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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2855/85
of 18 September 1985**

**laying down implementing provisions for Council Regulation (EEC) No 678/85
simplifying formalities in trade in goods within the Community and Council
Regulation (EEC) No 679/85 introducing a specimen declaration form for use in
trade in goods within the Community**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 678/85
of 18 February 1985 simplifying formalities in trade in
goods within the Community⁽¹⁾, and in particular
Article 17 thereof,

Having regard to Council Regulation (EEC) No 679/85
of 18 February 1985 introducing a specimen declara-
tion form to be used in trade in goods within the
Community⁽²⁾, and in particular Article 3 thereof,

Whereas it is necessary to adopt implementing rules
for Regulations (EEC) No 678/85 and (EEC) No
679/85 for the introduction, with effect from 1
January 1988, of a single administrative document for
intra-Community trade in Community goods; whereas
this reform falls within the framework of an action to
strengthen the internal market of the Community;
whereas the necessary measures should therefore be
taken to attain this objective progressively;

Whereas the simplification of formalities in the trade
in question for the benefit of commercial operators
must be complemented by the introduction of a well-
developed system of mutual assistance between the
competent authorities of the Member States; whereas
the rules on this subject, as an anti-fraud measure,
create the conditions for a further stage towards the
achievement of the internal market;

Whereas specific simplification measures should be
laid down which, when certain conditions required of
commercial operators are fulfilled, allow formalities to
be eased, particularly when the parties concerned have
a level of economic activity which requires frequent
declarations to be drawn up; whereas it is appropriate
also to take account of technical developments
allowing handwritten signatures to be replaced by
other identification measures providing the same
guarantees and based, in particular, on the use of
computers;

Whereas it is important to specify the technical
characteristics which the single document forms must
satisfy;

Whereas it is necessary to draw up an explanatory note
on the use of the single document in order to enable it
to be used as uniformly as possible; whereas this note
must be supplemented, as necessary, in particular by
the Community codes corresponding to the various
boxes on the form and by the items falling under
headings for optional use by the Member States;

Whereas the measures provided for in this Regulation
are in accordance with the opinion of the Committee
on the Movement of Goods,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the
implementation of Regulation (EEC) No 678/85,
hereinafter referred to as the basic Regulation, and
Regulation (EEC) No 679/85.

⁽¹⁾ OJ No L 79, 21. 3. 1985, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1985, p. 7.

TITLE I

Procedure

Article 2

Where Articles 5, 7, 8 and 10 of the basic Regulation refer to the customs office, this concept also covers any other place designated for this purpose by the customs service, in particular in the context of arrangements between it and the person concerned.

Article 3

In cases where supplementary copies of the single document or declaration referred to in Article 4 (1) of the basic Regulation are required, the persons concerned may use additional sheets or photocopies of that document or declaration for this purpose, as necessary.

These additional sheets or photocopies must be signed by the person concerned, presented to the competent customs service and authenticated by the latter under the same conditions as the single document itself. They shall be accepted by the competent authorities as if they were original documents provided that their quality and legibility are considered satisfactory by the authorities.

Article 4

1. When a single document set is used successively for completion of dispatch formalities, Community transit formalities and/or formalities at destination, each person intervening in the operation shall be liable only with respect to the particulars relating to the procedure which he requested as declarant, principal or representative of the declarant or principal.

2. For the purposes of applying paragraph 1, when the person concerned uses a single document issued in an earlier phase of the trade operation in question, he shall be required, prior to lodging his declaration, to verify the accuracy of the existing particulars for the boxes for which he is responsible and their applicability to the goods in question and to the procedure requested, as well as to supplement them where necessary.

In the cases referred to in the first subparagraph, the person concerned must immediately inform the customs service of any discrepancy established between the goods in question and the existing particulars. In this case the person concerned must then draw up his declaration on fresh copies of the single document form.

Article 5

The provisions of Article 9 (2) of the basic Regulation shall also apply when a document produced in support of the declaration is found to be incomplete for the purposes of the procedure requested, notwithstanding which, the applicability or authenticity of the document cannot be brought into question.

Article 6

1. The customs service shall authorize cancellation of a declaration for dispatch only if the declarant or his representative :

- (a) returns to the competent authorities the copies of the dispatch document and any other documents which were handed over to him following acceptance of the declaration ;
- (b) where applicable, provides the competent authorities with proof that the amounts granted on the basis of the declaration for dispatch of the goods have been repaid by the person concerned or that the necessary measures have been taken by the department concerned to prevent them being paid.

2. The cancellation of a declaration for placing the goods under a procedure at destination shall be authorized :

- if the goods were erroneously declared for the procedure requested, or
- if as a result of particular circumstances, the placing of the goods under that procedure is no longer justified.

3. When, in the cases referred to in Article 10 (3) of the basic Regulation, a new declaration is lodged, the date to be taken into account for the application of measures governing the procedure for which the goods were declared shall be the date of acceptance of the original declaration.

Article 7

1. Provided that there are no grounds for refusal, the customs service shall give its authorization to dispatch or to dispose of the goods as soon as it has finished verifying the declaration and the documents presented with it and, if applicable, examining the goods. When it decides not to carry out this verification or this examination, it shall give the aforementioned authorization immediately after taking such a decision.

2. Paragraph 1 shall not prevent the Member States from subjecting the granting of the authorization to dispatch or dispose of the goods to the payment of any taxes due, or to the payment of security therefor, or, where this possibility exists in the Member States to inclusion of the taxes due in the accounts of the person concerned.

Article 8

1. When it has not proved possible, for reasons attributable to the declarant or his representative, to authorize the dispatch or disposal of goods which have been covered respectively by a declaration for dispatch or for entry for home use or for placing the goods under any other procedure at destination, in particular when documents required to be produced for placing the goods in question under the procedure requested have not been presented within the time limit imposed by the customs service, the declaration in question shall be considered null and void and the customs service shall cancel it.

2. Cancellation of the declaration in the circumstances laid down in paragraph 1 shall not prevent the application of the penal provisions in force in the case of an infringement committed by the person concerned.

TITLE II

Mutual assistance*Article 9*

Where necessary, the competent authorities of the Member States shall communicate to one another all findings, documents, reports, records of proceedings and information, relating to intra-Community trade in Community goods, whenever it appears that such information is likely to be of assistance in uncovering irregularities arising in formalities carried out under the competence of the authorities to be informed.

TITLE III

Specific simplification measures*Article 10*

Without prejudice to the existence of simplified procedures pursuant to Article 14 of the basic Regulation, the Member States may, as a matter of general principle for the purpose of completing dispatch formalities, dispense with the requirement to produce copy 1 of the single document intended for the competent authorities of the Member State of dispatch.

Article 11

Where, in a Member State :

- goods which have been put into free circulation only

- are placed under a warehousing procedure before being dispatched to another Member State, or
- are immediately forwarded under a transit procedure to another Member State, or
- Community goods consigned from another Member State
 - are placed under a warehousing procedure only before being dispatched to another Member State, or
 - are immediately redispached under a transit procedure to another Member State,

the competent authorities may authorize the completion of formalities on exit from the warehouse and for dispatch of the goods on the basis of the lodging of a transit declaration only, accompanied if appropriate by the copies of the single document to be used for the completion of formalities at destination.

Article 12

When formalities are completed using public or private computer systems, the competent authorities shall authorize persons who request it to replace the handwritten signature with a comparable technical device, which may, where applicable, be based on the use of codes, and which has the same legal consequences as a handwritten signature.

This facility shall be granted only if the technical and administrative conditions laid down by the competent authorities are met.

Article 13

The benefit of the simplified procedures referred to in Article 14 (1) of the basic Regulation may be granted at the request of the persons concerned whenever their regular economic activities require frequent declarations for dispatch or at destination to be drawn up and they meet all the conditions considered necessary by the competent authorities, in particular as regards the keeping of records enabling the latter to check the operations carried out.

Authorization to use the procedures referred to in the first paragraph may be restricted to certain goods for each beneficiary. It shall be subject to cancellation by the competent authorities.

