and Luxembourg:

— Sint-Katelijne-Waver

Denmark:

— Odense

Germany:

— Heidelberg
 — Kitzingen
 — Maxdorf
 — Reichenau

Greece:

— Ierapetra
 — Pyrgos

France:

— Châteaurenard
 — Marmande
 — Perpignan

Ireland:

— Dublin

Italy:

— Ascoli Piceno
 — Messina
 — Pescara
 — Salerno

Netherlands:

— Bleiswijk
 — Delft-Westerlee
 — Venlo

United Kingdom:

— Birmingham
 — Glasgow
 — Liverpool
 — London

ANNEX III

AUBERGINES

Greece:

— Skala (Lakonias)
 — Thessaloniki

France:

— Châteaurenard

Italy:

— Catanzaro
 — Latina
 — Lecce
 — Napoli

Netherlands:

— Bleiswijk
 — Delft-Westerlee
 — Westland-Noord

ANNEX IV

PEACHES

Greece :

- Skydra
- Véria

France :

- Montauban
- Perpignan
- Valence

Italy :

- Bologna
- Ferrara
- Forlì
- Ravenna
- Salerno
- Verona

ANNEX V

APRICOTS

Greece :

- Argos
- Korinthos
- Moudania

France :

- Châteaurenard
- Perpignan

Italy :

- Forlì
- Napoli
- Salerno

ANNEX VI

LEMONS

Greece :

- Egion
- Xylokastro

Italy :

- Catania
- Messina
- Palermo
- Siracusa

ANNEX VII

PEARS

Belgium and Luxembourg :

- Sint-Truiden

Denmark :

- Odense

Germany :

- Bonn
- Ingelheim
- Stade

Greece :

- Véria
- Volos

France :

- Angers
- Avignon
- Valence

Ireland :

- Dublin

Italy :

- Bologna
- Bolzano
- Ferrara
- Ravenna
- Trento
- Verona

Netherlands :

- Geldermalsen
- Grubbenvorst
- West-Friesland Oost

United Kingdom :

- Birmingham
- London

ANNEX VIII

TABLE GRAPES

Greece :

- Kavala
- Heraklion
- Tyrnavos

France :

- Avignon
- Nîmes

Italy :

- Ascoli Piceno
- Bari
- Chieti

ANNEX IX

APPLES

Belgium and Luxembourg:

— Sint-Truiden

Denmark:

— Odense

Germany:

— Bonn
— Hamburg
— Heilbronn
— Stade
— Tett nang

Greece:

— Naousa
— Skydra
— Tripolis
— Volos

France:

— Angers
— Montauban
— Nîmes

Ireland:

— Dublin

Italy:

— Bolzano
— Cuneo
— Ferrara
— Verona

Netherlands:

— Centrale Veiling Zeeland
— Geldermalsen
— Utrecht

United Kingdom:

— Birmingham
— London

ANNEX X

MANDARINES

Greece:

— Argos
— Chios

Italy:

— Catania
— Palermo
— Siracusa

ANNEX XI

ORANGES

Greece:

— Argos
— Arta
— Sparti

Italy:

— Catania
— Reggio Calabria
— Siracusa

COMMISSION REGULATION (EEC) No 1848/85

of 2 July 1985

fixing for the 1985/86 marketing year the reference prices for pears

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed before the beginning of each marketing year;

Whereas pears are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas pears harvested during a given crop year are marketed from June of one year to May of the following year; whereas the quantities marketed in June and May of the following year are so small that there is no need to fix reference prices; whereas the reference prices should therefore be fixed for the period 1 July up to and including 30 April of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the

reference price may, however, not be lower than in the preceding marketing year;

Whereas to take variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying the specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1985/86 marketing year, the reference prices for pears falling within subheading 08.06 B II of the Common Customs Tariff, expressed in ECU per 100 kilograms net of packed products of class 1, of all sizes, shall be as follows;

July :	44,86
August :	38,11
September :	37,83
October :	40,85
November :	43,78
December :	46,95
January to April inclusive :	48,90

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1849/85

of 2 July 1985

fixing for the 1985/86 marketing year the reference prices for apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, under Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are fixed annually before the beginning of the marketing year;

Whereas because of the importance of apple-growing in the Community it is necessary to fix a reference price for apples;

Whereas apples harvested during a given crop year are marketed from July of one year to June of the following year; whereas reference prices should therefore be fixed for the period from 1 July up to and including 30 June of the following year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in

production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are the average of the prices recorded during the three years prior to the date of fixing the reference price, for a home-grown product with defined commercial characteristics, on the representative market or markets situated in the production areas where prices are lowest, for the products or varieties which represent a considerable proportion of production marketed throughout the year or for part of it and which satisfy specified requirements as regards market preparation; whereas when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market must be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1985/86 marketing year, the reference prices for apples falling within subheading 08.06 A II of the Common Customs Tariff, expressed in ECU per 100 kilograms net, shall be as follows for packed class I fruit, all sizes:

July :	46,25
August :	39,20
September :	42,19
October :	42,41
November :	43,20
December :	44,19
January :	47,08
February :	48,83
March :	51,05
April :	52,28
May :	56,05
June :	56,82

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1850/85

of 2 July 1985

fixing for the 1985 marketing year the Community offer price for pears
applicable with regard to Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 10/81
of 1 January 1981 fixing, in respect of fruit and vege-
tables, the general rules for implementing the 1979
Act of Accession⁽¹⁾, and in particular Article 9 (1)
thereof,

Whereas Article 75 of the Act of Accession introduces
a compensatory mechanism on import into the
Community of Nine, for fruit and vegetables coming
from Greece for which an institutional price is fixed ;

Whereas, in accordance with Article 75 (2) (a) of the
Act of Accession, a Community offer price is to be
calculated annually, on the one hand, on the basis of
the arithmetical average of producer prices of each
Member State of the Community of Nine, increased
by the transport and packaging costs borne by the
products from the areas of production up to the repre-
sentative centres of Community consumption and, on
the other hand, taking into account the trend of
production costs in the fruit and vegetables sector ;
whereas the said producer prices are to correspond to
an average of the price quotations recorded over three
years prior to fixing the Community offer price ;
whereas, however, the annual Community offer price
may not exceed the level of the reference price applied
vis-à-vis third countries, this Community offer price
being reduced by 15 % at the time of the fifth move
toward price alignment referred to in Article 59 of the
Act ;

Whereas, in order to take account of seasonal price
variations, the marketing year should be split into
several periods and a Community offer price fixed for
each such period ;

Whereas, by virtue of Article 3 of Regulation (EEC)
No 10/81, the rates used to calculate production prices
are those recorded for an indigenous product whose
trade characteristics are defined, on the representative
market or markets within the production zones where
the rates are lowest, for the products or varieties which
represent a substantial proportion of marketable
production throughout the year or during a part of the
year and which correspond to quality category I and to
set conditions in respect of packaging ; whereas the
average rate for each representative market is to be
drawn up disregarding rates which may be considered
excessively high or low compared with the normal
fluctuations recorded on the said market ;

Whereas application of the abovementioned criteria
results in fixing the Community offer prices for pears,
for the period 1 July to 31 December 1985, at the
levels set out hereinafter ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1985 marketing year, the Community offer
price for pears, with regard to Greece, falling within
subheading 08.06 B II of the Common Customs Tariff,
expressed in ECU per 100 kilograms net of packed
products of class I, of all sizes, shall be as follows :

July :	34,95
August :	32,39
September :	32,16
October :	34,72
November :	37,21
December :	39,91

Article 2

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

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 17.

