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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2255/85

of 7 August 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 organi-
zation 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 agricul-
tural policy ⁽³⁾, as last amended by Regulation (EEC)
No 2543/73 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary
Committee,

Whereas the import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2159/85 ⁽⁵⁾ and subsequent amending
Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on
6 August 1985;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2159/85 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 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 8 August
1985.

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

Done at Brussels, 7 August 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 203, 1. 8. 1985, p. 8.

⁽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 7 August 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	107,68
10.01 B II	Durum wheat	172,30 ⁽¹⁾ ⁽²⁾
10.02	Rye	112,26 ⁽⁶⁾
10.03	Barley	102,13
10.04	Oats	78,86
10.05 B	Maize, other than hybrid maize for sowing	91,17 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	50,98 ⁽⁴⁾
10.07 C	Grain sorghum	104,58 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	163,75
11.01 B	Rye flour	170,16
11.02 A I a)	Durum wheat groats and meal	280,15
11.02 A I b)	Common wheat groats and meal	176,85

⁽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 2256/85

of 7 August 1985

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

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2160/85 ⁽⁵⁾ and subsequent amending Regulations;

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

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

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

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

Whereas these exchange rates being those recorded on
6 August 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 8 August
1985.

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

Done at Brussels, 7 August 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 203, 1. 8. 1985, p. 11.

⁽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 7 August 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 8	1st period 9	2nd period 10	3rd period 11
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	1,21	1,21	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	1,41	1,41	2,75
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	6,17
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2257/85

of 7 August 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 2161/85 ⁽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 8 August
1985.

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

Done at Brussels, 7 August 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 203, 1. 8. 1985, p. 14.
⁽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 7 August 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	282,30	137,55
	2. Long grain	274,52	133,66
	b) Husked rice :		
	1. Round grain	352,87	172,83
	2. Long grain	343,15	167,97
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	391,16	183,65
	2. Long grain	560,71	268,47
	b) Wholly milled rice :		
	1. Round grain	416,59	195,94
	2. Long grain	601,09	288,19
	III. Broken rice	102,24	48,12

⁽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 2258/85

of 7 August 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 2162/85 ⁽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, 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 8 August
1985.

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

Done at Brussels, 7 August 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 234, 1. 9. 1984, p. 8.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 16.

⁽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 7 August 1985 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 8	1st period 9	2nd period 10	3rd period 11
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 2259/85**of 6 August 1985****establishing unit values for the determination of the customs value of certain perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods⁽¹⁾, as last amended by Regulation (EEC) No 1823/85⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of that Regulation provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in Regulation (EEC) No 1577/81 to the elements communicated to the Commission in accor-

dance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 August 1985.

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

Done at Brussels, 6 August 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 172, 2. 7. 1985, p. 9.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
1.10	07.01-13 07.01-15	07.01 A II	New potatoes	847	150,88	41,89	127,80	13,45	28 073	47,04	10,84
1.12	ex 07.01-21 ex 07.01-22	ex 07.01 B I	Broccoli	3764	669,94	186,03	567,48	59,74	124 649	208,90	48,15
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	1 572	279,89	77,72	237,08	24,96	52 077	87,27	20,11
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	4334	771,40	214,20	653,43	68,79	143 527	240,54	55,44
1.20	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	4624	822,98	228,53	697,11	73,39	153 124	256,62	59,14
1.22	ex 07.01-36	ex 07.01 D II	Endives	1 087	193,49	53,73	163,90	17,25	36 001	60,33	13,90
1.28	07.01-41 07.01-43	07.01 F I	Peas	10 877	1 935,82	537,55	1 639,76	172,62	360 178	603,62	139,13
1.30	07.01-45 07.01-47	07.01 F II	Beans (of the species Phaseolus)	4325	769,72	213,74	652,00	68,64	143 214	240,01	55,32
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	2246	399,73	111,00	338,59	35,64	74 373	124,64	28,72
1.40	ex 07.01-54	ex 07.01 G II	Carrots	894	159,11	44,18	134,77	14,18	29 604	49,61	11,43
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	4681	833,21	231,37	705,78	74,30	155 027	259,81	59,88
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	338	60,23	16,72	51,02	5,37	11 206	18,78	4,32
1.70	07.01-67	ex 07.01 H	Garlic	4749	845,21	234,70	715,95	75,37	157 260	263,55	60,74
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	3401	605,41	168,11	512,82	53,98	112 643	188,78	43,51
1.80		07.01 K	Asparagus :								
1.80.1	ex 07.01-71		— green	25 640	4 563,14	1 267,12	3 865,27	406,92	849 016	1 422,88	327,96
1.80.2	ex 07.01-71		— other	6 005	1 068,71	296,76	905,27	95,30	198 844	333,24	76,81
1.90	07.01-73	07.01 L	Artichokes	2721	484,32	134,48	410,25	43,19	90 112	151,02	34,80
1.100	07.01-75 07.01-77	07.01 M	Tomatoes	1 025	182,57	50,70	154,65	16,28	33 970	56,93	13,12
1.110	07.01-81 07.01-82	07.01 P I	Cucumbers	803	143,03	39,71	121,16	12,75	26 613	44,60	10,28
1.112	07.01-85	07.01 Q II	Chantarelles	31 781	5 656,11	1 570,63	4 791,09	504,39	1 052 374	1 763,69	406,51
1.118	07.01-91	07.01 R	Fennel	2349	418,13	116,11	354,19	37,28	77 798	130,38	30,05
1.120	07.01-93	07.01 S	Sweet peppers	2271	404,22	112,24	342,40	36,04	75 210	126,04	29,05
1.130	07.01-97	07.01 T II	Aubergines	1 473	262,16	72,79	222,06	23,37	48 778	81,74	18,84
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	1 050	186,94	51,91	158,35	16,67	34 783	58,29	13,43
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	1 432	254,87	70,77	215,89	22,72	47 421	79,47	18,31
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	3810	678,05	188,28	574,35	60,46	126 158	211,43	48,73
2.10	08.01-31	ex 08.01 B	Bananas, fresh	2178	387,68	107,65	328,39	34,57	72 132	120,88	27,86
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	2339	416,43	115,64	352,75	37,13	77 482	129,85	29,93
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	6 268	1 115,55	309,77	944,94	99,48	207 559	347,85	80,17
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	8 674	1 543,69	428,66	1 307,61	137,66	287 220	481,35	110,94
2.50		08.02 A I	Sweet oranges, fresh :								
2.50.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	4 305	766,32	212,79	649,12	68,33	142 582	238,95	55,07

