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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 231/86

of 27 January 1986

on the transfer of 300 000 tonnes of common wheat held by the United Kingdom intervention agency to Italy for disposal in animal feed

THE COUNCIL 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 3768/85⁽²⁾, and in particular Article 7 (4) thereof,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 3769/85⁽⁴⁾, and in particular Article 3 (2) thereof,

Having regard to Council Regulation (EEC) No 2738/85 of 29 October 1973 laying down general rules for intervention on the market in cereals⁽⁵⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas the weather conditions in central and southern Italy during the summer of 1985, when a severe drought occurred, have brought about in the regions concerned a serious shortage of winter feed and fodder cereals for the feeding of livestock; whereas, if this situation were left uncorrected, it could place the Italian farmers in the regions concerned in difficulties and could lead them to sell their livestock prematurely with income losses;

Whereas the shortage of fodder in Italy may be offset by the use by stock-farmers of the feed grain, and in particular the fodder wheat, held in large quantities by the United Kingdom intervention agency; whereas, moreover, given the size of these stocks, a transfer thereof to Italy would constitute a means of reducing current surpluses;

Whereas, given the particular situation of stock-farmers in Italy, on the one hand, and the state of the market in feed

grain in Italy, where prices are very high as a result of the drought, on the other hand, the disposal of intervention stocks on normal terms cannot be envisaged; whereas, therefore, provision should be made so that the feed grain transferred from intervention can be sold on special terms;

Whereas the detailed rules for implementing this Regulation should be laid down at a later date;

Whereas provisions should be adopted to cover this measure in accordance with the procedure provided for in Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽⁶⁾, as last amended by Regulation (EEC) No 1716/84⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. The United Kingdom intervention agency shall make 300 000 tonnes of common wheat available to the Italian intervention agency.

2. The Italian intervention agency shall accept delivery of the common wheat before 1 March 1986 and shall ensure that it is transferred to warehouses located near ports before 1 April 1986. It shall ensure that the common wheat is disposed of in animal feed before 30 June 1986. The resale of the quantities not disposed of by that date shall be carried out in accordance with Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies⁽⁸⁾.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 3.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 17.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 49.

⁽⁶⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁷⁾ OJ No L 163, 21. 6. 1984, p. 1.

⁽⁸⁾ OJ No L 202, 9. 7. 1982, p. 23.

3. Without prejudice to the price conditions laid down in paragraph 4 or the special provisions adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75, the resale of the product referred to in paragraph 1 shall be carried out in accordance with Regulation (EEC) No 1836/82.

4. The minimum selling price of the product on its removal from intervention storage shall be equal to the buying-in price for common wheat which applies during the month in question. The price increases and reductions specified in Commission Regulation (EEC) No 1570/77 of 11 July 1977 on price increases and reductions applicable to interventions in cereals⁽¹⁾ shall not be applied.

5. Transport contracts shall be awarded by tendering procedure. Mobilization shall be carried out under most favourable transport conditions.

6. The detailed rules for applying this Regulation, in particular as regards the transfer and the quality control of the product in question, shall be adopted in accordance

with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75.

Article 2

1. The United Kingdom intervention agency shall debit the accounts referred to in Article 4 of Regulation (EEC) No 1883/78 with the quantities of common wheat transferred, valued at zero.

2. The Italian intervention agency shall credit the account referred to in paragraph 1 with the quantities of common wheat of which they have taken delivery, valued at zero, and shall value them at the end of each month at the price fixed pursuant to Article 8 of Regulation (EEC) No 1883/78 for stocks carried forward to the financial year in question.

3. The transport costs of the quantities transferred shall be entered in the accounts referred to in paragraph 1.

Article 3

This Regulation shall enter into force on the day following that 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, 27 January 1986.

For the Council

The President

H. van den BROEK

⁽¹⁾ OJ No L 174, 14. 7. 1977, p. 18.

COUNCIL REGULATION (EEC) No 232/86

of 27 January 1986

laying down implementing rules for 1986 for Regulation (EEC) No 3331/82 on
food-aid policy and food-aid management

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3331/82⁽¹⁾, and in particular the first, fourth, fifth, sixth and seventh indents of Article 4 (1) and Article 4 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽²⁾,

Whereas, in order to implement Regulation (EEC) No 3331/82, it is necessary to determine the total quantities of each product to be supplied under the food-aid programmes in compliance with the Community's international commitments;

Whereas the Community has entered into certain commitments under the Food Aid Convention;

Whereas the Community has also entered into certain commitments under the Convention between the European Economic Community and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) on aid to refugees in the countries of the Near East⁽³⁾;

Whereas a list of the countries and organizations eligible for food-aid operations should be drawn up without prejudice to emergency operations;

Whereas provision should also be made for the possibility of making food aid available to non-governmental organizations; whereas the latter must meet certain conditions guaranteeing the successful execution of food-aid operations;

Whereas the basic and derived products which may be supplied under food-aid operations should be determined by taking account, in particular, of the available stocks of the products in question;

Whereas general criteria should also be established for the transport of food aid beyond the fob stage, taking into account the financial and geographical situation of the countries concerned and the channels and intermediaries via which the aid will be dispatched; whereas account should also be taken to this end of the need to ensure

that the effectiveness of the food-aid operations is increased;

Whereas, in order to ensure that the objectives of food-aid operations are attained, it is furthermore necessary to stipulate that aid is granted only where the recipients undertake to comply with the supply terms laid down by the Commission;

Whereas the methods of mobilizing, transporting and delivering the products should be specified; whereas it is also necessary to determine the procedure for mobilizing the products outside the Community;

Whereas the Commission must be able to take all the measures necessary for the proper execution of food-aid programmes and operations; whereas, to this end, Member States must provide the Commission with all the assistance required and, in particular, with all relevant information;

Whereas, in certain circumstances and subject to appropriate conditions, multiannual food-aid programmes can make a positive contribution to the development of the recipient country; whereas, however, it is not intended to lay down multiannual quantities of food aid,

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities of products to be made available for 1986 to certain developing countries and certain organizations as food aid are indicated in Annex I.

The products listed in the fourth, fifth and sixth indents of Annex I shall be made available to certain developing countries or certain organizations under international commitments or in the form of specific projects or emergency aid to be decided on by the Commission in accordance with Article 5 or 6, as applicable, of Regulation (EEC) No 3331/82.

2. The products to be considered for food-aid operations under paragraph 1 are laid down in Annex II.

Article 2

1. The countries and organizations eligible to receive the aid referred to in Article 1 are listed in Annex III.

2. The aid may also be placed at the disposal of non-governmental organizations which must *inter alia*:

(a) have their headquarters in a Member State of the Community or, exceptionally, in a third country;

⁽¹⁾ OJ No L 352, 14. 12. 1982, p. 1.

⁽²⁾ Opinion delivered on 17. 1. 1986 (not yet published in the Official Journal).

⁽³⁾ OJ No L 188, 16. 7. 1984, p. 18.

- (b) have a statute that is characteristic of an organization of this type;
- (c) have shown that they have the capacity to carry out food-aid operations successfully;
- (d) have given an undertaking to comply with the supply terms laid down by the Commission pursuant to Article 6 of Regulation (EEC) No 3331/82.

Article 3

Where the Commission considers that the Community should meet transport costs for food aid beyond the fob stage, it shall take account of the following general criteria:

- whether the recipient country is included on the list of least-developed countries,
- whether or not the recipient country is a land-locked country,
- the financial situation of the recipient country,
- whether the food aid is intended for the organizations or non-governmental organizations referred to in Article 2,
- the need to mobilize the product on the market of a developing country,
- the need to allocate the food aid on an emergency basis,
- the need to make a given food-aid operation more effective.

Article 4

Distribution costs may, in exceptional circumstances, be met by the Community where necessary for the proper execution of the food-aid operations concerned.

Article 5

1. The Commission shall inform the recipients of the conditions governing the supply of food aid as referred to in point (c) of the first paragraph of Article 6 of Regulation (EEC) No 3331/82.

2. Food aid shall be granted to the recipients only where they undertake to comply with the supply terms notified to them by the Commission.

