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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3225/85

of 18 November 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 15 November 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 19 November 1985.

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

Done at Brussels, 18 November 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 18 November 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	124,65
10.01 B II	Durum wheat	174,73 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	110,50 ⁽⁶⁾
10.03	Barley	124,35
10.04	Oats	104,38
10.05 B	Maize, other than hybrid maize for sowing	102,37 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	66,12 ⁽⁴⁾
10.07 C	Grain sorghum	115,17 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	188,36
11.01 B	Rye flour	169,48
11.02 A I a)	Durum wheat groats and meal	284,17
11.02 A I b)	Common wheat groats and meal	202,49

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 3226/85
of 18 November 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Regulation (EEC) No 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 coefficient;

Whereas these exchange rates being those recorded on 15 November 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 19 November 1985.

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

Done at Brussels, 18 November 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 18 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	15,79	15,79	15,79
10.01 B II	Durum wheat	0	3,36	3,36	1,12
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	11,28
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	22,09	22,09	22,09

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	28,11	28,11	28,11	28,11
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	21,00	21,00	21,00	21,00
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 3227/85
of 18 November 1985

amending Regulation (EEC) No 2923/85 increasing to 750 000 tonnes the quantity of bread-making wheat held by the German 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 2923/85 ⁽⁵⁾, as amended by Regulation (EEC) No 3149/85 ⁽⁶⁾ opened a standing invitation to tender for the export of 600 000 tonnes of bread-making wheat held by the German intervention agency; whereas, in a communication of 13 November 1985, Germany informed the Commission of the intention of its intervention agency to increase by 150 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 750 000 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 2923/85 must therefore be amended;

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 2923/85 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 750 000 tonnes of bread-making wheat to be exported to all third countries.
2. The regions in which the 750 000 tonnes of bread-making wheat are stored are listed in Annex I hereto.'

Article 2

Annex I to Regulation (EEC) No 2923/85 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 18 November 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 169, 29. 6. 1985, p. 73.

⁽⁵⁾ OJ No L 280, 22. 10. 1985, p. 22.

⁽⁶⁾ OJ No L 299, 13. 11. 1985, p. 7.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein / Hamburg	114 869
Niedersachsen / Bremen	252 254
Nordrhein-Westfalen	141 756
Hessen	44 387
Rheinland-Pfalz	60 055
Saarland	5 054
Baden-Württemberg	33 336
Bayern	99 749'

COMMISSION REGULATION (EEC) No 3228/85
of 18 November 1985

**opening a standing invitation to tender for the export of 400 000 tonnes of barley
held by the German intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 3 of Council Regulation (EEC) No 2738/75 of 29 October 1975 laying down general rules for intervention on the market in cereals⁽³⁾ provides that cereals held by the intervention agencies shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁴⁾ as amended by Regulation (EEC) No 1806/85⁽⁵⁾ lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas on 13 November 1985 the Federal Republic of Germany notified the Commission that it wished to put up for sale for export to third countries 400 000 tonnes of barley held by its intervention agency; whereas it is possible to accede to that request;

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

HAS ADOPTED THIS REGULATION:

Article 1

The German intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 400 000 tonnes of barley held by it.

Article 2

1. The invitation to tender shall cover a maximum of 400 000 tonnes of barley to be exported to all third countries.
2. The regions in which the 400 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the end of the second month following.

Article 4

1. The time limit for submission of tenders under the first partial invitation to tender shall expire on 4 December 1985 at 12 noon (Brussels time).
2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 12 noon (Brussels time).
3. The last partial invitation to tender shall expire on 26 March 1986.
4. The tenders shall be lodged with the German intervention agency.

Article 5

The German intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation.

Article 6

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, 18 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 49.

⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁵⁾ OJ No L 169, 29. 6. 1985, p. 73.