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net							
				Bfrs/Lfrs	Dkr	DM	FF	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	2865	509,92	141,59	431,94	45,47	94 876	159,00	36,64
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	2451	436,30	121,15	369,57	38,90	81 178	136,04	31,35
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :								
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	3734	664,66	184,56	563,01	59,27	123 666	207,25	47,77
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	2483	441,94	122,72	374,35	39,41	82 228	137,80	31,76
2.60.3	08.02-28	08.02 B I	— Clementines	2973	529,13	146,93	448,21	47,18	98 451	164,99	38,03
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	2991	532,40	147,84	450,98	47,47	99 059	166,01	38,26
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	3292	585,92	162,70	496,31	52,25	109 016	182,70	42,11
2.80		ex 08.02 D	Grapefruit, fresh :								
2.80.1	ex 08.02-70		— white	2755	490,45	136,19	415,44	43,73	91 253	152,93	35,24
2.80.2	ex 08.02-70		— pink	2974	529,40	147,01	448,44	47,21	98 501	165,08	38,05
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	1642	292,31	81,17	247,61	26,06	54 388	91,15	21,00
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	3556	632,97	175,76	536,17	56,44	117 771	197,37	45,49
2.95	08.05-50	08.05 C	Chestnuts	4573	813,85	225,99	689,38	72,57	151 425	253,77	58,49
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	3001	534,09	148,31	452,41	47,62	99 373	166,54	38,38
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	1724	306,87	85,21	259,94	27,36	57 097	95,68	22,05
2.120	08.07-10	08.07 A	Apricots	2083	370,77	102,95	314,06	33,06	68 986	115,61	26,64
2.130	ex 08.07-32	ex 08.07 B	Peaches	3120	555,42	154,23	470,48	49,53	103 342	173,19	39,92
2.140	ex 08.07-32	ex 08.07 B	Nectarines	4567	812,80	225,70	688,50	72,48	151 230	253,45	58,41
2.150	08.07-51 08.07-55	08.07 C	Cherries	4924	876,32	243,34	742,30	78,14	163 048	273,25	62,98
2.160	08.07-71 08.07-75	08.07 D	Plums	2631	468,33	130,04	396,70	41,76	87 137	146,03	33,66
2.170	08.08-11 08.08-15	08.08 A	Strawberries	1974	351,48	97,60	297,73	31,34	65 397	109,60	25,26
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	4998	889,59	247,03	753,54	79,33	165 518	277,39	63,93
2.180	08.09-11	ex 08.09	Water melons	622	110,85	30,78	93,89	9,88	20 625	34,56	7,96
2.190		ex 08.09	Melons (other than water melons) :								
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	1237	220,15	61,13	186,48	19,63	40 961	68,64	15,82
2.190.2	ex 08.09-19		— other	3634	646,84	179,62	547,91	57,68	120 351	201,69	46,49
2.195	ex 08.09-90	ex 08.09	Pomegranates	6948	1 236,60	343,39	1 047,48	110,27	230 082	385,59	88,87
2.200	ex 08.09-90	ex 08.09	Kiwis	9811	1 746,12	484,87	1 479,07	155,71	324 882	544,47	125,49
2.202	ex 08.09-90	ex 08.09	Khakis	1377	245,14	68,07	207,65	21,86	45 612	76,44	17,61
2.203	ex 08.09-90	ex 08.09	Lychees	26833	4 775,54	1 326,10	4 045,18	425,86	888 535	1 489,11	343,23

COMMISSION REGULATION (EEC) No 2260/85**of 29 July 1985****laying down, for the 1985/86 wine-growing year, detailed rules for the application of Article 39 of Regulation (EEC) No 337/79**

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⁾, and in particular Articles 6 (3), 39 (8) and 65 thereof,

Whereas the operations referred to in Article 39 of Regulation (EEC) No 337/79 are to be carried out in accordance with the provisions of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽³⁾, as amended by Regulation (EEC) No 2687/84 ⁽⁴⁾;

Whereas it is necessary to determine both the conditions for the fulfilment by producers of the obligations laid down in Article 39 (2) and (3) of Regulation (EEC) No 337/79, and the obligations incumbent on distillers;

Whereas wine producers are required to deliver for distillation a quantity of product with an alcohol content which corresponds to a percentage of the volume of alcohol naturally contained in the grapes used to produce the wine; whereas the Commission is required to fix that percentage within a given upper limit;

Whereas it is particularly difficult in practice to calculate the quantity of product to be delivered in relation to the alcohol content of the grapes used, primarily on account of the significant fluctuations in the relationship between the grapes used and the wine obtained, depending on the grape varieties; whereas, by contrast, these difficulties are obviated and checks made simpler and more efficient if the same calculation is carried out in relation to the alcohol contained in the wine; whereas this method of calculation also enables the economic objective of the measure to be met without producers being required to deliver larger quantities;

Whereas, in accordance with Article 13 (3) of Regulation (EEC) No 2179/83, producers who deliver their grape marc for the manufacture of oenocyanin qualify for a reduced percentage; whereas, taking into account the fact that the alcohol contained in the marcs represents a substantial proportion of the quantity of alcohol to be delivered, the reduced percentage should be fixed at 3 %; whereas, pursuant to the same provision, producers of white quality wines *psr* qualify for a reduced rate; whereas experience in preceding wine-growing years suggest that this rate should be fixed at 5 %;

Whereas, for the purpose of determining the quantity of alcohol to be contained in the products to be delivered, it is also necessary to fix, in accordance with Article 39 (2) of Regulation (EEC) No 337/79, a standard natural alcoholic strength for each wine-growing year and each wine-growing zone; whereas, however, by virtue of Article 39 (4) of Regulation (EEC) No 337/79, producers in certain zones are not subject to the obligation in question; whereas, in the absence of precise information on the alcoholic strength of wines for the coming wine-growing year, this determination may be undertaken by reference to the average strengths recorded in the wine-growing zones concerned in previous wine-growing years, taking into account improvements in quality; whereas, however, it is necessary to allow for the possibility of altering the alcoholic strength referred to above before the date on which distillation of the wine commences in order to take account of the quality of the vintage; whereas, moreover, experience has shown that provision should be made for the adoption of different alcoholic strengths for administrative units which, having suffered from exceptionally bad weather conditions, are recognized as disaster areas by Member States;

Whereas the fixing of the buying-in price for by-products of wine-making should take account, on the one hand, of the need to ensure that all producers fulfil the obligation to distil in every respect and, on the other hand, of the level of the market price for alcohol distilled from wine;

Whereas, in order to ensure that the arrangements are as effective as possible, provision should be made for placing certain time limits on the operations to be carried out by producers and distillers;

Whereas the distillation products of certain wines subject to the obligation referred to in Article 39 of Regulation (EEC) No 337/79 should not be allowed to disturb the market in wine spirits with a registered

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 89, 29. 3. 1985, p. 1.

⁽³⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁴⁾ OJ No L 255, 25. 9. 1984, p. 1.

designation of origin; whereas, to this end, in accordance with Article 3 (2) of Regulation (EEC) No 2179/83, provision should be made that a product obtained from distilling such wine should not have an alcoholic strength less than 92 % vol;

Whereas the need to improve the quality of wine requires that all marc and lees be distilled; whereas the distillation of wine at the beginning of the wine-growing year should therefore be prohibited;

Whereas distillers may, in accordance with Article 39 (6) of Regulation (EEC) No 337/79, either qualify for aid in respect of the product to be distilled or deliver to the intervention agency the product obtained by distillation;

Whereas the amount of the aid should be fixed according to the criteria laid down in Article 16 of Regulation (EEC) No 2179/83; whereas, in order to avoid the production of poor-quality potable spirits, it should be stipulated, in the absence of Community provisions on this matter, that the potable spirits produced must comply with the national provisions in force;

Whereas, to qualify for the aid, the parties concerned must lodge an application accompanied by a number of supporting documents; whereas, to ensure that the system operates uniformly in all Member States, time limits should be laid down for the lodging of applications for the payment of aid to distillers and for the submission of proof of payment of the buying-in price;

Whereas a standard price should be paid by the intervention agencies for the products delivered to them; whereas this price must be fixed in accordance with the criteria laid down in Article 18 (2) of Regulation (EEC) No 2179/83;

Whereas, in the absence of an organized Community market in ethyl alcohol, the intervention agencies responsible for marketing such alcohol are obliged to resell it at less than the buying-in price; whereas provision should be made for the difference between the buying-in price and selling price for such alcohol to be borne, at a standard rate, by the EAGGF, Guarantee Section;