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1851/85

of 2 July 1985

fixing for the 1985 marketing year the Community offer price for apples
applicable with regard to Greece

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Greece,

Having regard to Council Regulation (EEC) No 10/81
of 1 January 1981 fixing, in respect of fruit and vege-
tables, the general rules for implementing the 1979
Act of Accession⁽¹⁾, and in particular Article 9 (1)
thereof,

Whereas Article 75 of the Act of Accession introduces
a compensatory mechanism on import into the
Community of Nine, for fruit and vegetables coming
from Greece for which an institutional price is fixed ;

Whereas, in accordance with Article 75 (2) (a) of the
Act of Accession, a Community offer price is to be
calculated annually on the one hand, on the basis of
the arithmetical average of producer prices of each
Member State of the Community of Nine, increased
by the transport and packaging costs borne by the
products from the areas of production up to the repre-
sentative centres of Community consumption and, on
the other hand, taking into account the trend of
production costs in the fruit and vegetables sector ;
whereas the said producer prices are to correspond to
an average of the price quotations recorded over three
years prior to fixing the Community offer price ;
whereas, however, the annual Community offer price
may not exceed the level of the reference price applied
vis-à-vis third countries, this Community offer price
being reduced by 15 % at the time of the fifth move
toward price alignment referred to in Article 59 of the
Act ;

Whereas, in order to take account of seasonal price
variations, the marketing year should be split into
several periods and a Community offer price fixed for
each such period ;

Whereas, by virtue of Article 3 of Regulation (EEC)
No 10/81, the rates used to calculate production prices
are those recorded for an indigenous product whose
trade characteristics are defined, on the representative
market or markets within the production zones where
the rates are lowest, for the products or varieties which
represent a substantial proportion of marketable
production throughout the year or during a part of the
year and which correspond to quality category I and to
set conditions in respect of packaging ; whereas the
average rate for each representative market is to be
drawn up disregarding rates which may be considered
excessively high or low compared with the normal
fluctuations recorded on the said market ;

Whereas application of the abovementioned criteria
results in fixing the Community offer prices for
apples, for the period 1 July to 31 December 1985, at
the levels set out hereinafter ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1985 marketing year, the Community offer
price for apples, with regard to Greece, falling within
subheading 08.06 A II of the Common Customs
Tariff, expressed in ECU per 100 kilograms net is
hereby fixed as follows, for products of quality cate-
gory I, graded according to size and packed :

July :	39,32
August :	33,32
September :	35,87
October :	36,05
November :	36,72
December :	35,57

Article 2

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

⁽¹⁾ OJ No L 1, 1. 1. 1981, p. 17.

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1852/85

of 2 July 1985

laying down detailed rules of application with a view to exempting Member States from the obligation to buy in certain types of fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1332/84⁽²⁾, and in particular Article 19a (6) thereof,

Whereas Article 19a of Regulation (EEC) No 1035/72 specifies that Member States producing pears during the period 1 July to 31 August, peaches, apricots, tomatoes and aubergines may be exempted by the Commission from the obligation to buy in where a state of serious crisis has been recorded in respect of any of the products concerned;

Whereas details should be given of the information which the Member States must supply to the Commission to enable it to assess whether the conditions justifying exemption provided for in paragraph 4 of the said Article are satisfied;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States wishing to be exempted, pursuant to the first indent of Article 19a (4) of Regulation (EEC) No 1035/72, from the obligation to buy in provided for in the said Article, shall forward to the

Commission information on the proportion of each product which was marketed through recognized producer organizations during the previous marketing year.

2. Member States wishing to be exempted from the said obligation pursuant to the second indent of Article 19a (4) of Regulation (EEC) No 1035/72 shall forward to the Commission each year the size of the harvested crop of summer pears, peaches, apricots, tomatoes and aubergines grown in their territory in the three preceding marketing years.

3. The information referred to in paragraphs 1 and 2 in respect of each product must be received at the latest by 30 April of each year.

Article 2

In order to determine whether, for a given Member State, the conditions for exemption under the second indent of Article 19a (4) of Regulation (EEC) No 1035/72 have been satisfied, the information referred to in Article 1 (2) of this Regulation shall be compared with average Community production of the product concerned over the three years preceding the marketing year for which exemption is requested.

Article 3

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

However, for the 1985/86 marketing year the information referred to in Article 1 (1) and (2) must be received for all the above products at the latest 10 days after the publication of this Regulation.

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

COMMISSION REGULATION (EEC) No 1853/85

of 2 July 1985

derogating in respect of the opening weeks of the 1985/86 marketing year from the quality standards applicable to certain varieties of apples and pears

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1332/84⁽²⁾, and in particular the second subparagraph of Article 2 (3) thereof,

Whereas, under the quality standards for dessert apples and pears set out in the Annex to Commission Regulation (EEC) No 1641/71⁽³⁾, as last amended by Regulation (EEC) No 2162/84⁽⁴⁾, the fruit must be developed to the point where further ripening will enable it to attain the maturity appropriate to its varietal characteristics; whereas the minimum sizes laid down by the standards render this requirement impossible to meet early in the marketing year in the case of some apple and pear varieties; whereas larger minimum sizes should be fixed for a certain period;

Whereas the need for this derogation from the minimum sizes laid down in the quality standards may not arise everywhere in the Community; whereas the Member States should therefore be empowered not to apply the derogation or to re-apply the standard earlier than the dates fixed in this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. By way of derogation from Title III of the quality standards for dessert apples and pears contained in the

Annex to Regulation (EEC) No 1641/71 and subject to paragraph 2 below, the minimum size required of fruit of the 1985 harvest marketed within the Community shall be:

- (a) for apples of the George Cave variety, 60 mm until 11 August 1985;
- (b) for apples of the Grenadier variety, 70 mm until 11 August 1985;
- (c) for apples of the James Grieve variety and mutations (except the Red James Grieve variety), 70 mm until 1 September 1985 and 65 mm from 2 to 15 September 1985;
- (d) for apples of the Golden Delicious variety, 65 mm until 22 September 1985;
- (e) for apples of the Gravensteiner variety, 70 mm until 8 September 1985;
- (f) for apples of the Cox's orange pippin variety and mutations, 65 mm until 29 September 1985;
- (g) for apples of the Worcester pearmain variety, 60 mm until 8 September 1985;
- (h) for apples of the Discovery variety, 60 mm until 11 August 1985;
- (i) for apples of the Tydeman's Early variety, 65 mm until 25 August 1985;
- (j) for apples of the Summerred variety, 65 mm until 15 September 1985;
- (k) for apples of the Red James Grieve varieties, 70 mm until 8 September 1985;
- (l) for apples of the Spartan variety, 65 mm until 29 September 1985;
- (m) for apples of the Bramley Seedling variety, 80 mm until 8 September 1985;
- (n) for pears of the Dr Jules Guyot and Early Morettini Butter-pear varieties, 60 mm until 1 September 1985;
- (o) for pears of the Bon Chrétien Williams variety, 60 mm until 15 September 1985;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 172, 31. 7. 1971, p. 1.

