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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 2998/85
of 28 October 1985**

again amending Articles 6 and 17 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt⁽¹⁾ was signed on 18 January 1977 and entered into force on 1 November 1978;

Whereas Article 6 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the said Agreement (hereinafter referred to as 'the Protocol'), as amended by Decision No 1/81 of the Cooperation Council⁽²⁾, provides that, in the case of an automatic change in the base date applicable to the amounts expressed in ECU, the Community may introduce revised amounts when necessary;

Whereas the equivalent value of the ECU in certain national currencies on 1 October 1984 was less than

the corresponding value on 1 October 1982; whereas the automatic change in the base date would, in the case of conversion into the national currencies concerned, have the effect of reducing the limits which permit the presentation of simplified documentary evidence; whereas, in order to avoid this effect, it is necessary to increase such limits expressed in ECU,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol is hereby amended as follows:

1. In the second subparagraph of Article 6 (1), '2 000 ECU' is replaced by '2 355 ECU'.
2. In Article 17 (2) '140 ECU' is replaced by '165 ECU' and '400 ECU' by '470 ECU'.

Article 2

This Regulation shall enter into force on 1 November 1985.

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

Done at Luxembourg, 28 October 1985.

For the Council

The President

J. SANTER

⁽¹⁾ OJ No L 266, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 357, 12. 12. 1981, p. 4.

COUNCIL REGULATION (EEC) No 2999/85

of 28 October 1985

again amending Articles 6 and 17 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Cooperation Agreement between the European Economic Community and the Lebanese Republic

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Lebanese Republic⁽¹⁾ was signed on 3 May 1977 and entered into force on 1 November 1978;

Whereas Article 6 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the said Agreement (hereinafter referred to as 'the Protocol'), as amended by Decision No 1/81 of the Cooperation Council⁽²⁾, provides that, in the case of an automatic change in the base date applicable to the amounts expressed in ECU, the Community may introduce revised amounts when necessary;

Whereas the equivalent value of the ECU in certain national currencies on 1 October 1984 was less than

the corresponding value on 1 October 1982; whereas the automatic change in the base date would, in the case of conversion into the national currencies concerned, have the effect of reducing the limits which permit the presentation of simplified documentary evidence; whereas, in order to avoid this effect, it is necessary to increase such limits expressed in ECU,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol is hereby amended as follows:

1. In the second subparagraph of Article 6 (1), '2 000 ECU' is replaced by '2 355 ECU'.
2. In Article 17 (2), '140 ECU' is replaced by '165 ECU' and '400 ECU' by '470 ECU'.

Article 2

This Regulation shall enter into force on 1 November 1985.

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

Done at Luxembourg, 28 October 1985.

For the Council

The President

J. SANTER

⁽¹⁾ OJ No L 267, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 357, 12. 12. 1981, p. 6.

COUNCIL REGULATION (EEC) No 3000/85**of 28 October 1985****again amending Articles 6 and 17 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Cooperation Agreement between the European Economic Community and the Hashemite Kingdom of Jordan**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Hashemite Kingdom of Jordan ⁽¹⁾ was signed on 3 May 1977 and entered into force on 1 November 1978;

Whereas Article 6 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the said Agreement (hereinafter referred to as 'the Protocol'), as amended by Decision No 3/84 of the Cooperation Council ⁽²⁾, provides that, in the case of an automatic change in the base date applicable to the amounts expressed in ECU, the Community may introduce revised amounts when necessary;

Whereas the equivalent value of the ECU in certain national currencies on 1 October 1984 was less than

the corresponding value on 1 October 1980; whereas the automatic change in the base date would, in the case of conversion into the national currencies concerned, have the effect of reducing the limits which permit the presentation of simplified documentary evidence; whereas, in order to avoid this effect, it is necessary to increase such limits expressed in ECU,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol is hereby amended as follows:

1. In the second subparagraph of Article 6 (1), '1 620 ECU' is replaced by '2 355 ECU'.
2. In Article 17 (2), '105 ECU' is replaced by '165 ECU' and '325 ECU' by '470 ECU'.

Article 2

This Regulation shall enter into force on 1 November 1985.

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

Done at Luxembourg, 28 October 1985.

For the Council

The President

J. SANTER

⁽¹⁾ OJ No L 268, 27. 9. 1978, p. 2.

⁽²⁾ OJ No L 81, 23. 3. 1985, p. 8.

COUNCIL REGULATION (EEC) No 3001/85
of 28 October 1985

again amending Articles 6 and 17 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾ was signed on 2 April 1980 and entered into force on 1 April 1983;

Whereas Article 6 of the Protocol concerning the definition of the concept of 'originating products' and methods of administrative cooperation to the said Agreement (hereinafter referred to as 'the Protocol'), as amended by Decision No 2/83 of the Cooperation Council⁽²⁾, provides that, in the case of an automatic change in the base date applicable to the amounts expressed in ECU, the Community may introduce revised amounts when necessary;

Whereas the equivalent value of the ECU in certain national currencies on 1 October 1984 was less than

the corresponding value on 1 October 1982; whereas the automatic change in the base date would, in the case of conversion into the national currencies concerned, have the effect of reducing the limits which permit the presentation of simplified documentary evidence; whereas, in order to avoid this effect, it is necessary to increase such limits expressed in ECU,

HAS ADOPTED THIS REGULATION:

Article 1

The Protocol is hereby amended as follows:

1. In the second subparagraph of Article 6 (1), '2 000 ECU' is replaced by '2 355 ECU'.
2. In Article 17 (2), '140 ECU' is replaced by '165 ECU' and '400 ECU' by '470 ECU'.

