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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2322/85

of 12 August 1985

imposing a definitive anti-dumping duty on imports of glycine originating in Japan

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community ⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee as provided for by the above Regulation,

Whereas :

A. Provisional action

1. The Commission, by Regulation (EEC) No 997/85 ⁽²⁾, imposed a provisional anti-dumping duty on imports of glycine originating in Japan.

B. Subsequent procedure

2. Following the imposition of the provisional anti-dumping duty the Japanese producers known to the Commission and the main Community producer concerned requested, and were granted, an opportunity to be heard by the Commission. The Japanese producers, the main Community producer concerned and a major user of the product concerned also made written submissions making known their views on the duty.
3. The Japanese producers also requested to be informed of certain facts and essential considerations on the basis of which the Commission intended to recommend definitive action, and these requests were granted.

4. The Council examined the provisional findings of the Commission as described in Regulation (EEC) No 997/85.

C. Normal value

5. The Council decided that normal value should be determined on the basis of the monthly weighted average domestic prices of those producers who exported to the Community and who provided sufficient evidence concerning prices actually paid in the ordinary course of trade for the like product intended for consumption in Japan.
6. The exporters claimed that because of the differences in the quantities sold on the domestic market and for export to the Community, the normal value should be based on a restricted sample of transactions which most resembled the quantities sold in the export transactions.

The Council agreed with the Commission that the claim that the normal value should be based on a restricted sample of transactions which allegedly most resembled the quantities exported was tantamount to a claim for due allowance to be made for differences in quantities and that such allowance should only be granted in conformity with the objective criteria laid down in Article 2 (10) (b) of Regulation (EEC) No 2176/84.

7. One exporter also argued that domestic sales of glycine for pharmaceutical uses should be excluded from the basis for calculating the normal value because it was alleged that this type of glycine had to meet several additional specifications and was therefore not a like product.

However, this request cannot be granted, because it has not been proved that glycine for pharmaceutical uses has characteristics different from glycine used for other applications. In fact, no satisfactory evidence has been submitted showing that the requirement that glycine for pharmaceutical uses must be pyrogene-free does not apply also to glycine used for other applications. Both grades are therefore to be considered to be like

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1985, p. 8.

products within the meaning of Article 2 (12) of Regulation (EEC) No 2176/84, whether they are sold for pharmaceutical purposes or for any other use. In any event, the exporter in question sold the product concerned for pharmaceutical applications both on the domestic market and for export to the Community.

D. Export price

8. Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

E. Comparison

9. In comparing normal value with export prices account was taken, where appropriate, of differences affecting price comparability.
10. One exporter concerned claimed an allowance for differences in physical characteristics in respect of glycine sold for pharmaceutical purposes on the domestic market and the product exported to the Community.

This argument is rejected because, although the sale price of the product sold for pharmaceutical applications was higher than the average sale price of all glycine, no evidence whatsoever was submitted to show that the difference in price was due to any difference in physical characteristics.

11. In addition, both exporters claimed an allowance for differences in quantities, in accordance with Article 2 (10) (b) (i) of Regulation (EEC) No 2176/84, for price discounts in respect of sales made on the domestic market. No satisfactory evidence was submitted, however, that price discounts had in fact been granted, or that they had been made freely available in the normal course of trade.
12. Both exporters also claimed allowances in order to take account of differences in conditions and terms of sale.

With regard to Yuki Gosei Kogyo, allowances were granted for special rebates, sales commissions, salaries paid to salesmen, credit terms and transport. Allowances were not granted for warehouse charges, storage expenses, packing machinery, personal expense for the development of

applications of glycine and the administrative costs for forwarding in the domestic market because these expenses were not considered to bear a direct relationship to the sales under consideration within the meaning of Article 2 (10) (c) of Regulation (EEC) No 2176/84.

With regard to Showa Denko, allowances were granted for commissions, freight, insurance, stevedoring charges, loading charges, salesmen's salaries and ancillary costs and payment terms. Allowances were not granted for warehousing, inventory costs and personal expenses for pre-sale technical assistance and servicing because they were not considered to bear a direct relationship to the sales under consideration within the meaning of Article 2 (10) (c) of Regulation (EEC) No 2176/84. For technical assistance given after the sale no evidence was provided to support the claim.

13. All comparisons were made at ex-works level.

F. Margins

14. The examination of the facts shows the existence of dumping in respect of Yuki Gosei Kogyo Co. Ltd and Showa Denko KK, the margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.
15. These margins vary according to the exporter, the weighted average margin for each of the exporters investigated being as follows:

- Yuki Gosei Kogyo: 33,4 %,
- Showa Denko KK: 41 %.

For those exporters who did not make themselves known in the course of the investigation, dumping was determined on the basis of the facts available. In this connection, the Council considered that the results of the investigation provided the most appropriate basis for determination of the margin of dumping and that it would constitute a bonus for non-cooperation and would create an opportunity for circumvention of the duty to hold that the dumping margin for these exporters was any lower than the highest dumping margin of 41 % determined with regard to an exporter who had cooperated in the investigation. For these reasons it is considered appropriate to use this latter dumping margin for this group of exporters.

G. Injury

16. With regard to the injury caused by the dumped imports, the Council noted that no fresh evidence had been submitted and therefore the Council confirms the findings of the Commission as described in recitals 19 to 26 of Regulation (EEC) No 997/85.

H. Community interest and rate of duty

17. Both Japanese producers and a major Community user further argued that the imposition of a definitive anti-dumping duty would not be in the interest of the Community, mainly because it would enable the main Community producer to raise its sale prices unreasonably in a market where there are virtually only three suppliers or to undercut the Japanese prices so that the Japanese product would disappear from the market.

Having weighed the particularly serious difficulties at present facing the Community industry against the alleged adverse effects which could result from protective measures, the Council has come to the conclusion that it is in the Community's interest that action be taken.

18. In view of the probable effect on the competitive situation and structure in the Community market characterized by the presence of essentially one Community producer and two non-Community firms, it is considered in the Community's interest to take protective measures without fully eliminating the injury determined to have been suffered by the main Community producer during the period under investigation, but considered adequate to enable the said producer to operate economically the plant at which regular production of the product concerned started only at the beginning of 1984. It is therefore considered appropriate to confirm the rate of the provisional anti-dumping duty imposed by Regulation (EEC) No 997/85. Furthermore, the main Community producer informed the Commission that he did not object either to the imposition of a definitive anti-dumping duty at the same level as the provisional anti-dumping duty or to the imposition of the same duty on both companies.
19. In these circumstances, the Council considers that a definitive anti-dumping duty of 14,5 % of the price per tonne net, free at Community frontier, before duty, should be imposed on imports of glycine originating in Japan.