Whereas the provisions on the financing of intervention laid down in Council Regulation (EEC) No 729/70 ⁽¹⁾, as last amended by Regulation (EEC) No 2788/72 ⁽²⁾, should be extended to cover the taking-over by the intervention agencies of products derived from distillation;

Whereas some of the wines to be delivered for distillation in order to discharge the obligation laid down in Article 39 (2) of Regulation (EEC) No 337/79 may be

made into fortified wine; whereas the provisions concerning distillation operations should therefore be amended in consequence, in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83;

Whereas, in cases where the by-products of wine-making are withdrawn under supervision in accordance with Article 39 (4) and (5) of Regulation (EEC) No 337/79, a minimum average alcoholic strength should be laid down for those by-products; whereas, in the absence of precise information on this matter for the coming wine-growing year, this strength may be fixed by reference to the average strengths recorded in the different wine-growing zones concerned in previous wine-growing years; whereas, however, the system of withdrawal hitherto applied in some Member States included the fixing of a different alcoholic strength which was varied, where appropriate, according to the administrative units; whereas, in order to permit a smooth transfer from the old to the new system of withdrawal under supervision, Member States should be authorized to fix, under certain conditions, an average minimum alcoholic strength higher than that fixed as a flat rate;

Whereas, in order that the Commission may keep a general watch on compliance with the obligation to distil the by-products of wine-making, the Member States concerned must notify it regularly, on the basis of reports from distillers, of the progress and outcome of distillation operations;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down, for the 1985/86 wine-growing year, detailed rules for the application of Article 39 of Regulation (EEC) No 337/79.

Article 2

1. Producers subject to the obligation laid down in Article 39 (2) and (3) of Regulation (EEC) No 337/79 shall discharge that obligation by delivering, in accordance with Article 3 and not later than 31 July 1986:

- marc and lees or the liquid product produced by the over-pressing of grape marc and the pressing of wine lees to an approved distiller,
- any wine to an approved distiller or an approved processor fortifying wine for distillation.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

2. The minimum alcoholic strength of products delivered for distillation shall be laid down by the Member States.

Article 3

1. The amount of alcohol contained in the products delivered for distillation shall be :

- 8 % of the volume of alcohol contained in the wine, when the wine is obtained by direct vinification of grapes,
- 3 % of the volume of alcohol contained in the wine, when the wine is obtained by vinification of grape must, partially fermented grape must or new wines still in fermentation.

2. The percentage referred to in the first indent of paragraph 1 shall be reduced to :

- 3 for producers delivering marc for the manufacture of oenocyanine,
- 5 for producers of white quality wines psr, for that part of their production which qualifies as such.

Article 4

For the purpose of determining the volume of alcohol contained in products delivered for distillation pursuant to Article 39 of Regulation (EEC) No 337/79, the standard natural alcoholic strength by volume shall be :

- 8,5 for zone B,
- 9,0 for zones C I,
- 9,5 for zone C II,
- 10,0 for zones C III.

However, the alcoholic strengths given above may be altered before the wine-distilling operations referred to in Article 7 begin, if the quality of the vintage so requires. Such strengths may also be altered for administrative units or parts thereof which are recognized as disaster areas by the Member States within the meaning of national law.

Article 5

1. The price to be paid by the distiller to the producer for marc, lees, the liquid product obtained by the over-pressing of grape marc and wine lees, and any wine delivered for distillation, hereinafter called 'the buying-in price for wine delivered for distillation', shall be 1,05 ECU per % vol per hectolitre of alcohol contained in the products.

2. Not later than three months after the producer has delivered the products, the distiller shall pay the producer an advance of at least 80 % of the price referred to in paragraph 1.

However, the producer and distiller may agree that the advance is to be paid after delivery of the products, but not more than one month after the invoice concerning them is presented.

The balance shall be paid to the producer not later than 31 December 1986.

Article 6

Not later than the 10th day of each month, distillers shall communicate to the intervention agencies, for the previous month, a statement of quantities of products distilled as referred to in Article 2 (1) and of products obtained from distillation, broken down into the categories referred to in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

Article 7

1. Subject to Article 11, the distillation operations referred to in Article 39 of Regulation (EEC) No 337/79 may not take place after 31 August 1986.

2. Any wine delivered in order to discharge the obligation laid down in Article 39 (2) of Regulation (EEC) No 337/79 may be distilled only from 1 January 1986.

Article 8

1. The distiller may receive aid under the conditions laid down in paragraph 2 :

The amount of the aid shall be :

- 0,58 ECU per % vol per hectolitre of product produced by distillation, where the latter is a neutral alcohol complying with the definition given in the Annex to Regulation (EEC) No 2179/83,
- 0,49 ECU per % vol per hectolitre of product produced by distillation, where the latter is a marc spirit meeting the national quality requirements applicable,
- 0,47 ECU per % vol per hectolitre of product produced by distillation, where the latter is a wine spirit meeting the national quality requirements applicable,
- 0,47 ECU per % vol per hectolitre of product produced by distillation, where the latter is a distillate or raw alcohol with an alcoholic strength of not less than 52 % vol.

2. A distiller who wishes to receive the aid referred to in paragraph 1 shall, not later than 31 October 1986, submit an application to the intervention agency of the Member State in which distillation took place, in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2179/83.

Member States may require that the summary referred to in paragraph 1 (a) of the said Article be endorsed by a supervisory authority.

3. The distiller must provide the intervention agency, before 1 February 1987, with the proof referred to in the first subparagraph of Article 17 (2) of Regulation (EEC) No 2179/83.

If such proof is not provided before 1 February 1987, the intervention agency shall recover the aid from the distiller.

However, if the proof is provided after the time limit laid down but before 1 May 1987 and the delay is not due to serious negligence by the distiller, the intervention agency shall recover 20 % of the aid paid.

If it is found that the distiller has not paid the producer the buying-in price for wine delivered for distillation, the intervention agency shall pay the producer, before 1 June 1987, an amount equal to the aid, if necessary through the intervention agency of the producer's Member State.

Article 9

1. The delivery by the distiller to the intervention agency of products with an alcoholic strength of not less than 92 % vol shall be effected not later than 31 October 1986 or, in the event of application of Article 11 (2) of Regulation (EEC) No 2179/83, at a date fixed by the competent national authority.

2. The price to be paid to the distiller by the intervention agency shall be 1,72 ECU per % vol of pure alcohol per hectolitre.

If the distiller has received aid as provided for in Article 8, this price shall be reduced by the amount of that aid.

If the distiller has not received the aid, the provisions of Article 8 (2) shall apply.

3. If Article 18 (3) of Regulation (EEC) No 2179/83 is applied, the differentiated prices shall be :

- 1,82 ECU per % vol of pure alcohol per hectolitre, for alcohol derived from the distillation of marc,
- 1,54 ECU per % vol of pure alcohol per hectolitre, for alcohol derived from the distillation of wine, lees or the liquid obtained from the over-pressing of grape marc or the pressing of wine lees.

4. The prices referred to in paragraphs 2 and 3 shall apply to neutral alcohol complying with the definition given in the Annex to Regulation (EEC) No 2179/83.

For other alcohols, the prices laid down in paragraphs 2 and 3 shall be reduced by 0,11 ECU per % vol of pure alcohol per hectolitre.

5. The intervention agency shall pay the distiller for the alcohol not later than three months after the day on which it was delivered.

Article 8 (3) shall apply, subject to the necessary adjustments.

Article 10

The Guarantee Section of the European Agricultural Guidance and Guarantee Fund shall contribute to intervention agencies' expenditure on the taking-over of alcohol.