⁽⁴⁾ OJ No L 197, 27. 7. 1984, p. 27.

- (p) for pears of the Beurré Hardy and Alexandrine Douillard varieties, 60 mm until 13 October 1985;
- (q) for pears of the Louise Bonne d'Avranches variety, 55 mm until 6 October 1985.

However, Member States may decide, in the light of conditions peculiar to their home production, not to apply this derogation in respect of apples and pears harvested in their territory and marketed within the Community or to bring forward the date on which the derogation shall cease to apply. They shall without

delay inform the other Member States and the Commission of such decision.

- 2. The derogation provided for in paragraph 1 shall not apply in respect of trade in dessert apples and pears with third countries.

Article 2

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

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1854/85**of 2 July 1985****amending Regulation (EEC) No 3398/84 as regards the period of application of the derogation from the quality standards for onions**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the quality standards for onions are set out in Annex I to Commission Regulation (EEC) No 2213/83⁽³⁾;

Whereas Commission Regulation (EEC) No 3398/84⁽⁴⁾ makes certain derogations from the quality standards for onions for a limited period; whereas the derogations should continue in order that sufficient experience can be gained before the standards are amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second subparagraph of Article 2 of Regulation (EEC) No 3398/84 '30 June 1985' is hereby replaced by '30 June 1986'.

Article 2

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

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 213, 4. 8. 1983, p. 13.

⁽⁴⁾ OJ No L 314, 4. 12. 1984, p. 14.

COMMISSION REGULATION (EEC) No 1855/85

of 2 July 1985

amending Regulation (EEC) No 1641/71 laying down quality standards for
dessert apples and pears

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1035/72 of 18 May 1972 on the common organization
of the market in fruit and vegetables⁽¹⁾, as last
amended by Regulation (EEC) No 1332/84⁽²⁾, and in
particular the second subparagraph of Article 2 (3),
thereof,

Whereas Commission Regulation (EEC) No
1641/71⁽³⁾, as last amended by Regulation (EEC) No
2162/84⁽⁴⁾, laid down quality standards for dessert
apples and pears listed in the Annex to the said Regu-
lation ;

Whereas the said standards include provision for
compulsory minimum sizes, set at different levels
depending in particular on the quality class of the
fruit ; whereas the minimum size fixed for apples of
large-fruit varieties in class II is no longer in accord
with production and marketing requirements ; whereas
the minimum size should be increased accordingly ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The quality standards for apples and pears laid down
in the Annex to Regulation (EEC) No 1641/71 are
hereby amended as follows :

In Title III 'SIZING', the figure '55 mm' for the
minimum size of apples of large-fruit varieties in
quality class II is replaced by '60 mm'.

Article 2

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

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 172, 31. 7. 1971, p. 1.

⁽⁴⁾ OJ No L 197, 27. 7. 1984, p. 27.

COMMISSION REGULATION (EEC) No 1856/85

of 2 July 1985

amending Regulations No 93/67/EEC and (EEC) No 496/70 on the quality control of fruit and vegetables as regards the 1985/86 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1332/84⁽²⁾, and in particular Articles 8 (2) and 12 (3) thereof,

In Regulation No 93/67/EEC Article 2a is hereby replaced by the following:

Article 2a

Whereas Regulation (EEC) No 2162/84⁽³⁾ amended the quality standards for dessert apples and pears provided for in the Annex to Commission Regulation (EEC) No 1641/71⁽⁴⁾ by laying down that the fruit must be sufficiently developed so that it can continue its maturing process and to attain the degree of maturity required in relation to the varietal characteristics;

In the case of apples, for the 1985/86 marketing year, the competent body may refer to a colorimetric scale and/or apply a starch regression test (iodine test) in order to verify that the requirement laid down in the quality standards for apples and pears under the first indent of the last subparagraph of Title II A of the Annex to Commission Regulation (EEC) No 1641/71 is met.

Whereas, in the case of apples, experience has shown that, in some cases, difficulties may be encountered in the task of verifying this state of development; whereas, in order to facilitate the work of the control bodies, the methods to be used for judging this development should be specified;

Article 2

In Regulation (EEC) No 496/70 Article 3a is hereby replaced by the following:

Article 3a

Whereas Commission Regulation No 93/67/EEC of 3 May 1967 laying down initial provisions on the quality control of fruit and vegetables marketed within the Community⁽⁵⁾ and Commission Regulation (EEC) No 496/70 of 17 March 1970 laying down initial provisions for the quality control of fruit and vegetables exported to third countries⁽⁶⁾, as last amended by Regulation (EEC) No 2163/84⁽⁷⁾, should therefore be supplemented accordingly;

In the case of apples for the 1985/86 marketing year, the competent body may refer to a colorimetric scale and/or apply a starch regression test (iodine test) in order to verify that the requirement laid down in the quality standards for apples and pears under the first indent of the last subparagraph of Title II A of the Annex to Commission Regulation (EEC) No 1641/71 is met.

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

Article 3

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.
⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.
⁽³⁾ OJ No L 197, 27. 7. 1984, p. 27.
⁽⁴⁾ OJ No L 172, 31. 7. 1971, p. 1.
⁽⁵⁾ OJ No 90, 10. 5. 1967, p. 1766/67.
⁽⁶⁾ OJ No L 62, 18. 3. 1970, p. 33.
⁽⁷⁾ OJ No L 197, 27. 7. 1984, p. 29.

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

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1857/85**of 2 July 1985****amending Regulation No 80/63/EEC on the quality control of fruit and vegetables imported from third countries, as regards the 1985/86 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1332/84⁽²⁾, and in particular Articles 8 (2) and 12 (3) thereof,

Whereas Regulation (EEC) No 2162/84⁽³⁾ amended the quality standards for dessert apples and pears provided for in the Annex to Commission Regulation (EEC) No 1641/71⁽⁴⁾ by laying down that the fruit must be sufficiently developed so that it can continue its maturing process and to attain the degree of maturity required in relation to the varietal characteristics;

Whereas, in the case of apples, experience has shown that, in some cases, difficulties may be encountered in the task of verifying this state of development; whereas, in order to facilitate the work of the control bodies, the methods to be used for judging this development should be specified;

Whereas Commission Regulation No 80/63/EEC⁽⁵⁾, as amended by Regulation (EEC) No 3401/84⁽⁶⁾, should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In Regulation No 80/63/EEC, Article 4a is hereby replaced by the following:

Article 4a

In the case of apples for the 1985/86 marketing year, the competent body may refer to a colorimetric scale and/or apply a starch regression test (iodine test) in order to verify that the requirement laid down in the quality standards for apples and pears under the first indent of the last subparagraph of Title II A of the Annex to Commission Regulation (EEC) No 1641/71 is met.