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein / Hamburg	96 430
Niedersachsen	159 701
Nordrhein-Westfalen	48 379
Rheinland-Pfalz	1 466
Baden-Württemberg	9 288
Bayern	85 302

ANNEX II

Standing invitation to tender for the export of 400 000 tonnes of barley held by the German intervention agency

(Regulation (EEC) No 3228/85)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne)	Price increases (+) or reductions (—) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

COMMISSION REGULATION (EEC) No 3229/85

of 18 November 1985

on the transportation and disposal of common wheat for use in animal feed in Northern Ireland by the United Kingdom intervention agency

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 (5) thereof,

Having regard to Council Regulation (EEC) No 3247/81 of 9 November 1981 on the financing by the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of certain intervention measures, particularly those involving the buying-in, storage and sale of agricultural products by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 2139/85⁽⁴⁾, and in particular Article 5 (1) thereof,

Having regard to Council Regulation (EEC) No 2918/85 of 17 October 1985 putting up for sale in Ireland and Northern Ireland, for disposal in feedingstuffs, cereals held by the Irish and United Kingdom intervention agencies⁽⁵⁾ and in particular Article 5 thereof,

Whereas the Council adopted Regulation (EEC) No 2918/85 in response to the particular problems facing stockfarmers in Ireland and Northern Ireland as a result of the adverse weather conditions during the summer of 1985; whereas Article 4 of the said Regulation provides for a quantity of common wheat from Great Britain to be sold in Northern Ireland under special conditions of sale; whereas Article 5 of the said Regulation provides that detailed rules for its application shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75;

Whereas the United Kingdom holds large quantities of common wheat in intervention stock in certain ports of Great Britain which it considers necessary to transport to Northern Ireland; whereas the necessity of such a measure, based on the current problems of stockfarmers in Northern Ireland, is considered justified and should be approved; whereas recourse to a tendering procedure would appear to be the most appropriate method of ensuring that such transportation takes place in the most cost-effective manner;

Whereas the special conditions of sale applicable to the transported wheat as laid down in Regulation (EEC) No

2918/85 provide, *inter alia*, for the purchase of an additional quantity of wheat from Great Britain; whereas the said special conditions are designed to benefit the distressed stockfarmers and relieve their current plight; whereas certain measures will need to be taken to ensure that this aim is respected, including provision for the lodging of a security;

Whereas Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention⁽⁶⁾, as last amended by Regulation (EEC) No 3206/85⁽⁷⁾, should apply to the verification of the use of the wheat to be sold by the United Kingdom intervention agency;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Transportation

Article 1

1. The transportation of 40 000 tonnes of common wheat by the United Kingdom intervention agency from stocks which it holds in Great Britain to the port regions in Northern Ireland is hereby approved.

2. The United Kingdom intervention agency shall select the grain stores in Great Britain from which the wheat is to be sent as well as the grain stores in Northern Ireland which are to receive the wheat in such manner as to minimize the transport costs. A list of the grain stores so selected shall be communicated to the Commission forthwith.

3. The cost of transporting the wheat in question shall be determined by the United Kingdom intervention agency by means of an invitation to tender. Such costs shall cover:

(a) transportation (excluding loading) from the supplying warehouse to the receiving warehouse (excluding unloading);

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 199, 31. 7. 1985, p. 13.

⁽⁵⁾ OJ No L 280, 22. 10. 1985, p. 1.

⁽⁶⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁷⁾ OJ No L 303, 16. 11. 1985, p. 8.

(b) insurance on the value of the goods as determined by the buying-in price of the wheat fixed in accordance with Articles 1 and 3 of Commission Regulation (EEC) No 2124/85⁽¹⁾ and applicable in the month during which the wheat is transported.

4. The invitation to tender may relate to one or more consignments.

5. The United Kingdom intervention agency shall prescribe the terms and conditions of the invitation to tender in accordance with the provisions of this title.

6. The contract shall be awarded to the tenderer offering the best terms. However, if the tenders submitted do not correspond to normal prices and costs, no award shall be made.

7. The United Kingdom intervention agency shall keep the Commission informed of the progress of the invitation to tender and shall immediately communicate to it the results thereof.

TITLE II

Sale at a fixed price

Article 2

1. The United Kingdom intervention agency shall put up for sale, subject to the conditions laid down in paragraph 2, the wheat which has been transported to Northern Ireland in accordance with Article 1.

The sale shall be by way of fixed price sale on the terms laid down in the second paragraph of Article 2 of Regulation (EEC) No 2918/85. The wheat thus sold is hereinafter described as the discounted wheat.

2. The sale of the discounted wheat shall be subject to the following conditions:

(a) the purchaser shall incorporate the wheat in compound animal feed in Northern Ireland and dispose of such compound animal feed there before 21 May 1986; all sales of this wheat on or after 21 May 1986 shall take place in accordance with Commission Regulation (EEC) No 1836/82⁽²⁾;

(b) the purchaser of a quantity of discounted wheat must undertake to purchase at the same time an additional quantity of common wheat in accordance with the terms and conditions set out in Article 3.