The contribution shall be at a standard rate of 0,76 ECU per % vol of alcohol per hectolitre of alcohol taken over.

However, for alcohol taken over under Article 11 (2) of Regulation (EEC) No 2179/83, the contribution shall be 0,18 ECU per % vol of alcohol per hectolitre.

Articles 4 and 5 of Regulation (EEC) No 729/70 shall apply to this contribution.

Article 11

1. In the case referred to in Article 26 (1) of Regulation (EEC) No 2179/83, the contract or declaration of delivery of wine to be fortified for distillation shall be submitted for approval by the competent intervention agency not later than 31 January 1986.

The intervention agency shall inform the producer of the result of the approval procedure within 15 days following the date of submission of the contract or declaration.

2. Wine may be fortified for distillation only from 1 January 1986 and until 31 August 1986, and in any event not until the contract or declaration has been approved.

3. The distillation of wine fortified for distillation may not take place after 31 October 1986.

4. The processor shall send to the intervention agency, not later than the 10th of each month, a statement of the quantities of wine delivered to him during the previous month.

5. For wine fortified for distillation, the processor shall be entitled to an aid of 0,45 ECU per hectolitre per % vol of actual wine alcohol before fortification for distillation.

In order to receive the aid, the processor shall, not later than 30 November 1986, submit a request to the competent intervention agency, attaching a copy of the accompanying documents relating to the transport of the wine for which the aid is being requested or a summary of those documents.

Member States may require that the copies or summary referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid not more than three months after the date of submission of proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged, but not in any event before the date on which the contract or declaration has been approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, by 31 March 1987, proof is provided that:

- the total quantity of wine stipulated in the contract or declaration has been fortified for distillation and distilled,
- the buying-in price for wine delivered for distillation has been paid to the producer within the time limits laid down in Article 5 (2).

If proof as referred to in the first subparagraph is not provided by 31 March 1987, the intervention agency shall recover the aid from the processor fortifying the wine for distillation.

However, if such proof is provided after the time limit laid down but before 1 July 1987, the intervention agency shall recover 20 % of the aid paid.

If it is found that the processor has not paid the producer the buying-in price for wine delivered for distillation, the intervention agency shall pay the producer, before 1 August 1987, an amount equal to the aid, if necessary through the intervention agency of the producer's Member State.

Article 12

The average minimum alcoholic strength of the by-products of wine-making withdrawn under supervision as referred to in Article 39 (4) or (5) of Regulation (EEC) No 337/79 shall be:

- in wine-growing zone A: 1,8 % vol per 100 kilograms of by-product,

- in wine-growing zone B: 2 % vol per 100 kilograms of by-product,
- in wine-growing zone C: 3,2 % vol per 100 kilograms of by-product.

Where, in view of the special characteristics of the harvest, application of the levels referred to in the first subparagraph does not permit or threatens not to permit adequate supervision of compliance with the obligation laid down in the first subparagraph of Article 39 (1) of Regulation (EEC) No 337/79, Member States may fix, for one or more administrative units or parts of administrative units, levels higher than those referred to in the first subparagraph.

Article 13

1. Without prejudice to Article 6 of Regulation (EEC) No 337/79, and except in cases of *force majeure*, where a producer or a distiller does not fulfil one of the obligations incumbent on him under this Regulation, the competent authority shall take the action it judges necessary in the light of the reasons given.

2. The Member States shall inform the Commission of cases in which paragraph 1 is applied and the action taken where *force majeure* has been invoked.

Article 14

1. By the 20th of each month at the latest, Member States shall communicate the following information to the Commission for the previous month:

- the quantity of wine and fortified wine distilled,
- the quantity of alcohol delivered to intervention agencies following distillation under Article 39 of Regulation (EEC) No 337/79,
- the quantity of grape marc spirits and wine spirits produced and the quantity of alcohol contained therein,
- the quantity of other products of a strength of 52 % vol or more for which aid has been requested.

2. Member States shall, for alcohol taken over by their intervention agencies, notify the Commission, before 1 October 1985, of the selling prices obtaining throughout the 1984/85 wine-growing year and of the characteristics and quantity of the products sold at those prices.

3. Member States shall inform the Commission, before 1 March 1987, of cases in which distillers of wine have not fulfilled their obligations and of the measures taken in consequence.

Article 15

The amounts referred to in Articles 5, 8 and 9 shall be converted into national currency at the representative rate applying in the wine sector on 1 September 1985.

Article 16

The reference period referred to in Article 6 (1) of Regulation (EEC) No 337/79 shall, for the purposes of the obligations referred to in Article 39 of that Regulation, be the period 1 September 1985 to 31 July 1986.

Article 17

This Regulation shall enter into force on 1 September 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2261/85

of 29 July 1985

laying down, for the 1985/86 wine-growing year, detailed implementing rules for the distillation referred to in Article 40 of Regulation (EEC) No 337/79

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⁾, and in particular Articles 6 ⁽³⁾, 40 ⁽⁶⁾ and 65 thereof,

Whereas the distillation operations referred to in Article 40 of Regulation (EEC) No 337/79 must be carried out in accordance with the provisions of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽³⁾, as amended by Regulation (EEC) No 2687/84 ⁽⁴⁾;

Whereas it is necessary to determine both the conditions for the fulfilment by producers of the obligations laid down in Article 40 of Regulation (EEC) No 337/79 and the conditions for the fulfilment of the obligations incumbent on distillers;

Whereas each producer should be exempted from the obligation to deliver for distillation in respect of a standard quality representing family consumption and any quantities exported; whereas it should therefore be provided that any export of wine must take place before a date which will allow the remaining quantities to be distilled, as laid down, before the end of the wine-growing year;

Whereas, under Article 40 (2) of Regulation (EEC) No 337/79 the obligation to distil does not apply to quantities of wine normally produced; whereas these quantities should be defined for each of the different types of wine produced from grapes classed for two purposes; whereas for wine produced from grapes of varieties classed as both wine-grape and table-grape varieties the rule laid down in Commission Regulation (EEC) No 2078/76 ⁽⁵⁾ should be followed, but with a different reference period for Greece; whereas,

however, for wine produced from grapes of varieties classed as both wine-grape varieties and varieties for special uses, the obligation to distil was first included in the rules in the 1982/83 wine-growing year; whereas application thereof has given rise to difficulties; whereas, in order that a proper solution may be found to these difficulties whilst ensuring equal treatment of all those concerned, the adoption of criteria for determining the quantity of wine normally produced per hectare in each administrative unit should be postponed to a later date;

Whereas the quantity to be distilled by each producer should be determined on the basis of the total quantity produced; whereas this is derived from the declarations provided for by Commission Regulation (EEC) No 2102/84 on harvest production and stock declarations relating to wine-sector products ⁽⁶⁾, as amended by Regulation (EEC) No 2459/84 ⁽⁷⁾, and from the particulars appearing in the records provided for by Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers ⁽⁸⁾, as last amended by Regulation (EEC) No 3203/80 ⁽⁹⁾;

Whereas it is necessary to avoid any risk that the product of the distillation of certain wines that must be distilled pursuant to Article 40 of Regulation (EEC) No 337/79 may disturb the market in wine spirits with a registered designation of origin; whereas to this end, in accordance with Article 3 (2) of Regulation (EEC) No 2179/83, provision should be made that a product obtained from distilling such wine should not have an alcoholic strength less than 92 % vol;

Whereas, in order to ensure that the arrangements are as effective as possible, provision should be made for placing certain time limits on the operations to be carried out by producers and distillers;

Whereas distillers may, in accordance with Article 40 (4) of Regulation (EEC) No 337/79, either receive aid for the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 89, 29. 3. 1985, p. 1.