Article 6

1. Except in the case of emergency operations or where products have to be purchased in a developing country because they are unavailable on the Community market, tenders shall be called for within the Community:

- for the mobilization of the product on the Community market and, where appropriate, for its purchase and manufacture on that market,

— for the transportation and delivery of the product after mobilization.

Where, however, a food-aid operation relates only to relatively small amounts, paragraph 2 may also apply.

2. For emergency operations or where products must be purchased in a developing country because they are unavailable on the Community market, the Commission may conclude the necessary private contracts or instruct the Member States and, where appropriate, an authorized agent to conclude such contracts on terms laid down by the Commission.

Article 7

1. The Commission shall lay down rules for the mobilization of products which must be purchased in a developing country because they are unavailable on the Community market.

In order to establish that they are unavailable, the Commission shall have regard to the availability of stocks of the products in question in the Community and to the Community market's needs as regards such products.

2. Milk products supplied as food aid must have been manufactured and purchased in the Community.

3. The Commission shall lay down the rules referred to in paragraph 1 in accordance with the procedure provided for in Article 8 of Regulation (EEC) No 3331/82.

Article 8

The Commission shall, in accordance with the procedure provided for in Article 8 of Regulation (EEC) No 3331/82, establish the technical coefficient and equivalence criterion referred to in Article 3 of that Regulation.

Article 9

The Commission shall take all necessary measures to ensure the proper execution of food-aid programmes and operations.

To this end, the Member States shall provide the Commission with all the assistance required and shall, in particular, provide it with all relevant information.

Article 10

The European Parliament shall be kept informed of the management of food aid by being notified of the decisions taken pursuant to Articles 7 and 8 upon their adoption.

Article 11

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

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

Done at Brussels, 27 January 1986.

For the Council

The President

H. van den BROEK

ANNEX I

Quantities referred to in Article 1 (1) made available for 1986

- For *cereals*:
 - (a) an initial instalment of 927 700 tonnes,
 - (b) a second instalment of up to 232 300 tonnes,
 - for *milk powder*: a maximum of 94 100 tonnes,
 - for *butteroil*: a maximum of 27 300 tonnes,
 - for *sugar*: a maximum of 3 900 tonnes,
 - for *vegetable oil* (seed oil and olive oil): a maximum of 8 600 tonnes,
 - for *other products*, quantities corresponding to not more than 121 824 tonnes of cereal equivalent,
 - food aid in the abovementioned products intended to cover exceptional food shortages, corresponding to not more than 386 700 tonnes of cereal equivalent.
-

ANNEX II

List of products referred to in Article 1

CCT heading No	Description
02.01 A II b)	Meat of bovine animals, frozen
ex 02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked
03.02	Fish, dried, salted or in brine ; smoked fish, whether or not cooked before or during the smoking process
04.02 A II and B I	Milk and cream, in powder or granules
ex 04.03	Butteroil (as defined in Annex III to Regulation (EEC) No 1354/83)
07.05 B	Dried leguminous vegetables, shelled, whether or not skinned or split (other than for sowing)
08.04 B	Dried grapes
ex Chapter 10 (ex 10.01 to 10.07)	Cereals (other than for sowing)
11.01	Cereal flours
ex 11.02	Cereal groats and cereal meal ; other worked cereal grains (for example, rolled, flaked, polished, pearled or kibbled but not further prepared), except rice falling within heading No 10.06
11.04 A	Flour of the dried leguminous vegetables falling within heading No 07.05
15.07 A	Olive oil
15.07 D II	Fixed vegetable oils, fluid or solid, crude, refined or purified (other than olive oil, China-wood and oitica oils, myrtle wax and Japan wax, castor oil and other oils for technical or industrial uses other than the manufacture of food-stuffs for human consumption)
ex 16.02 B III b)	Prepared or preserved meat
ex 16.04 D and F 16.04 G	Sardines, mackerel and anchovies Other
17.01 A and B	Beet sugar and cane sugar, in solid form
19.02	Food preparations of flour, meal, etc.
ex 19.03	Macaroni, spaghetti and similar products
19.08 B	Biscuits
20.02 C	Vegetables prepared or preserved otherwise than by vinegar or acetic acid. Tomatoes
21.07 G	Food preparations not specified

*ANNEX III***Countries and organizations referred to in Article 2****1. COUNTRIES**

Angola	Guinea (Conakry)	Philippines
Antigua and Barbuda	Guinea Bissau	Rwanda
Bangladesh	Guyana	Salvador
Benin	Haiti	Saint Christopher and Nevis
Bolivia	Honduras	St Lucia
Botswana	India	St Vincent and Grenadines
Burkina Faso	Indonesia	São Tomé and Príncipe
Burma	Jamaica	Senegal
Burundi	Jordan	Seychelles
Cape Verde	Kenya	Sierra Leone
Central African Republic	Lebanon	Somalia
Chad	Lesotho	Sri Lanka
China	Madagascar	Sudan
Comoros	Malawi	Syria
Costa Rica	Maldives	Swaziland
Djibouti	Mali	Tanzania
Dominican Republic	Malta	Thailand
Dominica	Mauritania	Togo
Ecuador	Mauritius	Tunisia
Egypt	Morocco	Uganda
Equatorial Guinea	Mozambique	North Yemen (Arab Republic)
Ethiopia	Nepal	South Yemen (Democratic Republic)
Gambia	Nicaragua	Zaire
Ghana	Niger	Zambia
Grenada	Pakistan	Zimbabwe
Guatemala	Peru	

2. ORGANIZATIONS

ICRC
LICROSS

UNHCR
UNRWA

WFP
UNICEF

UNBRO

COMMISSION REGULATION (EEC) No 233/86

of 3 February 1986

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 3793/85 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, 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 ⁽⁴⁾ 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 corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— 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 31 January 1986;

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 4 February 1986.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 285, 25. 10. 1985, p. 8.

ANNEX

to the Commission Regulation of 3 February 1986 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	150,81
10.01 B II	Durum wheat	202,55 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	128,33 ⁽⁶⁾
10.03	Barley	139,43
10.04	Oats	126,09
10.05 B	Maize, other than hybrid maize for sowing	120,99 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	76,45 ⁽⁴⁾
10.07 C	Grain sorghum	130,27 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	225,83
11.01 B	Rye flour	194,35
11.02 A I a)	Durum wheat groats and meal	327,54
11.02 A I b)	Common wheat groats and meal	242,03

⁽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 234/86

of 3 February 1986

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 3793/85⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, 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⁽⁴⁾ 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 corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— 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 31 January 1986;

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 4 February 1986.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 11.

ANNEX

to the Commission Regulation of 3 February 1986 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 2	1st period 3	2nd period 4	3rd period 5
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	1,04
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	0,69	0,69	1,68
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	3,80
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 235/86

of 31 January 1986

introducing Community surveillance of imports of video tape recorders
originating in South Korea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, and in particular Article 10 thereof,

Having consulted the committee set up under the above-mentioned Regulation,

Whereas, according to information currently available, imports of video tape records falling within subheading 92.11 B of the Common Customs Tariff and corresponding to NIMEXE code 92.11-91 and 99 originating in South Korea could reach a relatively high level in 1986 and account for a considerable share of the Community market;

Whereas the first imports have taken place at prices much lower than Community market prices;

Whereas, combined with the imports originating in Japan already under surveillance ⁽²⁾, the imports in question are likely to have a depressive effect on the Community video tape recorder industry's level of prices and financial results, thereby injuring the Community producers of like competing products;

Whereas, in these circumstances, it is in the Community's interest to introduce Community surveillance of these imports,

HAS ADOPTED THIS REGULATION:

Article 1

Imports into the Community of video tape recorders falling within subheading 92.11 B of the Common Customs Tariff and corresponding to NIMEXE code 92.11-91 and 99, originating in South Korea are hereby made subject to retrospective Community surveillance in accordance with the procedures set out in Articles 10 and 14 of Regulation (EEC) No 288/82 and this Regulation.

Article 2

Annex II of Regulation (EEC) No 288/82 is modified by the insertion of the Common Customs Tariff heading and the NIMEXE code of the products referred to in Article 1 followed by the sign (+) in the 'EUR' column.