Article 2

This Regulation shall enter into force on 1 November 1985.

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

Done at Luxembourg, 28 October 1985.

For the Council

The President

J. SANTER

⁽¹⁾ OJ No L 41, 14. 3. 1983, p. 2.

⁽²⁾ OJ No L 192, 16. 7. 1983, p. 3.

COUNCIL REGULATION (EEC) No 3002/85

of 28 October 1985

amending Regulation (EEC) No 1698/85 imposing a definitive anti-dumping duty on imports of electronic typewriters originating in Japan

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

WHEREAS:

- (1) The Council, by Regulation (EEC) No 1698/85 ⁽²⁾, imposed a definitive anti-dumping duty on imports of electronic typewriters originating in Japan.
- (2) Certain small-size electronic typewriters were excluded from this duty because they fell into a different category from those produced in the Community.
- (3) Certain exporters have now requested that a number of additional models be excluded from this duty. The following models were found not to be comparable with any electronic typewriter produced in the Community:
Brother: EP 43,
Canon: S 10 (Typemate 10), S 70 (Typestar 7),
Sharp: PA 950, PA 1000.

- (4) Consequently, these models should be excluded from the scope of the duty and Regulation (EEC) No 1698/85 should be amended in consequence,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (3) of Regulation (EEC) No 1698/85 is hereby replaced by the following:

'3. The duty shall not apply to the following models manufactured by the following companies:

Brother Industries Ltd: EP 20, EP 22, EP 41, EP 43, EP 44, TC 600,

Canon Inc.: S 10 (Typemate 10), S 50 (Typestar 5), S 50R (Typestar 5R), S 60 (Typestar 6), S 70 (Typestar 7),

Casio Computer Co. Ltd: CW 10, CW 20, CW 25, Sharp Corporation: PA 950, PA 1000,

Silver Seiko Ltd: EXD 10 (Tescomate 55), EXD 15 (Tescomate/Tescomatic X 77).'

Article 2

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

It shall apply with effect from 23 June 1985.

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

Done at Luxembourg, 28 October 1985.

For the Council

The President

J. SANTER

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1985, p. 1.

COMMISSION REGULATION (EEC) No 3003/85

of 29 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 2956/85⁽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 28 October 1985;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2956/85 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 30 October 1985.

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

Done at Brussels, 29 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 285, 25. 10. 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 29 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	119,85
10.01 B II	Durum wheat	163,00 ⁽¹⁾ ⁽²⁾
10.02	Rye	111,21 ⁽⁶⁾
10.03	Barley	119,50
10.04	Oats	98,28
10.05 B	Maize, other than hybrid maize for sowing	105,63 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	59,09 ⁽⁴⁾
10.07 C	Grain sorghum	117,85 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	181,35
11.01 B	Rye flour	169,26
11.02 A I a)	Durum wheat groats and meal	265,90
11.02 A I b)	Common wheat groats and meal	195,23

⁽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 3004/85

of 29 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
28 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 30 October
1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 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 29 October 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	21,08
10.01 B II	Durum wheat	0	11,94	11,94	9,65
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
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	29,51

B. Malt

CCT heading No	Description	(ECU/tonne)				
		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	37,52	37,52
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	28,04	28,04
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 3005/85**of 29 October 1985****amending for the 10th time Regulation (EEC) No 1371/84 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector**

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 5c (7) thereof,

Whereas Commission Regulation (EEC) No 1371/84 ⁽³⁾, as last amended by Regulation (EEC) No 1043/85 ⁽⁴⁾, laid down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68;

Whereas the Community reserve referred to in Article 5c (4) of Regulation (EEC) No 804/68 was raised by Council Regulations (EEC) No 1298/85 and (EEC) No 1306/85 ⁽⁵⁾ to 393 000 tonnes for the period 2 April 1984 to 31 March 1985 and the period 1 April 1985 to 31 March 1986; whereas the distribution of this Community reserve for each of the two 12-month periods should be ensured; whereas, in view of the objectives set for the allocation of these quantities and of the characteristics of dairy production in Ireland, an additional 58 000 tonnes should be allocated to that Member State for the period 2 April 1984 to 31 March 1985; whereas the situation referred to in connection with the distribution of the Community reserve for the first 12-month period has remained unchanged; whereas the quantities allocated for the second 12-month period should remain unchanged;

Whereas Regulation (EEC) No 804/68 and Council Regulation (EEC) No 857/84 ⁽⁶⁾ have enabled the guaranteed global quantities to be adapted provided the total of the two quantities is not exceeded;

whereas, following such adaptations, one of the two original guaranteed global quantities will be increased; whereas the additional quantities in question should either be allocated to the producers referred to in paragraph 5 or, as the case may be, paragraph 6 of Article 4 of Regulation (EEC) No 1371/84 or, where necessary be added to the reserve referred to in Article 5 or 6 of Regulation (EEC) No 857/84, as the case may be;