⁽³⁾ OJ No L 212, 3. 8. 1983, p. 1.

⁽⁴⁾ OJ No L 255, 25. 9. 1984, p. 1.

⁽⁵⁾ OJ No L 233, 24. 8. 1976, p. 20.

⁽⁶⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁷⁾ OJ No L 231, 29. 8. 1984, p. 5.

⁽⁸⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽⁹⁾ OJ No L 333, 11. 12. 1980, p. 18.

basis of the criteria referred to in Article 16 of Regulation (EEC) No 2179/83 ; whereas, in order to avoid the production of poor-quality potable spirits, it should be laid down, in the absence of Community provisions on this matter, that the potable spirits produced must comply with the national provisions in force ;

Whereas, to qualify for the aid, the parties concerned must lodge an application accompanied by a number of supporting documents ; whereas, to ensure that the system operates uniformly in all Member States, time limits should be laid down for the lodging of applications, for the payment of aid to distillers and for the submission of proof that the buying-in price has been paid ;

Whereas the price to be paid by the intervention agencies for products delivered to them should be fixed on the basis of the criteria referred to in Article 18 (2) of Regulation (EEC) No 2179/83 ;

Whereas, in the absence of an organized Community market in ethyl alcohol, the intervention agencies responsible for marketing such alcohol are obliged to resell it at less than the buying-in price ; whereas provision should be made for the difference between the buying-in price and the selling price of such alcohol to be borne, at a standard rate, by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund ;

Whereas the provisions on the financing of intervention laid down in Council Regulation (EEC) No 729/70 ⁽¹⁾, as last amended by Regulation (EEC) No 2788/72 ⁽²⁾, should be extended to cover the taking-over by intervention agencies of the products of distillation ;

Whereas some of the wines which must be delivered for distillation pursuant to Article 40 of Regulation (EEC) No 337/79 may be made into fortified wines ; whereas corresponding adjustments should therefore be made to the provisions applicable to distillation operations in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83 ;

Whereas, in order that the Commission may keep a general watch on compliance with the obligations regarding distillation laid down in Article 40 of Regulation (EEC) No 337/79, the Member States concerned must keep the Commission regularly informed, on the basis of reports from distillers, of the progress and outcome of distillation operations ;

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

HAS ADOPTED THIS REGULATION :

Article 1

This Regulation lays down detailed implementing rules for the distillation provided for in Article 40 of Regulation (EEC) No 337/79 for the 1985/86 marketing year.

Article 2

1. Those producers subject to an obligation to distil under Article 40 of Regulation (EEC) No 337/79 shall discharge their obligation by delivering their wine to an approved distiller by 31 July 1986 at the latest. The provisions of paragraphs 2 and 3 shall apply.

In cases covered by Article 26 (1) of Regulation (EEC) No 2179/83, the obligation shall be discharged by delivery of the wine to an approved processor by 30 June 1986 at the latest.

2. In the case of wine covered by Article 40 (1) of Regulation (EEC) No 337/79, each producer must deliver a quantity equal to the total quantity which he has produced less :

- a standard quantity of 10 hectolitres,
- any quantity which he proves to have been exported by 31 July 1986 at the latest.

Where the distillation requirement is incumbent on a collective winery, the 10 hectolitres referred to in the first indent of the preceding subparagraph shall be deducted from the quantity produced by each member who actually delivers table grapes to the cooperative. However, the total amount deducted by the cooperative as a whole may not exceed the total quantity returned to individual members delivering table grapes in 1985/86.

3. In the case of wine covered by Article 40 (2) of Regulation (EEC) No 337/79, each producer must deliver a quantity equal to the total quantity which he has produced less :

- a standard quantity of 10 hectolitres,
- any quantity which he proves to have been exported by 31 July 1986 at the latest,
- the quantity normally produced, calculated as specified in paragraph 4.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 295, 30. 12. 1972, p. 1.

4. For each administrative unit the following shall be regarded as the total quantity of wine normally produced :

- the average quantities produced during a reference period, in the case of wine produced from grape varieties listed in the classification for that administrative unit as both wine-grape and table-grape varieties,
- the average quantities produced during the wine-growing years 1974/75 to 1979/80, in the case of wine produced from grape varieties listed in the classification for that administrative unit as both wine-grape varieties and varieties for the production of dried grapes,
- the average quantities produced in the wine-growing years 1974/75 to 1979/80 less such quantities as were distilled other than for the production of wine spirits with a registered designation of origin, in the case of wine produced from grape varieties listed in the classification for that administrative unit as both wine-grape varieties and varieties for the production of wine spirits.

For wine as referred to in the first subparagraph, the quantity normally produced per hectare shall be the quantity determined :

- in the case of administrative units in France and Italy, in accordance with Article 5 of Regulation (EEC) No 2078/76 for the 1976/77 wine-growing year,
- in the case of administrative units in Greece, in accordance with the said Article 5, taking into account the results of the wine-growing years 1974/75 to 1979/80.

5. The total quantity produced by each producer shall be the sum of the quantities of wine mentioned in paragraph 1 appearing in the production declaration referred to in Article 2 (1) of Regulation (EEC) No 2102/84 and the quantities entered in the records referred to in Article 14 of Regulation (EEC) No 1153/75 and obtained by the producer, after the date of submission of the production declaration, from grapes or from must produced from grapes of the varieties referred to in Article 40 (1) and (2) of Regulation (EEC) No 337/79 which appear in that declaration.

Article 3

1. The buying-in price provided for in Article 40 (3) of Regulation (EEC) No 337/79 shall be 1,59 ECU per % vol per hectolitre.

2. The buying-in price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the day on which each consignment of wine enters the distillery.

Article 4

1. The distillation operations referred to in Article 40 of Regulation (EEC) No 337/79 may not take place after 31 August 1986.

2. Wine as referred to in the third indent of the first subparagraph of Article 2 (4) must be distilled to give a product with an alcoholic strength of 92 % vol or more.

3. Distillers shall send the intervention agency, on the 10th day of each month at the latest, a statement of the quantities of wine distilled and of products obtained from distillation during the previous month, itemized according to the categories specified in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.

Article 5

1. Distillers may receive aid subject to the conditions set forth in paragraph 2.

The amount of the aid shall be :

- 1,12 ECU per % vol alcohol per hectolitre of the product of distillation where the latter corresponds to the definition of neutral alcohol given in the Annex to Regulation (EEC) No 2179/83,
- 1,01 ECU per % vol alcohol per hectolitre of the product of distillation where the latter is a wine spirit having the quality characteristics provided for in the applicable national provisions,
- 1,01 ECU per % vol alcohol per hectolitre of the product of distillation where the latter is a distillate or raw alcohol having an alcoholic strength of not less than 52 % vol.

2. Distillers who wish to receive the aid referred to in paragraph 1 shall, by 31 October 1986 at the latest, submit an application to the intervention agency of the Member State in which distillation took place in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2179/83.

Member States may require that the summary referred to at (a) in the first subparagraph of the said Article be endorsed by a supervisory authority.

3. The distiller shall provide the intervention agency, before 1 February 1987, with the proof referred to in the first subparagraph of Article 17 (2) of Regulation (EEC) No 2179/83.

If such proof is not provided before 1 February 1987, the aid shall be recovered by the intervention agency. If, however, the proof is furnished after that time limit but before 1 May 1987, the intervention agency shall recover 20 % of the aid paid.