Article 2

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

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 197, 27. 7. 1984, p. 27.

⁽⁴⁾ OJ No L 172, 31. 7. 1971, p. 1.

⁽⁵⁾ OJ No 121, 3. 8. 1963, p. 2137/63.

⁽⁶⁾ OJ No L 314, 4. 12. 1984, p. 16.

COMMISSION REGULATION (EEC) No 1858/85**of 3 July 1985****amending Regulation (EEC) No 1445/76 specifying the different varieties of
Lolium perenne L.**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
2358/71 of 26 October 1971 on the common organi-
zation of the market in seeds ⁽¹⁾, as last amended by
Regulation (EEC) No 1581/83 ⁽²⁾, and in particular
Article 3 (5) thereof,

Whereas Commission Regulation (EEC) No
1445/76 ⁽³⁾, as last amended by Regulation (EEC) No
1692/84 ⁽⁴⁾, listed the varieties of *Lolium perenne* L. of
high persistence, late or medium late, and of *Lolium*
perenne L. of low persistence, medium late, medium
early or early, within the meaning of the provisions
adopted pursuant to Article 3 of Regulation (EEC) No
2358/71 ;

Whereas, since the last amendment of Regulation
(EEC) No 1445/76, certified seed of certain varieties of
Lolium perenne L. is no longer marketed, while certi-
fied seed of other varieties has appeared on the market
and will be marketed for the first time during the
1985/86 marketing year ; whereas, furthermore, the

application of the classification criteria to certain varie-
ties of *Lolium perenne* L. results in their inclusion in
one of the abovementioned lists ; whereas the Annexes
to Regulation (EEC) No 1445/76 should therefore be
amended accordingly ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Annexes I and II to Regulation (EEC) No 1445/76 are
hereby replaced by the Annexes hereto.

Article 2

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

It shall apply with effect from 1 July 1985.

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

Done at Brussels, 2 July 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1983, p. 23.

⁽³⁾ OJ No L 161, 23. 6. 1976, p. 10.

⁽⁴⁾ OJ No L 160, 16. 6. 1984, p. 12.

*ANNEX I***Varieties of high persistence, late or medium late**

- | | |
|-------------------------------------|--------------------|
| 1. Aberystwyth S 23 | 53. Lorina |
| 2. Aberystwyth 101 | 54. Lucretia |
| 3. Albi | 55. Magella |
| 4. Anduril | 56. Magister |
| 5. Angela | 57. Majestic |
| 6. Animo | 58. Mandola |
| 7. Arno | 59. Manhattan |
| 8. Barcentra (T) | 60. Maprima |
| 9. Barclay | 61. Mascot |
| 10. Bardetta | 62. Master |
| 11. Barenza | 63. Meltra RvP (T) |
| 12. Barlenna | 64. Mirvan |
| 13. Barry | 65. Modus (T) |
| 14. Bartony | 66. Mombassa |
| 15. Belfort (T) | 67. Moretti |
| 16. Bellatrix | 68. Pablo |
| 17. Borvi | 69. Parcour |
| 18. Butterfly | 70. Patora |
| 19. Capper | 71. Pelo |
| 20. Caprice | 72. Perfect |
| 21. Cirdan | 73. Perma |
| 22. Citadel (T) | 74. Perray |
| 23. Combi | 75. Pippin |
| 24. Compas | 76. Player |
| 25. Condesa (T) | 77. Pleno |
| 26. Contender | 78. Préférence |
| 27. Corona | 79. Rathlin |
| 28. Donata | 80. Runner |
| 29. Elka | 81. Saione |
| 30. Elrond | 82. Saver |
| 31. Endura | 83. Score/Fairway |
| 32. Ensporta | 84. Secure |
| 33. Fingal | 85. Semperweide |
| 34. Floret (T) | 86. Senator |
| 35. Grandstand | 87. Servo |
| 36. Hermes | 88. Sisu |
| 37. Honneur | 89. Sommora |
| 38. Hornet | 90. Splendor |
| 39. Hunter | 91. Sportiva |
| 40. Idole | 92. Springfield |
| 41. Karin | 93. Sprinter |
| 42. Kent Indigenous | 94. Stentor |
| 43. Kerdion | 95. Sturdy |
| 44. Kosta | 96. Talbot |
| 45. Lamora (Mommersteeg's Weidauer) | 97. Trani |
| 46. Lihersa | 98. Trepo |
| 47. Lilope | 99. Tresor |
| 48. Limage | 100. Trimmer |
| 49. Lirayo | 101. Variant |
| 50. Lisabelle | 102. Vigor (Melle) |
| 51. Lisuna | 103. Wendy. |
| 52. Loretta | |

*ANNEX II***Varieties of low persistence, medium late, medium early or early**

1. Atempo (T)
 2. Gazon
 3. Printo
 4. Verna Pajbjerg.
-

COMMISSION REGULATION (EEC) No 1859/85

of 3 July 1985

fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 798/85 ⁽²⁾,

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 Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in certain third countries ⁽⁵⁾, as last amended by Regulation (EEC) No 2135/84 ⁽⁶⁾, and in particular Article 1a (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 1a of Regulation (EEC) No 1393/76, special rates are used to convert the free-at-frontier prices for imported liqueur wines into national currency; whereas the special rates applicable at present were fixed by Commission Regulation (EEC) No 450/85 ⁽⁷⁾;

Whereas Article 1a (3) (c) of Regulation (EEC) No 1393/76 provides that the special rate for a currency other than those maintained at any given moment within a maximum spread of 2,25 % is to be revised when, for a period of 20 working days, its conversion rate moves away by an average of not less than 10 % from the special rate previously fixed for the currency in question; whereas that condition has been fulfilled for the pound sterling; whereas application of these provisions makes it necessary to alter the special rate for the pound sterling;

Whereas a coefficient of 1,033651 applied by Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measure of conjunctural policy to be taken in agriculture following the temporary widening of the

margins of fluctuations for the currencies of certain Member States ⁽⁸⁾, as last amended by Regulation (EEC) No 855/84 ⁽⁹⁾, and in particular Article 2b thereof, to the central rates and the market rates, as from the 1984/85 marketing year under the common agricultural policy,

HAS ADOPTED THIS REGULATION:

Article 1

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 shall be:

(a) for the Belgian franc and the Luxembourg franc:

Bfr/Lfr 1 = 0,0215462 ECU;

(b) for the Danish krone:

Dkr 1 = 0,118836 ECU;

(c) for the German mark:

DM 1 = 0,431540 ECU;

(d) for the French franc:

FF 1 = 0,140728 ECU;

(e) for the pound sterling:

£ 1 = 1,67247 ECU;

(f) for the Irish pound:

£ Irl 1 = 1,33314 ECU;

(g) for the Italian lira:

Lit 100 = 0,0696116 ECU;

(h) for the Dutch guilder:

Fl 1 = 0,383002 ECU;

(i) for the Greek drachma:

Dr 1 = 0,0105099 ECU.