Whereas, under Regulation (EEC) No 857/84, the definition of 'producer' was extended, under formula A, to producers' groups and their associations to which the 100 % levy rate is applicable as for formula B; whereas, at the same time, application to producers' groups and their associations of the penalty for exceeding the average fat content by more than 0,6 grams provided for in Article 9 (2) of Regulation (EEC) No 1371/84 for formula B is justified;

Whereas Articles 12 and 15 of Regulation (EEC) No 1371/84 set time limits for payment to the competent agency of any levy amount due at the end of each 12-month period; whereas in view of administrative problems in several Member States authorization should be given for the levy for the first 12-month period to be collected up to 15 November 1985;

Whereas, by Article 9 of Regulation (EEC) No 857/84, the Council has authorized annual payment of the levy, with retention of compulsory half-yearly declarations; whereas appropriate action must be taken in respect of implementing procedures; whereas it should be stipulated also that for producer's groups and their associations the accounts be kept for each of their members by these groups and associations;

Whereas the milk marketing year 1985/86 began on 27 May 1985; whereas two target prices therefore apply for the calculation of the levy for the period 1 April 1985 to 31 March 1986; whereas for purposes of simplification only the target price valid on the last day of the 12-month period concerned should be used;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 132, 18. 5. 1984, p. 11.

⁽⁴⁾ OJ No L 112, 25. 4. 1985, p. 18.

⁽⁵⁾ OJ No L 137, 27. 5. 1985, p. 14.

⁽⁶⁾ OJ No L 90, 1. 4. 1984, p. 13.

HAS ADOPTED THIS REGULATION:

begin on the Sunday or Monday following 2 April 1984.'

Article 1

Regulation (EEC) No 1371/84 is hereby amended as follows:

- Article 1 is replaced by the following:

'Article 1

For each of the two periods 2 April 1984 to 31 March 1985 and 1 April 1985 to 31 March 1986, the Community reserve referred to in Article 5c (4) of Regulation (EEC) No 804/68 shall be distributed as follows:

— Ireland:	303 000 tonnes
— Luxembourg:	25 000 tonnes
— United Kingdom (for the region of Northern Ireland):	65 000 tonnes'

- The following Article 4a is inserted:

'Article 4a

Where, under the second subparagraph of Article 5c (7) of Regulation (EEC) No 804/68 and the second subparagraph of Article 6 (2) of Regulation (EEC) No 857/84, the guaranteed total quantities are adapted, the quantities added to a total quantity originally fixed shall either be allocated to the producers referred to in Article 4 (5) or, as the case may be, Article 4 (6), or, where appropriate be added to the reserve referred to in Article 5 of Regulation (EEC) No 857/84 or, as the case may be, in Article 6 (3) of that Regulation.'

- In the first subparagraph of Article 9 (2), 'in Article 9 (1) (b)' is replaced by 'in Article 9 (1)'.
- In Article 9 (2), the second subparagraph is replaced by the following:

'Where formula B is applied, the increase referred to above shall be made in respect of any positive difference exceeding 0,6 grams. This provision shall also apply in respect of producers' groups and their associations referred to in the second subparagraph of Article 12 (c) of Regulation (EEC) No 857/84.'

- Article 10 is replaced by the following:

'Article 10

For the purpose of applying Articles 9 and 10 of Regulation (EEC) No 857/84, Member States may replace the 12-month period by a 52-week period. Should they do so, the first 52-week period shall

- In Article 11 (1):

- the first subparagraph is replaced by the following:

'For the purposes of the application of formulas A and B, purchasers shall keep on file available to the Member State's competent agency, for at least three years, stock accounts showing, in respect of each producer:

- his name and address;
- all the reference quantities granted under Articles 2, 3, 4 and 7 of Regulation (EEC) No 857/84;
- the quantities of milk or milk equivalent purchased during each month or four-week period or during each six-month period.'

- The following third subparagraph is inserted:

'In addition, under formula A, where the second subparagraph of Article 12 (c) of Regulation (EEC) No 857/84 is applied, the stock accounts as described in the first subparagraph shall be kept on file available to the competent agency of the Member State by the producers' groups and their associations.'

- Article 12 is replaced by the following:

'Article 12

- Purchasers shall, within 45 days following the end of the first half of the year, transmit to the competent agency a statement indicating:

- in cases where formula A is applied, for each producer concerned, the quantities of milk or milk equivalent delivered during the first half of the year; the statement shall also indicate the quantities delivered by each producer during the first half of the year, expressed as a percentage of the latter's annual reference quantity,
- in cases where formula B is applied, for all producers taken together, the quantities of milk or milk equivalent purchased during the first half of the year; the statement shall also indicate the quantities bought by the buyer during the first half of the year, expressed as a percentage of the buyer's annual reference quantity.