Article 3

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

It shall apply with effect from 1 January 1986.

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

Done at Brussels, 31 January 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 330, 18. 12. 1984, p. 8.

COMMISSION REGULATION (EEC) No 236/86

of 3 February 1986

amending Regulations (EEC) No 2189/85, (EEC) No 2607/85, (EEC) No 2390/85
and (EEC) No 2273/85 relating to the wine sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 337/79 of
5 February 1979 on the common organization of the
market in wine ⁽¹⁾, as last amended by Regulation (EEC)
No 3768/85 ⁽²⁾ and in particular Articles 10, 11, 12a, 14
and 65 thereof,

Whereas :

- Commission Regulation (EEC) No 2189/85 of 31 July
1985 on the granting of re-storage aid for table wine
for which a long-term storage contract was concluded
during the 1984/85 wine-growing year ⁽³⁾,
- Commission Regulation (EEC) No 2607/85 of 16
September 1985 laying down, for the 1985/86 wine
year, detailed implementing rules concerning the
distillation provided for in Article 11 of Regulation
(EEC) No 337/79 ⁽⁴⁾,
- Commission Regulation (EEC) No 2390/85 of 19
August 1985 laying down for the 1984/85 wine year
detailed rules for the application of the additional
measures applicable to holders of long-term storage
contracts for table wine ⁽⁵⁾,
- Commission Regulation (EEC) No 2273/85 of 29 July
1985 on the granting of aid for the use in wine-
making of concentrated grape must and rectified
concentrated grape must in respect of the 1985/86
wine-growing year ⁽⁶⁾,

provide, in Article 1 (2), that producers who have not
fulfilled their obligations under Article 41 of Regulation
(EEC) No 337/79 during a certain period are not entitled
to benefit from the measures provided for in those Regu-
lations ; whereas the said period was extended as a result
of the last amendment to Commission Regulation (EEC)
No 147/85 of 18 January 1985 laying down for the

1984/85 wine year detailed implementing rules for the
distillation referred to in Article 41 of Regulation (EEC)
No 337/79 ⁽⁷⁾ by Regulation (EEC) No 3054/85 ⁽⁸⁾ ;
whereas the Regulations should therefore be altered in
accordance with this amendment ;

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

HAS ADOPTED THIS REGULATION :

Article 1

Article 1 (2) of Regulations (EEC) No 2189/85, (EEC) No
2607/85, (EEC) No 2390/85 and (EEC) No 2273/85 is
hereby replaced by the following :

- ‘2. In accordance with Article 6 (1) of Regulation
(EEC) No 337/79, producers who in the course of the
1984/85 wine year were subject to the obligations
referred to in Articles 39, 40 and 41 of Regulation
(EEC) No 337/79 shall not be entitled to benefit from
the measures provided for in this Regulation unless
they provide evidence that they have fulfilled their
obligations during the reference periods laid down in
Article 16 of Commission Regulation (EEC) No
2461/84 ⁽¹⁾, Article 13 of Commission Regulation
(EEC) No 2462/84 ⁽²⁾ and Article 16 of Commission
Regulation (EEC) No 147/85 ⁽³⁾.

⁽¹⁾ OJ No L 231, 29. 8. 1984, p. 12.

⁽²⁾ OJ No L 231, 29. 8. 1984, p. 18.

⁽³⁾ OJ No L 16, 19. 1. 1985, p. 25.

Article 2

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

⁽⁷⁾ OJ No L 16, 19. 1. 1985, p. 25.

⁽⁸⁾ OJ No L 290, 1. 11. 1985, p. 74.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 203, 1. 8. 1985, p. 83.

⁽⁴⁾ OJ No L 249, 18. 9. 1985, p. 5.

⁽⁵⁾ OJ No L 225, 23. 8. 1985, p. 8.

⁽⁶⁾ OJ No L 212, 9. 8. 1985, p. 8.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 237/86

of 3 February 1986

fixing for the 1986 marketing year the reference prices for cucumbers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty of Accession of Spain and Portugal,

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 3768/85⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, under Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas cucumbers are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas cucumbers harvested during a given crop year are marketed from January to December;

Whereas the quantities harvested during January and the first 10 days of February and during the last 20 days of November and December are so small that there is no need to fix reference prices for all the year; whereas reference prices should be fixed only for the period 11 February up to and including 10 November;

Whereas, Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

Whereas Community produced cucumbers are grown mainly under glass; whereas the reference prices for the marketing year must therefore be fixed for a product of that type; whereas cucumbers imported from certain third countries during the same period will have been grown in the open; whereas, although such cucumbers may be classed in class I, their quality and price are not comparable with those of products grown under glass; whereas the prices for cucumbers not grown under glass should therefore be adjusted by a conversion factor;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1986 marketing year, the reference prices for cucumbers (subheading 07.01 P I of the Common Customs Tariff), expressed in ECU per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

— February (from 11 to 20):	142,67
(from 21 to 28):	122,42
— March :	112,14
— April :	92,76
— May :	76,12
— June :	63,76
— July :	47,29
— August :	47,66
— September :	56,42
— from 1 October to 10 November :	80,79

from third countries shall, after deduction of customs duties, be multiplied by the following conversion factors :

- from 11 February to 30 September : 1,30,
- from 1 October to 10 November : 1,00.

Article 2

2. For the purpose of calculating the entry price, the prices for cucumbers, not produced under glass, imported

This Regulation shall enter into force on 11 February 1986.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 238/86
of 3 February 1986
amending Regulation (EEC) No 1800/85 fixing countervailing charges on seeds

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

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Commission Regulation (EEC) No 1800/85 ⁽³⁾ fixed countervailing charges on seeds in respect of a certain type of hybrid maize for sowing;

Whereas, since that time, a significant variation has been recorded in the free-at-frontier offer prices which, under the terms of Article 4 (2) of Commission Regulation (EEC) No 1665/72 ⁽⁴⁾, requires that these charges be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1800/85 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 4 February 1986.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 61.

⁽⁴⁾ OJ No L 175, 2. 8. 1972, p. 49.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CCT heading number	Description	Amount of countervailing charge ⁽¹⁾	Country of origin
ex 10.05	Maize :		
	A. Hybrid for sowing :		
	I. Double hybrids and top cross hybrids	0,8	Hungary
		4,9	Yugoslavia
		27,1	Romania
		27,1	Other countries ⁽²⁾
	II. Three cross hybrids	11,9	Yugoslavia
		12,9	Hungary
		28,2	Romania
		28,2	Other countries ⁽³⁾
	III. Single hybrids	2,0	Hungary
		8,9	Romania
		22,4	Spain
		69,5	Yugoslavia
		72,5	Canada
		72,5	Other countries ⁽⁴⁾

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value.

⁽²⁾ With the exception of Spain, USA, Canada and Austria.

⁽³⁾ With the exception of Canada, Spain, USA, Chile, Japan and Austria.

⁽⁴⁾ With the exception of the USA and Bulgaria.

COMMISSION REGULATION (EEC) No 239/86

of 3 February 1986

amending Regulation (EEC) No 2236/85 on a principal standing invitation to tender for exports of white 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 3768/85⁽²⁾, and in particular Articles 13 (2), 18 (5) and 19 (4) and (7) thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in the case of considerable price rises on the world sugar market⁽³⁾, and in particular Article 1 (1) thereof,

Whereas under Commission Regulation (EEC) No 2236/85 of 29 July 1985 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽⁴⁾ the Member States issue partial invitations for the export of white sugar; whereas the purpose of this principal invitation is to permit the disposal to non-member countries of sugar from the 1985/86 marketing year, with exportation to take place by 30 June 1986 at the latest; whereas exports to be made after that date would normally be made as the result of a further invitation to tender; whereas, in view of the situation on the world market and the need to allow exporters greater flexibility, the restriction of the principal invitation to tender for exports to be made by 30 June 1986 should be withdrawn, and for exports to be made after that date provision should be made for the levies and/or refunds fixed in advance before then to be adjusted, and no further supplementary invitation to tender should be planned;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2236/85 is amended as follows:

1. The date of 11 June 1986 given in Article 1 (2) is replaced by 30 July 1986.
2. The opening words of Article 9 (1) shall read as follows:

'In the light of the situation and foreseeable development of the Community and world sugar markets there shall be fixed either'.