Article 14

In the case of undertakings which are situated in different Member States and between which there are continuous and substantial trade flows, the competent authorities of the Member States concerned may, at the request of the persons concerned and provided that they meet all the conditions considered necessary by the authorities, make bilateral agreements permitting the simultaneous simplification of dispatch and destination formalities by introducing simplified procedures for the traffic concerned.

The procedures mentioned in the first paragraph may provide in particular, in so far as the administrative organization of the Member States concerned allows, for:

- the use of commercial documents in which, where appropriate, the goods are mentioned merely in code form or in the form of commercial references, and which are accepted by the competent authorities of the partner Member States,
- partial or complete use of computers linking the consignor directly to the competent authorities of the Member State of dispatch, to that of the Member State of destination and to the consignee, and involving the use of no paper support except that required, where appropriate, for transit purposes.

TITLE IV

Provisions on forms

Article 15

1. COM and COM/c forms shall be printed on self-copying paper dressed for writing purposes and weighing at least 40 grams per square metre. The paper must be sufficiently opaque for the information on one side not to affect the legibility of the information on the other side and its strength should be such that in normal use it does not easily tear or crease.

The paper shall be white for all copies. However, boxes Nos 1 (last subsection on the right), 2, 3, 5, 6, 7, 9, 12, 12a, 14, 14a, 15, 16, 18, 21, 23, 30, 31, 32, 34, 36, 38, 39, 43, 44, 45, 46 and 47 shall have a green background. The forms shall be printed in green ink.

2. The indication of the copies on which the particulars contained in the forms given in Annexes I and III to Regulation (EEC) No 679/85 must appear by a self-copying process is given in Annex I.

An indication of the copies on which the particulars contained in the forms given in Annexes II and IV to

Regulation (EEC) No 679/85 must appear by a self-copying process is given in Annex II.

3. The format of the COM and COM/c forms shall be 210 by 297 millimetres with a maximum tolerance of 5 millimetres less and 8 millimetres more with regard to their length.

4. Member States may require that the COM and COM/c forms must also show the name and address of the printer or a mark enabling the printer to be identified.

Article 16

The explanatory note for the COM and COM/c forms referred to in Article 2 of Regulation (EEC) No 679/85 is given in Annex III. Each Member State shall supplement this notice as necessary.

TITLE V

Final provisions

Article 17

Each Member State shall inform the Commission of the measures it takes to implement this Regulation.

The Commission shall transmit this information to the other Member States.

Article 18

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

It shall apply from 1 January 1988.

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

Done at Brussels, 18 September 1985.

For the Commission

COCKFIELD

Vice-President

ANNEX I

INDICATION OF THE COPIES OF THE COM AND COM/c FORMS GIVEN IN ANNEXES I AND III TO REGULATION (EEC) No 679/85 ON WHICH THE PARTICULARS CONTAINED THEREIN SHOULD APPEAR BY A SELF-COPYING PROCESS, COUNTING THE ORIGINAL COPY

Box number	Copies numbers	Box number	Copies numbers
1	Left-hand section 1 to 7 Middle section 1 to 3 Right-hand section 1 to 7	25	1 to 3
2	1 to 7	26	1 to 3
3	1 to 7	27	1 to 3
4	1 to 4	28	1 to 3
5	1 to 3	29	1, 2, 3, 5, 6 and 7
6	1 to 7	30	1 to 7
7	1 to 7	31	1 to 7
8	1 to 3	32	Left-hand section 1 to 7
9	1 to 4		Remaining section 1 to 3
10	1 to 3	33a	1 to 3
11	1 to 3	33b	1 to 3
12	1 to 7	34	1 to 7
12a	1 to 4	35	1 to 3
12b	1 to 4	36	1 to 7
13	1, 2, 3, 5, 6 and 7	37	1 to 3
14	1 to 7	38	1 to 4
14a	1 to 4	39	1 to 4
14b	5 to 7		Section ad. inf. code 1 to 7
15	1 to 4	40	1 to 3
16	1 to 4	41	1 to 3
17	1, 2, 3, 5, 6 and 7	42	1 to 3
18	1 to 4	43	1 and 5
19	1 to 3	44	1 to 7
20	1 to 3	45	1 to 7
21	1 to 4	46	1, 4 and 5
22	1 to 3	47	1, 4 and 5
23	1 to 4	48	1
24	1 to 3	49	4
		50	4

ANNEX II

INDICATION OF THE COPIES OF THE COM AND COM/c FORMS GIVEN IN ANNEXES II AND IV TO REGULATION (EEC) No 679/85 ON WHICH THE PARTICULARS CONTAINED THEREIN SHOULD APPEAR BY A SELF-COPYING PROCESS, COUNTING THE ORIGINAL COPY

Box number	Copies numbers	Box number	Copies numbers
1	1 to 4 Except middle section	24	1 to 3
	1 to 3	25	1 to 3
2	1 to 4	26	1 to 3
3	1 to 4	27	1 to 3
4	1 to 4	28	1 to 3
5	1 to 3	29	1 to 3
6	1 to 4	30	1 to 4
7	1 to 4	31	1 to 4
8	1 to 3	32	1 to 4
9	1 to 4	33a	1 to 3
10	1 to 3	33b	1 to 3
11	1 to 4	34	1 to 4
12	1 to 4	35	1 to 3
12a	1 to 4	36	1 to 4
12b	1 to 4	37	1 to 3
13	1 to 3	38	1 to 4
14	1 to 4	39	1 to 4
14a	1 to 4	40	1 to 3
14b	1 to 4	41	1 to 3
15	1 to 4	42	1 to 3
16	1 to 4	43	1
17	1 to 3	44	1 to 4
18	1 to 4	45	1 to 4
19	1 to 3	46	1 and 4
20	1 to 3	47	1 and 4
21	1 to 4	48	1
22	1 to 3	49	4
23	1 to 4	50	4

ANNEX III

EXPLANATORY NOTE OF THE USE OF COM AND COM/c FORMS

TITLE I

General remarks

A. General description

The COM form and the supplementary COM/c forms are to be used, in trade between two Member States of the Community, for the dispatch, transit (except under the simplified Community transit procedures for the carriage of goods by air, rail, sea and pipeline) and entry for home use of Community goods (goods of Community origin or which have been released for free circulation) or for putting such goods under any other procedure in the Member State of destination.

There are various possible ways of using the forms and these may be grouped under two headings :

- full use of the system, or
- split use.

1. *Full use*

This refers to cases in which, at the time when the dispatch formalities are carried out, the person concerned uses a form containing the copies needed for the formalities relating to dispatch and to internal Community transit as well as those to be carried out in the Member State of destination.

The form used for this purpose contains seven copies :

- copy 1 which is to be retained by the authorities of the Member State of dispatch (dispatch and transit formalities),
- copy 2 which is to be used for statistics by the Member State of dispatch,
- copy 3 which is returned to the consignor after being stamped by the customs authorities,
- copy 4 which is the return copy for the Community transit procedure,
- copy 5 which is to be retained by the authorities of the Member State of destination (for Community transit and arrival formalities),
- copy 6 which is to be used for statistics by the Member State of destination (for Community transit and arrival formalities),
- copy 7 which is returned to the consignee after being stamped by the customs authorities.

The form is thus composed of a set of seven copies, of which the first three have to do with the formalities to be carried out in the Member State of dispatch and the following four concern the formalities to be carried out in the Member State of destination.

Each set of seven copies is designed in such a way that where boxes must contain identical information in the two Member States involved it may be entered directly by the consignor or the principal on copy 1 and will then appear, by virtue of a chemical treatment of the paper, on all the copies. Where, however, for any reason (protection of trade secrets, content of information different as between the Member State of dispatch and that of destination, . . .) information is not to be forwarded from one Member State to another, the self-copying process restricts reproduction to the copies intended for the Member State of dispatch.

If the same box is to be used but with a different content in the Member State of destination, carbon paper will then have to be used to reproduce these additional particulars on copies 5 to 7.