- Purchasers shall, within 45 days following the end of each 12-month period, transmit to the competent agency a statement indicating:

- in cases where formula A is applied, and separately for each producer concerned :
 - the total quantity of milk or milk equivalent delivered during the 12-month period concerned,
 - the quantities, if any, of milk or milk equivalent which exceed the buyer's annual reference quantity of the producer concerned,
- in cases where formula B is applied, and separately for all producers :
 - the total quantity of milk or milk equivalent purchased during the 12-month period concerned,
 - the quantities, if any, of milk or milk equivalent which exceed the annual reference quantity of the buyer concerned.

3. However, where formula A and the second subparagraph of Article 12 (c) are both applied, the statements specified in paragraphs 1 and 2 shall be transmitted to the competent agency by producers' groups and their associations.

4. The purchasers referred to in paragraphs 1, 2 and 3 shall pay any levy amount due to the competent agency within 60 days following the end of each 12-month period.

However, in the cases specified in paragraph 3, payments shall be made, within the same 60-day period, by producers' groups and their associations.

5. Member States may stipulate that the second statement as referred to in paragraph 2 be transmitted and the payment referred to in paragraph 4 be made on the same date within the 60-day period referred to in paragraph 4.

6. The statements specified in paragraphs 2 and 3 and the payment referred to in paragraph 4 shall, in respect of the first 12-month period, be transmitted and made respectively not later than 15 November 1985.

The statement specified in paragraph 1 shall, in respect of the first six months of the second 12-month period, be transmitted within 90 days of the end of the six-month period in question.'

8. The following is added to Article 13 (3):

'However, the time limit laid down in paragraph 2 is, for the first 12-month period, hereby deferred until 15 November 1985.'

9. Article 14 is replaced by the following:

'Article 14

For the purposes of calculating the levy as referred to in Article 1 (1) of Regulation (EEC) No 857/84 :

- only the target price valid on the last day of the relevant 12-month period shall apply where, in this period, there have been two different successive target prices,
- the conversion rate to be used shall be the representative rate valid on the last day of the relevant 12-month period.'

10. Article 15 is replaced by the following:

'Article 15

By way of derogation from Article 12, in respect of the second 12-month period :

- the Member States, in respect of the mountain and hill regions as specified under Article 3 (3) of Directive 75/268/EEC and, where formula A is applied, for producers whose reference quantities do not exceed 20 000 kilograms,
- Greece, in respect of all of its territory, and
- Italy, in respect of all the regions listed in the Annex to Decision 77/711/EEC,

shall be authorized to have the statement referred to in Article 12 (2) made within 60 days following the end of the 12-month period concerned.

Where formula B is applied, this authorization shall apply to any purchaser of milk drawing at least 60 % thereof from the regions referred to in the preceding paragraph.'

11. Article 16 (3) shall read as follows :

'3. Member States shall transmit to the Commission :

- at the end of each 12-month period information on the cases of application of Article 6a of Regulation (EEC) No 857/84, a list of producers' groups and associations and/or a list of purchasers as referred to in Article 12 (c), second subparagraph and (e) respectively of that Regulation,
- before 1 January 1986, information on their intention to avail themselves of the authorization provided for in Article 9 (4) of Regulation (EEC) No 857/84, this to be done for the first 12-month period before 1 November 1985,

- at the end of the second 12-month period, all relevant information concerning the implementation of the provision referred to in the second indent and, in respect of the first 12-month period, before 1 February 1986,
- within three months of the end of each of the periods concerned, the information specified in Article 12 (1) and (2).'

Article 2

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

Article 1 (2) and (7), paragraphs 1, 3 and 5, shall apply from the second 12-month period of application of the additional levy scheme.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3006/85

of 29 October 1985

amending Regulation (EEC) No 1892/85 increasing to 275 000 tonnes the quantity of durum wheat held by the Italian intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 1806/85⁽⁴⁾,

Whereas Commission Regulation (EEC) No 1892/85⁽⁵⁾, as amended by Regulation (EEC) No 2611/85⁽⁶⁾, opened a standing invitation to tender for the export of 250 000 tonnes of durum wheat held by the Italian intervention agency; whereas, in a communication of 24 October 1985, Italy informed the Commission of the intention of its intervention agency to increase by 25 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of durum wheat held by the Italian intervention agency for which a standing invitation to tender for export has been opened should be increased to 275 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1892/85 must therefore be amended;

Whereas the last partial invitation to tender under Regulation (EEC) No 1892/85 should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1892/85 is replaced by the following:

Article 2

1. The invitation to tender shall relate to a maximum quantity of 275 000 tonnes of durum wheat to be exported to all third countries.
2. The regions in which the 275 000 tonnes of durum wheat are stored are listed in Annex I.

Article 2

Annex I to Regulation (EEC) No 1892/85 is replaced by the Annex hereto.

Article 3

Article 4 (3) of Regulation (EEC) No 1892/85 is replaced by the following:

- '3. The last partial invitation to tender shall expire on 18 December 1985.'