3. The purchaser shall lodge a security in order to guarantee observance of the obligations incumbent upon him as laid down in this Article.

Article 3

1. The additional quantity of wheat specified in Article 2 (2) (b) shall be in the ratio of 1,5 : 1 to the discounted wheat.

2. The sale of the additional quantity of wheat shall be at a fixed price equal to the buying-in price for common wheat, adjusted on the basis of the price increases and reductions specified in Commission Regulation (EEC) No 1570/77⁽³⁾, applicable at the time of removal of that additional quantity from intervention storage.

3. The additional quantity shall be transported to Northern Ireland at the expense of the purchaser.

4. The purchaser of the additional quantity of wheat thus transported shall incorporate the wheat in compound animal feed in Northern Ireland and dispose of such compound animal feed there before 21 May 1986; all sales of this wheat as from 21 May 1986 shall take place in accordance with Regulation (EEC) No 1836/82.

Article 4

1. The United Kingdom intervention agency shall put up for sale at a fixed price in accordance with Article 3 the quantities of wheat required to enable purchasers of the discounted wheat to discharge their obligations.

2. Only purchasers of the discounted wheat shall be entitled to buy wheat put up for sale in accordance with paragraph 1.

TITLE III

General provisions

Article 5

1. For every tonne of discounted wheat purchased, the security referred to in Article 2 (3) shall be an amount equal to 25 % of the buying-in price of common wheat applicable at the time of removal of the discounted wheat from intervention storage, plus 25 ECU.

2. The security shall be released only when sufficient evidence has been furnished of:

(a) the incorporation of the discounted wheat in compound animal feed before 21 May 1986; and

(b) the transfer to Northern Ireland and the incorporation there of the additional quantity of wheat in compound animal feed before 21 May 1986.

3. Where the purchaser is himself a stockfarmer and final user of the wheat it shall be considered sufficient to show that the wheat purchased has been incorporated into compound animal feed before 21 May 1986. In all other cases evidence must be furnished of the incorporation of the wheat purchased into compound animal feed and of the sale of this compound animal feed to a final user before 21 May 1986.

⁽¹⁾ OJ No L 198, 30. 7. 1985, p. 31.

⁽²⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 18.

Article 6

1. The United Kingdom intervention agency shall adopt the necessary measures in order to guarantee the proper implementation of this Regulation with regard to sale at a fixed price and shall notify the commission of its proposals forthwith.

2. The measures adopted by the United Kingdom intervention agency in accordance with paragraph 1 shall be without prejudice to the provisions of Regulation

(EEC) No 1687/76 which are applicable to the sale provided for by this Regulation.

Article 7

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, 18 November 1985.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3230/85
of 18 November 1985
fixing additional amounts for certain pigmeat products

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 the second subparagraph of Article 13 (5) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 202/67/EEC of 28 June 1967 on fixing the additional amount for imports of pigmeat products from third countries⁽³⁾, as amended by Regulation No 614/67/EEC⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports listed according to product and country of origin in that Annex;

Whereas Council Regulation (EEC) No 2767/75 of 29 October 1975⁽⁵⁾, as last amended by Regulation (EEC) No 1906/83⁽⁶⁾, laid down general rules for the fixing of additional amounts for those products for which no sluice-gate price is fixed;

Whereas Regulation No 202/67/EEC lays down certain detailed rules, to that end, and in particular for determi-

ning the free-at-frontier offers for those products; whereas, according to the information received by the Commission, offers from third countries in the determination of which not only the prices shown in customs documents but also all other indications concerning the prices ruling in third countries, are taken into account, are developing in such a way that additional amounts should be fixed for those products at the level shown in the Annex;

Whereas, in accordance with Article 1 of Regulation No 121/65/EEC⁽⁷⁾ and with Regulations (EEC) No 564/68⁽⁸⁾, (EEC) No 998/68⁽⁹⁾, as amended by Regulation (EEC) No 328/83⁽¹⁰⁾, (EEC) No 2260/69⁽¹¹⁾, as amended by Regulation (EEC) No 328/83, and (EEC) No 1570/71⁽¹²⁾, as amended by Regulation (EEC) No 328/83, the levy on certain products listed in those Regulations which originate in and come from the Federal Republic of Austria, the People's Republic of Poland, the Hungarian People's Republic, the Socialist Republic of Romania and the People's Republic of Bulgaria should not be increased by an additional amount;

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 additional amounts provided for in Article 13 of Regulation (EEC) No 2759/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 20 November 1985.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 307, 18. 11. 1980, p. 5.