However, particularly in cases where use is made of computerized processing of declarations, it is possible to use not the set of seven copies referred to above but two sets of four copies, in which the first three copies may have a double function : 1/5, 2/6, 3/7, 4/4 ; the first set would then correspond, as regards content, to copies 1 to 4 above, and the second to copies 5 to 7, the last sheet not needing to be presented to the customs authorities.

Each set of four copies thus defined is designed so that the information which has to be reproduced on the various copies will be reproduced by virtue of a chemical treatment of the paper.

2. *Split use*

This refers to cases where, by application of Article 12 of Council Regulation (EEC) No 678/85, the person concerned does not wish to use a complete set as outlined in paragraph 1 above. He may then use for each of the stages (dispatch, transit or destination) of an operation involving trade in goods between two Member States the copies of the declaration needed to carry out the formalities relating to this stage alone. He may, in addition, attach to these copies, in so far as he wishes to, the copies needed to carry out the formalities relating to one or other of the following stages of the operation.

Various different combinations are therefore possible in cases of split use, the numbers of the copies listed being the same as those already mentioned in paragraph 1 above:

By way of example, the following combinations are possible:

- dispatch alone: copies 1, 2 and 3
- dispatch + transit: copies 1, 2, 3, 4, 5 and 6
- dispatch + destination: copies 1, 2, 3, 5, 6 and 7
- Community transit alone: copies 1, 4, 5 and 6
- Community transit + destination: copies 1, 4, 5, 6 and 7
- destination alone: copies 5, 6 and 7.

Apart from such cases, there exist situations in which it is essential to provide proof at destination of the Community character of the goods in question although use has not been made of the Community transit procedure. In such cases it will be necessary to use the copy 5 provided for this purpose, whether on its own or in combination with one or other of the sets described above.

Traders may also, if they wish, have printed directly sets of the kind corresponding to their choice as regards split use, as long as the form used is in accordance with the official specimen.

B. Particulars required

The forms concerned contain all the details which may be required by the various Member States. It is compulsory for certain boxes to be filled in, whereas others have to be filled in only if the Member State in which the formalities are to be carried out so requires. In this respect the section of this notice dealing with the use of the various boxes should be closely followed.

In any case, the respective maximum lists of the boxes which may be completed at each stage of a trading operation within the Community are as follows:

- dispatch formalities: boxes Nos 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 12a, 12b, 13, 14, 14a, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33a, 33b, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 48;
- internal Community transit formalities: boxes Nos 1, 2, 3, 4, 5, 6, 7, 9, 12, 14, 15, 16, 18, 21, 23, 30, 31, 32, 34, 36, 38, 39, 43, 44, 45, 46, 47, 49 and 50 (boxes with a green background);
- destination formalities: boxes Nos 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12a, 13, 14, 14a, 14b, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 48.

C. Instructions for use of the form

- In all cases where the kind of set used contains at least one copy which may be used in a Member State other than the one in which it was first filled in, the forms must be filled in by typewriter or by a mechanographical or similar process. They must contain no erasures or overwriting. Any alterations must be made by crossing out the incorrect particulars and, where appropriate, adding those required. Any alterations made in this way must be initialled by the person making them and expressly authenticated by the competent authorities. The latter may, where necessary, require a new declaration to be lodged.

Where all the copies of the set used are intended for use in the same Member State and provided that this option is provided for by that Member State, they may also be filled in legibly by hand, in ink and in block capitals. The same applies with regard to the particulars to be given on the copies used for the purposes of the application of the Community transit procedure.

- Only numbered boxes are, where necessary, to be filled in. The other boxes, indicated by a capital letter, are reserved for official use.

- The copies which are to remain at the office of dispatch and/or departure must bear the original signature of the persons concerned. The signature of the principal or, where applicable, of his authorized representative, commits him as regards all of the particulars relating to the Community transit operation in keeping with the implementation of Council Regulation (EEC) No 222/77 of 13 December 1976 on Community transit ⁽¹⁾ and as described in section B above.

The copies which are to remain at the office of destination must bear the original signature of the person concerned. It should be remembered that as far as dispatch and destination formalities are concerned the signature of the person concerned is equivalent to a commitment, in accordance with the legislation in force in the Member States, with regard to :

- the accuracy of the particulars shown in the declaration and relating to the formalities which concern him,
- the authenticity of the documents annexed,
- the respect of all the obligations required for placing the goods in question under the procedure concerned.

As regards Community transit formalities and formalities at destination it should be noted that it is in the interests of each person intervening in the operation to check the contents of his declaration. In particular, any discrepancy found by the person concerned between the goods which he must declare and the particulars already shown, if applicable, in the forms to be used must immediately be notified by that person to the customs authority. In such cases the declaration must then be drawn up on fresh forms.

- Subject to Title III, where a box is not to be used, nothing must be written or marked in it.

TITLE II

Particulars to be entered in the different boxes

I. Formalities in the Member State of dispatch

1. *Declaration* : Enter first the indication 'COM', then the type of declaration used, in accordance with the Community codes to be adopted, then the indication 'T 2' in the event of use of the Community transit procedure, or 'T 2L' when the Community transit procedure is not used but the Community character of the goods must be proven.

(Example :

COM	1	T 2
-----	---	-----

).

As far as the type of declaration is concerned this item is optional for the Member States.

2. *Forms* : Enter the serial number of the set among the total number of sets of COM and COM/c forms used (for example, if there are 1 COM form and 2 COM/c forms, indicate on the COM form 1/3, on the first COM/c form 2/3 and on the second COM/c form 3/3). When two sets of four copies are used instead of one set of seven copies, the two sets are to be considered as one.
3. *Number of loading lists* : Enter in figures the number of any loading lists attached or of any descriptive commercial lists authorized by the competent authority.
4. *Unique reference number* : Optional item for users, concerning reference number allocated by the consignor to the consignment in question.
5. *Consignor* : Enter the full name and address of the person or company concerned. As far as the identification number is concerned, the notice can be completed by the Member States (identification number allocated to the person concerned by the competent authorities for fiscal, statistical or other purposes).

In the case of groupage consignments, the Member States may provide that the word 'various' be entered in this box and that the list of consignors be attached to the declaration.

For Community transit purposes this box is optional for the Member States.

⁽¹⁾ OJ No L 38, 9. 2. 1977, p. 1.

6. *Total items* : Enter the total number of items declared by the person concerned in the total number of COM and COM/c forms (or loading lists or commercial lists) used. The number of items corresponds to the number of 'description of the goods' boxes which must be completed.
7. *Total packages* : Enter the total number of packages making up the consignment in question. (This box must not be used until a computerized system for discharging Community transit operations comes into effect.)
8. *Identification of warehouse* : Box for optional use by the Member States.
9. *Consignee* : Enter the full name and address of the person(s) or company(ies) to whom the goods are to be delivered.

This box is optional for the Member States as far as dispatch formalities are concerned but obligatory for Community transit.

The identification number need not be shown at this stage.

10. *Person responsible for financial settlement* : Box for optional use by the Member States (the person who is responsible for either the transfer or repatriation of the funds relating to the transaction).
11. *Declarant or representative of the consignor* : Enter the full name and address of the person or company concerned in accordance with the provisions in force. If the declarant and the consignor are the same person, enter the word 'consignor'. As far as the identification number is concerned, the notice can be completed by the Member States (identification number allocated to the person concerned by the competent authorities for fiscal, statistical or other purposes).
12. *Country of dispatch* : Enter the name of the Member State from which the goods are dispatched or Austria or Switzerland if the goods are being reconsigned from there.

In box No 12a enter the code for the Member State or country concerned according to the Community codes to be adopted.

Box No 12b is for optional use by the Member States (region from which the goods are dispatched).

13. *Country of origin* : The Member States may require that this item be supplied, without it however being possible to make it obligatory for commercial operators. If the declaration covers a number of items of different origin, enter the word 'various' in this box.
14. *Country of destination* : Enter the name of the Member State concerned.

In box No 14a enter the code for the Member State concerned according to the Community codes to be adopted.

Box No 14b need not be completed at this stage.