Article 4

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

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.
⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 169, 29. 6. 1985, p. 73.
⁽⁵⁾ OJ No L 178, 10. 7. 1985, p. 6.
⁽⁶⁾ OJ No L 249, 18. 9. 1985, p. 16.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Cuneo	8 108
Ferrara	5 831
Macerata	969
Catanzaro	15 785
Cagliari	7 650
Messina	2 163
Pescara	25
Livorno	31 249
Grosseto	10 116
Viterbo	5 607
Roma	8 673
Napoli	45 993
Ragusa	1 030
Foggia	91 572
Catania	4 001
Palermo	7 420
Caltanissetta	500
Ravenna	5 000
Reggio nell'Emilia	16 313
Ancona	7 000'

COMMISSION REGULATION (EEC) No 3007/85

of 29 October 1985

on the issue of import licences on 30 October 1985 for sheepmeat and goatmeat products originating in certain non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 3658/84 of 19 December 1984 concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector in 1985⁽³⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3668/84 of 19 December 1984⁽⁴⁾ laid down detailed rules for implementing the import system provided for in Regulation (EEC) No 3658/84, whereas provision should be made, pursuant to Article 2 (5) of Regulation (EEC) No 3668/84, for determining the extent to which import licences may be issued in connection with applications lodged in respect of the fourth quarter of 1985;

Whereas, in cases where the quantities in respect of which licence applications have been lodged exceed the quantities which may be imported pursuant to Article 1 of Regulation (EEC) No 3668/84, such quantities should be reduced by a single percentage figure in accordance with Article 2 (5) (b) of that Regulation;

Whereas all the licence applications may be granted in cases where the quantities in respect of which licence applications have been lodged do not exceed the

quantities provided for in Regulation (EEC) No 3668/84,

HAS ADOPTED THIS REGULATION:

Article 1

Member States shall, on 30 October 1985, issue the import licences provided for in Regulation (EEC) No 3668/84 and applied for from 1 to 10 October 1985 subject to the following conditions:

- (a) for products falling within subheading 02.01 A IV a) of the Common Customs Tariff, the quantities applied for, originating:
 - in Spain shall be reduced by 96,429 %,
 - in other non-member countries shall be granted in full;
- (b) for products falling within subheading 02.01 A IV b) of the Common Customs Tariff, the quantities applied for, originating:
 - in Chile shall be granted in full,
 - in other non-member countries shall be granted in full;
- (c) for products falling within subheading 01.04 B of the Common Customs Tariff, the quantities applied for, originating in other non-member countries shall be reduced by 82,818 %.

Article 2

This Regulation shall enter into force on 30 October 1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 22.

⁽³⁾ OJ No L 340, 28. 12. 1984, p. 10.

⁽⁴⁾ OJ No L 340, 28. 12. 1984, p. 35.

COMMISSION REGULATION (EEC) No 3008/85

of 29 October 1985

determining the extent to which applications lodged in October 1985 for the issue of import licences in respect of frozen beef intended for processing may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2609/85 ⁽²⁾ fixed the quantity of frozen beef intended for processing which may be imported under special terms in the fourth quarter of 1985;

Whereas Article 15 (6) (a) of Commission Regulation (EEC) No 2377/80 ⁽³⁾, as last amended by Regulation (EEC) No 552/85 ⁽⁴⁾, lays down that the quantities applied for may be reduced; whereas, the applications lodged, in conformity with the conditions of Commission Regulation (EEC) No 1136/79 ⁽⁵⁾, as last amended by Regulation (EEC) No 2036/84 ⁽⁶⁾, relate to total quantities which far exceed the quantities available in accordance with Article 1 of Regulation (EEC) No 2609/85; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate, for the system referred to in Article 14 (1) (a) of Regulation (EEC) No

805/68, to reduce proportionally the quantities applied for;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Every application for an import licence lodged in accordance with Regulation (EEC) No 1136/79 for the quarter beginning 1 October 1985 shall be granted to the following extent, expressed as bone-in beef:

- (a) 3,103 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2 (5) of Regulation (EEC) No 1136/79;
- (b) 100 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2 (6) of Regulation (EEC) No 1136/79.

2. In conformity with Article 15 (3) of Regulation (EEC) No 2377/80, all applications from any one applicant shall be regarded as a single application.

Article 2

This Regulation shall enter into force on 30 October 1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 249, 18. 9. 1985, p. 14.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 63, 2. 3. 1985, p. 13.

⁽⁵⁾ OJ No L 141, 9. 6. 1979, p. 10.

⁽⁶⁾ OJ No L 189, 17. 7. 1984, p. 14.

COMMISSION REGULATION (EEC) No 3009/85

of 29 October 1985

specifying the extent to which applications lodged in October 1985 for import licences in respect of young male bovine animals for fattening may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2608/85⁽²⁾ fixed the quantity of young male bovine animals which may be imported on special terms during the fourth quarter of 1985; whereas, having regard to the applications for import licences lodged by each of the categories of applicants referred to in that Regulation, such licences should be issued as provided below;

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

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for young male bovine animals for fattening, in respect of which applications were lodged between 1 and 10 October 1985 shall be issued as follows:

1. The quantities requested in Italy:

- (a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia;

(aa) by agricultural producers or their organizations shall be reduced by 94,225 %;

(bb) by other applicants shall be reduced by 97,017 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries;

(aa) by agricultural producers or their organizations shall be reduced by 95,582 %;

(bb) by other applicants shall be reduced by 98,468 %.