3. The second subparagraph of Article 13 (2) shall read as follows:

'However the period of validity of export licences shall not exceed 30 September 1986.'

4. The following Article 14a is inserted:

Article 14a

1. If the terms of Article 12 of Regulation (EEC) No 766/68 apply export refunds and export levies fixed in advance before 1 July 1986 under the terms of the present invitation to tender for sugar exported on or after that date shall, at the request of the party concerned, be adjusted as specified in paragraph 2.

2. The adjustment mentioned in paragraph 1 shall consist of an increase in the export refund or reduction in the export levy by the difference, expressed in ECU per 100 kg, between the intervention price for white sugar applicable from 1 July 1986 onwards and the intervention price for white sugar in force on 30 June 1986.

For determination of this difference these intervention prices shall be increased by the corresponding storage levy specified at the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

3. The application or adjustment under paragraph 1 must be made by the holder of the export licence or the assignee where a licence has been transferred to the Member State that issued it and before the customs export formalities for the quantities concerned are carried out.

The Member State shall enter the adjustment to be made in section 18 (a) of the export licence and shall stamp this section.

Member States shall without delay inform the Commission of the quantities of sugar for which applications under paragraph 1 have been made.'

Article 2

This Regulation shall enter into force on 4 February 1986.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 209, 6. 8. 1985, p. 19.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 240/86
of 3 February 1986
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 3768/85 ⁽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 201/86 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 February 1986.

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

Done at Brussels, 3 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.

⁽⁴⁾ OJ No L 25, 31. 1. 1986, p. 21.

ANNEX

to the Commission Regulation of 3 February 1986 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	47,30
	B. Raw sugar	42,06 ⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 27 January 1986

authorizing extension or tacit renewal of certain trade agreements concluded
between the Member States and third countries

(86/18/EEC)

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 Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Council Decision 84/558/EEC ⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding disruption of their commercial relations with the third countries concerned based on agreement, requested authorization to extend or renew the above-mentioned Agreements;

Whereas, however, most of the areas covered by these national agreements are henceforth the subject of Community agreements; whereas in this situation there should be authorization for the maintenance of national agreements only for those areas not covered by Community agreements; whereas, in addition, such authorization should not therefore adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such agreements and the provisions of Community law;

Whereas the provisions of the instruments to be either extended or tacitly renewed should not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance thereof to Community agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements applied by the Member States;

Whereas at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the agreements to be extended or tacitly renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the agreements concerned may be either extended or tacitly renewed for a limited period,

HAS ADOPTED THIS DECISION:

Article 1

The Trade Agreements and Protocols between Member States and third countries listed in the Annex hereto may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 308, 27. 11. 1984, p. 45.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 January 1986.

For the Council

The President

H. van den BROEK

BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANEXO — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηρής ανανεώσεως
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until
Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo	Prorrogado ou tacitamente renovado até
BENELUX	Autriche/	Accord commercial/	
	Oostenrijk	Handelsakkoord	29. 6. 1957
	Norvège/	Accord commercial/	
	Noorwegen	Handelsakkoord	28. 5. 1957
	Suède/	Accord commercial/	
	Zweden	Handelsakkoord	27. 4. 1957
	Suisse/	Accord commercial/	
	Zwitserland	Handelsakkoord	21. 6. 1957
		et échange de notes/	
	Tunisie/	en briefwisseling	5. 5. 1961
	Tunesië	Accord commercial/	
		Handelsakkoord	1. 8. 1958
DANMARK	Island	Vareudvekslingsaftale	4. 6. 1948
	Norge	Vareudvekslingsoverenskomst og	30. 3. 1946
		tillægsprotokol hertil	2. 8. 1966
	Schweiz	Vareudvekslingsaftale	15. 9. 1951
	Sverige	Vareudvekslingsoverenskomst	11. 3. 1948
DEUTSCHLAND	Indonesien	Handelsabkommen vom	22. 4. 1953
	Südkorea	Handelsabkommen vom	8. 4. 1965
ΕΛΛΑΔΑ	Αίγυπτος	Εμπορική συμφωνία	1. 1. 1979
	Μαρόκο	Εμπορική συμφωνία	1. 11. 1961
	Τουρκία	Εμπορική συμφωνία	7. 11. 1953
	Ινδία	Εμπορική συμφωνία	31. 1. 1973
	Ισραήλ	Εμπορική συμφωνία	30. 1. 1969
	Νορβηγία	Εμπορική συμφωνία	1. 1. 1965
	Πακιστάν	Εμπορική συμφωνία	17. 1. 1963

FRANCE	Afrique du Sud ⁽¹⁾	Échanges de lettres	18. 4. 1964	31. 12. 1986
	Corée du Sud	Échange de lettres	12. 3. 1963	31. 3. 1987
	Inde ⁽¹⁾	Accord commercial et échange de lettres	19. 10. 1959	31. 12. 1986
	Irak	Accord commercial	25. 9. 1967	25. 3. 1987
	Liban	Accord commercial	25. 3. 1955	10. 4. 1987
IRELAND	Austria	Trade Agreement concluded by exchange of notes	6. 10. 1950	} 31. 12. 1986
	Finland	Trade Agreement	1. 6. 1951	
	Iceland	Trade Agreement	2. 12. 1950	
	Sweden	Trade Agreement	25. 6. 1949	
ITALIA	Corea del Sud	Accordo commerciale	9. 3. 1965	8. 3. 1987
	El Salvador	Accordo commerciale	30. 3. 1953	31. 3. 1987
		Protocollo addizionale	21. 12. 1955	
	Indonesia	Accordo commerciale	23. 3. 1951	31. 3. 1987
	Iran	Scambio di note	{ 29. 1. 1958	} 9. 2. 1987
			{ 23. 3. 1961	
	Israele	Accordo commerciale	5. 3. 1954	} 31. 3. 1987
		Scambio di lettere	5. 1. 1956	
		Processi verbali	{ 21. 10. 1956	
			{ 11. 2. 1964	
	Iugoslavia	Accordo commerciale	1. 7. 1967	} 31. 12. 1986
		Protocollo e scambio di note successivo	30. 4. 1969	
	Norvegia	Accordo commerciale	20. 5. 1953	} 31. 3. 1987
		Protocollo	31. 8. 1959	
		Scambio di note	10. 5. 1962	
	Repubblica dominicana	Accordo commerciale	18. 2. 1954	11. 3. 1987
NEDERLAND	Finland	Handelsakkoord	8. 12. 1956	31. 3. 1987

⁽¹⁾ Prorogation par échange de notes.

COUNCIL DECISION

of 27 January 1986

authorizing the automatic renewal or continuance in force of certain friendship, trade and navigation treaties and similar agreements concluded between Member States and third countries

(86/19/EEC)

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 Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements ⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas the automatic renewal or continuance in force of the friendship, trade and navigation treaties and similar agreements concluded by Member States was last authorized by Decision 84/640/EEC ⁽²⁾;

Whereas the Member States concerned have again requested authorization for the automatic renewal or continuance in force of provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty and contained in the friendship, trade and navigation treaties and similar agreements listed in the Annex, in order to avoid interrupting their commercial relations with the third countries concerned as are based on such agreements;

Whereas, however, most of the matters covered by these provisions of national treaties and agreements will in future be governed by Community agreements; whereas, in that case, authorization should be given only in respect of those matters not covered by Community agreements; whereas, in addition, such authorization does not absolve the Member States from the obligation of avoiding and, where appropriate, eliminating any incompatibility between such treaties and agreements and the provisions of Community law;

Whereas, the provisions of the treaties and agreements to be automatically renewed or maintained in force must not, furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have stated that the automatic renewal or continuance in force of these treaties and agreements would not be such as to constitute an obstacle to the opening of Community commercial negotiations with the relevant third countries or the transfer of the commercial fields covered by current bilateral agreements to Community agreements;

Whereas, at the conclusion of the consultation provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid statements by the Member States confirm, that the provisions of the relevant treaties and bilateral agreements will not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, nevertheless, the Member States concerned have stated that they would be willing to adapt and, if necessary, terminate those treaties and agreements should it be found, during the period under consideration, that the automatic renewal or continuance in force of the provisions thereof relating to matters covered by Article 113 of the Treaty hinder the implementation of the common commercial policy;

Whereas the treaties and agreements involved contain termination clauses requiring a period of notice of between three and 12 months;

Whereas, therefore, there is no reason for not authorizing the automatic renewal or continuance in force, until 31 December 1987, of the provisions in question,

HAS ADOPTED THIS DECISION:

Article 1

The provisions governing matters covered by the common commercial policy within the meaning of Article 113 of the Treaty and contained in the friendship, trade and navigation treaties and similar agreements listed in the Annex hereto may be automatically renewed or maintained in force until 31 December 1987 as regards those areas not covered by agreements between the Community and the third countries concerned in so far as their provisions are not contrary to existing common policies.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 January 1986.