15. *Identity and nationality of means of transport* : This box is optional for the Member States as far as dispatch formalities are concerned but obligatory in the case of use of the Community transit procedure. However, this box may be used only if a change in the active means of transport, for instance a change of tractor, transshipment or combined transport (e.g. lorry on ferry boat) are to take place when crossing the border of the Member State of dispatch (in other cases use box No 18). Enter the identity registration number(s) or name of the means of transport (lorry, ship, aircraft) directly loaded on presentation at the customs office where the dispatch or transit formalities are completed, followed by the nationality of the means of transport (or that of the vehicle propelling the others if there are several means of transport) according to the Community code to be adopted. (For example, in the case of use of a tractor and trailer with different licence numbers, enter the licence number of the tractor and that of the trailer, together with the nationality of the tractor.)

Indication of the nationality is optional for the Member States.

16. *Container (cont'd)* : Enter the necessary particulars as far as these are known at the time of completion of the dispatch or transit formalities, according to Community codes to be adopted.
17. *Delivery terms* : Box for optional use by the Member States (indication of certain terms of the commercial contract).

In the Member States concerned the headings and the codes contained in a Community list to be adopted must be used.

18. *Identity and nationality of the active means of transport* : Enter the type (lorry, ship, aircraft ...), followed by the identity, e.g. registration number or name of the active means of transport (i.e. the propelling means of transport) which it is presumed will be used at the frontier crossing point on exit from the Member State of dispatch, followed by its nationality, as known at the time of completion of the dispatch or transit formalities, according to Community codes to be adopted.

In the case of combined transport or if there are several means of transport, the active means of transport is the one which propels the whole combination. (For example, if lorry on sea-going vessel, the active means of transport is the ship, if tractor and trailer, the active means of transport is the tractor, ...).

In the case of postal consignments or when the transport is carried out by rail or fixed transport installation it is not necessary to enter anything in the nationality box.

19. *Invoice currency and total amount of invoice* : Box for optional use by the Member States (enter, in accordance with Community codes, to be adopted, the code for the currency in which the commercial contract was drawn up, followed by the invoice price for the total amount of the goods declared).
20. *Exchange rate* : Box for optional use by the Member States (exchange rate in force between the invoice currency and the currency of the Member State concerned).
21. *Mode of transport* : Enter, according to the Community codes to be adopted, the mode of transport corresponding to the active means of transport which it is presumed will be used on exit from the territory of the Member State of dispatch.
22. *Mode of transport inland* : Box for optional use by the Member States (indication, according to the Community codes to be adopted, of the nature of the mode of transport used within the Member State concerned).
23. *Place of loading/unloading* : Enter if applicable in code form, where provided for, the place of loading of the goods onto the active means of transport on which they are to cross the border of the Member State of dispatch, as far as this is known at the time of completion of the dispatch or transit formalities.
24. *Financial formalities* : Box for optional use by the Member States (transfer of funds relating to the operation in question).
25. *Financial procedure* : Box for optional use by the Member States (transfer of funds relating to the operation in question).
26. *Office of exit/entry* : Box for optional use by the Member States (indication of the customs office by which it is intended that the goods should leave the territory of the Member State concerned).
27. *Location of the goods* : Box for optional use by the Member States (indication of the precise location where the goods may be examined).
28. *Bank reference* : Box for optional use by the Member States (transfer of funds relating to the operation in question).
29. *Nature of the transaction* : Box for optional use by the Member States (indicating certain terms of the commercial contract).

In the Member States concerned the headings and the codes contained in a Community list to be adopted must be used.

30. *Marks, numbers, quantity and kind of packages — description of the goods, container No* : Enter the marks, numbers, quantity and kind of packages or, in the case of unpackaged goods, enter the number of such goods covered by the declaration, or the word 'bulk', as appropriate, together with, in both cases, the particulars necessary to identify the goods. The description of the goods means the normal trade description expressed in sufficiently precise terms to allow their identification and classification. This box must also show the particulars required by any specific rules (excise duties ...). If containers are used, the identifying marks of the container should also be entered in this box.

When the person concerned has entered the word 'various' in box No 13, the Member States may require that the name of the country of origin of the goods in question be entered in this box, without it however being possible to make it obligatory.

31. *Item number* : Enter the number of the item in question in relation to the total number of articles declared in the COM and COM/c forms used, as defined in the note to box No 6.
32. *Commodity code* : Enter the code number corresponding to the item in question. As far as Community transit is concerned, this should be given only where the Community rules require it.
33. *Code, country of origin* : The Member States may require, without it however being obligatory for commercial operators, that box No 33a be completed (code corresponding to the country given in box No 13, according to Community codes to be adopted. When the word 'various' is given in box No 13, enter the code corresponding to the country of origin of the item in question); box No 33b is for optional use by Member States (region of production of the goods in question).
34. *Gross mass* : Enter the gross mass of the goods described in the corresponding box No 30, expressed in kilograms. The gross mass is the aggregated mass of the goods with all their packings, excluding transport equipment, notably containers.
35. *Procedure* : Enter the procedure for which the goods are declared on dispatch according to the Community codes to be adopted.
36. *Net mass* : Enter the net mass of the goods described in the corresponding box No 30, expressed in kilograms. The net mass is the mass of the goods themselves without any packaging.

As far as Community transit is concerned this information should be given only where Community rules require it.

37. *Supplementary units* : For use as necessary in accordance with the goods nomenclature.

Enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature.

38. *Summary declaration/previous document* : Box for optional use by the Member States (references of documents relating to the administrative procedure preceding dispatch to another Member State).
39. *Additional information/documents produced* : Enter the details required together with the references of the documents produced in support of the declaration including the serial numbers of any control copies T 5. In the sub-box 'Additional information — code', enter as necessary the code number, to be adopted, corresponding to the additional information which may be required under the Community transit procedure. This subsection must not be used until a computerized system for discharging Community Transit operations comes into effect.
40. *Statistical value* : Enter the amount, expressed in the currency of the Member State of dispatch of the statistical value in accordance with the Community provisions in force.
41. *Calculation of taxes* : The Member States may require to be shown the type of tax and tax base, the rate of tax applicable and the payment method selected, as well as, for information purposes only, the amount due for the tax in question and the total tax for the item in question, as calculated by the person concerned. The following should be shown, where appropriate, on each line, using the relevant Community codes to be adopted :
 - the type of tax (excise duties, ...),
 - the tax base,
 - the rate of tax applicable,
 - the amount of the tax thus calculated,
 - the method of payment chosen (MP).
42. *Authorization for deferment or postponement of payment* : Box for optional use by the Member States (reference to the authorization in question, whether this applies to the fiscal system of postponed payment or to the tax credit i.e. deferment system).
43. *Place and date, and signature of principal or his authorized representative* : Subject to specific provisions to be adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of departure. When the person concerned is a legal person, the signatory should add after his signature his full name and status.

44. *Intended offices of transit (and countries)* : Enter the intended office of entry into each country (Member State, Austria or Switzerland) the territory of which it is intended to cross in the course of transport or, when the transport is to cross territory other than that of the Community, Austria or Switzerland, the office of exit by which the means of transport leaves the territory of the Community, Austria or Switzerland. For this purpose the Community code to be adopted must be used. The transit offices are listed in the 'list of customs offices competent for Community transit operations'.
45. *Office of destination* : Enter the name of the office where the goods must be presented in order to end the Community transit movement. The offices of destination are listed in the list of customs offices competent for Community transit operations.
46. *Principal and authorized representative* : Enter the full name (person or company) and address of the principal, together with the identification number, if any, allocated by the competent authorities. If appropriate, enter the full name (person or company) of the authorized representative signing on behalf of the principal.
47. *Guarantee* : Enter, in accordance with Community codes to be adopted, the type of guarantee used for the operation concerned followed, if necessary, by the number of the guarantee certificate or voucher concerned and the guarantee office.

If the comprehensive or individual guarantee is not valid for all Member States plus Austria and Switzerland or if the principal excludes certain Member States from the application of the comprehensive guarantee, add under 'not valid for' the Member State(s) or country (countries) concerned according to the Community codes to be adopted.