Where it is established that the distiller has not paid the buying-in price to the producer, the intervention agency shall pay to the producer, before 1 June 1987, a sum equal to the amount of the aid, where appropriate through the intervention agency of the producer's Member State.

Article 6

1. Products having an alcoholic strength of 92 % vol or more shall be delivered to the intervention agency not later than 31 October 1986 or, where Article 11 (2) of Regulation (EEC) No 2179/83 is applied, within a period fixed by the competent national authority.

2. The price to be paid to the distiller by the intervention agency shall be 2,08 ECU per % vol pure alcohol per hectolitre.

Where the distiller has received aid pursuant to Article 5, the price referred to in the first subparagraph shall be reduced by the amount of that aid.

Where the distiller has not received the aid referred to in the second subparagraph, the provisions of Article 5 (2) shall apply.

3. The prices referred to in paragraph 2 shall apply to neutral alcohol corresponding to the definition given in the Annex to Regulation (EEC) No 2179/83.

For other alcohols, the prices referred to in paragraph 2 shall be reduced by 0,11 ECU per % vol of pure alcohol per hectolitre.

4. The intervention agency shall pay the distiller for the alcohol not later than three months after the day on which it was delivered.

Article 5 (3) shall apply, subject to the necessary adjustments.

Article 7

The Guarantee Section of the European Agricultural Guidance and Guarantee Fund shall contribute to intervention agencies' expenditure on the taking over of alcohol.

The contribution shall be a flat rate of 1,12 ECU per % vol per hectolitre of alcohol taken over.

However, no contribution shall be made in respect of alcohol taken over pursuant to Article 11 (2) of Regulation (EEC) No 2179/83.

Articles 4 and 5 of Regulation (EEC) No 729/70 shall apply to this contribution.

Article 8

1. In the cases referred to in Article 26 (1) of Regulation (EEC) No 2179/83, the contract or declaration relating to deliveries of wine to be fortified for distillation shall be submitted for approval to the competent intervention agency not later than 31 January 1986.

The intervention agency shall inform the producer of the outcome of the approval procedure within 15 days of the date on which the contract or declaration was submitted.

2. Fortification of wine for distillation shall not be carried out after 31 July 1986.

3. Wine fortified for distillation may not be distilled until the contract or declaration has been approved, and at the latest by 31 August 1986.

4. The processor shall send the intervention agency, not later than the 10th day of each month, a statement of the quantities of wine delivered to him during the previous month.

5. For wine fortified for distillation, the processor shall receive aid amounting to 0,99 ECU per hectolitre and per % vol of actual alcoholic strength before the wine is fortified for distillation.

In order to receive the aid, the processor shall submit to the competent intervention agency, not later than 30 November 1986, an application together with copies of the accompanying documents relating to the transport of the wine for which aid is requested or a summary of those documents.

Member States may require that the copies or summary referred to in the second subparagraph be endorsed by a supervisory authority.

The aid shall be paid at the latest three months after the date of submission of proof that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration was approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if proof has been provided, by 31 March 1987 at the latest :

- that the total quantity of wine specified in the contract or declaration has been fortified for distillation and distilled,
- that the buying-in price for the wine has been paid to the producer within the period specified in Article 3 (2).

If the proofs referred to in the first subparagraph are not provided by 31 March 1987 at the latest, the intervention agency shall recover the aid from the processor of the fortified wine.

However, if such proofs are provided after the time limit stipulated but before 1 July 1987, the intervention agency shall recover an amount equal to 20 % of the aid paid.

If it is established that the processor fortifying wine for distillation has not paid the buying-in price to the producer, the intervention agency shall pay the producer, before 1 August 1987, a sum equal to the amount of the aid, where appropriate through the intervention agency of the producer's Member State.

Article 9

By way of derogation from Article 40 (1) and (2) of Regulation (EEC) No 337/79, the wines referred to in that Article may be transported:

- to a customs office, so that customs export formalities may be completed and the wines may leave the customs territory of the Community,
- to the premises of an approved processor, so that the wines may be fortified for distillation.

Article 10

1. Without prejudice to the application of Article 6 of Regulation (EEC) No 337/79, and except in cases of *force majeure*, where a producer or distiller does not fulfil one of the obligations incumbent on him by virtue of this Regulation, the competent authority shall decide upon the action it judges necessary in the light of the reasons given.

2. Member States shall inform the Commission of cases in which paragraph 1 is applied and of the action taken where *force majeure* has been invoked.

Article 11

1. By the 20th day of each month at the latest, Member States shall send the Commission a statement specifying in respect of the previous month:

- the quantity of wine and fortified wine distilled,
- the quantity of alcohol delivered to the intervention agencies under the distillation arrangements provided for in Article 40 of Regulation (EEC) No 337/79,
- the quantity of wine spirits produced and the quantity of alcohol contained therein,
- the quantity of other products with an alcoholic strength of 52 % vol or more for which aid has been requested.

2. Member States shall, in respect of alcohol taken over by their intervention agencies, notify the Commission before 1 October 1985 of the selling prices obtaining throughout the 1984/85 wine-growing year and of the characteristics and quantity of the products sold at those prices.

3. Member States shall inform the Commission not later than 31 March 1987 of cases in which distillers of wine or fortifiers of wine for distillation have not fulfilled their obligations and of the measures taken in consequence.

Article 12

The amounts referred to in Articles 3, 5 and 6 shall be converted into national currency at the representative rate applying in the wine sector on 1 September 1985.

Article 13

For the obligations laid down in Article 40 of Regulation (EEC) No 337/79, the reference period referred to in Article 6 (1) of that Regulation shall run from 1 September 1985 to 31 July 1986.

Article 14

This Regulation shall enter into force on 1 September 1985.

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

Done at Brussels, 29 July 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2262/85

of 2 August 1985

amending Regulation (EEC) No 1569/77 in respect of the time of payment for cereals bought in by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Article 3 (4) of Commission Regulation (EEC) No 1569/77 of 11 July 1977 fixing the procedure and conditions for the taking over of cereals by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2180/85⁽⁴⁾, specifies the time limits between which payment for cereals bought in by the intervention agencies is to be made;

Whereas intervention buying-in prices for the 1985/86 marketing year for cereals are lower than those for 1984/85; whereas there is, moreover, some uncertainty as to future policy in the cereals sector; whereas to improve the position of small producers, the time elapsing before they are paid for cereals delivered to intervention, within the powers of the Member State, should be shortened to the benefit of the small producers;

Whereas in view of the diversity of production structures in the Community in the sector concerned and of the fact that the cost of the measure will, under Council Regulation (EEC) No 3247/81⁽⁵⁾, as amended

by Regulation (EEC) No 2139/85⁽⁶⁾, fall to the charge of the Member States the definition of small producers for the purposes of implementing this Regulation should be left to them;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following third subparagraph shall be added to Article 3 (4) of Regulation (EEC) No 1569/77:

'During the 1985/86 marketing year Member States shall have the option of making payment for cereals from small producers bought in by intervention agencies from the 60th day following that on which they were taken over.

Member States making use of this option shall notify the Commission in good time of the provisions that they intend to adopt for that purpose.'

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 August 1985.

For the Commission

The President

Jacques DELORS

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 62.

⁽⁵⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽⁶⁾ OJ No L 199, 31. 7. 1985, p. 13.