For the Council

The President

H. van den BROEK

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 339, 27. 12. 1984, p. 10.

BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANEXO — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Medlemsstat Mitgliedstaat Κράτος μέλος Member State Estado miembro État membre Stato membro Lid-Staat Estado-membro	Tredjeland Drittland Τρίτη χώρα Third country País tercero Pays tiers Paese terzo Derde land País terceiro	Aftalens art Art des Abkommens Φύση της συμφωνίας Type of Agreement Naturaleza del Acuerdo Nature de l'accord Natura dell'accordo Aard van de overeenkomst Natureza do acordo	Aftalens dato Zeitpunkt des Abkommens Ημερομηνία της συμφωνίας Date of the Agreement Fecha del Acuerdo Date de l'accord Data dell'accordo Datum van de overeenkomst Data do acordo
BELGIQUE/BELGIË	El Salvador	Convention commerciale / Handelsovereenkomst	21. 3. 1906
	États-Unis / Verenigde Staten	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	21. 2. 1961
	Éthiopie / Ethiopië	Traité / Verdrag	6. 9. 1906
	Honduras	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	25. 3. 1909
		Déclaration complémentaire / Aanvullende verklaring	30. 8. 1909
	Libéria / Liberia	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	1. 5. 1885
	Maroc / Marokko	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	4. 1. 1862
	Norvège / Noorwegen	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	27. 6. 1910
	République Dominicaine / Dominicaanse Republiek	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	21. 8. 1884
	Suède / Zweden	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	11. 6. 1895
	Venezuela	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	1. 3. 1884
BENELUX	Paraguay	Accord de commerce et de navigation / Handels- en scheepvaartakkoord	13. 8. 1963
	Union soviétique / USSR	Traité de commerce / Handelsverdrag	14. 7. 1971
DANMARK	Bolivia	Handelstraktat	9. 11. 1931
	Brasiliën	Midlertidig aftale om mestbegunstigelsesklausul	30. 7. 1936
	Bulgariën	Ordning vedrørende den gensidige anvendelse af mestbegunstigelsesklausul (brevveksling)	27. 7. / 5. 8. 1921
	Burma	Noteveksling vedrørende mestbegunstigelsesklausul	29. 4. 1948 og 17. 4. 1950
	Chile	Handels- og søfartstraktat	4. 2. 1899
	Columbia	Handels- og søfartstraktat	21. 6. 1923
	Costa Rica	Handels- og søfartstraktat	26. 9. 1956
	Den arabiske republik Egypten	Midlertidig handelsaftale	7. 5. 1930
	Den dominikanske Republik	Venskabs-, handels- og søfartstraktat	26. 7. 1852
	De forenede Stater	Handels- og søfartstraktat	1. 10. 1951
	El Salvador	Handels- og søfartstraktat	9. 7. 1958
	Finland	Handels- og søfartstraktat	3. 8. 1923
	Guatemala	Handels- og søfartstraktat	4. 3. 1948
	Haiti	Handelstraktat	21. 10. 1937
	Iran	Venskabs-, etablerings- og handelstraktat	20. 2. 1934
	Israel	Foreløbig aftale (modus vivendi) om mestbegunstigelsesklausul i alle sager om søfart og i alt vedrørende told, osv.	14. 11. 1952

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DANMARK (fortsat)	Japan	Handels- og søfartstraktat	12. 2. 1912
	Jugoslavien	Handelsdeklaration	17./30. 3. 1909
	Liberia	Venskabs-, handels- og søfartstraktat	21. 5. 1860
	Norge	Handels- og søfartstraktat	2. 11. 1926
	Paraguay	Handels- og søfartstraktat	3. 5. 1967
	Peru	Handels- og søfartstraktat	10. 6. 1957
	Polen	Handels- og søfartstraktat	22. 3. 1924
	Rumænien	Noteveksling om handel og søfart	28. 8. 1930
	Schweiz	Venskabs-, handels- og etableringstraktat	10. 2. 1875
	Sovjetunionen	Handels- og søfartstraktat	17. 8. 1946
	Sverige	Handels- og søfartstraktat	2. 11. 1826
	Thailand	Venskabs-, handels- og søfartstraktat	5. 11. 1937
		Noteveksling	9. 3. 1972
	Tjekkoslaviet	Noteveksling om handel og søfart	18. 4. 1925
		Noteveksling om varebehandling	26. 8. 1929
	Tyrkiet	Etablerings-, handels- og søfartstraktat	31. 5. 1930
	Ungarn	Handels- og søfartskonvention	14. 3. 1887
	Uruguay	Handels- og søfartstraktat	4. 3. 1953
	Zaire	Handelskonvention	23. 2. 1885
	Østrig	Handelstraktat	6. 4. 1928
DEUTSCHLAND	Arabische Republik Ägypten	Handelsabkommen (ratifiziert)	21. 4. 1951
	Argentinien	Handelsvertrag	19. 9. 1857
	Chile	Handelsvertrag	2. 2. 1951
	Dominikanische Republik	Freundschafts-, Handels- und Schifffahrtsvertrag	23. 12. 1957
	Ecuador	Handelsvertrag	1. 8. 1953
	El Salvador	Abkommen über die Meistbegünstigung (ratifiziert)	31. 10. 1952
	Indien	Handelsabkommen	19. 3. 1952 und 31. 3. 1955
	Iran	Handels-, Zoll- und Schifffahrtsvertrag	17. 2. 1929
	Island	Vorläufiger Handels- und Schifffahrtsvertrag	19. 12. 1950
	Japan	Handels- und Schifffahrtsvertrag	20. 7. 1927
	Pakistan	Handelsabkommen (ratifiziert)	4. 3. 1950
	Paraguay	Abkommen über die Meistbegünstigung (ratifiziert)	30. 7. 1955
	Peru	Handelsabkommen (ratifiziert)	20. 7. 1951
	Saudi-Arabien	Freundschaftsvertrag, bestätigt und abgeändert durch Briefwechsel	26. 4. 1929 31. 3./10. 7. 1952
	Türkei	Handelsvertrag	27. 5. 1930
	UdSSR	Abkommen über allgemeine Fragen des Handels und der Schifffahrt (ratifiziert)	25. 4. 1958
	Uruguay	Abkommen über die Meistbegünstigung (ratifiziert)	18. 4. 1953
	Vereinigte Staaten	Freundschafts-, Handels- und Schifffahrtsvertrag	29. 10. 1954