48. *Place and date, signature and name of the declarant or his representative* : Subject to specific provisions to be adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of departure followed by the name of that person. When the person concerned is a legal person, the signatory should add this status after his signature and name.

II. Formalities en route

Between the time when the goods leave the office of dispatch and/or departure, and the time when they arrive at the office of destination, it is possible that certain details may need to be added on the copies of the single document which accompany the goods. These details concern the transport operation and must be added to the document by the carrier responsible for the means of transport on which the goods are directly loaded, as and when the transport operations take place. These particulars may be added legibly by hand ; in this case, the form should be completed in ink and in block capitals. However, the coded particulars (cf. box No 49), may be added, at the latest, on arrival at the destination.

These details concern the following boxes only (copy 4):

— Transshipment : use box No 49

Box No 49 (data relating to transshipment):

First three lines of this box to be completed by the carrier when in the course of the operation in question the goods are transhipped from one means of transport to another or from one container to another. Use the Community codes to be adopted in this respect.

It should be noted that in the case of transshipment the carrier must approach the competent authorities, in particular when it proves necessary to affix new seals, and in order to have the Community transit document annotated.

When the customs service has authorized transshipment outside its surveillance, the carrier must himself annotate the Community transit document accordingly and, for authentication purposes, inform the next customs office at which the goods must be produced.

— Other incidents : use box No 50

Box No 50 (other incidents during transport):

Box to be completed in accordance with existing obligations under Community transit procedure.

III. Formalities in Member State of destination

1. *Declaration* : Enter the indication 'COM', followed by the type of declaration in accordance with the Community codes to be adopted.

As far as the type of declaration is concerned, this item is optional for the Member States.

2. *Forms* : Enter the serial number of the set among the total number of sets of COM and COM/c forms used (for example, if there are one COM form and two COM/c forms, indicate on the COM form 1/3, on the first COM/c form 2/3 and on the second COM/c form 3/3).

3. *Number of loading list* : Enter in figures the number of any loading lists attached, or of descriptive commercial lists where these are authorized by the competent authority.

4. *Unique reference number* : Optional item for users, concerning reference number allocated by the commercial operator to the consignment in question.

5. *Consignor* : Box for optional use by the Member States. Enter the full name and address of the consignor or seller of the goods.

6. *Total items* : Enter the total number of items declared by the person concerned in the total number of COM and COM/c forms (or loading lists or commercial lists) used. The number of items corresponds to the number of 'description of the goods' boxes which must be completed.

8. *Identification of warehouse* : Box for optional use by the Member States.

9. *Consignee* : Enter the full name and address of the person or company concerned. In the case of splitting up of groupage consignments, the Member States may provide that the word 'various' be entered in this box, and the list of consignees attached to the declaration. As far as the identification number is concerned, the notice can be completed by the Member States (identification number allocated to the person concerned by the competent authorities for fiscal, statistical or other purposes).

10. *Person responsible for financial settlement* : Box for optional use by the Member States (the person who is responsible for either the transfer or repatriation of the funds relating to the transaction).

11. *Declarant or representative of the consignee* : Enter as necessary the full name and address of the person or company concerned in accordance with the provisions in force. If the declarant and the consignee are the same person, enter the word 'consignee'.

As far as the identification number is concerned, the notice can be completed by the Member States (identification number allocated to the person concerned by the competent authorities for fiscal, statistical or other purposes).

12. *Country of dispatch* : Enter the name of the Member State from which the goods were dispatched, or Austria or Switzerland if the goods were reconsigned from there.

In box No 12a enter the code for the Member State or country concerned according to the Community codes to be adopted.

Box No 12b must not be used.

13. *Country of origin* : Box for optional use by the Member States (information to be required only within the limit authorized by Community law). If the declaration covers a number of items of different origin, enter the word 'various' in this box.

14. *Country of destination* : Box for optional use by the Member States. Enter the name of the Member State concerned.

In box No 14a enter the code for the Member State concerned according to the Community codes to be adopted.

Box No 14b enter the region of destination of the goods.

15. *Identity and nationality of means of transport* : This box is optional for the Member States. However, this box may be used only if a change in the active means of transport, for instance a change of tractor, transshipment or combined transport (e.g. lorry on ferry boat) took place when crossing the border of the Member State of destination (in other cases use box No 18). Enter the identity e.g. registration number(s) or name of the means of transport (lorry, ship, aircraft) on which the goods were directly loaded on presentation at the customs office where the destination formalities are completed, followed by the nationality of the means of transport (or that of the

vehicle propelling the others if there are several means of transport) according to the Community code to be adopted. (For example, in the case of use of a tractor and trailer with different licence numbers, enter the licence number of the tractor and that of the trailer, together with the nationality of the tractor.) Indication of the nationality is optional for the Member States.

16. *Container (cont'd)* : Enter the necessary particulars according to Community codes to be adopted.

17. *Delivery terms* : Box for optional use by the Member States (indication of certain terms of the commercial contract).

In the Member States concerned the headings and the codes contained in a Community list to be adopted must be used.

18. *Identity and nationality of the active means of transport* : Enter the type (lorry, ship, aircraft ...), followed by the identity, e.g. registration number or name of the active means of transport (i.e. the propelling means of transport) used at the frontier crossing point on entry into the Member State of destination, followed by its nationality, as known at the time of completion of the dispatch or transit formalities, according to Community codes to be adopted.

In the case of combined transport or if there are several means of transport, the active means of transport is the one which propels the whole combination. (For example, if lorry on sea-going vessel, the active means of transport is the ship, if tractor and trailer, the active means of transport is the tractor, ...)

In the case of postal consignments or when the transport is carried out by rail or fixed transport installation it is not necessary to enter anything in the nationality box.

19. *Invoice currency and total amount of invoice* : Box for optional use by the Member States (enter, in accordance with Community codes, to be adopted, the code for the currency in which the commercial contract was drawn up, followed by the invoice price for the total amount of the goods declared).

20. *Exchange rate* : Box for optional use by the Member States (exchange rate in force between the invoice currency and the currency of the Member States concerned).

21. *Mode of transport* : Enter, according to the Community codes to be adopted, the mode of transport corresponding to the active means of transport on which the goods entered the Member State of destination.

22. *Mode of transport inland* : Box for optional use by the Member States (indication, according to the Community codes to be adopted, of the mode of transport used within the Member State concerned).

23. *Place of loading/unloading* : Enter, if applicable in code form, where provided for, the place where the goods are unloaded from the active means of transport on which they crossed the border of the Member State of destination.

24. *Financial formalities* : Box for optional use by the Member States (transfer of funds relating to the operation in question).

25. *Financial procedure* : Box for optional use by the Member States (transfer of funds relating to the operation in question).

26. *Office of exit/entry* : Box for optional use by the Member States (indication of the customs office by which the goods entered the territory of the Member State concerned).

27. *Location of the goods* : Box for optional use by the Member States (indication of the precise location where the goods may be examined).

28. *Bank reference* : Box for optional use by the Member States (transfer of funds relating to the operation in question).

29. *Nature of the transaction* : Box for optional use by the Member States (indicating certain terms of the commercial contract).

In the Member States concerned the headings and the codes contained in a Community list to be adopted must be used.

30. *Marks, numbers, quantity and kind of packages — description of the goods, container No* : Enter the marks, numbers, quantity and kind of packages, in the case of unpackaged goods, enter the number of such goods covered by the declaration, or the word 'bulk', as appropriate, together with, in both cases, the particulars necessary to identify the goods. The description of the goods means the normal trade description expressed in sufficiently precise terms to enable immediate and unambiguous identification and classification. This box must also show the particulars required by any specific rules (VAT, excise duties, etc.). If containers are used, the identifying marks of the container should also be entered in this box.

When the person concerned has entered the word 'various' in box No 13, (country of origin), enter here, if the Member State requires it, the name of the country of origin of the goods in question.