COMMISSION REGULATION (EEC) No 2263/85

of 7 August 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 10 to 16 June 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1311/85 of 23 May 1985 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, and in particular Article 5 thereof,

Whereas, under Article 3 of Regulation (EEC) No 1311/85, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Commission Regulation (EEC) No 2187/85 of 31 July 1985 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽²⁾, the amounts to be charged on departure from the territory of the United Kingdom of the products listed in the Annex

to the said Regulation must be fixed each week by the Commission ;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 10 to 16 June 1985 should be fixed,

HAS ADOPTED THIS REGULATION :

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1311/85, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 2187/85 which left the territory of the United Kingdom during the week 10 to 16 June 1985 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 10 June 1985.

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

Done at Brussels, 7 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 137, 27. 5. 1985, p. 20.

⁽²⁾ OJ No L 203, 1. 8. 1985, p. 76.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 10 to 16 June 1985

(ECU/100 kg net weight)

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

COMMISSION REGULATION (EEC) No 2264/85

of 7 August 1985

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1785/81 of 30 June 1981 on the common organization
of the markets in the sugar sector⁽¹⁾, as last amended
by Regulation (EEC) No 1482/85⁽²⁾, and in particular
Article 16 (8) thereof,

Whereas the import levies on syrups and certain other
sugar products were fixed by Regulation (EEC) No
2163/85⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2163/85 to the

information known to the Commission that the basic
amount of the levy on syrups and certain other sugar
products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products
listed in Article 1 (1) (d) of Regulation (EEC) No
1785/81, as fixed in the Annex to Regulation (EEC)
No 2163/85 are hereby altered to the amounts shown
in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 August
1985.

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

Done at Brussels, 7 August 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 203, 1. 8. 1985, p. 18.

ANNEX

to the Commission Regulation of 7 August 1985 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,4669	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	57,68
	ex II. Other	0,4669	—
	E. Artificial honey, whether or not mixed with natural honey	0,4669	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4669	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	57,68
	IV. Other	0,4669	—

COMMISSION REGULATION (EEC) No 2265/85
of 7 August 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 2242/85⁽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 8 August 1985.

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

Done at Brussels, 7 August 1985.

For the Commission

Frans ANDRIESSEN

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 209, 6. 8. 1985, p. 38.

ANNEX

to the Commission Regulation of 7 August 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	46,69
	B. Raw sugar	41,86 ⁽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 2266/85

of 7 August 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 2127/85⁽⁷⁾, as last amended by Regulation (EEC) No 2254/85⁽⁸⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁹⁾ as amended by 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 6 August 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 2127/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 August 1985.

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

Done at Brussels, 7 August 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 198, 30. 7. 1985, p. 38.

⁽⁸⁾ OJ No L 210, 7. 8. 1985, p. 22.

⁽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 7 August 1985 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 F ⁽²⁾	109,87	106,85
11.02 A VI ⁽²⁾	109,87	106,85
11.02 E II d) 1 ⁽²⁾	187,48	181,44
11.02 F VI ⁽²⁾	109,87	106,85
11.08 A II	147,70	116,87

⁽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 2267/85**of 7 August 1985****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 2177/85⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2177/85, to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2177/85, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 August 1985.

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

Done at Brussels, 7 August 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 203, 1. 8. 1985, p. 55.

ANNEX

to the Commission Regulation of 7 August 1985 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	42,03	
	(b) Other	41,09	
	(II) Flavoured or coloured sugar		0,4203
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	38,66 ⁽¹⁾	
	(b) Other raw sugar	37,80 ⁽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 2268/85**of 7 August 1985****fixing the maximum export refund for white sugar for the 15th 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 15th 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 15th partial invitation to tender for white sugar issued under Regulation (EEC) No 2384/84 is hereby fixed at 43,239 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 8 August 1985.

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

Done at Brussels, 7 August 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.

COMMISSION REGULATION (EEC) No 2269/85**of 7 August 1985****fixing the maximum export refund for raw sugar for the 13th partial invitation to tender issued within the framework of the supplementary standing invitation to tender provided for in Regulation (EEC) No 2385/84**

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 2385/84 of 14 August 1984 on a supplementary standing invitation to tender in order to determine levies and/or refunds on exports of raw 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 2385/84, 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 13th 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 13th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2385/84 is hereby fixed at 39,779 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 8 August 1985.

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

Done at Brussels, 7 August 1985.

For the Commission

Frans ANDRIESSEN

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. 21.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 July 1985

concerning the conclusion of the Cooperation Agreement between the European Economic Community and the Kingdom of Norway on a research and development programme in the field of metals and mineral substances

(85/376/EEC)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the draft Decision submitted by the
Commission,

Whereas, by its Decision 82/402/EEC ⁽¹⁾, the Council
adopted a research and development programme (1982
to 1985) in the raw material sector, including a sub-
programme on metals and mineral substances ;

Whereas Article 7 of the said Decision lays down that
the Community may conclude agreements with third
States involved in European cooperation in the field of
scientific and technical research (COST) with a view to
associating them wholly or partly with this
programme ;

Whereas the same Article authorizes the Commission
to negotiate the agreements ; whereas the Commission
has thus negotiated an Agreement with the Kingdom
of Norway in order to associate that State with the
sub-programme on metals and mineral substances ;

Whereas this Agreement should be approved,

HAS DECIDED AS FOLLOWS :

Article 1

The Cooperation Agreement between the European
Economic Community and the Kingdom of Norway
on a research and development programme in the
field of metals and mineral substances is hereby
approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council shall give the notifica-
tion provided for in Article 9 of the Agreement ⁽²⁾.

Done at Brussels, 25 July 1985.

For the Council

The President

J. POOS

⁽¹⁾ OJ No L 174, 21. 6. 1982, p. 23.

⁽²⁾ The date of entry into force of the Agreement will be
published in the *Official Journal of the European
Communities* by the General Secretariat of the Council.

COOPERATION AGREEMENT

between the European Economic Community and the Kingdom of Norway on a research and development programme in the field of metals and mineral substances

THE EUROPEAN ECONOMIC COMMUNITY,

hereinafter referred to as 'the Community',

and

THE GOVERNMENT OF THE KINGDOM OF NORWAY,

hereinafter referred to as 'Norway',

Whereas, by its Decision of 17 May 1982, the Council of the European Communities, hereinafter referred to as 'the Council', adopted a research and development programme (1982 to 1985) in the raw materials sector, including a sub-programme on metals and mineral substances;

Whereas comprehensive metal and mineral research programmes, taking into account disciplines such as geology of ore deposits, applied geophysics and applied geochemistry, are carried out in Norway, financed by, in particular, the Royal Norwegian Council for Scientific and Industrial Research and institutes such as the Geological Service of Norway, the Norwegian Institute of Technology and the University of Oslo;

Whereas the Community and Norway expect to derive mutual benefit from a coordination of the research and development work which they carry out in the field of metals and mineral substances;

Whereas on 18 July 1978 the Council agreed on certain details of cooperation within the framework of European cooperation in the field of scientific and technical research (COST),

HAVE AGREED AS FOLLOWS:

Article 1

The Community and Norway, hereinafter referred to as the 'Contracting Parties', shall cooperate for a period lasting until 31 December 1985 in the Community programme on minerals (indirect actions and coordinated activities), hereinafter referred to as 'the programme', as described in Annex A.

Article 2

The financial contribution by the Contracting Parties to the implementation of the programme shall be 25 575 000 ECU, divided as follows:

- 25 million ECU from the Community for a four-year period beginning on 1 January 1982,
- 575 000 ECU from Norway for the period referred to in Article 1.

The ECU is that defined in the Financial Regulation applicable to the general budget of the European Communities and in the financial provisions adopted pursuant to that Regulation.

The rules governing the financing of this Agreement are set out in Annex B.