Article 2

Regulation (EEC) No 450/85 is hereby repealed.

Article 3

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

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 89, 29. 3. 1985, p. 1.

⁽³⁾ OJ No L 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁶⁾ OJ No L 196, 26. 7. 1984, p. 21.

⁽⁷⁾ OJ No L 52, 22. 2. 1985, p. 36.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ 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, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1860/85

of 3 July 1985

fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt ⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, under Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed

rules for the application of Regulation (EEC) No 2412/73 ⁽⁴⁾, as amended by Regulation (EEC) No 3480/80 ⁽⁵⁾, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during April, May and June 1985,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 363, 31. 12. 1980, p. 84.

to the Commission Regulation of 3 July 1985 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

CCT heading No	Description	(ECU/tonne) Amounts to be deducted
ex 10.06	Rice : B. Other : I. Paddy rice ; husked rice : a) Paddy rice : 1. Round grain 2. Long grain b) Husked rice : 1. Round grain 2. Long grain II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain III. Broken rice	64,63 63,65 80,79 79,56 87,11 135,27 92,77 145,01 17,83

COMMISSION REGULATION (EEC) No 1861/85

of 3 July 1985

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1030/77 of 17 May 1977 concluding the Interim
Agreement between the European Economic Commu-
nity and the Arab Republic of Egypt⁽¹⁾, and in
particular the second subparagraph of paragraph 3 of
the exchange of letters relating to Article 13 of the
Agreement,

Whereas the exchange of letters covered by Regulation
(EEC) No 1030/77 provides that the variable com-
ponent of the levy calculated in accordance with
Article 2 of Council Regulation (EEC) No 2744/75 of
29 October 1975 on the import and export system for
products processed from cereals and rice⁽²⁾, as last
amended by Regulation (EEC) No 1027/84⁽³⁾, is to be
reduced by an amount fixed by the Commission each
quarter; whereas this amount must be equal to 60 %
of the average of the levies in force during the three
months preceding the month during which the
amount is fixed;

Whereas the variable components applicable during
April, May and June 1985 to the products falling
within subheading 23.02 A of the Common Customs
Tariff are to be taken into consideration,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts referred to in the second subparagraph
of paragraph 3 of the exchange of letters covered by
Regulation (EEC) No 1030/77 to be deducted from the
variable component applicable to bran and sharps
originating in Egypt shall be as shown in the Annex
hereto.

Article 2

This Regulation shall enter into force on 1 August
1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.
⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽³⁾ OJ No L 107, 19. 4. 1984, p. 15.

ANNEX

CCT heading No	ECU/tonne
23.02 A I a)	26,20
23.02 A I b)	52,04
23.02 A II a)	26,20
23.02 A II b)	52,04

COMMISSION REGULATION (EEC) No 1862/85

of 3 July 1985

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1512/76 of 24 June 1976 concluding the Agreement
in the form of an exchange of letters relating to Article
22 of the Cooperation Agreement and Article 15 of
the Interim Agreement between the European
Economic Community and the Republic of Tunisia
and concerning the import into the Community of
bran and sharps originating in Tunisia ⁽¹⁾, and in parti-
cular the second subparagraph of paragraph 3 of the
exchange of letters,

Having regard to Council Regulation (EEC) No
1518/76 of 24 June 1976 concluding the Agreement
in the form of an exchange of letters relating to Article
21 of the Cooperation Agreement and Article 14 of
the Interim Agreement between the European
Economic Community and the People's Democratic
Republic of Algeria and concerning the import into
the Community of bran and sharps originating in
Algeria ⁽²⁾, and in particular the second subparagraph
of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No
1525/76 of 24 June 1976 concluding the Agreement
in the form of an exchange of letters relating to Article
23 of the Cooperation Agreement and Article 16 of
the Interim Agreement between the European
Economic Community and the Kingdom of Morocco
and concerning the import into the Community of
bran and sharps originating in Morocco ⁽³⁾, and in
particular the second subparagraph of paragraph 3 of
the exchange of letters,

Whereas the Agreement in the form of an exchange of
letters annexed to Regulations (EEC) No 1512/76,
(EEC) No 1518/76 and (EEC) No 1525/76 provides
that the variable component of the levy calculated in
accordance with Article 2 of Council Regulation (EEC)
No 2744/75 of 29 October 1975 on the import and
export system for products processed from cereals and
from rice ⁽⁴⁾, as last amended by Regulation (EEC) No
1027/84 ⁽⁵⁾, is to be reduced by an amount fixed by the
Commission each quarter; whereas this amount must
be equal to 60 % of the average of the variable
components of the levies in force during the three
months preceding the month during which the
amount is fixed;

Whereas the variable components applicable to the
products falling within subheading 23.02 A II of the
Common Customs Tariff during April, May and June
1985 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of
paragraph 3 of the exchange of letters forming the
Agreement annexed to Regulations (EEC) No 1512/76,
(EEC) No 1518/76 and (EEC) No 1525/76 to be
deducted from the variable component applicable to
bran and sharps originating in Tunisia, Algeria and
Morocco respectively, shall be as set out in the Annex
héreto.

Article 2

This Regulation shall enter into force on 1 August
1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

ANNEX

to the Commission Regulation of 3 July 1985 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

CCT heading No	ECU/tonne
23.02 A II a)	26,20
23.02 A II b)	52,04

COMMISSION REGULATION (EEC) No 1863/85

of 3 July 1985

abolishing the countervailing charge on cherries originating in Romania

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 1720/85
of 24 June 1985⁽³⁾ introduced a countervailing charge
on cherries originating in Romania;

Whereas for this product originating in Romania there
were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of
Regulation (EEC) No 1035/72 are therefore fulfilled
and the countervailing charge on imports of cherries
originating in Romania can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1720/85 is hereby repealed.

Article 2

This Regulation shall enter into force on 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 165, 25. 6. 1985, p. 13.

COMMISSION REGULATION (EEC) No 1864/85
of 3 July 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 1789/85 ⁽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, November and December 1985 for colza and rape seed, the amount of the subsidy in the case of advance fixing for July, August, September, October, November and December 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 19 to 25 June 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, November and December 1985 for colza and rape seed will, however, be confirmed or replaced as from 4 July 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, November and December 1985 for colza and rape seed.

Article 2

This Regulation shall enter into force on 4 July 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 169, 29. 6. 1985, p. 32.