31. *Item number* : Enter the number of the item in question in relation to the total number of articles declared in the COM and COM/c forms used, as defined in the note to box No 6.
32. *Commodity code* : Enter the code number corresponding to the item in question. In the right-hand section the Member States may provide for indication of a specific nomenclature for excise purposes.
33. *Code, country of origin* : For optional use by the Member States (in box No 33a, code corresponding to the country given in box No 13, according to Community codes to be adopted. When the word 'various' is given in box No 13, enter the code corresponding to the country of origin of the item in question. Box No 33b must not be used).
34. *Gross mass* : Box for optional use by the Member States. Enter the gross mass of the goods described in the corresponding box No 30, expressed in kilograms. The gross mass is the aggregated mass of the goods with all their packings, excluding transport equipment, notably containers.
35. *Procedure* : Enter the procedure for which the goods are declared at destination according to the Community codes to be adopted.
36. *Net mass* : Enter the net mass of the goods described in the corresponding box No 30, expressed in kilograms. The net mass is the mass of the goods themselves without any packaging.
37. *Supplementary units* : For use as necessary in accordance with the goods nomenclature. Enter the quantity of the item in question, expressed in the unit laid down in the goods nomenclature.
38. *Summary declaration/previous document* : Box for optional use by the Member States (references of any summary declaration used in Member State of destination or of the documents relating to any previous administrative procedure).
39. *Additional information/documents produced* : Enter the details required by virtue of any specific regulations applicable in the Member State of destination together with the references of the documents produced in support of the declaration including the serial numbers of any control copies T 5. The subsection 'Additional information code' must not be used.
40. *Statistical value* : Enter the amount expressed in the currency of the Member State concerned, of the statistical value in accordance with the Community provisions in force.
41. *Calculation of taxes* : The Member States may be required to be shown the type of tax and tax base, the rate of tax applicable and the payment method selected, as well as, for information purposes only, the amount due for the tax in question and the total tax for the item in question, as calculated by the person concerned. The following should be shown, where appropriate, on each line, using the relevant Community codes to be adopted :
 - the type of tax (VAT, excise duties, etc.),
 - the tax base,
 - the rate of tax applicable,
 - the amount of the tax thus calculated,
 - the method of payment chosen (MP).
42. *Authorization for deferment or postponement of payment* : Box for optional use by the Member States (reference to the authorization in question, whether this applies to the fiscal system of postponed payment or to the tax credit, i.e. deferment system).
48. *Place and date, signature and name of the declarant or his representative* : Subject to specific provisions to be adopted with regard to the use of computerized systems, the original of the handwritten signature of the person concerned must be given on the copy which is to remain at the office of destination followed by the name of that person. When the person concerned is a legal person, the signatory should add his status after his signature and name.

TITLE III

Remarks concerning the COM/c supplementary forms

A. Supplementary forms should only be used if the declaration covers more than one item (cf. box No 6). They must be presented together with a COM form.

B. The remarks set out in Titles I and II above apply also to the COM/c supplementary forms.

However :

- the left-hand section of box No 1 must contain the symbol COM/c. In addition, in the case of use of the Community Transit procedure, the symbol T 2 bis should be shown in the right-hand section of this box ;
- box 5/9 is for optional use by the Member States as far as the COM/c forms are concerned and should show only the name and identification number, if any, of the person concerned ;
- the 'summary' part of box No 41 concerns the final summary of all the items covered by the COM and COM/c forms used. It should therefore be used only on the last of the COM/c documents attached to a COM document in order to show the general total (GT) of the charges due.

C. If supplementary COM/c forms are used, the boxes 'description of goods' which have not been used must be crossed through to prevent any subsequent use.

COMMISSION REGULATION (EEC) No 2856/85

of 14 October 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 11 October 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 October 1985.

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

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

(ECU/tonne)		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	119,42
10.01 B II	Durum wheat	170,73 ⁽¹⁾ ⁽²⁾
10.02	Rye	111,96 ⁽⁶⁾
10.03	Barley	119,75
10.04	Oats	95,13
10.05 B	Maize, other than hybrid maize for sowing	103,51 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	72,15 ⁽⁴⁾
10.07 C	Grain sorghum	120,00 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	180,75
11.01 B	Rye flour	170,31
11.02 A I a)	Durum wheat groats and meal	277,88
11.02 A I b)	Common wheat groats and meal	194,58

⁽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 2857/85

of 14 October 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
11 October 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 October
1985.

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

Done at Brussels, 14 October 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 October 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	21,66
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	2,24	2,24	0,98
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	30,51

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	38,55	38,55
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	28,81	28,81
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2858/85
of 11 October 1985

on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 2966/80⁽²⁾, and in particular Article 20 thereof,

Whereas, in the light of the health situation in the stockfarming sector in Belgium, provision is made in Commission Regulation (EEC) No 772/85⁽³⁾, as last amended by Regulation (EEC) No 978/85⁽⁴⁾, (EEC) No 978/85 itself, as amended by Regulation (EEC) No 1086/85⁽⁵⁾, and (EEC) No 1477/85⁽⁶⁾, as last amended by Regulation (EEC) No 2209/85⁽⁷⁾, for exceptional support measures for the market in pigmeat in that Member State;

Whereas the abovementioned measures provide, *inter alia*, for the buying in of meat stored by the Belgian intervention agency at the request of the interested party if the national health authorities decide that such meat can be released for consumption only when it has undergone sufficient heat treatment and according to the conditions provided for in the abovementioned Regulations;

Whereas the national health authorities have so determined and the Belgian intervention agency has duly bought in meat pursuant to the aforesaid Regulations; whereas it is now intended to offer the said meat for sale subject to certain stringent obligations as regards the storage, treatment and final disposal of the meat;

Whereas, in order to avoid disturbing the market and to ensure equality of treatment between purchasers and equal access to the products as required by Article 6 (1) of Regulation (EEC) No 2759/75, it is appropriate to fix the selling price by means of an invitation to tender to be held on a monthly basis; whereas it is intended that any quantities of meat not sold in a

given invitation to tender should be offered for sale at the minimum price fixed for the tender for a limited period;

Whereas this Regulation is applicable both to meat which bears the Community health mark as defined in Article 5a of Council Directive 72/461/EEC⁽⁸⁾, as last amended by Directive 85/322/EEC⁽⁹⁾, and also to meat bearing the national health mark as applied by the competent national services;

Whereas, to prevent the transmission of any further infection or contamination in other Member States, it is not intended that meat bearing the national health mark should leave the territory of Belgium; whereas to take account of the current trading situation in the pigmeat sector between the Community on the one hand and the United States of America, Canada and Australia on the other hand, it is not intended that meat bearing the Community sanitary stamp should be exported to the aforesaid countries;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Belgian intervention agency shall put up for sale products bought in pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85. Sale shall be subject to the obligations set out in Article 12.

TITLE I

Sale by invitation to tender

Article 2

1. The Belgian intervention agency shall draw up a monthly notice of invitation to tender stating in particular:

(a) the description of the products and the week of initial private storage;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No L 86, 27. 3. 1985, p. 20.

⁽⁴⁾ OJ No L 105, 17. 4. 1985, p. 6.

⁽⁵⁾ OJ No L 114, 27. 4. 1985, p. 36.

⁽⁶⁾ OJ No L 145, 4. 6. 1985, p. 17.

⁽⁷⁾ OJ No L 204, 2. 8. 1985, p. 31.

⁽⁸⁾ OJ No L 302, 31. 12. 1972, p. 24.

⁽⁹⁾ OJ No L 168, 28. 6. 1985, p. 41.

- (b) the name and address of the cold store or stores where the products are held;
- (c) for each cold store the quantities of each product offered for tender, indicating the type of health mark used;
- (d) the time limit and place for the submission of tenders;
- (e) the formalities regarding provision of the security for tender and the obligations regarding storage, treatment and disposal;
- (f) where appropriate a statement that tenders may be submitted by telex.

2. Each invitation to tender shall relate to specific quantities which shall be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

For the first invitation to tender, that quantity is fixed at 4 969,513 tonnes.

3. Invitations to tender shall be published in the *Official Journal of the European Communities* at least 14 days before the expiry of the period for the submission of tenders.