2. The quantities requested in Greece:

(a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia:

(aa) by agricultural producers or their organizations shall be reduced by 92,072 %;

(bb) by other applicants shall be reduced by 88,235 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries;

(aa) by agricultural producers or their organizations shall be reduced by 91,821 %;

(bb) by other applicants shall be reduced by 88,235 %.

Article 2

This Regulation shall enter into force on 30 October 1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 249, 18. 9. 1985, p. 11.

COMMISSION REGULATION (EEC) No 3010/85

of 29 October 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down the implementing rules for 1984 for Regulation (EEC) No 3331/82 concerning food-aid policy and food-aid management⁽⁵⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas on 6 May 1985 the Commission of the European Communities decided to grant, under Community measures, various quantities of cereals to certain non-member countries and beneficiary organizations;

Whereas, pursuant to Article 3 (3) of Council Regulation (EEC) No 2750/75, the goods may be purchased anywhere on the Community market;

Whereas an invitation to tender should be issued for supply of the products delivered unloaded at destination in view of the final use to be made of the goods delivered;

Whereas the provisions of Commission Regulation (EEC) No 1974/80 of 22 July 1980 laying down general implementing rules in respect of certain food-

aid operations involving cereals and rice⁽⁸⁾, as last amended by Regulation (EEC) No 3323/81⁽⁹⁾, should be applied as far as possible, particularly in respect of the procedure for submission of tenders, since the manner in which the security is lodged must guarantee that the successful tenderer complies with his obligations;

Whereas, however, the specific provisions concerning delivery to destination must be set out; whereas the successful tenderer must thus bear all risk in the goods up to unloading at the stipulated destination; whereas payment can be made only when proof of delivery to the destination is provided;

Whereas it must be made clear who is to bear any costs which arise in the event that for reasons of *force majeure* the operation in question is not completed within the period stipulated;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The intervention agency mentioned in Annex I hereto is hereby required to implement the mobilization and supply of the product stated in the said Annex as food aid, subject to the provisions of this Regulation.

2. Supply of the products shall be organized under the tender procedure.

3. Annex I shall take the place of a notice of invitation to tender. The intervention agency responsible shall make further publications as necessary.

Article 2

1. For the purposes of the invitation to tender, the following provisions of Regulation (EEC) No 1974/80 shall apply:

- Article 4, except the provisions of paragraphs 3 (e) and 4 (d) and (e), in respect of submission of tenders,
- Article 5 in respect of provision of security,
- Article 6 in respect of opening and reading tenders,
- Article 8 in respect of comparing tenders.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 89.

⁽⁴⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽⁵⁾ OJ No L 54, 23. 2. 1985, p. 1.

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

⁽⁷⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁸⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁹⁾ OJ No L 334, 21. 11. 1981, p. 27.

2. The tender shall indicate the amount of the tender expressed per tonne of product, in the currency of the Member State where the tendering procedure is taking place. The tender must include the cost of fumigation, unloading and warehousing at the final destination stated in Annex I.

The tender shall state separately the amount of cost in respect of sea and land transport to the stipulated final destination.

The tender shall indicate the Member State in which the tenderer, in the event of his being declared successful, undertakes to complete the customs export formalities.

3. The tenderer shall carry out his obligations pursuant to this Regulation and the undertakings referred to in Article 4 (4) of Regulation (EEC) No 1974/80, with the exception of points (d) and (e) thereof.

4. The tenderer shall undertake to ship in vessels, listed in the larger classes in recognized classification registers, not more than 15 years old and attested by a competent body as meeting hygiene requirements.

Article 3

1. Without prejudice to paragraphs 2 and 3, the contract shall be awarded within 48 hours to the tenderer who has submitted the most favourable tender.

2. Where the most favourable tender is submitted by more than one tenderer, the intervention agency shall award the contract to one of those tenderers by drawing lots.

3. If the tenders do not appear to be in line with the prices normally prevailing on the market, the intervention agency may, with the agreement of the Commission, decide not to award the contract.

4. The intervention agency shall communicate the results of the tendering procedure to all the tenderers by letter or telex sent not later than the first working day following the award decision.

Article 4

1. The successful tenderer shall contract as necessary, at his own expense, for carriage of the goods to the final destination and shall bear all the costs involved, including those of unloading and warehousing at the destination. He shall take out suitable insurance.

2. The successful tenderer shall bear all the risks relating to the goods, in particular of loss or deterioration to which the goods are subject, until they have

effectively been unloaded and delivered to the final destination.

3. The successful tenderer shall communicate as soon as possible to the recipient's representative the date of loading, the means of transport used to consign the goods to the final destination, and the probable date of arrival. He shall immediately send this information to the intervention agency responsible for payment, which shall forward it without delay to the Commission.

The tenderer shall advise the recipient's representative, at least three days in advance, of the probable date of arrival of the goods at the final destination.

Article 5

1. The intervention agency of the country of shipment shall arrange for a check at the port, before loading, on the quantity, quality and packaging of the goods. Following inspection an attestation shall be issued by the intervention agency. The costs relating thereto shall be borne by the successful tenderer.