⁽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, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	11,587 (1)	12,290 (1)	11,777 (1)	12,613 (1)	13,317 (1)	13,837 (1)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	30,00 (1)	31,63 (1)	30,51 (1)	32,70 (1)	34,36 (1)	36,27 (1)
— Netherlands (Fl)	33,81 (1)	35,64 (1)	34,34 (1)	36,80 (1)	38,67 (1)	40,74 (1)
— BLEU (Bfrs/Lfrs)	537,77 (1)	570,40 (1)	546,59 (1)	584,03 (1)	616,71 (1)	630,69 (1)
— France (FF)	77,46 (1)	82,46 (1)	78,22 (1)	83,12 (1)	88,07 (1)	91,73 (1)
— Denmark (Dkr)	97,50 (1)	103,42 (1)	99,10 (1)	106,14 (1)	112,06 (1)	115,72 (1)
— Ireland (£ Irl)	8,692 (1)	9,219 (1)	8,829 (1)	9,393 (1)	9,921 (1)	10,159 (1)
— United Kingdom (£)	8,157 (1)	8,572 (1)	8,284 (1)	8,792 (1)	9,223 (1)	9,310 (1)
— Italy (Lit)	17 046 (1)	18 087 (1)	17 048 (1)	18 028 (1)	19 075 (1)	19 539 (1)
— Greece (Dr)	1 177,71 (1)	1 249,83 (1)	1 197,08 (1)	1 282,72 (1)	1 354,81 (1)	1 408,03 (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)	22,947	18,387	18,124	19,397	20,012
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	57,38	46,50	45,93	49,16	50,62
— Netherlands (Fl)	64,65	52,40	51,71	55,34	56,99
— BLEU (Bfrs/Lfrs)	1 065,01	853,37	841,17	898,74	927,28
— France (FF)	148,37	124,63	122,16	130,06	134,36
— Denmark (Dkr)	193,10	154,73	152,51	163,23	168,40
— Ireland (£ Irl)	17,213	13,792	13,589	14,474	14,935
— United Kingdom (£)	15,303	12,481	12,326	13,095	13,476
— Italy (Lit)	30 754	27 105	26 407	28 011	28 922
— Greece (Dr)	1 627,61	1 872,69	1 845,71	1 976,15	2 039,09

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	2,248260	2,241540	2,236140	2,229270	2,229270	2,211230
Fl	2,534630	2,529950	2,526310	2,521010	2,521010	2,507270
Bfrs/Lfrs	45,273400	45,262200	45,271900	45,250500	45,250500	45,256600
FF	6,856160	6,863550	6,874220	6,880050	6,880050	6,909340
Dkr	8,068200	8,076560	8,082740	8,081890	8,081890	8,092700
£ Irl	0,717445	0,718613	0,720183	0,720866	0,720866	0,724067
£	0,567272	0,569152	0,571064	0,572281	0,572281	0,576290
Lit	1 435,27	1 441,32	1 441,99	1 453,31	1 453,31	1 471,98
Dr	100,109800	100,04270	100,02430	99,942300	99,942300	99,860000

COMMISSION REGULATION (EEC) No 1865/85

of 3 July 1985

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1025/84⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Regulation (EEC) No 1734/85⁽⁷⁾, as last amended by Regulation (EEC) No 1840/85⁽⁸⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁹⁾ amended Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within sub-heading 23.02 A of the Common Customs Tariff;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽¹¹⁾ as last amended by Regulation (EEC) No 855/84⁽¹²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 2 July 1985;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Regulation (EEC) No 1579/74⁽¹³⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to amended Regulation (EEC) No 1734/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 166, 26. 6. 1985, p. 19.

⁽⁸⁾ OJ No L 173, 3. 7. 1985, p. 21.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽¹²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽¹³⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 3 July 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	210,00	203,96
11.02 B II b) ⁽²⁾	153,72	150,70
11.02 C II ⁽²⁾	184,32	181,30
11.02 D II ⁽²⁾	118,60	115,58
11.02 E II b) ⁽²⁾	210,00	203,96
11.02 F II ⁽²⁾	210,00	203,96

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

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

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

COMMISSION REGULATION (EEC) No 1866/85
of 3 July 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 1482/85⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1809/85⁽³⁾, as last amended by Regulation (EEC) No 1841/85⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 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 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.
⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.
⁽⁴⁾ OJ No L 173, 3. 7. 1985, p. 23.

ANNEX

to the Commission Regulation of 3 July 1985 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	48,83
	B. Raw sugar	46,45 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 1867/85

of 3 July 1985

fixing the maximum export refund for white sugar for the 10th partial invitation to tender issued within the framework of the supplementary standing invitation to tender provided for in Regulation (EEC) No 2384/84

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 1482/85⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 2384/84 of 14 August 1984 on a supplementary standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 2384/84 a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 10th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 10th partial invitation to tender for white sugar issued under Regulation (EEC) No 2384/84 is hereby fixed at 45,229 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 4 July 1985.

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

Done at Brussels, 3 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.

⁽³⁾ OJ No L 221, 18. 8. 1984, p. 16.

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

DECISION OF THE EUROPEAN PARLIAMENT

of 13 June 1985

granting a discharge to the Commission in respect of the financial management of the Second and Third European Development Funds during the 1983 financial year

(85/333/EEC)

THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Conventions signed at Yaoundé on 20 July 1963 and 29 July 1969,

Having regard to the balance sheets and accounts of the European Development Funds for the financial year 1963 (COM(84) 281 final),

Having regard to the report of the Court of Auditors concerning the financial year 1983 accompanied by the replies of the institutions⁽¹⁾,

Having regard to the Council decisions granting discharge in respect of the Second and Third European Development Funds for the 1983 financial year (Doc. C2-19/85),

Whereas the Treaty of 22 July 1975 authorizes the European Parliament to grant discharge in respect of the financial activities of the Community,

Having regard to the report of the Committee on Budgetary Control and to the opinion of the Committee on Development and Cooperation (Doc. A2-39/85),

1. Granted discharge to the Commission in respect of the financial management of the Second and Third European Development Funds during the financial year 1983 on the basis of the following expenditure :

Second European Development Fund : 53 657 ECU

Third European Development Fund : 14 279 853 ECU

2. Records its comments in the resolution which forms part of this decision ;
3. Instructs its President to forward this decision and the resolution embodying its comments to the Commission, the Council, the Court of Auditors and the European Investment Bank and to ensure that they are published in the *Official Journal of the European Communities* (L series).

Strasbourg, 13 June 1985.

The Secretary-General

H.-J. OPITZ

The President

Pierre PFLIMLIN

⁽¹⁾ OJ No C 348, 31. 12. 1984.

DECISION OF THE EUROPEAN PARLIAMENT**of 13 June 1985****granting a discharge to the Commission in respect of the financial management
of the Fourth European Development Fund during the 1983 financial year****(85/334/EEC)**

THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the first ACP-EEC Convention of Lomé⁽¹⁾,

Having regard to the balance sheet and accounts in respect of the Fourth European Development Fund for the financial year 1983 (COM(84) 281 final),

Having regard to the report of the Court of Auditors concerning the financial year 1983 accompanied by the replies of the institutions⁽²⁾,

Having regard to the Council recommendation on the granting of this discharge (Doc. C2-19/85),

Whereas the Treaty of 22 July 1975 empowers the European Parliament to grant discharge in respect of the financial activities of the Community,

Having regard to the report by the Committee on Budgetary Control and to the opinion of the Committee on Development and Cooperation (Doc. A2-39/85),

1. Grants discharge to the Commission in respect of the financial management of the Fourth European Development Fund during the financial year 1983 on the basis of the following amounts :

receipts :	226 437 404 ECU
payments :	285 181 083 ECU

2. Records its comments in the resolution which forms part of this decision ;
3. Instructs its President to forward this decision and the resolution embodying its comments to the Commission, the Council, the Court of Auditors and the European Investment Bank and to ensure that they are published in the *Official Journal of the European Communities* (L series).