I. Undertakings

20. Yuki Gosei Kogyo Co. Ltd (Tokyo) and Showa Denko KK (Tokyo) offered undertakings concerning their exports of glycine to the Community.
21. After consultation these undertakings were not accepted by the Commission. The grounds on

which this decision was taken were communicated by the Commission to Yuki Gosei Kogyo Ltd and Showa Denko KK.

J. Observations of Japanese producers on the Commission's proposed definitive determinations

22. Yuki Gosei argued that the imposition of the same amount of anti-dumping duty on both Japanese companies would be discriminatory because it would allow Showa Denko, a company with a higher dumping margin and a lower export price than Yuki Gosei, to sell at prices lower than those of Yuki Gosei. Furthermore, it was argued that the Commission's intention to reject the price undertaking was based on an incomplete analysis of both the nature of the price undertaking offered and of the market for glycine.

These arguments are rejected for the following reasons :

- (a) The Commission noted that a disparity existed between the average export prices charged by Yuki Gosei and Showa Denko during the period under investigation. However, this disparity had not been created by the Commission, but by the companies themselves.

Imposing the same amount of anti-dumping duty with regard to the product manufactured by both companies will mean that the difference between the prices at which the two exporters' goods will be sold in the Community will remain essentially the same, unless the companies decide to alter their pricing policy. It was not considered in the interests of the Community (see recital 18) to take protective measures which would fully eliminate the injury or which would tend to reduce competition in the Community market. It is not an objective of the anti-dumping rules to bring about an alignment of the export prices to the Community.

- (b) The decision to impose the same anti-dumping duty on both companies was based on a thorough analysis of the nature of the price undertaking offered and of the glycine market. In a market where only a limited number of companies are competing with each other an alignment of prices resulting from undertakings of the kind offered by the Japanese companies, i.e. to respect the same minimum price, would reduce competition.

This effect, it is considered, would be less likely to occur as a result of the imposition of the same anti-dumping duty, because existing differences in the prices charged in different transactions by the two companies (due among other things to variations resulting from exchange rates, commissions and transport costs) could continue. Furthermore, information with regard to the future role of other Community producers, new entrants or substitute products which could possibly have led to a different conclusion was not available.

23. Showa Denko mainly argued that the ground for the imposition of a definitive anti-dumping duty, i.e. the competitive situation and the structure of the Community market, is not valid because competitive considerations would be a valid basis for refraining from any protective measures at all but not for rejecting a price undertaking.

This argument should be rejected because when examining whether or not the interests of the Community call for Community intervention, the Commission clearly came to the conclusion that in view of the facts as finally established with regard to the gravity of dumping and injury resulting therefrom (see recitals 18, and 19 to 26 of Commission Regulation (EEC) No 997/85 confirmed by the present Regulation), action had to be taken. However, it was considered not to be in the Community's interest to accept the undertakings offered because of the effect these price undertakings could have in this case on the competitive situation and structure of the glycine market.

K. Collection of provisional duty

24. It is considered that the dumped imports of glycine originating in Japan have caused material injury to the Community industry concerned.

Therefore, the amounts secured by way of provisional anti-dumping duty should be definitively collected in their entirety,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of glycine falling within Common Customs Tariff subheading 29.23 D IV corresponding to NIMEXE code 29.23-77 and originating in Japan.

2. The amount of the duty shall be 14,5 % of the price per tonne net, free at Community frontier, before duty.

The free at Community frontier prices shall be net if the conditions of sale provide for payment within 30 days from the date of shipment; they shall be increased or reduced by 1 % for each increase or reduction of one month in the period for payment.

3. The provisions in force with regard to customs duties shall apply.

Article 2

The sums secured by way of provisional anti-dumping duty under Regulation (EEC) No 997/85 shall be definitively collected.

Article 3

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

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

Done at Brussels, 12 August 1985.

For the Council

The President

J. POOS

COMMISSION REGULATION (EEC) No 2323/85

of 14 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 organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 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 coefficient;

Whereas these exchange rates being those recorded on 13 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 15 August 1985.

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

Done at Brussels, 14 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 14 August 1985 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)
		Levies
10.01 B I	Common wheat, and meslin	108,66
10.01 B II	Durum wheat	168,65 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	111,45 ⁽⁶⁾
10.03	Barley	108,97
10.04	Oats	81,15
10.05 B	Maize, other than hybrid maize for sowing	92,99 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	53,85 ⁽⁴⁾
10.07 C	Grain sorghum	109,80 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	164,35
11.01 B	Rye flour	170,02
11.02 A I a)	Durum wheat groats and meal	274,49
11.02 A I b)	Common wheat groats and meal	177,49

⁽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 2324/85

of 14 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
13 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 15 August
1985.

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

Done at Brussels, 14 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 14 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	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	1,22
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0,54	0,54	5,27
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	4,13
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	2,17	2,17
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	1,62	1,62
11.07 B	Roasted malt	0	0	0	1,89	1,89

COMMISSION REGULATION (EEC) No 2325/85
of 14 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 2257/85 ⁽⁴⁾;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 August 1985.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 13.

⁽³⁾ OJ No L 67, 7. 3. 1985, p. 5.

⁽⁴⁾ OJ No L 211, 8. 8. 1985, p. 5.

⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 14 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	278,04	135,42
	b) Husked rice :		
	1. Round grain	352,87	172,83
	2. Long grain	347,55	170,17
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	391,16	183,65
	2. Long grain	569,88	273,05
	b) Wholly milled rice :		
	1. Round grain	416,59	195,94
	2. Long grain	610,92	293,11
	III. Broken rice	99,80	46,90

⁽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 2326/85

of 14 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 2258/85 ⁽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 15 August
1985.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIËSEN

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 211, 8. 8. 1985, p. 7.
⁽⁵⁾ OJ No L 106, 12. 5. 1971, p. 1.
⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 14 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 2327/85

of 14 August 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68⁶ ; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾ ; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content ;

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁹⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 15 August 1985.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 14 August 1985 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	42,03	
	(b) Other	40,67	
	(II) Flavoured or coloured sugar		0,4203
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	38,66 ⁽¹⁾	
	(b) Other raw sugar	37,41 ⁽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 2328/85
of 14 August 1985
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the amount of the aid referred to in Article
2 (1) of Regulation (EEC) No 1614/79 was fixed by
Regulation (EEC) No 2892/84 ⁽³⁾, as last amended by
Regulation (EEC) No 2173/85 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC)
No 1614/79 is hereby fixed at 32,074 ECU per 100
kilograms.

Article 2

This Regulation shall enter into force on 16 August
1985.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 190, 28. 7. 1979, p. 8.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 46.

⁽³⁾ OJ No L 273, 16. 10. 1984, p. 16.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 42.