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FRANCE	Albanie	Traité de commerce et de navigation	14. 12. 1963
	Canada	Convention d'établissement et de navigation	12. 5. 1933
	Colombie	Convention relative à l'établissement des nationaux, au commerce et à la navigation	30. 5. 1892
	Costa Rica	Traité de commerce	30. 4. 1953
	Cuba	Convention commerciale et protocole	6. 11. 1929
	Équateur	Accord commercial	20. 3. 1959
	El Salvador	Traité de commerce	23. 3. 1953
	États-Unis	Convention de navigation et de commerce modifiée par accord	17. 7. 1919
	Finlande	Convention provisoire de navigation	24. 4. 1931
	Hongrie	Convention commerciale	13. 10. 1925
	Iran	Convention d'établissement et de navigation	24. 6. 1964
	Islande	Traité de commerce	23. 8. 1742
		Convention additionnelle de commerce et de navigation	9. 2. 1842
		Articles additionnels à la convention	9. 2. 1910
		Échanges de lettres modifiant les trois actes précédents	28. 2. 1930
	Libéria	Traité de commerce et de navigation	17. 4. 1852
	Libye	Convention de coopération économique	10. 8. 1955
	Norvège	Traité de commerce modifié par convention et échange de lettres	30. 12. 1881 13. 1. 1892 4. 3. 1933
		Traité de navigation modifié par convention	30. 12. 1881 13. 1. 1892
	Paraguay	Accord commercial	11. 9. 1956
	Pologne	Traité de commerce et de navigation	22. 5. 1937
	République Dominicaine	Accord commercial ⁽¹⁾	20. 12. 1954
	Roumanie	Convention de commerce et de navigation	27. 8. 1930
	Tchécoslovaquie	Convention commerciale	2. 7. 1928
	Turquie	Convention de commerce et de navigation	29. 8. 1929
	Uruguay	Convention de commerce et de navigation	4. 6. 1892
		Protocole additionnel	30. 12. 1953
	Venezuela	Accord de commerce et de navigation	26. 7. 1950
	Yougoslavie	Convention de commerce et de navigation	30. 1. 1929
ΕΛΛΑΔΑ	Βουλγαρία	Συνθήκη εμπορίου	9. 7. 1964
	Καμερούν	Εμπορική συμφωνία	29. 10. 1962
	Κύπρος	Εμπορική συμφωνία	23. 8. 1962
	Αίγυπτος	Προσωρινή εμπορική συμφωνία	10. 4. 1926
	Ηνωμένες Πολιτείες Αμερικής	Συνθήκη φιλίας, εμπορίου και ναυτιλίας	3. 8. 1951
	Φινλανδία	Σύμβαση εμπορίου και ναυτιλίας	18. 12. 1926
	Ινδία	Συμφωνία εμπορίου	14. 2. 1958

⁽¹⁾ Reconduction autorisée sous réserve d'une déclaration du gouvernement français concernant les articles 11 et 12 relatifs à l'obligation d'achat de tabac.

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ΕΛΛΑΔΑ (συνέχεια)	Ιράν Ισλανδία Ισραήλ Ιαπωνία Λίβανος Λιθύη Νορβηγία Πακιστάν Σουηδία Γιουγκοσλαβία Γκάνα Νιγηρία Σιέρα Λεόνε Νέα Ζηλανδία Τζαμάικα Τρινιτάντ και Τομπάγκο Σρι Λάνκα ΕΣΣΔ	Σύμβαση εγκαταστάσεως, εμπορίου και ναυτιλίας Σύμβαση εμπορίου και ναυτιλίας Σύμβαση εμπορίου και ναυτιλίας Συνθήκη φιλίας, εμπορίου και ναυτιλίας Προξενική σύμβαση ναυτιλίας, εμπορικών και αστικών δικαιωμάτων Εμπορική συμφωνία Σύμβαση εμπορίου και ναυτιλίας Εμπορική συμφωνία Εμπορική σύμβαση Οικονομική συνεργασία και εμπορικές συναλλαγές Εμπορική συμφωνία Συμφωνία εμπορίου και ναυτιλίας Ανταλλαγή επιστολών Ανταλλαγή επιστολών Ανταλλαγή επιστολών Ανταλλαγή επιστολών Ανταλλαγή επιστολών Ανταλλαγή επιστολών Ανταλλαγή επιστολών Ανταλλαγή επιστολών Σύμβαση εμπορίου και ναυτιλίας	9. 1. 1931 28. 1. 1930 22. 7. 1952 20. 5. 1899 6. 10. 1948 16. 3. 1957 28. 6. 1927 17. 1. 1963 10. 9. 1926 1. 10. 1960 17. 12. 1974 2. 11. 1927 13. 11. 1926 13. 11. 1926 13. 11. 1926 13. 11. 1926 17. 11. 1926 17. 11. 1926 26. 11. 1926 11. 6. 1969
IRELAND	Arab Republic of Egypt Brazil Costa Rica Guatemala United States Vietnam	Exchange of notes in regard to commercial relations Exchange of notes prolonging the provisional Commercial Agreement of 25/28. 7. 1930 Exchange of notes in regard to commercial relations Exchange of notes in regard to commercial relations Exchange of notes in regard to commercial relations Treaty of friendship, commerce and navigation Exchange of notes in regard to commercial relations	25/28. 7. 1930 27. 2. 1951 16. 10. 1931 2. 8. 1933 and 2. 4. 1934 8. 2. and 10. 4. 1930 21. 10. 1950 1. 12. 1964
ITALIA	Africa del Sud Argentina	Estensione del trattato con il Regno Unito alle province di : Natal Transval Orange Nota verbale Convenzione commerciale Protocollo Protocollo addizionale Convenzione sui pagamenti	10. 3. 1884 28. 5. 1906 13. 7. 1907 1. 5. 1948 1. 6. 1894 31. 1. 1895 4. 3. 1937 4. 3. 1937

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ITALIA (segue)	Bulgaria	Protocollo sostitutivo del trattato di commercio e di navigazione ⁽¹⁾	19. 12. 1950
	Cile	Trattato di commercio e di navigazione	12. 7. 1898
	Cuba	Trattato d'amicizia, di commercio e di navigazione Protocollo addizionale	29. 12. 1903
	Ecuador	Trattato d'amicizia, di commercio e di navigazione Convenzione addizionale	12. 8. 1900 26. 2. 1911
	Finlandia	Trattato di commercio e di navigazione e protocollo finale	22. 10. 1924
	Haiti	Convenzione di commercio e di navigazione e scambi di note	14. 6. 1954
	Iran	Trattato di commercio, di stabilimento e di navigazione Scambio di note	26. 1. 1955 9. 2. 1955
	Iugoslavia	Convenzione di commercio e di navigazione	31. 3. 1955
	Libano	Trattato d'amicizia, di commercio e di navigazione	15. 2. 1949
	Liberia	Trattato d'amicizia, di commercio e di navigazione Dichiarazione comune	23. 10. 1862 24. 11. 1951
	Nicaragua	Trattato d'amicizia, di commercio e di navigazione	25. 1. 1906
	Norvegia	Trattato di commercio e di navigazione Scambio di note	14. 6. 1862 15. 12. 1967
	Nuova Zelanda	Scambio di note	24. 11. 1967
	Panama	Trattato d'amicizia, di commercio e di navigazione, protocollo e scambio di note	7. 10. 1965
	Perù	Trattato di commercio e di navigazione e dichiarazione	23. 12. 1874
	Polonia	Trattato di commercio	12. 5. 1922
	Romania	Protocollo doganale ⁽¹⁾	25. 11. 1950
	Stati Uniti	Trattato d'amicizia, di commercio e di navigazione Accordo supplementare al trattato	2. 2. 1948 26. 9. 1951
	Svezia	Trattato di commercio e di navigazione Scambio di note	14. 6. 1862 15. 12. 1966 e 15. 12. 1967
	Svizzera	Trattato di commercio Protocolli	27. 1. 1923 28. 11. 1925 e 30. 12. 1933
	Turchia	Trattato di commercio e di navigazione e scambio di note	29. 12. 1936
	Ungheria	Trattato di commercio e di navigazione Protocollo doganale ⁽¹⁾	4. 7. 1928 28. 3. 1950
	URSS	Trattato di commercio e di navigazione	11. 12. 1948
	Uruguay	Trattato di commercio	26. 2. 1947
	Venezuela	Trattato d'amicizia, di navigazione e di commercio Modus vivendi	19. 6. 1861 29. 6. 1939
	Yemen	Trattato d'amicizia e di relazioni economiche	4. 9. 1937

⁽¹⁾ Protocollo richiamato e riesaminato in occasione dell'accordo commerciale quadro fra i due paesi.