The successful tenderer shall provide that intervention agency with the certificate showing that the fumigation has been carried out.

2. Samples intended for analysis shall be taken and the inspection shall be carried out in accordance with the trade practices in force in the country of shipment. The successful tenderer and the recipient's representative shall be invited to take part in the operation.

Two sealed samples shall be kept by the intervention agency until issue by the recipient of the taking-over certificate or until issue of the certificate referred to in Article 6 (2).

3. If the inspection referred to in paragraph 1 gives rise to a dispute, the intervention agency shall arrange for a second inspection by a service different from that mentioned in paragraph 1, the findings of which shall be final. The costs relating thereto shall be borne by the losing party.

4. Where the inspection provided for in the preceding paragraphs reveals that the goods do not satisfy the requirements stipulated, they must be refused and replaced. Where some quantities are missing the successful tenderer must make up the cargo.

Article 6

1. A taking-over certificate shall be issued by the recipient immediately following unloading at the final destination. It shall state the place and date of taking

over and give a description of the goods taken over in the form given in Annex II and any comments by the recipient.

2. Where the taking-over certificate is not issued for reasons other than a dispute about the goods, proof of delivery may be provided by means of a certificate of the form given in Annex II endorsed by the Community representative in the country of destination.

Article 7

1. Payment to the successful tenderer shall be made by the intervention agency of the Member State in which the customs export formalities are completed.

2. The amount to be paid shall be that of the tender plus, where appropriate, the costs referred to in Article 9. It shall be paid in the currency of the Member State which is responsible for payment. For this purpose this amount shall be converted by using:

- where the currencies in question are maintained within a maximum spread at any one time of 2,25 %, the conversion rate resulting from their central rate,
- in other cases, the relationship between the two currencies concerned established by using the latest statement of their spot exchange rates made immediately prior to the closing date for the submission of tenders as published in the 'C' series of the *Official Journal of the European Communities*.

3. The amount referred to in paragraph 2 shall be paid to the successful tenderer on presentation of the original of the taking-over certificate or a certified copy thereof, or, if this is not available, of the certificate referred to in Article 6 (2).

4. The intervention agency is hereby authorized to make without delay an initial payment of 80 % of the value of the quantity given in the bill of lading, on presentation of a copy of that document, of the attestation referred to in Article 5 (1) and of the fumigation certificate, and subject to the provision of a security for an amount equal to the initial payment.

The said security shall be provided as laid down in Article 5 (2) of Regulation (EEC) No 1974/80.

Article 8

1. The security referred to in Article 2 shall be immediately released to:

- every tenderer whose tender was not successful or was not accepted,
- the successful tenderer in respect of quantities not delivered on account of *force majeure*,
- the successful tenderer in respect of the quantities delivered in accordance with this Regulation and on presentation of the original of the taking-over certificate or a certified true copy thereof or, where appropriate, the certificate referred to in Article 6 (2).

2. The security referred to in Article 7 (4) shall be released immediately when the successful tenderer furnishes the proof in accordance with Article 6 that at least 80 % of the quantity provided for has been delivered in conformity with the conditions laid down in this Regulation.

Article 9

If the successful tenderer, for reasons of *force majeure*, has to bear exceptional costs in respect of the delivery made under this Regulation which cannot be covered by insurance, he may receive compensation therefor on production of supporting documents and with the prior agreement of the Commission.

Article 10

Except in case of *force majeure* the successful tenderer shall bear all the financial consequences of the non-delivery of the goods under the conditions laid down in this Regulation if the recipient had made delivery possible under such conditions.

The costs resulting from the non-delivery of the goods following a case of *force majeure* shall be borne by the intervention agency responsible for payment.

Article 11

Articles 21 and 22 (1) and (2) of Regulation (EEC) No 1974/80 shall apply in the context of this Regulation.

The intervention agency responsible for payment shall, on receipt, send the information referred to in Article 4 (3) to the Commission.

The intervention agency in the country of shipment shall send the Commission, without delay, the results of the inspection referred to in Article 5.

Article 12

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

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

1. **Programme :** 1985
2. **Recipient :** UNHCR (Attention Mr Jambor, Palais des Nations, CH-1211 Genève 10, telex 27492)
3. **Place or country of destination :** Rwanda
4. **Product to be mobilized :** maize flour
5. **Total quantity :** 1 000 tonnes (1 695 tonnes of cereals)
6. **Number of lots :** two :
 - A : 500 tonnes
 - B : 500 tonnes
7. **Intervention agency responsible for conducting the procedure :**
Bundesanstalt für landwirtschaftliche Marktordeung (BALM), Adickesallee 40, D-6000 Frankfurt/Main (telex 411 475)
8. **Method of mobilizing the product :** on the Community market
9. **Characteristics of the goods :**
 - maize flour (11.01 E I) for human consumption, of sound merchantable quality, free of odour and pests
 - moisture content : maximum 13 %
 - acidity : 0,6 % maximum
10. **Packaging :**
 - new woven-polypropylene bags for food use, weighing not less than 120 g, which have been specially treated against the effects of ultraviolet light
 - net weight of the bags : 50 kilograms
 - marking on the bags in letters at least 5 cm high :
'FARINE DE MAÏS / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DU HCR RWANDA / POUR DISTRIBUTION GRATUITE'
11. **Port of shipment :** a Community port
12. **Delivery stage :** delivered destination — Kigali (Monsieur le Délégué UNHCR, Quartier Kiyovu, 6 rue des Parcs, Kigali)
13. **Procedure to be applied in order to determine supply costs :** tendering
14. **Deadline for the submission of tenders :** 12 noon on 12 November 1985
15. **Shipment period :**
 - A : 1 to 31 December 1985
 - B : 1 to 31 January 1986
16. **Security :** 12 ECU per tonne