COMMISSION REGULATION (EEC) No 2329/85**of 12 August 1985****laying down detailed rules for the application of the special measures for soya beans**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, and in particular Article 2 (8) and the second paragraph of Article 3 thereof,

Having regard to Council Regulation (EEC) No 2194/85 of 2 August 1985 adopting general rules concerning special measures for soya beans ⁽²⁾, and in particular Article 9 thereof,

Whereas Article 1 of Regulation (EEC) No 2194/85 details the criteria for determining the world market price for soya beans ;

Whereas, in view of the price fluctuations that normally occur on the world market, the world market price for soya beans should be determined twice per month ;

Whereas provision should be made for adjusting the offers and quotations used in order to compensate for any differences in quality and conditions and place of delivery compared with the product for which the world price must be fixed ;

Whereas Article 2 (a) of Regulation (EEC) No 2194/84 specifies that the first purchaser shall keep stock records ; whereas, in order to enable beans harvested in the Community to be distinguished from imported beans, it should be specified that separate stock records are to be kept for the two categories of beans and that they are to be stored in different premises ;

Whereas the second paragraph of Article 2 of Regulation (EEC) No 2194/85 provides for the approval by the competent agency of the first purchaser other than the processor, it is necessary to determine the conditions for approval ;

Whereas standardized terms to be incorporated in the contracts concluded between producers and first purchasers, and also those terms for incorporation into the delivery declarations, should be laid down. However, with regard to the contracts in order that the minimum price may be observed, provision should be

made for the selling price to be expressed by unit of weight of produce of standard quality, such that the contract should mention any increases and reductions in the selling price ;

Whereas, Article 3 of Regulation (EEC) No 2194/85 provides that aid shall be paid to the first purchaser after verification of processing or of sale or delivery to a processor ; aid may be paid in advance upon presentation of the delivery declaration and provided that a security is lodged ;

Whereas, to ensure that the aid system is applied in a uniform manner, detailed rules for payment of the aid should be laid down ; it is also necessary to determine the conditions for the advance payment of the aid and to define the circumstances in which the security shall be forfeit ;

Whereas it should be specified how often the aid should be fixed, it is considered sufficient for the aid to be fixed twice a month ;

Whereas, Member States shall set up a control system ensuring that only the products entitled to aid receive it, this system should enable checks to be made upon the observance of the minimum price referred to in Article 2 (3) of Regulation (EEC) No 1491/85 ;

Whereas, pursuant to Article 9 of Regulation (EEC) No 2194/85 transitional measures may be adopted in order to facilitate a smooth transition between the previous aid system and that provided for under the present Regulation ;

Whereas until an intra-Community control system can be established, but at the latest by 31 December 1985, producer Member States shall limit the payment of aid to soya beans processed in their territory ;

Whereas, notwithstanding the measures for the rest of the Community, Article 2 (4) of Regulation (EEC) No 1491/85 provides that in the case of French overseas departments, the aid should be granted to producers in respect of a level of production established by applying a representative yield to the areas on which soya beans have been sown and harvested ; therefore, certain detailed rules should be laid down for implementing these new arrangements ;

Whereas, to facilitate proper management of the aid arrangements in the departments in question, it is necessary that France should communicate to the Commission certain data concerning the aid ;

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 204, 2. 8. 1985, p. 1.

Whereas it is therefore necessary to amend Commission Regulation (EEC) No 1978/80 ⁽¹⁾, as last amended by Regulation (EEC) No 2784/84 ⁽²⁾, however, for the sake of clarity this Regulation should be replaced;

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

HAS ADOPTED THIS REGULATION:

Article 1

The world market price for soya beans shall be determined twice a month.

This price shall be fixed per 100 kilograms and shall be calculated on the basis of the most favourable offers and quotations for delivery within 30 days.

Article 2

1. Where the offers and quotations recorded relate to:

- (a) a quality other than the standard quality for which the guide price was fixed, they shall be adjusted by reference to the coefficient of equivalence given in Annex A;
- (b) products delivered cif at a frontier crossing point other than Rotterdam, they shall be adjusted by reference to the difference in freight and insurance costs as against products delivered cif Rotterdam;
- (c) products delivered cif Rotterdam, they shall be adjusted to take account of unloading and forwarding costs.

2. For the purpose of paragraph 1, only the lowest available costs in respect of loading, freight and insurance shall be taken into account.

Article 3

Within the meaning of Article 3 of Regulation (EEC) No 2194/85, processing for other uses in human food or animal feeding shall be understood to mean any procedure which processes the soya beans so that they lose their identity and yield products destined for human or animal consumption.

Article 4

Every first purchaser shall keep separate stock records for soya beans harvested in the Community and for

imported beans. These shall contain at least the following information:

- quantities in net weight of beans as received and in the case of beans harvested in the Community, moisture content and impurity content;
- movements between the various premises or stores of the undertaking;
- quantities of beans processed and the nature and quantity of the products obtained where the first purchaser is the processor;
- the quantity of seed or of the processed products leaving the undertaking and their destinations;
- a regular inventory of stocks;
- references to the contracts, the declarations of delivery and the invoices or equivalent documents for both products bought and products sold; however, in the case where the first purchaser, who is other than the processor, delivers to the processor, he shall keep references to the appropriate documents relating to the delivery to the processor.

In addition, every first purchaser shall:

- allow access to his premises by officials of the competent agency;
- comply with the obligations arising out of this Regulation;
- facilitate inspection operations;
- keep all the documents relative to the transactions concerned, together with his financial accounts, available for inspection by the competent agency of the Member State.

Beans harvested in the Community shall be stored separately from those imported.

Article 5

1. In order to be approved within the meaning of the second paragraph of Article 2 of Regulation (EEC) No 2194/85, each first purchaser shall, in addition to his obligations resulting from Article 4:

- (a) be a natural or legal person whose principal activity is trading in grain and oilseeds;
- (b) provide adequate assurance, from the financial point of view, that he is able to perform his obligations arising under this system;
- (c) have adequate storage capacity suitably equipped for weighing and analyzing the beans to determine the quality as compared with the standard quality;
- (d) keep the stock records and the other information required by Article 4 and by this paragraph from the date of his application for approval, for a period fixed by the Member State concerned.

2. The competent agency shall allocate an identification number to each approved first purchaser fulfilling the conditions of paragraph 1.

⁽¹⁾ OJ No L 192, 26. 7. 1980, p. 25.

⁽²⁾ OJ No L 262, 3. 10. 1984, p. 7.

3. During the 1985/86 marketing year, the competent agency may grant provisional approval to the first purchaser concerned upon submission of an application for approval.