The Belgian intervention agency shall also publish the notice of invitation to tender in the *Moniteur Belge* and wherever else considered appropriate.

Article 3

1. The time limit for submission of tenders shall expire each last Tuesday of the month at 12 noon. If the last Tuesday falls on a public holiday, the time limit shall be extended to the following working day at 12 noon.

Tenders shall be submitted in writing to the Belgian intervention agency against acknowledgement or by registered letter addressed to that intervention agency. The intervention agency may allow a tender to be submitted by telex.

2. A tender shall not be valid unless it includes the following particulars:

- (a) the name and address of the tenderer;
- (b) the address of the plant where it is intended to process the meat;
- (c) a description of the product, the type of health mark used and the quantity for which the tender is made;
- (d) the price offered per tonne expressed in ECU;
- (e) a statement by the tenderer waiving all claims against the Belgian intervention agency in respect

of the quality and characteristics of a product awarded to him;

- (f) an undertaking either to store, treat and dispose of, pursuant to Article 12 and within the time limit laid down in Article 12 (1), the quantity of product tendered for or to ensure that such storage, treatment and disposal as laid down in Article 12 take place.

3. Tenders shall not be considered for quantities of less than 10 tonnes, except in cases where the total quantity of a given product available is less than 10 tonnes.

4. A tender shall further not be valid unless the following conditions are met:

- (a) proof must be supplied that before the expiry of the time limit for the submission of tenders, in response to the invitation to tender in question, the tenderer has lodged the security for the tender referred to in Article 4;
- (b) it must not contain any conditions and/or reservations that are not expressly authorized.

5. A tender may not be withdrawn.

Article 4

1. The security for tender shall be 100 ECU per tonne.

2. The security shall be lodged at the option of the tenderer in cash or in the form of a guarantee provided by an establishment meeting the criteria fixed by the Belgian intervention agency, which may equally accept a banker's cheque as security.

Article 5

In the light of the tenders received, minimum selling prices shall be fixed for the products in question in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

Article 6

1. Tenders for less than the minimum selling price shall be refused.

2. Subject as provided in paragraph 1, contracts shall be awarded to the highest tenderers. Where more than one tender at the same price is received for the same quantity and where the quantities applied for exceed the quantity available, the Belgian intervention agency may apportion the quantity available, where appropriate, in agreement with the tenderers, or hold a ballot.

Article 7

Each tenderer shall be notified by the Belgian intervention agency of the result of his participation in the invitation to tender not later than five working days after the decision fixing the minimum price.

TITLE II

Sale at fixed price*Article 8*

1. Where insufficient effective demand in response to a given invitation to tender results in quantities of meat remaining unsold, quantities remaining shall be offered for sale subject to the obligations listed in Article 12 for a period of five working days commencing on the second Monday of the month at a price equal to the minimum selling price fixed in accordance with Article 5, increased by 50 ECU per tonne.
2. The quantities of meat to be sold in accordance with paragraph 1 shall be published in the *Official Journal of the European Communities* at the same time as the results of the invitation to tender relating thereto.

Article 9

1. The purchase application shall be submitted to the Belgian intervention agency in writing.
2. An application shall not be valid unless it includes the following particulars:
 - (a) the name and address of the applicant;
 - (b) the address of the plant where it is intended to process the meat;
 - (c) a description of the product, the type of health mark used and the quantity for which the application is made;
 - (d) a statement by the applicant waiving all claims against the Belgian intervention agency in respect of the quality and characteristics of a product awarded to him;
 - (e) an undertaking to either store, treat and dispose of, pursuant to Article 12 and within the time limit laid down in Article 12 (1), the quantity of product applied for or to ensure that such storage, treatment and disposal as laid down in Article 12 take place.
3. Applications shall not be considered for quantities of less than 10 tonnes except in cases where the total quantity of a given product is less than 10 tonnes.
4. An application shall further not be deemed valid for consideration unless the following conditions are met:

- (a) proof must be supplied that within three working days of the submission of the application the applicant has lodged the security for the application referred to in Article 10;
- (b) it must not contain any conditions and/or reservations that are not expressly authorized.

Article 10

1. The security required for the application shall be 100 ECU per tonne.
2. The security shall be lodged at the option of the applicant in cash or in the form of a guarantee provided by an establishment meeting the criteria fixed by the Belgian intervention agency, which may equally accept a banker's cheque as security.

Article 11

1. On the day on which all the requirements of Article 9 are fulfilled, an application shall be deemed valid for consideration.
2. All applications deemed valid on any given day shall be considered as having been submitted simultaneously.
3. Save in exceptional circumstances applications shall be accepted within five working days of their consideration in accordance with paragraph 1 until stocks are exhausted. Where, taken together, applications deemed valid on the same day exceed the quantity available, the Belgian intervention agency may apportion the quantity available, where appropriate, in agreement with the applicants concerned, or hold a ballot.
4. The Belgian intervention agency shall, within five working days of the decision on an application being taken, notify the applicant of the outcome of his application.
5. Should a complete application which would be deemed valid for consideration reach the Belgian intervention agency on a day that is not a working day, it shall be deemed to become valid on the first working day following.

TITLE III

Obligatory treatment of meat sold*Article 12*

1. Within five months of the date on which the outcome of the relevant procedure is notified either to the tenderer as specified in Article 7 or to the applicant as specified in Article 11 (4), the successful tenderer or applicant shall either himself treat or else ensure that treatment is carried out on the quantity of meat specified in the tender or application and further that the obligations as regards storage and disposal listed below are respected.

2. The obligations incumbent upon the purchaser shall be as follows :

The purchaser shall himself process and dispose of, or if the meat is sold to a third party shall ensure that the third party processes the meat in the following fashion :

- (a) the meat shall undergo treatment as specified in the Annex ;
- (b) the meat shall be stored, transported and processed separately from all other meat products ; such activities shall, in any event, comply with national rules governing the disposal of this meat and shall take place within the territory of Belgium ;
- (c) all waste products shall be collected and destroyed under the supervision specified in paragraph 5.

3. In the case of meat bearing the Community health mark, the purchaser shall further undertake to ensure that the final products from the meat will not be exported to the United States of America, Canada or Australia, irrespective of whether or not he himself processes and disposes of the meat.

4. In the case of meat bearing the national health mark the purchaser shall further undertake to ensure that the final products from the meat will not leave the territory of Belgium, irrespective of whether or not he himself processes and disposes of the meat.

5. The control of the obligations set out in paragraph 2 shall include a permanent control on site of the treatment and processing of the meat. This control shall be carried out by the Belgian veterinary services without prejudice to any further controls provided for by national legislation.

Article 13

1. In order to guarantee that the products awarded are processed and disposed of in accordance with Article 12, the purchaser shall lodge the following security :

- in respect of products classified under subheadings ex 02.01 A III a) 1, 3 and 5 of the Common Customs Tariff : 2 000 ECU per tonne of product purchased,
- in respect of all other products : 3 000 ECU per tonne of product purchased.

2. The security must be lodged prior to taking delivery of the product in accordance with Article 17 and may be in any of the forms specified in Article 4 (2).

TITLE IV

General provisions

Article 14

After checking that the processing of the meat has been effected in accordance with this Regulation the Belgian veterinary services shall issue to the person concerned a certificate specifying the quantity of meat that has been properly processed and treated.

Article 15

1. Save in cases of *force majeure*, the various securities referred to in this Regulation shall be released only in accordance with this Article.

2. The security for tender referred to in Article 4 and the security for application referred to in Article 10 shall be released only for that quantity of meat in respect of which :

- (a) the tender or application was not accepted, or
- (b) delivery has been taken in accordance with Article 17.

3. The security for treatment referred to in Article 13 shall be released only for that quantity of meat in respect of which a certificate, as referred to in Article 14, has been issued.

4. In the case of any failure to comply with any obligation incumbent upon a purchaser under this Regulation, the Belgian intervention agency shall declare the relevant security totally or partially forfeit depending on the seriousness of the breach involved.

All cases where the preceding subparagraph is applied shall be notified to the Commission giving full details of the circumstances involved and the action taken.