Strasbourg, 13 June 1985.

The Secretary-General

H.-J. OPITZ

The President

Pierre PFLIMLIN

⁽¹⁾ OJ No L 25, 30. 1. 1976.⁽²⁾ OJ No C 348, 31. 12. 1984.

DECISION OF THE EUROPEAN PARLIAMENT**of 13 June 1985****granting a discharge to the Commission in respect of the financial management
of the Fifth European Development Fund during the 1983 financial year****(85/335/EEC)**

THE EUROPEAN PARLIAMENT,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the second ACP-EEC Convention of Lomé ⁽¹⁾,

Having regard to the balance sheet and accounts in respect of the Fifth European Development Fund for the financial year 1983 (COM(84) 281 final),

Having regard to the report of the Court of Auditors concerning the financial year 1983 accompanied by the replies of the institutions ⁽²⁾,

Having regard to the Council recommendation on the granting of this discharge (Doc. C2-19/85),

Whereas the Treaty of 22 July 1975 empowers the European Parliament to grant discharge in respect of the financial activities of the Community,

Having regard to the report by the Committee on Budgetary Control and to the opinion of the Committee on Development and Cooperation (Doc. A2-39/85),

1. Grants discharge to the Commission in respect of the financial management of the Fifth European Development Fund during the financial year 1983 on the basis of the following amounts :

receipts :	480 192 381 ECU
payments :	419 234 127 ECU

2. Records its comments in the resolution which forms part of this decision ;
3. Instructs its President to forward this decision and the resolution embodying its comments to the Commission, the Council, the Court of Auditors and the European Investment Bank and to ensure that they are published in the *Official Journal of the European Communities* (L series).

Strasbourg, 13 June 1985.

The Secretary-General

H.-J. OPITZ

The President

Pierre PFLIMLIN

⁽¹⁾ OJ No L 347, 22. 12. 1980.

⁽²⁾ OJ No C 348, 31. 12. 1984.

RESOLUTION

embodying comments forming part of the decisions granting discharge in respect of the financial management of the Second, Third, Fourth and Fifth European Development Funds during the 1983 financial year

THE EUROPEAN PARLIAMENT,

Having regard to Articles 137 and 206b of the Treaty establishing the European Economic Community,

Having regard to Articles 67 and 70 respectively of the Financial Regulations applicable to the Fourth and Fifth European Development Funds, which require the Commission to take all appropriate steps to act upon the comments appearing in the decisions giving discharge,

Noting that the same Articles also require the Commission, at the request of the European Parliament, to report on the measures taken in the light of Parliament's comments and, in particular, on the instructions given to those of its departments which are responsible for the management of the European Development Funds,

Deciding to make the comments mentioned in the said Articles 67 and 70 in the form of this resolution, which is part of each discharge decision in respect of the financial management of the European Development Funds for the 1983 financial year,

Adopting this resolution also, in exercise of powers necessary for the fulfilment of its supervisory role, in order to remedy weaknesses found during its discharge investigation and to achieve better management of the European Development Funds,

Having regard to the report of the Committee on Budgetary Control and other documents mentioned in the decisions granting discharge (Doc. A2-39/85),

Form of the discharge decision

1. Decides, in order to standardize the terminology used in its discharge decisions and to achieve greater clarity, to adopt again the definitions set out in paragraph 1 of its resolution of 16 April 1985, forming part of the decision granting a discharge in respect of the implementation of the budget for the 1983 financial year;

Development policy as a priority

2. Stresses the importance of development policy because :

- (a) the needs of developing countries, even for the basic necessities of life such as food and clean water, are enormous ;
- (b) it is one of the main aspects of the Community's relationship with half the countries of the world ; and
- (c) it is the only Community policy involving major expenditure which is executed by the Commission rather than by the Member States ;

3. Points out that the achievement of development objectives depends upon efficient financial management in order to maximize the effect of EDF resources ;

4. Recalls the recommendation contained in its aforesaid resolution of 16 April 1985 that the Commission should conduct an urgent assessment of the staff levels in its Directorate-General for Development by reference to staff levels in other aid administrations and other Commission departments and then take appropriate action ; and calls upon the Commission to take account of the priority attached to development policy when conducting that assessment and taking consequent action ;

Parliamentary powers and responsibilities

5. Recalls its previous resolutions calling for budgetization of the EDF but also draws attention to the powers and responsibilities of the European Parliament under the Treaties, which are not precluded by the Council's failure to budgetize the EDF ;

6. Reaffirms its right to be consulted on proposals for regulations relating to the EDF and, in particular, the forthcoming Financial Regulation for the Sixth EDF ;

Annual accounts

7. Notes that the annual accounts of each European Development Fund (EDF) have taken the form of a balance sheet, in which a summary of the year's transactions is included, whereas both the Internal Agreement and the Financial Regulation applicable to each EDF require the accounts to be in the form of a revenue and expenditure account and a separate balance sheet, and calls upon the Commission, in order to achieve greater clarity and to comply with these requirements, to publish both a revenue and expenditure account and a balance sheet in future years ;

8. Calls upon the Commission to publish with the annual EDF accounts the figures upon which they seek discharge, being a summary of the main items of the revenue and expenditure account and of the balance sheet for each EDF, and requests the Court of Auditors to comment on such figures in its annual report ;

9. Regrets that the accounts for each EDF for the 1983 financial year were not approved by the Commission until 15 May 1984, whereas the relevant regulations require them to be submitted to the European Parliament, the Council and the Court of Auditors no later than 15 April; and calls upon the Commission to adhere strictly to this deadline in future ;

10. Calls upon the Commission to ensure that the accounts of the European Association for Cooperation (EAC) are closed on 31 December each year and that the accounts of the EAC and other agencies responsible for managing EDF scholarships and in-service training are reconciled regularly with the EDF accounts ;

The Second EDF

11. Notes with approval that the accounts for the Second EDF were closed during 1984, only one project having been outstanding at the end of 1983 ;

The Third EDF

12. Notes that 13,58 million ECU of the Third EDF is still not allocated and a further 34,86 million ECU awaits payment ; recommends the Commission to take no further funding decisions and to transfer the balance not yet allocated to the Fifth EDF by the end of 1985 ;

13. Calls upon the Commission to close the accounts relating to all completed projects by the end of 1985 and thus release unused balances estimated at up to 5 million ECU ;

14. Calls upon the Commission to take effective action to ensure repayment of the loan of 4,5 million ECU, which has been outstanding from an ACP-State since 1978, and to avoid any similar situation in the future ;

Rate of utilization

15. Calls upon the Commission to present a written report to the European Parliament by 30 April 1986 analyzing the reasons for the slow rate of disbursement

of the EDF, proposing ways by which it could be improved and appending a summary of comparable information obtained from major international development organizations ;