Notes :

1. The successful tenderer shall forward, through the intermediary of the intervention agency, to the recipient on the latter's request and in accordance with his instructions the documents necessary for importation of the goods into the country of destination.
2. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
3. The successful tenderer shall send a copy of the shipping documents to the following address : Commission Delegation in Rwanda, c/o 'Diplomatic Bag', Berlaymont 1/123, 200 rue de la Loi, B-1049 Brussels.

*ANNEX II***TAKING-OVER CERTIFICATE**

Recipient

I, the undersigned,

(Name, forename, business name)

acting on behalf of

certify that delivery has been taken of the goods listed below :

— Cereals or products

— Net tonnage accepted

— Packaging

in bulk

in bags

— Number of bags at kg net

marking

number of marked empty bags

— Place of taking over

— Date of taking over

The quality of the goods delivered is in accordance with that fixed.

COMMISSION REGULATION (EEC) No 3011/85**of 29 October 1985****amending Regulation (EEC) No 2937/85 introducing a countervailing charge on cucumbers originating in Spain**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2937/85 of 22 October 1985⁽³⁾ introduced a countervailing charge on cucumbers originating in Spain ;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that

Regulation is amended ; whereas, if those conditions are taken into consideration, the countervailing charge on the import of cucumbers originating in Spain must be altered,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 of Regulation (EEC) No 2937/85, '20,62 ECU' is hereby replaced by '32,51 ECU'.

Article 2

This Regulation shall enter into force on 30 October 1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 281, 23. 10. 1985, p. 12.

COMMISSION REGULATION (EEC) No 3012/85**of 29 October 1985****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the import levies on syrups and certain other sugar products were fixed by Regulation (EEC) No 2738/85 ⁽³⁾, as last amended by Regulation (EEC) No 2928/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2738/85 to the information known to the Commission that the basic

amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2738/85 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 October 1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.

⁽³⁾ OJ No L 259, 1. 10. 1985, p. 28.

⁽⁴⁾ OJ No L 280, 22. 10. 1985, p. 29.

ANNEX

to the Commission Regulation of 29 October 1985 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,4637	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	55,73
	ex II. Other	0,4637	—
	E. Artificial honey, whether or not mixed with natural honey	0,4637	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4637	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	55,73
	IV. Other	0,4637	—

COMMISSION REGULATION (EEC) No 3013/85
of 29 October 1985
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas the import levies on white sugar and raw
sugar were fixed by Regulation (EEC) No 1809/85⁽³⁾,
as last amended by Regulation (EEC) No 2987/85⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 1809/85 to the
information known to the Commission that the levies

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 October
1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.
⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.
⁽⁴⁾ OJ No L 286, 26. 10. 1985, p. 29.

ANNEX

**to the Commission Regulation of 29 October 1985 fixing the import levies on white sugar
and raw sugar**

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	46,37
	B. Raw sugar	41,94 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 3014/85**of 29 October 1985****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Regulation (EEC) No 2944/85⁽³⁾, as last amended by Regulation (EEC) No 2997/85⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2944/85 to the information known to the Commission that the export

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2944/85 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 October 1985.

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

Done at Brussels, 29 October 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.

⁽³⁾ OJ No L 283, 24. 10. 1985, p. 10.

⁽⁴⁾ OJ No L 287, 29. 10. 1985, p. 27.

ANNEX

to the Commission Regulation of 29 October 1985 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	40,18	
	(b) Other	40,69	
	(II) Flavoured or coloured sugar		0,4018
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	36,96 ⁽¹⁾	
	(b) Other raw sugar	⁽²⁾	

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

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12).

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2834/85 of 8 October 1985 on the supply of various consignments of cereals and rice to non-governmental organizations (NGO) as food aid

(Official Journal of the European Communities No L 269 of 11 October 1985)

Page 10, Annex II, point 4:

for: 'fully milled round grain rice (non-parboiled)',

read: 'fully milled long grain rice (non-parboiled)'.

Corrigendum to Council Regulation (EEC) No 1736/85 of 4 June 1985 temporarily suspending the autonomous Common Customs Tariff duties on a number of industrial products

(Official Journal of the European Communities No L 170 of 1 July 1985)

Page 46, sixth item, second column, shall read as follows:

'(6*R*, 7*R*)-7-Amino-3-(5-methyl-1,3,4-thiadiazol-2-ylthiomethyl)-8-oxo-5-thia-1-azabicyclo[4.2.0] oct-2-ene-2-carboxylic acid and its salts'

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