Article 16

The selling price shall apply to gross weight in the case of unboned meat and to net weight in the case of boned meat, exclusive of domestic taxation, free at the loading bay of the cold store where the products are in store. For boned meat, net weight shall be regarded as the difference between the gross weight ascertained at the loading bay of the cold store and the average weight of packaging determined before its use.

Article 17

The purchaser shall take delivery of the product within 10 working days of the date on which the outcome of the relevant procedure is notified either to the tenderer as referred to in Article 7 or to the applicant as

referred to in Article 11 (4). The costs and risks in respect of additional storage for all quantities not taken over within this period shall be borne by the purchaser.

Article 18

The price shall be paid as and when the goods are taken over and in proportion to the quantities to be

withdrawn, at the latest the day before each removal. Any necessary adjustments shall be made within five working days of the date of receipt of the final invoice.

Article 19

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

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

Done at Brussels, 11 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Obligations on the disposal of the meat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85

The pigmeat shall be fully deboned and the major lymphatic nodes removed.

The portion of pigmeat for heat treatment shall not exceed five kilograms in weight.

Before heating, each portion of the meat mentioned above shall be enclosed in a hermetically sealed container.

The meat in its container shall be subject to a heat treatment according to the following criteria :

- the product shall retain a temperature of at least 60 °C for a minimum of four hours during which time the temperature shall be raised to at least 70 °C for a minimum of 30 minutes,
- the temperature of a representative number of samples of each batch of the product shall be monitored continuously by means of an automatic temperature recording device which records the temperature in the centre of the product and in the interior of the heating apparatus.

At all times during its processing, measures shall be taken to prevent any possible recontamination.

In the case of meat bearing the Community health mark, the products shall be marked beside the health mark with the special additional mark '3-85'.

COMMISSION REGULATION (EEC) No 2859/85

of 14 October 1985

amending Regulation (EEC) No 1725/79 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended in particular for feed for calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Article 4 (2) of Commission Regulation (EEC) No 1725/79 ⁽³⁾, as last amended by Regulation (EEC) No 1096/85 ⁽⁴⁾, specifies that compound feedingstuffs must, for the purposes of that Regulation, be packed in bags containing not more than 50 kilograms; whereas experience has shown that it is advisable to use packagings or containers other than

bags in certain cases; whereas a provision should therefore be adopted to that effect;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the first subparagraph of Article 4 (2) of Regulation (EEC) No 1725/79, 'in bags containing not more than 50 kilograms' is hereby replaced by 'in bags or other closed or sealed packagings or containers, containing not more than 50 kilograms'.

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 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 117, 30. 4. 1985, p. 7.

COMMISSION REGULATION (EEC) No 2860/85**of 14 October 1985****suspending advance fixing of the monetary compensatory amounts applicable in Greece**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States ⁽¹⁾, as last amended by Regulation (EEC) No 855/84 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1160/82 of 14 May 1982 providing for the advance fixing of monetary compensatory amounts ⁽³⁾, as amended by Regulation (EEC) No 469/85 ⁽⁴⁾, and in particular Article 9 (2) thereof,

Whereas, with effect from 14 October 1985, the exchange rate of the Greek drachma has been amended; whereas, pending a decision on the

measures to be taken in the agricultural sector following this decision, in order to prevent speculation, advance fixing of the compensatory amounts should be suspended in accordance with Article 9 (2) of Regulation (EEC) No 1160/82 in respect of Greece,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the monetary compensatory amounts applicable in Greece shall be suspended from 15 October 1985.

Article 2

This Regulation shall enter into force on 15 October 1985.

It shall apply until 17 October 1985.

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

Done at Brussels, 14 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽³⁾ OJ No L 134, 15. 5. 1982, p. 22.

⁽⁴⁾ OJ No L 58, 26. 2. 1985, p. 5.

COMMISSION REGULATION (EEC) No 2861/85
of 14 October 1985
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1935/85 ⁽³⁾, as last
amended by Regulation (EEC) No 2718/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1935/85 to the
prices known to the Commission that the levies at

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October
1985.

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

Done at Brussels, 14 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 181, 13. 7. 1985, p. 8.

⁽⁴⁾ OJ No L 257, 28. 9. 1985, p. 12.

ANNEX

to the Commission Regulation of 14 October 1985 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	29,73
04.01 A I b)	0120	27,32
04.01 A II a) 1	0130	27,32
04.01 A II a) 2	0140	32,96
04.01 A II b) 1	0150	26,11
04.01 A II b) 2	0160	31,75
04.01 B I	0200	61,53
04.01 B II	0300	130,16
04.01 B III	0400	201,15
04.02 A I	0500	22,15
04.02 A II a) 1	0620	151,40
04.02 A II a) 2	0720	174,73
04.02 A II a) 3	0820	177,15
04.02 A II a) 4	0920	238,34
04.02 A II b) 1	1020	144,15
04.02 A II b) 2	1120	167,48
04.02 A II b) 3	1220	169,90
04.02 A II b) 4	1320	231,09
04.02 A III a) 1	1420	30,13
04.02 A III a) 2	1520	40,68
04.02 A III b) 1	1620	130,16
04.02 A III b) 2	1720	201,15
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,4415 (*)
04.02 B I b) 1 bb)	2320	per kg 1,6748 (*)
04.02 B I b) 1 cc)	2420	per kg 2,3109 (*)
04.02 B I b) 2 aa)	2520	per kg 1,4415 (*)
04.02 B I b) 2 bb)	2620	per kg 1,6748 (*)
04.02 B I b) 2 cc)	2720	per kg 2,3109 (*)
04.02 B II a)	2820	52,91
04.02 B II b) 1	2910	per kg 1,3016 (*)
04.02 B II b) 2	3010	per kg 2,0115 (*)
04.03 A	3110	236,65
04.03 B	3210	288,71
04.04 A	3300	194,53 (*)
04.04 B	3900	266,82 (*)
04.04 C	4000	163,23 (*)
04.04 D I a)	4410	168,84 (*)
04.04 D I b)	4510	177,58 (*)
04.04 D II	4610	274,30
04.04 E I a)	4710	266,82
04.04 E I b) 1	4800	207,49 (*)

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

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	181,15 ⁽¹¹⁾
04.04 E I c) 1	5210	135,86
04.04 E I c) 2	5250	277,87
04.04 E II a)	5310	266,82
04.04 E II b)	5410	277,87
17.02 A II	5500	41,79 ⁽¹²⁾
21.07 F I	5600	41,79
23.07 B I a) 3	5700	110,53
23.07 B I a) 4	5800	143,69
23.07 B I b) 3	5900	133,66
23.07 B I c) 3	6000	108,03
23.07 B II	6100	143,69

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) 7,25 ECU ; and
 - (c) 22,35 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
 - (b) 22,35 ECU.
- (⁶) The levy is limited to :
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to :
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to :
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria, for products listed under (s) of that Annex imported from Finland and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
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COMMISSION REGULATION (EEC) No 2862/85

of 14 October 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 2705/85⁽⁷⁾, as last amended by Regulation (EEC) No 2853/85⁽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 11 October 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 2705/85 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 October 1985.

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

Done at Brussels, 14 October 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 256, 27. 9. 1985, p. 21.

⁽⁸⁾ OJ No L 270, 12. 10. 1985, p. 10.

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

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	205,66	199,62
11.02 B II b) ⁽²⁾	150,52	147,50
11.02 C II ⁽²⁾	180,46	177,44
11.02 D II ⁽²⁾	116,14	113,12
11.02 E II b) ⁽²⁾	205,66	199,62
11.02 F II ⁽²⁾	205,66	199,62

⁽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.

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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.

This book tries to answer the questions likely to be raised by the educated person over the mechanisms and the economic significance of the EMS, as well as its first results and its prospects.

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Finally, Chapter V deals with the future of the EMS. It describes the transition to the institutional phase (which has been put off) and underlines the urgent need for a better convergence of the participating economies. A number of possible reforms that would be likely to reinforce the system and to improve its capacity to withstand outside shocks are also set out.

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