Provisionally approved first purchasers shall be assigned an identification number. If it is found that any of the conditions laid down in paragraph 1 are not satisfied, and in particular if this creates difficulties for the competent agency of the Member State in establishing the right to aid, provisional approval shall be withdrawn. Withdrawal shall be retroactive until the date of the provisional approval and any aid paid since that date shall be recovered.

Provisional approval shall become final as soon as the Member State concerned is satisfied that the approval conditions laid down in paragraph 1 are fulfilled.

Article 6

Where it is found that any of the conditions prescribed in Articles 4 and 5 are not observed, in particular if this creates difficulties for the Member State in establishing the right to aid, the approval shall be withdrawn forthwith for a period of not less than 12 months.

Article 7

1. Contracts as referred to in Article 2 (b) of Regulation (EEC) No 2194/85 shall be concluded in writing. They shall be lodged before a date to be fixed by each Member State but not later than 15 August, before each new marketing year, with the competent agency of the Member State in which the beans will be harvested. However, for the 1985/86 marketing year, they shall be lodged before a date to be fixed by each Member State but not later than 1 September 1985.

2. Contracts shall provide at least the following information :

- (a) the name, forenames, addresses and signatures of the contracting parties ;
- (b) the date of signature ;
- (c) the area, in hectares and ares, from which the beans covered by the contract are to be harvested ;
- (d) the price to be paid to the producer per unit of weight ;
- (e) the particulars necessary for the identification of the area in question ;
- (f) an undertaking on the part of the producer to deliver, and on the part of the first purchaser to take delivery of, all the beans of sound and fair merchantable quality to be harvested from the abovementioned area.

Article 8

1. The price payable to the producer shall not be lower than the minimum price referred to in Article 2

(2) of Regulation (EEC) No 1491/85 and shall be for beans of standard quality.

2. The selling price shall be increased or reduced for each percentage point or impurity and moisture content below or above the standard quality.

The amounts of these increases and reductions shall be set out in the contract and agreed upon by the contracting parties.

3. However where the increases or reductions are not set out in the contracts :

- an increase of 0,75 % of the selling price shall be applied for each percentage point of moisture content below the standard quality,
- a reduction of 1,5 % of the selling price shall be applied for each percentage point of moisture content above the standard quality. Where the moisture content exceeds 17 %, however, the reduction to be applied to the selling price shall be 2,3 % for each percentage point of moisture content above 17 %,
- an increase or reduction of 1 % of the selling price shall be applied for each percentage point of impurity content below or above the standard quality.

Article 9

1. Declarations of delivery as referred to in Article 2 (b) of Regulation (EEC) No 2194/85 shall be concluded in writing and shall be lodged with the competent agency before the last working day of the marketing year.

Declarations shall contain at least the following information :

- (a) the name, forenames, addresses and signatures of the two parties concerned ;
- (b) the date of signature and date of delivery ;
- (c) reference to the contract or contracts previously concluded between the two parties to which the quantity delivered relates ;
- (d) the weight delivered and the amounts of humidity and impurities in the said quantity resulting from the analysis method referred to in Article 5 of Regulation (EEC) No 2194/85.

2. Declarations of sale or delivery to the processor as referred to in the second paragraph of Article 2 of Regulation (EEC) No 2194/85 shall also be concluded in writing and shall contain at least the following information :

- (a) the name, forenames, addresses and signatures of the two parties concerned ;
- (b) the date of signature ;
- (c) the quantity sold or delivered ;

- (d) the date of sale or delivery ;
- (e) the quantity actually delivered, with an indication of the amounts of humidity and impurity ;
- (f) a declaration by the processor that the beans will be processed within the Community and details of the type of processing envisaged.

Article 10

1. After carrying out all the necessary checks as given in Article 13, the competent agency of the producing Member State shall pay the aid.

2. The quantity for which aid is granted shall be that indicated in the delivery declaration, after the weight has been adjusted in conformity with Article 5 of Regulation (EEC) No 2194/85, on condition however that the quantity does not exceed :

- (a) where the first purchaser is the processor, the quantity actually processed by more than 2 % ;
- (b) where the first purchaser is other than the processor, the quantity actually delivered by more than 4 %.

3. Where the quantity indicated in the declaration of delivery exceeds the quantities processed or delivered by more than the percentages indicated in paragraph 2, the quantity for which aid is granted shall be reduced in proportion to the level exceeded.

4. However, the aid shall be advanced on application to any first purchaser once he has presented the declaration of delivery as given in Article 2(b) of Regulation (EEC) No 2194/85 and for the quantities indicated in the said declaration, provided that the application is accompanied by a security equal to the aid.

5. The security shall take the form of a guarantee given by an establishment meeting the requirements set by the Member State with which the application for aid has been lodged.

6. The security shall be released once the competent agency of the Member State has recognized the applicant's entitlement to aid in respect of the quantities specified in the declaration. Where entitlement to aid is not recognized in respect of all or some of the quantities specified in the declaration, the security shall be forfeit in proportion to the quantities in respect of which the conditions for entitlement to the aid have not been fulfilled.

7. The quantity of soya beans for which there is entitlement to aid shall be calculated by the method set out in Annex B.

Article 11

1. The aid rate applying during the marketing year shall be fixed twice a month, in time to be applied from the first and the sixteenth day of each month.

2. The Commission shall notify the Member States of the rate of aid per 100 kilograms of beans as soon as

it is fixed, and in any case before the date from which the aid is to be applied.

Article 12

1. If the application for aid referred to in Article 4(2) of Regulation (EEC) No 2194/85 :

- (a) concerns the total production to be delivered covered by one or more contracts, the application shall contain at least the following information :

- the name, forenames and address of the applicant ;
- the area from which the production will be delivered to the applicant ;
- reference to the contract or contracts.

The application shall be accompanied by a security of 0,6 ECU/are.

- (b) concerns the quantity already received under one or more declarations, the application shall contain at least the following information :

- the name, forenames and address of the applicant ;
- the quantity indicated in the declaration(s) of delivery ;
- reference to the declaration(s) of delivery and the relative contracts.

The application shall be accompanied by a security of 3 ECU/100 kg.

2. , Except in cases of *force majeure*, an application for aid shall carry with it an obligation to process, sell or deliver, as the case may be, the production or the quantity indicated in the application by the end of the sixth month following the month in which the application is lodged. However, when the application for aid is lodged by a first purchaser for a use other than the production of oil, the Member State, on request by the interested party, shall extend the abovementioned period until the end of the marketing year during which the application was lodged.

3. Where the application refers to the area indicated in one or more contracts, the actual quantity to be processed, sold or delivered, as the case may be, is that indicated in the delivery declaration(s) corresponding to the contract or contracts in question.

