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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 311/86

of 13 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 Commission 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 12 February 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 14 February 1986.

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

Done at Brussels, 13 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 285, 25. 10. 1985, p. 8.

ANNEX

to the Commission Regulation of 13 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	156,73
10.01 B II	Durum wheat	203,87 ⁽¹⁾ ⁽²⁾
10.02	Rye	134,37 ⁽⁶⁾
10.03	Barley	144,80
10.04	Oats	127,69
10.05 B	Maize, other than hybrid maize for sowing	124,49 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	78,34 ⁽⁴⁾
10.07 C	Grain sorghum	132,94 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	234,30
11.01 B	Rye flour	202,81
11.02 A I a)	Durum wheat groats and meal	330,50
11.02 A I b)	Common wheat groats and meal	251,18

⁽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 312/86

of 13 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 Commission 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 12 February 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 14 February 1986.

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

Done at Brussels, 13 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 13 February 1986 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5
10.01 B I	Common wheat, and meslin	0	0	0	0,51
10.01 B II	Durum wheat	0	0	0	3,09
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	2,08
10.05 B	Maize, other than hybrid maize for sowing	0	3,59	3,59	12,24
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	6,48
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0,71

B. Malt

(ECU/tonne)

CCT heading No	Description	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	0,91	0,91
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0,68	0,68
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 313/86

of 13 February 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of

the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 10 and 11 February 1986 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 14 February 1986.

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 124, 9. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 52, 22. 2. 1985, p. 1.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	74,00 ⁽¹⁾
15.07 A I b)	74,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	82,00 ⁽²⁾
15.07 A II b)	95,00 ⁽²⁾

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

- (a) Spain and Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria, Tunisia and Morocco: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	16,28
07.03 A II	16,28
15.17 B I a)	37,00
15.17 B I b)	59,20
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 314/86

of 11 February 1986

laying down detailed rules for the grant of a storage premium for certain fishery products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Article 14a (5) thereof,

Whereas, pursuant to Article 14a of Regulation (EEC) No 3796/81, the Member States grant a storage premium to producers' organizations that offer for sale, stabilize and store Norway lobsters and edible crabs under certain conditions; whereas, therefore, these conditions should be specified;

Whereas only those categories of the said products that are suitable for disposal after storage or pre-preservation should qualify for this premium; whereas, accordingly, these categories should be fixed;

Whereas, in order to ensure the smooth running of the storage aid system and in particular to ensure that the Community selling price is observed, the detailed rules for application of this system should be specified;

Whereas Article 2 (2) and (3) of Council Regulation (EEC) No 2202/82 of 28 July 1982, laying down the general rules for the granting of financial compensation in respect of certain fishery products⁽²⁾, and Articles 2 and 4 of Commission Regulation (EEC) No 3137/82 of 19 November 1982, laying down detailed rules for the granting of financial compensation in respect of certain fishery products⁽³⁾, as amended by Regulation (EEC) No 3165/84⁽⁴⁾, establish within the framework of the withdrawal price system the conditions for the use of the margin of tolerance provided for in Article 13 (1) (a) of Regulation (EEC) No 3796/81; that in order to respect the parallelism between the two systems the use of the margin of tolerance within the framework of the sale price system provided for in Article 14a (1) of Regulation (EEC) No 3796/81 should be subject to the same conditions;

Whereas, pursuant to the first subparagraph of Article 14a (4) of Regulation (EEC) No 3796/81, only 20 % of the annual quantity offered for sale may qualify for the

premium; whereas, accordingly, the factors that are taken into account in calculating this percentage should be specified;

Whereas, to help ensure product quality and to facilitate the disposal of products on the market, the minimum requirements to be satisfied by operations qualifying for the premium should be laid down, together with requirements for the storage and return to the market of the products concerned;

Whereas, in order to prevent fraudulent operations, in particular in the event of preservation in tanks or cages, appropriate storage and marking arrangements must be introduced;

Whereas the terms 'technical costs' and 'financial costs' involved in calculating the premium should be defined;

Whereas the producers' organizations must share the financial burden associated with the application of the storage premium system for frozen products; whereas the amount of the premium must be fixed on the basis, in particular, of the costs of the stabilization and storage operations; whereas, therefore, the premium should be graduated on the basis of the period of storage; whereas, for the same reasons, the period of storage in respect of which a premium is provided for may not exceed six months;

Whereas, to increase the efficiency of checks, the recipients of the premium must keep stock records; whereas these records must contain at least the particulars necessary for the purposes of the said check;

Whereas the procedure whereby interested parties may submit applications for the premium should be laid down;

Whereas the procedure should also be laid down for the grant of advance payments and the amount of the relevant security should be specified; whereas the procedure must also be laid down for the lodging, release and forfeiture of the said security;

Whereas, in the case of minor infringements of the rules concerning the storage premium, the limited financial advantage resulting from each infringement should not — as the rules constitute an innovation — involve total withdrawal of the right to the storage premium but only by a standard reduction thereof;

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 235, 10. 8. 1982, p. 1.