⁽³⁾ OJ No 134, 30. 6. 1967, p. 2837/67.

⁽⁴⁾ OJ No 231, 27. 9. 1967, p. 6.

⁽⁵⁾ OJ No L 282, 1. 11. 1975, p. 29.

⁽⁶⁾ OJ No L 190, 14. 7. 1983, p. 4.

⁽⁷⁾ OJ No 155, 18. 9. 1965, p. 2560/65.

⁽⁸⁾ OJ No L 107, 8. 5. 1968, p. 6.

⁽⁹⁾ OJ No L 170, 19. 7. 1968, p. 14.

⁽¹⁰⁾ OJ No L 38, 10. 2. 1983, p. 12.

⁽¹¹⁾ OJ No L 286, 14. 11. 1969, p. 22.

⁽¹²⁾ OJ No L 165, 23. 7. 1971, p. 23.

Vice-President

 $(ECU/100 \text{ kg})$

CCT heading No	Description	Supplementary amount	Origin of imports
01.03	Live swine : A. Domestic species :		
	II. Other :		
	b) Other	10,00	Origin : German Democratic Republic (!)
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04 fresh, chilled or frozen :		
	A. Meat :		
	III. Of swine :		
	a) Of domestic swine :		
	1. Whole carcasses or half-carcases	10,00	Origin : German Democratic Republic (!)
	5. Bellies and parts thereof	30,00	Origin : Hungary
	6. Other :		
	aa) Boned or boneless	10,00	Origin : Hungary or Sweden
	bb) Other	20,00	Origin : Hungary or the German Democratic Republic (!)

(¹) With the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems.

COMMISSION REGULATION (EEC) No 3231/85

of 18 November 1985

introducing a countervailing charge on apples originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1849/85 of 2 July 1985 fixing for the 1985/1986 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of November 1985 at 43,20 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3110/83⁽⁵⁾, the prices to be taken into conside-

ration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in Article 1 (2) (b) of Regulation (EEC) No 751/85;

Whereas, for apples originating in Romania the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these apples;

Whereas, if the system is to operate normally, the entry price 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 over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 3,67 ECU per 100 kilograms net is applied to apples (subheading 08.06 A II of the Common Customs Tariff) originating in Romania

Article 2

This Regulation shall enter into force on 20 November 1985.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 174, 4. 7. 1985, p. 18.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 303, 5. 11. 1983, p. 5.

⁽⁶⁾ JO No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ JO No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 18 November 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 3232/85
of 18 November 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 3172/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 19 November 1985.

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

Done at Brussels, 18 November 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 300, 14. 11. 1985, p. 37.

ANNEX

to the Commission Regulation of 18 November 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	46,52
	B. Raw sugar	42,28 ⁽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 3233/85**of 18 November 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 3036/85 ⁽³⁾, as amended by Regulation (EEC) No 3091/85 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3036/85 to the infor-

mation 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 3036/85 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 November 1985.

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

Done at Brussels, 18 November 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 290, 1. 11. 1985, p. 19.

⁽⁴⁾ OJ No L 295, 7. 11. 1985, p. 11.

ANNEX

to the Commission Regulation of 18 November 1985 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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 (ECU)
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	0,4652	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	56,14
	ex II. Other	0,4652	—
	E. Artificial honey, whether or not mixed with natural honey	0,4652	—
21.07	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4652	—
	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	56,14
	IV. Other	0,4652	—

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3114/85 of 7 November 1985 altering, from 1 November 1985, the rate of refunds applicable for certain products of the cereals and rice sectors, exported in the form of goods not covered by Annex II to the Treaty

(Official Journal of the European Communities No L 296 of 8 November 1985)

Page 38, Article 2 is replaced by the following:

'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 1 November 1985.'

Corrigendum to Commission Regulation (EEC) No 3147/85 of 12 November 1985 on the tariff classification of certain poultry cuts and amending Regulation (EEC) No 950/68 on the Common Customs Tariff

(Official Journal of the European Communities No L 299 of 13 November 1985)

Page 5, Article 2, point 7. (a):

for: 'poultry cuts, boned (bone-in)'

read: 'poultry cuts, unboned (bone-in)'

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