4. Where the application submitted by a first purchaser who is also the processor :

- (a) the obligation referred to in paragraph 2 shall be deemed to have been fulfilled if the quantity processed, sold or delivered before the expiry of the time limit exceeds 98 % of that stated in the application ;

- (b) the security shall be forfeit in its entirety if the quantity processed, sold or delivered is less than 2 % of that stated in the application ;
- (c) if the quantity processed, sold or delivered is more than 2 % but less than 98 % of that stated in the application, the security shall be forfeit in proportion to the difference between 98 % of the quantity stated in the application and the quantity actually processed, sold or delivered.

5. Where the application is submitted by a first purchaser who is not the processor, the requirements of paragraph 4 shall apply but the percentage of 98 % shall be replaced by 96 %.

6. The security referred to in paragraph 1 shall take the form of a guarantee given by an establishment meeting the requirements set by the Member State with which the application for aid is lodged.

Article 13

1. The competent agency of the producing Member State shall verify with regard to :

(a) the contract

- that the particulars specified in Article 7 are complete, and, by means of random checks, that the areas indicated have actually been sown with soya beans ; where such checks suggest that the area differs from that declared, the Member State, without prejudice to any sanctions which it may apply, shall automatically correct the contract ;
- that the price to be paid to the producer, account being taken of the provisions of Article 8, is at least equal to the minimum price referred to in Article 2 (2) of Regulation (EEC) No 1491/85. The conversion rate to be applied for the purpose of checking that the minimum price has been observed in the case of a product harvested during a given marketing year shall be the representative rate in force at the beginning of the marketing year in question ;

(b) the delivery declarations

- that the particulars specified in Article 9 are complete, and, by means of random checks that the quantities indicated in the delivery declarations could have been produced on the area indicated in the contract according to the established yields for that region. In the case where the Member State concludes that the quantity indicated in the delivery declaration could not have been produced on the area indicated in the contract, without prejudice to any

sanctions which may be applied, it shall reduce the quantity indicated in the delivery declaration on the basis of the average yield for the region.

2. For the purposes of verifying that the beans have either been processed or sold or delivered to a processor within the Community, the competent agency shall :

- (a) check the quantities which enter the undertaking of the first purchaser as shown in the delivery declaration ;
- (b) check the stock records and, where appropriate the financial records of the first purchaser to ensure that the beans have been processed or sold or delivered within the periods referred to in Article 12 (2) ;
- (c) where the first purchaser is not the processor, and has requested aid on the basis of delivery of the beans to a processor, check that the beans are processed for his own account ;
- (d) check the stock records and, where appropriate, the financial records or any other supporting documents to verify that the quantities of beans entering the undertaking of the first purchaser are equivalent to the quantities of beans or of the resultant processed product leaving the undertaking

Article 14

Until the introduction by Member States of the control system and the arrangements for assistance provided for in Article 6 of Regulation (EEC) No 2194/85, and until 31 December 1985 at the latest, producer Member States shall grant aid only for beans processed in their own territory.

Article 15

1. The aid to be granted for soya beans harvested in the French overseas departments shall be :

- during the first six months of a given year, that applicable with effect from 16 March of that year,
- during the second six months of a given year, that applicable with effect from 16 August of that year.

2. All producers of soya beans in the French overseas departments shall lodge with the competent authorities, for each harvest and by dates to be set by France, declarations of the areas sown with soya and the crop harvested.

3. France shall notify the Commission of soya bean yields recorded in the various overseas departments, differentiated according to method of cultivation used, before 15 May and 15 October of each year.

Article 16

1. Producer Member States shall inform the Commission of the names and addresses of the bodies appointed for purposes of implementation of the special measures for soya beans.
2. Producer Member States shall notify to the Commission :
 - (a) by 31 October of each year at the latest, the number of contracts lodged and the total area of cultivation covered by them ;
 - (b) before the end of each month, the quantities covered by aid requests in the preceding month. The information shall include the total number of contracts or delivery declarations to which the aid request refers. Where applications relate to the production to be delivered under one or more contracts, the quantity may be replaced by the area of cultivation involved. However, the quantity actually delivered under the contract or contracts must be reported as soon as possible ;
 - (c) by 30 November following each marketing year at the latest, the quantities for which aid has been granted.

3. The Commission shall forward regularly to the Member States a summary of the information supplied in accordance with the preceding paragraphs.

4. France shall notify the Commission by 31 December and 31 May of each marketing year at the latest, of the total area covered by soya-producers' declarations in the French overseas departments.

Article 17

Regulation (EEC) No 1978/80 is hereby repealed with effect from 1 September 1985.

However, it shall continue to apply for soya beans harvested before 1 January 1985.

Article 18

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

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

Done at Brussels, 12 August 1985.

For the Commission

Nicolas MOSAR

Member of the Commission

*ANNEX A***Coefficients of equivalence for soya beans**

	<i>(ECU/100 kg)</i>	
	Amount to be deducted from the price	Amount to be added to the price
Soya beans originating from the USA	0,800	—
Soya beans originating from other third countries	1,000	—

*ANNEX B***Method of calculating the weight of soya beans**

$$\frac{100 - (i + h)}{100 - (i_1 + h_1)} \times q = X$$

i = impurity of beans the weight of which is to be determined,

h = moisture of beans the weight of which is to be determined,

*i*₁ = impurities }
*h*₁ = moisture } of the quality for which the aid is fixed,

q = quantity of the products as received, expressed in kg, the adjusted weight of which is to be determined,

X = weight of the products expressed in kg.

Notes :

Only the first two decimal places shall be taken into consideration for the moisture and impurities content.

COMMISSION REGULATION (EEC) No 2330/85

of 13 August 1985

on the supply of common wheat flour to UNRWA as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, as amended by Regulation (EEC) No 3331/82 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down the implementing rules for 1985 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 3 July 1985 the Commission of the European Communities decided to grant, under Commu-

nity measures, various quantities of cereals to certain non-member countries and beneficiary organizations ;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁹⁾ ; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions ;

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 intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 13 August 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 54, 23. 2. 1985, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1985
2. **Recipient :** UNRWA
3. **Place or country of destination :** Lattakia/Tartous
4. **Product to be mobilized :** common wheat flour
5. **Total quantity :** 1 460 tonnes (2 000 tonnes of cereals)
6. **Number of lots :** one
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordeung (BALM), Adickesallee 40, D-6000 Frankfurt/
Main, telex 411 475
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces
dough which does not stick during the mechanical kneading process ; the flour shall have the
following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum ($N \times 6,25$ in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60
seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging :**
 - in new bags
 - jute sacks lined with cotton sacks, of a minimum weight of 600 g, or
 - composite sacks jute/polypropylene of a minimum weight of 335 g, or polypropylene
sacks of a minimum weight of 120 g
 - net weight of the bags : 50 kg
 - marking on the bags (in letters at least 5 cm high):
'WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA
/ FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / LATTAKIA / TARTOUS'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Lattakia/Tartous
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 27 August 1985
16. **Shipment period :** 10 to 30 September 1985
17. **Security :** 12 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the
same quality as those containing the goods, with the marking followed by a capital 'R'.
 2. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Lebanon, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi,
B-1049 Brussels.
 3. The successful tenderer shall contact the recipient in order to ascertain which shipping documents
are required.
-