⁽³⁾ OJ No L 335, 29. 11. 1982, p. 1.

⁽⁴⁾ OJ No L 297, 15. 11. 1984, p. 14.

Whereas the conversion rate applicable to the storage premium and to advances must be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down the detailed rules for the grant of the storage premium for Norway lobsters and edible crabs to producers' organizations, as referred to in Article 14a of Regulation (EEC) No 3796/81, hereinafter referred to as 'the basic Regulation'.

Article 2

A storage premium shall be granted only in respect of products that satisfy the freshness, size and presentation requirements set out in Annex I.

Article 3

The provisions of Article 2 (2) and (3) of Regulation (EEC) No 2202/82 of Articles 2 and 4 of Regulation (EEC) No 3137/82 concerning the application of the Community withdrawal price and the use of the margin of tolerance provided for in Article 13 (1) (a) of the basic Regulation, within the withdrawal price system, shall apply *mutatis mutandis* to the sale price system provided for in Article 14a (1) of the basic Regulation.

Article 4

The storage premium may be granted only in respect of quantities which, under the conditions laid down in this Regulation:

(a) have been offered for sale:

- through a producers' organization, or
- by a member in accordance with the common rules established by the producers' organization, as referred to in the first indent of the second subparagraph of Article 5 (1) of the basic Regulation,

following classification in accordance with the marketing standards referred to in Article 2 of the basic Regulation and which correspond to that classification at the time they are ranked as 'unsold' under the conditions defined in Article 5;

(b) after being ranked as 'unsold', have been kept in conditions such that the freshness referred to in Article 2 is guaranteed, and have been subjected, at the latest on the day following that on which they were offered for sale, by the producers' organization or by an independent operator to which the said quantities have been assigned by the producers' organization,

to a freezing and storage process, or to a preservation process;

(c) have been offered again for sale and sold, for human consumption, by the producers' organization or under its responsibility.

Article 5

Quantities that have been offered for sale openly to all interested operators in accordance with customary regional and local practice but have failed to find a buyer at a price at least equal to the Community selling price fixed in accordance with Article 14a (1) of the basic Regulation shall be ranked as unsold for the purposes of this Regulation.

Article 6

1. For each of the products concerned, the following quantities shall be included in determining the quantitative limit referred to in Article 14a (4) of the basic Regulation:

- (a) those that have previously been classified in accordance with the marketing standards referred to in Article 2 of the basic Regulation and offered for sale during the fishing year through the producers' organization or by one of its members in accordance with the common rules as drawn up by the producer's organization and referred to in the first indent of the second subparagraph of Article 5 (1) of the basic Regulation;
- (b) those that have been ranked as 'unsold' pursuant to Article 5 and intended for the storage premium during that fishing year.

The final quantities eligible for the premium shall be calculated in accordance with Part A of Annex II.

2. However, compensation shall not be granted if the products ranked as unsold are below a minimum quantity of 15 kilograms per product, per market day and per producers' organization.

Article 7

The following operations shall be indispensable for stabilization and storage, within the meaning of the second subparagraph of Article 14a (4) of the basic Regulation:

(a) in respect of processing with a view to freezing:

- cleaning,
- grading,
- packing,
- where appropriate, removing the head,
- where appropriate, cooking;

(b) in respect of freezing:

freezing carried out in installations which guarantee, in particular, that a temperature of -18°C is reached at the heart of the product within five hours at the

most without prejudice to more restrictive national requirements or commercial standards imposed in Member States;

- (c) in respect of preservation of edible crabs: the storage of live products in suitable fixed tanks or cages supplied with sea or salt water and approved for the purpose by Member States'

Article 8

The storage premium may be granted only in respect of those products which meet the following minimum conditions as regards storage and return to the market:

1. Storage

- (a) in the case of frozen products:

- the period of storage must not be less than 15 days as from the date of commencement of storage. The 15th day of the current calendar month shall be considered as the date of commencement of storage for those quantities for which freezing has been completed between the first and the 15th day of that month, and the last day of the current calendar month shall be considered as the date of commencement of storage for quantities for which freezing has been completed between the 16th and the last day of that month,
- the storage temperature must not exceed -21°C without prejudice to more restrictive national requirements or commercial standards imposed in Member States;

- (b) in the case of edible crabs in tanks or cages:

- the period of storage must not exceed 25 days as from the date on which they were ranked as 'unsold',
- the products shall be stored in tanks or cages which ensure, to the satisfaction of the Member States concerned, that the products are kept fresh *inter alia* by the replacement of sea or salt water.

- (c) For the purpose of checking, all the products must be stored in homogeneous lots, and kept separate from other products. They shall be identified after freezing, or stored in tanks or cages, from the corresponding initial quantities by the fixing on the packaging or on the crates of a label showing, in particular, the net weight and the date of commencement of storage.