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LUXEMBOURG	États-Unis	Traité d'amitié, d'établissement et de navigation	23. 2. 1962
NEDERLAND	Afghanistan	Vriendschaps- en handelsverdrag	26. 7. 1939
	Arabische Republiek	Voorlopige handelsovereenkomst	17. 3. 1930
	Egypte		
	Bolivia	Handelsverdrag	30. 5. 1929
	Brazilië	Voorlopig handelsakkoord	15. 3. 1937
	Bulgarije	Notawisseling	1/9. 3. 1922
	Canada	Handelsovereenkomst	11. 7. 1924
	Colombia	Vriendschaps-, handels- en scheepvaartverdrag	1. 5. 1829
	Costa Rica	Handels- en scheepvaartovereenkomst	3. 6. 1957
	El Salvador	Handelsverdrag en briefwisseling	13. 3. 1956
	Ethiopië	Overeenkomst nopens de meestbegunstigingsclausule	30. 9. 1926
	Guatemala	Handelsverdrag	12. 5. 1926
	Haïti	Handelsverdrag en notawisseling	7. 9. 1926
	Hongarije	Handelsovereenkomst	9. 12. 1924
	Iran	Voorlopig handelsverdrag en briefwisseling	20. 6. 1928
	Japan	Handels- en scheepvaartverdrag	6. 7. 1912
	Jemen	Vriendschapsverdrag	12. 4. 1939
	Joegoslavië	Handels- en scheepvaartverdrag	28. 5. 1930
	Liberia	Vriendschaps-, handels- en scheepvaartverdrag	20. 12. 1862
	Marokko	Handels- en scheepvaartverdrag	18. 5. 1858
	Maskate	Handelsverdrag	27. 8. 1877
	Mexico	Handelsverdrag	27. 1. 1950
	Noorwegen	Handels- en scheepvaartverdrag	20. 5. 1912
	Oostenrijk	Handels- en scheepvaartverdrag	28. 3. 1929
	Polen	Handels- en scheepvaartverdrag	30. 5. 1924
	Roemenië	Handelsschikking	29. 8. 1930
	Tsjechoslowakije	Overeenkomst	20. 1. 1923
	Turkije	Notawisseling	21. 11. 1929
	Uruguay	Handels- en scheepvaartverdrag	29. 1. 1934
		Protocol	12. 6. 1953
	Venezuela	Verdrag betreffende de diplomatieke betrekkingen	11. 5. 1920
	Verenigde Staten	Vriendschaps-, handels- en scheepvaartverdrag	27. 3. 1956
	Zaïre	Overeenkomst met de internationale Vereniging van de Kongo	27. 12. 1884
	Zuid-Afrika	Voorlopig akkoord nopens de handelsbetrekkingen en de scheepvaart	20. 2. 1935
	Zweden	Handels- en scheepvaartverdrag	25. 9. 1847
	Zwitserland	Vriendschaps- en handelsverdrag	19. 8. 1875
		Aanvullend protocol	24. 4. 1877

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UEBL/BLEU	Afrique du Sud / Zuid-Afrika	Accord commercial provisoire / Voorlopig handelsakkoord	13. 7. 1937
	Albanie / Albanië	Échange de lettres / Briefwisseling	19. 2. 1929
	Argentine / Argentinië	Accord provisoire / Voorlopig akkoord	16. 1. 1934
	Bolivie / Bolivia	Traité d'amitié et de commerce / Vriendschaps- en handelsverdrag	18. 4. 1912
		Avenant au traité / Aanvullend protocol	10. 12. 1963
	Brésil / Brazilië	Accord commercial provisoire / Voorlopig handelsakkoord	14. 1. 1932
	Bulgarie / Bulgarije	Échange de lettres / Briefwisseling	8. 2. 1926
	Canada	Convention de commerce / Handelsovereenkomst	3. 7. 1924
	Chili	Accord commercial provisoire / Voorlopig handelsakkoord	27. 8. 1936
	Colombie / Colombia	Échange de lettres portant application à l'UEBL du traité conclu entre les Pays-Bas et la Colombie le 1 ^{er} mai 1829 / Briefwisseling van toepassing in de BLEU voor het Verdrag afgesloten tussen Nederland en Colombia van 1 mei 1829	19 et/en 22. 8. 1936
	Équateur / Ecuador	Traité d'amitié, de commerce et de navigation / Vriendschaps-, handels- en scheepvaartverdrag	5. 3. 1887
		Avenant au traité / Aanvullend protocol	19. 10. 1937
	Guatemala	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	7. 11. 1924
	Haïti	Accord commercial provisoire / Voorlopig handelsakkoord	9. 7. 1936
	Hongrie / Hongarije	Échange de lettres / Briefwisseling	30. 9. 1924
	Iran	Convention de commerce et de navigation / Handels- en scheepvaartovereenkomst	9. 5. 1929
	Nouvelle-Zélande / Nieuw Zeeland	Accord commercial provisoire par échange de lettres / Voorlopig handelsakkoord bij briefwisseling	5. 12. 1933
	Pologne / Polen	Traité de commerce / Handelsverdrag	30. 12. 1922
	Roumanie / Roemenië	Accord commercial provisoire / Voorlopig handelsakkoord	28. 8. 1930
	Suisse / Zwitserland	Traité de commerce / Handelsverdrag	26. 8. 1929
	Tchécoslovaquie / Tsjechoslowakije	Traité de commerce / Handelsverdrag	28. 12. 1925
	Union soviétique / USSR	Convention commerciale provisoire / Voorlopige handels-overeenkomst	5. 9. 1935
	Uruguay	Accord commercial provisoire / Voorlopig handelsakkoord	22. 2. 1937
	Viêt-nam / Vietnam	Échange de lettres portant sur le traitement de la nation la plus favorisée dans le domaine tarifaire / Briefwisseling betreffende de toepassing van de meestbegunstigingsclausule op tarifair gebied	16 et/en 20. 1. 1956
	Yémen / Jemen	Convention commerciale / Handelsovereenkomst	7. 12. 1936
	Yougoslavie / Joegoslavië	Traité de commerce et de navigation / Handels- en scheepvaartverdrag	16. 12. 1926

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UNITED KINGDOM	Afghanistan	Treaty of friendship and commerce	22. 11. 1921
		Trade convention	5. 6. 1923
		Exchange of notes	6. 5. 1930
	Argentina	Treaty of amity, commerce and navigation	2. 2. 1825
	Bolivia	Treaty of commerce	1. 8. 1911
	Burma	Treaty regarding the recognition of Burmese independence, and related matters, with exchange of notes	17. 10. 1947
		Exchange of notes regulating commercial relations pending the conclusion of a new Treaty of commerce and navigation	24. 12. 1949
	Colombia	Treaty of friendship, commerce and navigation	16. 2. 1866
		Protocol applying the Treaty of certain parts of the Dominions	20. 8. 1912
		Exchange of notes	30. 12. 1938
	Costa Rica	Treaty of friendship, commerce and navigation	27. 11. 1849
		Protocol respecting the application of the Treaty to certain parts of the Dominions	18. 8. 1913
	Czechoslovakia	Treaty of commerce with declaration	14. 7. 1923
	Finland	Treaty of commerce and navigation	14. 12. 1923
	Hungary	Treaty of commerce and navigation	23. 7. 1926
	Iran	Treaty of peace and commerce	4. 3. 1857
		Commercial convention	9. 2. 1903
		Agreement modifying the commercial convention	21. 3. 1920
	Japan	Treaty of commerce, establishment and navigation, with Protocols and exchanges of notes	14. 11. 1962
		Exchange of notes on voluntary export control	14. 11. 1962
	Liberia	Treaty of friendship and commerce	21. 11. 1848
		Agreement modifying the Treaty of 21. 11. 1848	23. 7. 1908
	Morocco	General treaty	9. 12. 1856
		Convention of commerce and navigation	9. 12. 1856
		Exchange of notes, concerning the convention of 9. 12. 1856	1. 3. 1957
	Muscat and Oman	Treaty of friendship, commerce and navigation with exchange of letters	20. 12. 1951
	Nepal	Treaty of peace and friendship	30. 10. 1950
	Nicaragua	Treaty of friendship, commerce and navigation	28. 7. 1905
	Norway	Convention of commerce and navigation	18. 3. 1826
		Convention regarding the application of the Convention of commerce of 1826 to the Dominions	16. 5. 1913
	Peru	Treaty of friendship, commerce and navigation	10. 4. 1850
		Agreement relating to commerce and navigation (with Protocols and exchanges of notes)	6. 10. 1936
		Exchange of notes regarding the continuance in force of Articles 4 and 5 of the Commercial Agreement of 6. 10. 1936	28. 1. 1950