COMMISSION REGULATION (EEC) No 2331/85

of 13 August 1985

on the supply of common wheat to the United Nations High Commissioner for Refugees (UNHCR) as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2750/75 of 29 October 1975 fixing criteria for the mobilization of cereals intended as food aid ⁽³⁾, as amended by Regulation (EEC) No 3331/82 ⁽⁴⁾, and in particular Article 6 thereof,

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down the implementing rules for 1985 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management ⁽⁵⁾,

Having regard to Council Regulation No 129 of 23 October 1962 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 2543/73 ⁽⁷⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas on 12 March 1985 the Commission of the European Communities decided to grant, under

Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations ;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-aid operations involving cereals and rice ⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81 ⁽⁹⁾; whereas it is necessary to specify, for the purposes of the Community measures envisaged, the characteristics of the products to be supplied and the supply conditions ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The intervention agency specified in the Annex hereto shall implement the mobilization and supply procedures in accordance with the provisions of Regulation (EEC) No 1974/80 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 13 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 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 54, 23. 2. 1985, p. 1.

⁽⁶⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

ANNEX

1. **Programme :** 1985
2. **Recipient :** UNHCR — Pakistan
3. **Place or country of destination :** Karachi
4. **Product to be mobilized :** common wheat
5. **Total quantity :** 35 000 tonnes
6. **Number of lots :** one
7. **Intervention of agency responsible for conducting the procedure :**
OBEA, rue de Trèves 82, B-1040 Bruxelles (telex 24076)
8. **Method of mobilizing the product :** the Community market
9. **Characteristics of the goods :**
Common wheat of sound and fair merchantable quality, free from odour and pests, which :
 - has the minimum physical qualities required for common wheat of breadmaking quality pursuant to Article 5 (2) of Commission Regulation (EEC) No 1629/77 (Official Journal No L 181 of 21 July 1977), as last amended by Regulation (EEC) No 2215/84 (Official Journal No L 203 of 31 July 1984), the moisture content not exceeding 14,5 % ;
 - meets the technological requirements set out in Commission Regulation (EEC) No 2062/81 (Official Journal No L 201 of 22 July 1981).
10. **Packaging :**
 - in bulk plus 365 000 empty new jute sacks, minimum weight 930 g, of a capacity of 100 kilograms, 250 needles and sufficient twine
 - marking on the bags in letters at least 5 cm high :
'WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / UNHCR / ASSISTANCE TO AFGHAN REFUGEES IN PAKISTAN / FOR FREE DISTRIBUTION / KARACHI'
11. **Port of shipment :** a Community port
12. **Delivery stage :** cif
13. **Port of landing :** Karachi
14. **Procedure to be applied in order to determine supply costs :** tendering
15. **Deadline for the submission of tenders :** 12 noon on 27 August 1985
16. **Shipment period :** 20 September to 20 October 1985
17. **Security :** 6 ECU per tonne

Notes :

1. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in Pakistan c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.
 2. The successful tenderer shall contact the recipient in order to ascertain which shipping documents are required.
-

COMMISSION REGULATION (EEC) No 2332/85

of 14 August 1985

re-establishing the levying of customs duties on camphor, natural refined and synthetic falling within subheading 29.13 B I b) and originating in China to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3562/84 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3562/84 of 18 December 1984 applying generalized tariff preferences for 1985 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Article 1 of that Regulation, duties on the products listed in Annex II originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 12;

Whereas, as provided for in Article 12, where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, 165 % of the highest maximum amount valid for 1980;

Whereas, in the case of camphor, natural refined and synthetic, falling within subheading 29.13 B I b), the individual ceiling was fixed at 779 400 ECU; whereas

on 10 April 1985 imports of these products into the Community originating in China reached that ceiling after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference causes economic difficulties in a region of the Community; whereas, therefore, customs duties in respect of the products in question must be re-established against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 18 August 1985, the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3562/84, shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
29.13 B I b) (NIMEXE code 29.13-23)	Camphor, natural refined and synthetic

Article 2

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

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

Done at Brussels, 14 August 1985.

For the Commission

Nicolas MOSAR

Member of the Commission

⁽¹⁾ OJ No L 338, 27. 12. 1984, p. 1.

COMMISSION REGULATION (EEC) No 2333/85

of 14 August 1985

fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1121/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 2281/85 ⁽⁸⁾;

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

Whereas, in the absence of the target price for the 1985/86 marketing year for colza and rape seed and in the absence of the amount of the monthly increase for September, October, November, December 1985 and January 1986 for colza and rape seed, the amount of the subsidy in the case of advance fixing for July, August, September, October, November, December 1985 and January 1986 for colza and rape seed has been obtainable only provisionally on the basis of the

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

Whereas, for the period 7 August to 13 August 1985, for certain currencies:

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 ⁽¹¹⁾ shall be as set out in the Annexes hereto.
2. The amount of the subsidy in the case of advance fixing for July, August, September, October, November, December 1985 and January 1986 for colza and rape seed will, however, be confirmed or replaced as from 15 August 1985 to take into account the indicative price which is fixed for these products for the 1985/86 marketing year, and the amount of the monthly increase for September, October, November, December 1985 and January 1986 for colza and rape seed.

Article 2

This Regulation shall enter into force on 15 August 1985.

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 118, 1. 5. 1985, p. 32.

⁽⁸⁾ OJ No L 212, 9. 8. 1985, p. 29.

⁽⁹⁾ OJ No L 151, 10. 6. 1985, p. 13.