Article 3

For Norwegian persons and undertakings, the terms and conditions for the submission and evaluation of proposals, as well as for the granting and conclusion of shared-cost contracts, shall be the same as those applied for Community persons and undertakings.

Article 4

The Commission of the European Communities, hereinafter referred to as 'the Commission', shall ensure the implementation of the indirect actions and be responsible for the coordinated activities of the programme.

The Management and Coordination Advisory Committee for raw materials and other materials, hereinafter referred to as 'the Committee', shall be enlarged to include representatives appointed by Norway, not exceeding three in number, for the purpose of all activities arising from the programme covered by this Agreement.

The terms of reference and the composition of the Committee are defined in accordance with the Council Decision of 29 June 1984 on structures and procedures for the management and coordination of Community research, development and demonstration activities.

Article 5

Information resulting from the execution of the indirect actions listed in Annex A shall be disseminated in accordance with Council Regulation (EEC) No 2380/74 of 17 September 1974 adopting provisions for the dissemination of information relating to research programmes for the European Economic Community as far as the Commission is entitled to do so. The rights and obligations for Norway and Norwegian persons and undertakings shall be the same as those

laid down by the above Regulation for Member States and persons and undertakings which pursue a research or production activity on the territory of a Member State.

Article 6

1. In accordance with a procedure laid down by the Commission after having consulted the Committee, Norway and the States taking part in the coordinated activities listed in Annex A (hereinafter referred to as 'the participating States'), and the Commission, shall regularly exchange all useful information resulting from the execution of the research covered by such activities. The participating States shall provide the Commission with all information relevant for coordination purposes. They shall also endeavour to provide the Commission with information on similar research planned or carried out by other bodies. Any information shall be treated as confidential if so requested by the participating State which provides it.

2. The Commission shall prepare annual progress reports on the basis of the information supplied and forward them to the participating States.

3. At the end of the coordination period the Commission, after having consulted the Committee, shall forward to the participating States a comprehensive report on the execution and results of the coordinated activities.

Article 7

The Contracting Parties shall consult with each other, if one of them so requests, on any problem arising out of the application of this Agreement.

Article 8

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the Euro-

pean Economic Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of the Kingdom of Norway.

Article 9

1. As soon as possible after signing this Agreement, each of the Contracting Parties shall notify the Secretary-General of the Council of the European Communities of the completion of the internal procedures necessary for the implementation of this Agreement.

2. This Agreement shall enter into force on the first day of the month following that in which the second of the Contracting Parties forwards the notification referred to in paragraph 1.

Before this Agreement enters into force, Norway may take part in the work of the Committee.

3. Other European States which took part in the Ministerial Conference held in Brussels on 22 and 23 November 1971 may be associated with the programme, under fair and equitable conditions, by separate Agreements with the Community.

The Community shall keep Norway informed of such further Agreements.

4. The Secretary-General of the Council of the European Communities shall notify each of the Contracting Parties of the lodging of the notifications referred to in paragraph 1 and of the date of entry into force of this Agreement.

Article 10

This Agreement shall be drawn up in a single original in the Danish, Dutch, English, French, German, Greek, Italian and Norwegian languages, each text being equally authentic. It shall be deposited in the archives of the General Secretariat of the Council of the European Communities, which shall forward a certified copy to each of the Contracting Parties.

ANNEX A

RESEARCH AND DEVELOPMENT PROGRAMME

Research topics	Indirect action	Coordinated action
1. EXPLORATION		
1.1. Geology of ore deposits and of their host rocks	×	×
1.2. Geochemical methods	×	×
1.3. Geophysical methods	×	×
1.4. Remote sensing	×	×
1.5. Drilling techniques	×	×
1.6. Statistics and geostatistics applied to exploration data	×	×
2. ORE PROCESSING		
2.1. Complex lead, zinc and copper ores	×	×
2.2. Other complex and oxidized ores	×	×
2.3. Aluminium from low-grade sources	×	×
2.4. Chromium from low-grade sources	×	×
2.5. Phosphates	×	×
2.6. Slags and residues	×	×
2.7. Modelling and control in mineral processing	×	×
2.8. Improved mineralogical analysis	×	×
3. MINING TECHNOLOGY		
3.1. Problems associated with depth	×	×
3.2. Marginally economic deposits	×	×
3.3. Geostatistics and modelling in mineral exploitation	×	×

*ANNEX B***FINANCING RULES***Article 1*

These provisions lay down the financial rules referred to in Article 2 of the Agreement.

Article 2

When the Agreement enters into force, the Commission shall send to Norway a call for funds corresponding to the amount laid down in Article 2 of the Agreement.

This contribution shall be expressed both in ECU and in the currency of Norway, the value of the ECU being that defined in the Financial Regulation applicable to the general budget of the European Communities and determined on the date of the call for funds.

The total contributions shall cover the travel and subsistence costs of the delegates to the Committee, in addition to the implementation costs proper.

Norway shall pay its contribution to the costs under the Agreement at the latest three month after the issue of the call for funds by the Commission. Any delay in payment shall give rise to the payment of interest by Norway — at a rate equal to the highest discount rate obtaining in the participating States on the due date. The rate shall be increased by 0,25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.

Article 3

The funds paid by Norway shall be credited to the relevant programmes as budget receipts allocated to a heading in the statement of revenue of the budget of the Commission.

Article 4

The provisional timetable for the implementation costs referred to in Article 2 of the Agreement is appended hereto.

Article 5

The Financial Regulation applicable to the general budget of the European Communities shall apply to the management of the appropriations.

Article 6

At the end of each financial year, a statement of appropriations for the programme shall be prepared and forwarded to Norway for information.

Appendix

PROVISIONAL TIMETABLE REFERRED TO IN ARTICLE 4 OF ANNEX B

	1982			1983			1984			1985			1986			Total	
	AC	AP		AC	AP		AC	AP		AC	AP		AC	AP		AC	AP
1. Initial estimate of overall requirements:																	
— staff	453 800	453 800		512 000	512 000		548 200	548 200		592 000	592 000		—	—		2 106 000	2 106 000
— administrative operating expenditure	198 300	198 300		219 300	219 300		238 000	238 000		253 000	253 000		—	—		908 600	908 600
— contracts	412 490	1 417 900		10 209 700	2 459 700		4 613 800	5 163 800		3 478 000	10 836 000		—	2 549 000		22 426 400	22 426 400
Total	4 777 000	2 070 000		10 941 000	3 191 000		5 400 000	5 950 000		4 323 000	11 681 000		—	2 549 000		25 441 000 (*)	25 441 000 (*)
2. Revised estimate of expenditure taking into account additional requirements resulting from the accession of Norway:																	
— staff	453 800	453 800		512 000	512 000		548 200	548 200		592 000	592 000		—	—		2 106 000	2 106 000
— administrative operating expenditure	198 300	198 300		219 300	219 300		238 000	238 000		253 000	253 000		—	—		908 600	908 600
— contracts	412 490	1 417 900		10 209 700	2 459 700		4 613 800	5 163 800		4 053 000	11 056 000		—	2 904 000		23 001 400	23 001 400
New Total	4 777 000	2 070 000		10 941 000	3 191 000		5 400 000	5 950 000		4 898 000	11 901 000		—	2 904 000		26 016 000	26 016 000
3. Difference between (1) and (2) to be covered by contribution from Norway	—	—		—	—		—	—		575 000	220 000		—	355 000		575 000	575 000

AC = account credited.

AP = account paid.

(*) The amount of 441 000 ECU accrues from the transfer derived from the integration of the programme on uranium exploration extraction into the programme on raw materials.