Medlemsstat Mitgliedstaat Κράτος μέλος Member State Estado miembro État membre Stato membro Lid-Staat Estado-membro	Tredjeland Drittland Τρίτη χώρα Third country País tercero Pays tiers Paese terzo Derde land País terceiro	Aftalens art Art des Abkommens Φύση της συμφωνίας Type of Agreement Naturaleza del Acuerdo Nature de l'accord Natura dell'accordo Aard van de overeenkomst Natureza do acordo	Aftalens dato Zeitpunkt des Abkommens Ημερομηνία της συμφωνίας Date of the Agreement Fecha del Acuerdo Date de l'accord Data dell'accordo Datum van de overeenkomst Data do acordo
UNITED KINGDOM (cont'd)	Poland	Treaty of commerce and navigation	26. 11. 1923
	Romania	Treaty of commerce and navigation with Protocols and exchange of notes	6. 8. 1930
	Soviet Union	Temporary Commercial Agreement	16. 2. 1934
	Sweden	Treaty of peace and commerce	11. 4. 1654
		Treaty of commerce	17. 7. 1656
		Treaty of peace and commerce	21. 10. 1661
		Treaty of commerce and alliance	5. 2. 1766
		Treaty of peace, union and friendship	18. 7. 1812
		Convention of commerce and navigation	18. 3. 1826
	Switzerland	Treaty of friendship, commerce and reciprocal establishment	6. 9. 1855
		Convention applying the Treaty of 1855 to the Dominions	30. 3. 1914
		Exchange of notes applying to Liechtenstein Commercial Agreements in force	26. 4. 1924
	Turkey	Treaty of commerce and navigation	1. 3. 1930
		Exchange of notes relating to certain commercial matters	28. 2. 1957
	United States	Convention of commerce	3. 7. 1815
		Convention	20. 10. 1818
		Convention of commerce	6. 8. 1827
	Venezuela	Treaty of amity, commerce and navigation	18. 4. 1825
		Convention	29. 10. 1834
		Exchange of notes	3. 2. 1903
	Yugoslavia	Treaty of commerce and navigation with exchanges of notes	12. 5. 1927
		Agreement on trade and payments	27. 11. 1936

COMMISSION

COMMISSION DECISION

of 31 January 1986

terminating the anti-dumping proceeding concerning imports of hammers
originating in the People's Republic of China

(86/20/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 9 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

1. In 1984 the Commission received a complaint lodged by the European Tool Committee (CEO) on behalf of producers of hammers whose collective output constituted the majority of Community production of the product in question. The complaint contained evidence of dumping and of material injury resulting therefrom, which was considered sufficient to justify the initiation of a proceeding. The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of ball peen, claw, machinist and sledge hammers of base metal falling within Common Customs Tariff heading No ex 82.04, corresponding to Nimex Code ex 82.04-50, originating in the People's Republic of China, and commenced an investigation.

2. The Commission officially so advised the exporters and importers known to be concerned and the complainants and gave the parties directly concerned

the opportunity to make known their views in writing and to request a hearing.

3. The Commission, for the purpose of obtaining all the information it deemed to be necessary, sent questionnaires to 19 German, French and UK firms on whose behalf the complaint was made, in order to allow each firm to demonstrate the injury caused to it by imports of hammers from the People's Republic of China.
4. Replies were received from only nine firms, of which only five supplied the information requested in the questionnaire; two sent their replies incomplete and two replied that they did not regard themselves as having been injured by imports of the products in question from the People's Republic of China.
5. Despite subsequent requests from the Commission to CEO for a more complete response from its members no further replies were received from the other 10 producers. The Commission carried out a detailed analysis of those firms whose replies were received. None of the producers requested to be heard by the Commission. One importer requested and was granted a hearing.
6. The Commission verified the information received to the extent it deemed necessary for the purposes of a preliminary determination and carried out investigations at the premises of the following EEC producers :
 - Hermann Bremer KG, Wuppertal, Germany,
 - Burgon & Ball Ltd, Sheffield, United Kingdom,
 - Goldenberg SA, Saverne, France,
 - Outillage MOB, Le Chambon Feugerolles, France,
 - Carl Dan. Peddinhauß GMBH & Co. KG, Ennepetal, Germany,
 - Joh. Herm Picard, Wuppertal, Germany,
 - Spear & Jackson (Tools) Ltd, West Midlands, UK,
 - Stanley Tools Ltd, Sheffield, UK,
 - WM Whitehouse & Co. (Tools) Ltd, West Midlands, UK.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No C 96, 17. 4. 1985, p. 3.

The complainant requested and received all information available to the Commission to the extent that such information was relevant to the complainant's interest, had been used by the Commission during the investigation and had a decisive influence on its findings.

The information disclosed was not regarded by the Commission as confidential within the meaning of Article 8 of Regulation (EEC) No 2176/84.

B. Injury

7. With regard to the allegation that imports of hammers from the country concerned caused injury to the Community producers of this product, the investigation showed that imports to the Community from the People's Republic of China increased from 3 501 tonnes in 1980 to 4 344 tonnes in 1982 but fell to 4 028 tonnes in 1983, to 3 685 tonnes in 1984 and to 1 184 tonnes during the first half of 1985. This reduction represented a fall in market share from about 40 % in 1982 to 16 % in the first half of 1985.
8. The information received from the complainant firms who cooperated in the investigation showed that their production increased from 2 167 tonnes in 1980 to 2 404 tonnes in 1984. With regard to the allegation that capacity utilization had decreased because of the imports in question, it was found that there was a steady decline up to 1983 followed by an upward trend in 1984 and the first half of 1985. No concrete information could be obtained, even from the companies that cooperated in this proceeding, concerning sales in the Community and sales outside the Community. Nevertheless, considering that the volume of stocks did not change substantially between 1980 and 1984 and that total exports to third countries remained stable, it can be concluded that the market share of Community producers in the Community increased by approximately 5 % between 1980 and 1984.
9. Although the development of prices throughout the Community prior to and during the reference period shows relatively small increases, the Commission considers that, in general, the available evidence on quantities imported from both the country concerned and from other countries, the pricing of those imports and the pricing of the products of Community producers show that the fact that prices did not increase more rapidly cannot be conclusively attributed to the imports in question. The Commission did, however, find isolated regional instances of price depression which could be attributed to certain of the imports in question but the injurious effect of these imports on prices was restricted both in time and to

the immediate areas of the port of entry and, taking account of the quantities concerned, could not be considered material on a Community basis. In addition, in their sales of hammers in the Community during the reference period, all but one of the complainant firms that cooperated achieved profitability, and in some cases at a relatively high level in the light of the general economic situation.

10. Thus the Commission, in taking account of the evidence available, is of the opinion that, to the extent to which the complainant firms that cooperated may have sustained injury during the reference period which could be conclusively attributed to the imports in question, the injury cannot be described as material. In addition, despite repeated requests, a substantial number of complainant firms failed to cooperate by providing the necessary data on injury, thereby significantly impeding the investigation. The Commission concluded from this attitude that it was unlikely that any injury which these firms might have sustained was material.

C. Dumping

11. In view of the above findings with respect to injury the Commission considered it unnecessary to investigate the allegation of dumping with regard to the imports in question, since anti-dumping measures may be taken only where examination shows that there has been dumping during the period under investigation, that material injury has been caused thereby and that the interests of the Community call for such measures.

In these circumstances it is considered appropriate that the proceeding be terminated without the imposition of protective measures.

No objection to this course was raised in the Advisory Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

The anti-dumping investigation concerning imports of hammers originating in the People's Republic of China is hereby terminated.

Done at Brussels, 31 January 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION OF THE EUROPEAN COMMUNITIES

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