⁽¹⁰⁾ OJ No L 151, 10. 6. 1985, p. 14.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	17,548 (¹)	18,268 (¹)	18,788 (¹)	19,308 (¹)	21,652 (¹)	21,530 (¹)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	43,81 (¹)	45,52 (¹)	46,78 (¹)	48,20 (¹)	53,66 (¹)	53,94 (¹)
— Netherlands (Fl)	49,37 (¹)	51,29 (¹)	52,69 (¹)	54,28 (¹)	60,42 (¹)	60,68 (¹)
— BLEU (Bfrs/Lfrs)	814,43 (¹)	847,85 (¹)	871,98 (¹)	895,00 (¹)	1 003,86 (¹)	990,12 (¹)
— France (FF)	119,82 (¹)	124,88 (¹)	128,08 (¹)	130,91 (¹)	147,59 (¹)	146,65 (¹)
— Denmark (Dkr)	147,67 (¹)	153,72 (¹)	158,10 (¹)	162,48 (¹)	182,20 (¹)	180,60 (¹)
— Ireland (£ Irl)	13,163 (¹)	13,703 (¹)	14,089 (¹)	14,427 (¹)	16,189 (¹)	15,975 (¹)
— United Kingdom (£)	11,465 (¹)	11,906 (¹)	12,228 (¹)	12,549 (¹)	13,961 (¹)	13,713 (¹)
— Italy (Lit)	23 802 (¹)	24 881 (¹)	25 427 (¹)	25 982 (¹)	29 623 (¹)	29 141 (¹)
— Greece (Dr)	1 611,93 (¹)	1 686,89 (¹)	1 740,11 (¹)	1 793,33 (¹)	2 044,85 (¹)	2 028,28 (¹)

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

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month
1. Gross aids (ECU)	24,935	25,435	26,286	27,201	27,816
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	61,67	62,83	64,88	67,23	68,70
— Netherlands (Fl)	69,49	70,80	73,07	75,71	77,37
— BLEU (Bfrs/Lfrs)	1 157,28	1 180,48	1 219,98	1 261,22	1 289,76
— France (FF)	171,16	174,72	180,21	185,76	190,07
— Denmark (Dkr)	209,83	214,03	221,20	228,90	234,07
— Ireland (£ Irl)	18,704	19,079	19,712	20,342	20,803
— United Kingdom (£)	16,110	16,408	16,930	17,490	17,870
— Italy (Lit)	34 478	35 254	36 285	37 430	38 341
— Greece (Dr)	2 345,29	2 399,66	2 488,26	2 583,81	2 646,76

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	1st month	2nd month	3rd month	4th month	5th month
DM	2,225730	2,217900	2,210000	2,202890	2,202890	2,182660
Fl	2,501700	2,496040	2,489630	2,483740	2,483740	2,466000
Bfrs/Lfrs	44,979300	45,013900	45,051700	45,098300	45,098300	45,231200
FF	6,799880	6,817030	6,840190	6,861200	6,861200	6,920250
Dkr	8,038740	8,038620	8,035080	8,033060	8,033060	8,031390
£ Irl	0,713108	0,714116	0,714833	0,715355	0,715355	0,716828
£	0,577999	0,579464	0,580638	0,581705	0,581705	0,584538
Lit	1 489,82	1 496,53	1 502,86	1 508,34	1 508,34	1 526,87
Dr	104,03270	104,02990	104,02840	104,04740	104,04740	104,13370

COMMISSION REGULATION (EEC) No 2334/85

of 14 August 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 12 and 13 August 1985 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

⁽²⁾ OJ No L 75, 16. 3. 1985, p. 7.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 124, 9. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 52, 22. 2. 1985, p. 1.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 15 August 1985.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	63,00 ⁽¹⁾
15.07 A I b)	76,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	87,00 ⁽²⁾
15.07 A II b)	95,00 ⁽³⁾

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	16,72
07.03 A II	16,72
15.17 B I a)	38,00
15.17 B I b)	60,80
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 2335/85

of 14 August 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 8 to 14 July 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 8 to 14 July 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 8 to 14 July 1985 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 8 July 1985.

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

Done at Brussels, 14 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 8 to 14 July 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 2. Separated or unseparated forequarters 3. Separated or unseparated hindquarters 4. Other : aa) Unboned (bone-in) bb) Boned or boneless	 26,26474 21,01179 31,51769 21,01179 35,98269
ex 02.06 C I a)	Meat salted, in brine, dried or smoked, of adult bovine animals : 1. Unboned (bone-in) 2. Boned or boneless	 21,01179 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 22. Other	 29,94180 21,01179

COMMISSION REGULATION (EEC) No 2336/85

of 14 August 1985

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organization
of the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 1312/85⁽²⁾,

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

Whereas the United Kingdom is the only country
which grants the variable slaughter premium, in region
5, within the meaning of Article 3 (5) of Regulation
(EEC) No 1837/80; whereas it is necessary therefore
for the Commission to fix, for the week beginning 22
July 1985, the level of the premium and the amount
to be charged on products leaving that region;

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

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

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

(EEC) No 1633/84 that the variable slaughter premium
for sheep certified as eligible in the United Kingdom,
and the amounts to be charged on products leaving
region 5 of the aforesaid Member State during the
week beginning 22 July 1985, shall be set out in the
Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

For products referred to in Article 1 (a) and (c) of
Regulation (EEC) No 1837/80 which left the territory
of region 5 during the week beginning 22 July 1985,
the amounts to be charged shall be equivalent to those
fixed in Annex II hereto.

Article 3

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

It shall apply with effect from 22 July 1985.

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

Done at Brussels, 14 August 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 22.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 22 July 1985

Description	Premium
Certified sheep or sheepmeat	69,330 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

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

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
22 July 1985

(ECU/100 kg)

CCT heading No	Description	Charge
		Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	32,585
		Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :	
	1. Carcases or half-carcases	69,330
	2. Short forequarters	48,531
	3. Chines and/or best ends	76,263
	4. Legs	90,129
	5. Other :	
	aa) Unboned (bone-in)	90,129
	bb) Boned or boneless	126,181
02.01 A IV b)	Meat of sheep or goats, frozen :	
	1. Carcases or half-carcases	51,998
	2. Short forequarters	36,399
	3. Chines and/or best ends	57,198
	4. Legs	67,597
	5. Other :	
	aa) Unboned (bone-in)	67,597
	bb) Boned or boneless	94,636
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	
	1. Unboned (bone-in)	90,129
	2. Boned or boneless	126,181
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	— unboned (bone-in)	90,129
	— boned or boneless	126,181

COMMISSION REGULATION (EEC) No 2337/85
of 14 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 2320/85⁽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 15 August 1985.

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

Done at Brussels, 14 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 169, 29. 6. 1985, p. 77.
 (⁴) OJ No L 217, 14. 8. 1985, p. 17.

ANNEX

to the Commission Regulation of 14 August 1985 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	46,58
	B. Raw sugar	42,40 (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 2338/85

of 14 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 2321/85⁽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 13 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 15 August 1985.

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

Done at Brussels, 14 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 217, 14. 8. 1985, p. 18.