16. Calls upon the Commission to procure an independent comparative study, to be commenced by 1 January 1986, of the procedures within the EDF, the World Bank and the United Nations Development Programme relating to information and decision-taking on projects, from identification to ex-post evaluation ;

Appraisal

17. Calls upon the Commission to issue appropriate guidelines to its officials and delegations so as to emphasize that, when appraising projects proposed for EDF assistance, they must obtain adequate information to ensure that the completed project :

- (a) will be appropriately sited in relation to local needs ;
- (b) will be financially viable, taking account of the local economy ;
- (c) will have adequate managerial and technical staff ;
- (d) will be adequately maintained and have access to all necessary spare parts ; and
- (e) will avoid any difficulties previously experienced with similar EDF projects ;

Ex-post evaluation

18. Reaffirms the need for more thorough ex-post evaluation and improved means of collating the results of previous experience ; therefore calls upon the Commission :

- (a) to make arrangements for many more ex-post evaluation studies of EDF projects and programmes to be conducted as from 1 January 1986 and for every project or programme completed after 1 January 1988 to be the subject of an ex-post evaluation, in accordance with Article 224 (2) of the Third Lomé Convention ;
- (b) to conduct ex-post evaluations of projects managed on behalf of the EDF by the EIB, in respect of a sample of projects completed after 1 January 1987 and all projects completed after 1 January 1989 ;
- (c) to establish not later than 30 April 1986, a data base bringing together not only the financial information relating to EDF financial and technical cooperation but also the positive and negative experience gained from implementation and ex-post evaluation ;

- (d) to add to the data base no later than 31 December 1986 parallel information relating to Community aid for non-associated developing countries ;
- (e) to set in motion, as an immediate priority, the appointment of sufficient additional staff with appropriate skills to the Directorate-General for Development in order to carry out the above work ;

Delegations

19. Underlines the growing importance of Commission delegations in the implementation of EDF financial and technical cooperation and calls upon the Commission to review the numbers and skills of delegation staff so as to ensure that they are sufficient to fulfil their expanding responsibilities and, in particular, to ensure improved standards of project and programme appraisal, monitoring of implementation and ex-post evaluation ;

20. Recommends to the Commission that they should engage independent consultants, with relevant expertise, to assist them in the review of delegations ;

21. Recommends to the Commission that they should create more possibilities for interchange between those working in delegations and officials within the Directorate General for Development in Brussels ;

Stagiaires

22. Proposes to the Commission that they recruit annually as stagiaires a number of young graduates with relevant qualifications to work in Commission delegations, assisting in the tasks of project appraisal, monitoring and ex-post evaluation ;

Technical expertise in ACP States

23. Observes that the capacity of certain ACP States, particularly the least developed, to absorb aid to maximum effect is limited by shortages of trained staff within their administrations ; therefore calls upon the Commission to give greater emphasis to meeting these needs by reviewing the procedures whereby it offers : (a) aid in training local personnel, and (b) aid through the provision of staff to work within local ACP administrations ;

Service contracts

24. Calls upon the Commission (a) to ascertain from other international development organizations

how they award service contracts, particularly relating to the supervision of projects, and by what criteria they fix remuneration under such contracts ; (b) to consider how the EDF might improve its procedures and enable better value to be obtained from such contracts ; and (c) to report to the European Parliament not later than 30 April 1986, comparing the practices of the other organizations with those of the EDF and explaining the Commission's conclusions ;

25. Recommends to the Commission : (a) that they should prepare lists of appropriately qualified consultants permanently based in ACP States (including nationals of those States) who might be employed on work associated with EDF projects and programmes, and (b) that they should encourage more use of such locally based consultants ;

European Investment Bank

26. Intends to examine in a separate report the issues arising from the Court of Auditors' special report on the management of Community Development Aid Funds by the European Investment Bank ;

Coordination of aid

27. Intends to examine the question of better coordination between Community bodies and with other aid donors in a separate report, based on the special report of the Court of Auditors on the coordination of Community aid to third countries ;

Contributions

28. Calls upon the Commission to annex to each year's EDF accounts a list of the Member States who have failed to pay their contributions within 15 days of the due dates, showing against each the dates and amounts concerned and the dates and amounts when related payments were made ;

29. Recommends to the Commission that they should propose legislation enabling interest penalties to be imposed on those Member States who make late payments of their EDF contributions ;

30. Calls upon the Commission to review the system by which it estimates the EDF rates of disbursement and thereby to avoid calling up contributions unnecessarily ;

Control of payments

31. Calls upon the Commission to review its system of monitoring supporting documents, with particular reference to transactions involving more than 50 000 ECU, so as to improve control without adding to bureaucracy ;

32. Recommends to the Commission that it should record in the EDF accounts the amount of each individual contract concluded within the framework of a special loan, so as to improve control and minimize the possibility of erroneous payments ;

33. Recommends to the Commission that it should seek to further simplify its payments procedures, without prejudicing effective control, so as to ensure that payment is normally made within 60 days after the receipt of valid invoices ;

Taxation

34. Calls upon the Commission to ensure that EDF contracts benefit in full from the most-favoured State or international development organization treatment stipulated in Protocol 6 of the Conventions and in particular :

- (a) to cease all direct payments of taxes and customs duties in respect of EDF contracts in ACP States which normally grant such exemption to World Bank contracts or to another international development organization or relevant State ;
- (b) to devise procedures which will enable it to prevent the indirect payment of taxes and customs duties in such circumstances ; and
- (c) to take steps to ensure that the lowest rates of taxation or customs duties normally paid by international development organizations or States (other than ACP States or other developing countries, which are excluded by the Protocol) are known and applied in every other ACP State ;

35. Calls upon the Commission to present a written report to the European Parliament not later than 30 April 1986 on the result of its monitoring of Protocol 6, listing any countries where taxes or customs duties have been paid on EDF contracts since 1 July 1985, with the amounts and reasons for payment ;

36. Recommends to the Commission that it should press strongly in the negotiations for the next Convention for the replacement of Protocol 6 by a clear provision that all EDF contracts are exempt from taxes and customs duties similar to the stipulation made by the World Bank ;

Court of Auditors' annual report

37. Requests the Court of Auditors to consider how the section of its annual report dealing with the European Development Funds might show more clearly whether criticisms of particular projects are typical of certain aspects of EDF management or of certain types of projects, possibly by the inclusion of statistics showing the number of projects found to be unsatisfactory as a percentage, both by projects and by value, of those inspected and of those financed by the EDF ;

Reports on implementation of this resolution

38. Calls upon the Commission to report in writing to the European Parliament on the measures taken in the light of this resolution and, in particular, on the instructions given to those of its departments which are responsible for the management of the European Development Funds :

- (a) by an interim report before 30 September 1985 ; and
- (b) by a report annexed to the EDF revenue and expenditure accounts for the 1985 financial year ;

39. Intends to appraise the implementation of this resolution in a detailed manner on the basis of these reports and to comment by further resolutions at the interim and final stages.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1802/85 of 28 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

(Official Journal of the European Communities No L 169 of 29 June 1985)

Page 67, Annex I, column '1. France — Jarret':

for: '1 450',

read: '1 400'.