⁽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 14 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 G ⁽²⁾	115,20	112,18
11.02 A VII ⁽²⁾	115,20	112,18
11.02 B II d) ⁽²⁾	178,99	175,97
11.02 C VI ⁽²⁾	178,99	175,97
11.02 D VI ⁽²⁾	115,20	112,18
11.02 E II d) 2 ⁽²⁾	204,00	197,96
11.02 F VII ⁽²⁾	115,20	112,18

⁽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 2339/85**of 14 August 1985****altering the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the export refunds on cereals and on wheat
or rye flour, groats and meal were fixed by Regulation
(EEC) No 2284/85⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2284/85 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
(a), (b) and (c) of Regulation (EEC) No 2727/75,
exported in the natural state, as fixed in the Annex to
Regulation (EEC) No 2284/85 are hereby altered as
shown in the Annex to this Regulation in respect of
the products set out therein.

Article 2

This Regulation shall enter into force on 15 August
1985.

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

Done at Brussels, 14 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 212, 9. 8. 1985, p. 35.

ANNEX

to the Commission Regulation of 14 August 1985 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — The Iberian Peninsula — other third countries	26,00 31,00 0
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	30,00 40,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	0 0
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — Zone II b) — Japan — other third countries	42,00 47,00 — 0
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	49,00 49,00 43,00 40,00 37,00 33,00

CCT heading No	Description	(ECU/tonne) Refund
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	49,00 49,00 49,00 49,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	190,00 181,00 164,00 156,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	49,00

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

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

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

COMMISSION REGULATION (EEC) No 2340/85

of 14 August 1985

altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

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

Whereas the corrective amount applicable to the
refund on cereals was fixed by Regulation (EEC) No
2286/85 ⁽⁴⁾, as amended by Regulation (EEC) No
2300/85 ⁽⁵⁾;

Whereas, the basis of today's cif prices and cif forward
delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present
applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of
Regulation (EEC) No 2727/75, fixed in the Annex to
amended Regulation (EEC) No 2286/85, which is
applicable to the export refunds fixed in advance in
respect of cereals, is hereby altered to the amounts set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 August
1985.

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

Done at Brussels, 14 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 212, 9. 8. 1985, p. 41.

⁽⁵⁾ OJ No L 213, 10. 8. 1985, p. 43.

ANNEX

to the Commission Regulation of 14 August 1985 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
10.01 B I	Common wheat and meslin for exports to :							
	— China	0	+ 6,00	+ 3,00	— 1,00	— 1,00	— 1,00	— 1,00
	— other third countries	0	0	— 3,00	— 7,00	— 7,00	—	—
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	— 15,00	— 15,00	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	— 20,00	— 20,00	— 20,00
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

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

COMMISSION REGULATION (EEC) No 2341/85
of 14 August 1985

fixing the maximum export refund for white sugar for the 16th 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 16th 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 16th partial invitation to tender for white sugar issued under Regulation (EEC) No 2384/84 is hereby fixed at 42,739 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 August 1985.

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

Done at Brussels, 14 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. 16.

COMMISSION REGULATION (EEC) No 2342/85**of 14 August 1985****fixing the maximum export refund for raw sugar for the 14th 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 14th 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 14th partial invitation to tender for raw sugar issued under Regulation (EEC) No 2385/84 is hereby fixed at 39,299 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 August 1985.

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

Done at Brussels, 14 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. 21.

COMMISSION REGULATION (EEC) No 2343/85**of 14 August 1985****fixing the maximum export refund for white sugar for the first partial invitation to tender issued within the framework of the principal standing invitation to tender provided for in Regulation (EEC) No 2236/85**

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 2236/85 of 29 July 1985 on a principal 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 2236/85, 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 first partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 15th first invitation to tender for white sugar issued under Regulation (EEC) No 2236/85 is hereby fixed at 42,590 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 15 August 1985.

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

Done at Brussels, 14 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 209, 6. 8. 1985, p. 19.

CORRIGENDA

Corrigendum to Commission Decision 85/340/EEC of 27 June 1985 authorizing certain Member States to apply intra-Community surveillance to imports of products originating in third countries which have been put into free circulation in the Community and which may be the subject of protective measures under Article 115 of the Treaty

(Official Journal of the European Communities No L 178 of 10 July 1985)

On page 21, in Annex 2 — Benelux, B. 'Autres produits', the sixth entry 'ex 73.18 B' should read as follows :

Numéro du tarif douanier commun	Code NIMEXE (1985)	Désignation des marchandises	Pays d'origine
73.18 A, ex B	73.18-02, 13, 23, 24, 26, 27, 28, 32, 34, 36, 38, 41, 42, 48, 54, 56, 58, 62, 64, 72, 74, 82, 84, 86, 88, 97	Tubes et tuyaux (y compris leurs ébauches) en fer ou en aciers non-alliés, à l'exclusion des articles du n° 73.19 et à l'exclusion des tubes pour canalisations électriques et tubes rivés, agrafés, à bords simplement rapprochés	Roumanie

On page 23, B. 'Andere produkten', the sixth entry 'ex 73.18 B' should read as follows :

Nummer van het gemeenschappelijk douanetarief	NIMEXE-code (1985)	Omschrijving	Land van oorsprong
73.18 A, ex B	73.18-02, 13, 23, 24, 26, 27, 28, 32, 34, 36, 38, 41, 42, 48, 54, 56, 58, 62, 64, 72, 74, 82, 84, 86, 88, 97	Buizen en pijpen (ook indien niet afgewerkt), van ijzer of van niet-gelegeerd staal, met uitzondering van de artikelen bedoeld bij post 73.19 en met uitzondering van buizen voor elektrische leidingen en van buizen die zijn geklonken, genageld, gefelst, met enkel tegen elkaar liggende randen	Roemenië

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by J. van Ypersele

with the collaboration of J.-C. Koeune

Preface by Robert Triffin

Since 13 March 1979, the exchange rates of the European Community currencies (with the exception of sterling and the drachma) have been regulated by the European Monetary System. The creation of the EMS arose from two complementary concerns: to stabilize exchange relationships between European currencies and to base this external stability on a better convergence of the Community's economies toward internal stability.

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Chapter I explains the motives behind this European initiative in a world where, following the demise of the Bretton Woods system, the 'floating' of the major currencies was accompanied in practice by enormous international monetary instability that hindered investment and economic recovery.

The creation, through the EMS, of a 'zone of monetary stability in Europe' was only the latest in the succession of efforts, in the monetary area, to pursue European economic integration. Chapter II recalls those previous attempts, from the statement of a number of objectives in the Rome Treaty to the concerted floating of European currencies in the 'snake'.

Chapter III examines the substance of the EMS and its machinery (exchange rate and intervention mechanism, role of the ECU, credit mechanisms), explaining the new elements in these mechanisms compared with the snake, and analysing the conditions required in theory for their proper functioning.

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