2. Return to the market

- (a) Products stored in tanks or cages shall be returned for sale on the market in such a way as not to interfere with normal marketing of the products concerned. Products returned for sale cannot be stored again in order to benefit from the premium. The producers organization concerned will take all necessary measures to this end, which can include a minimum

storage period, subject to the conditions laid down in point 1 (b);

- (b) All products shall be placed back on the market in lots which are homogeneous as regards species, presentation, packaging and, where appropriate, freezing;
- (c) Furthermore, the products shall be placed back on the market in accordance with the provisions in force in each Member State for the marketing of products for human consumption.

Article 9

1. The storage premium shall be fixed before the beginning of each fishing year on the basis of the technical and financial costs relating to operations indispensable for the stabilization and storage of the products in question, except for the highest of such costs, recorded in the Community during the previous such year, according to the procedure laid down in Article 33 of the basic Regulation. The premium shall be fixed in respect of each weight unit and shall relate to the net weight of the products set out in Annex I.

2. For frozen products the premium shall only be granted for a maximum period of six months. The amount of the premium for the first month shall be calculated on the basis of stabilization and storage costs. For the following months it shall be calculated on the basis of the monthly storage costs. Entitlement to the premium for the first month shall be deemed to have been established, for quantities whose storage started within the meaning of Article 8 point 1:

- (a) on the 15th day of the current calendar month, if these quantities are in storage on the last day of the month concerned;
- (b) on the last day of the current month, if these quantities are in storage on the 15th day of the next month;

For the following months, entitlement to the premium shall be deemed to have been established for the quantities falling under (a) if these quantities are in storage on the last day of the calendar month concerned, for the quantities falling under (b) if these quantities are in storage on the 15th day of the next calendar month.

3. For the calculation of the amount of the premium for products stored in tanks or cages, a net weight loss of up to 8 % shall be allowed between the initial quantity and the quantity sold. If this percentage is surpassed, the amount of the premium shall be calculated on the basis of the net weight of the quantity sold.

4. Shall be considered as technical costs relating to:

- (a) the processing and freezing referred to in Article 7 (a) and (b):
- labour costs,
 - energy costs,
 - direct packaging costs;

(b) the preservation referred to in Article 7 (c):

- labour costs in respect of placing in, and removing from tanks or cages,
- cleaning costs,
- grading costs in the context of quality control,
- energy costs,

(c) the storage referred to in Article 8 point 1 (a):

- energy costs,
- labour costs in respect of storage and removal from storage,
- direct packaging costs.

5. Shall be considered as financial costs relating to the operations indispensable for the stabilization and storage:

- the financial costs of the tied-up capital corresponding to the value of the quantities of fresh products intended for storage, calculated on the basis of the Community selling price referred to in Article 12 of the basic Regulation.

Article 10

Member States shall establish a monitoring system, to ensure that the products in respect of which a storage premium has been applied for are eligible, comprising, *inter alia*, the following:

- (1) A weekly communication by producers' organizations of the quantities ranked 'unsold', the planned processing or preservation operations, and the place of storage.
- (2) Frequent random inspections on the offering for sale, the processing and storage operations. These operations must correspond clearly with the stock records.

Article 11

1. Producers' organizations in receipt of the storage premium shall keep stock records on a daily basis that show at least the following:

(a) in respect of the first offer for sale:

- the quantities offered for sale on a daily basis, and by product category during the fishing year,
- the quantities ranked a 'unsold' on a daily basis, broken down by product category,
- the quantities intended for the storage premium, broken down by type of storage and product category,
- where appropriate, the transfer note assigning products intended for storage to an independent operator responsible for the freezing and storage or

preservation operations mentioned in Article 14a of the basic Regulation;

(b) in respect of freezing and storage:

- the types of products resulting from freezing and their net weight,
- the date and place of freezing, and place of storage,
- the number of packages and their identification,
- where appropriate, the names and addresses of the undertakings responsible for freezing,
- the beginning and end of storage operations;

(c) as regards storage in tanks or cages:

- the place of storage,
- where appropriate, the names and addresses of the undertakings responsible for storage,
- the beginning and end of storage operations,
- the net weight, the number of crates and the identification of the crates;

(d) as regards the replacing on the market of stored products:

- for each lot sold, the quantity of the product, the number and date of the invoice and the date and place of sale.

2. If a producers' organization hands over to an independent operator the responsibility for freezing and storing or preserving the products in question, this independent operator shall keep stock records which comply with the requirements in paragraph 1 (b) and (c).

Article 12

Application for payment of the storage premium shall be submitted within six months of the end of the relevant fishing year, by the producers' organization concerned, to the competent authorities of the Member State.

The application must show the following for each product:

- the names and addresses of the applicant and, where appropriate, of the undertaking which froze or stored the products,
- the total quantities offered for sale during the fishing year,
- the quantities ranked as 'unsold', and the date of their first offer for sale,
- the quantities of fresh products, by species, stored after freezing or preserved in tanks or cages,
- the date of freezing,
- the quantities of products frozen,
- the duration of storage, or of conservation,
- the quantities of each lot sold, the number and date of the invoice and the date of sale.

Article 13

The Member State shall grant each month on application, to the producers' organization concerned, an advance on the premium in respect of all the quantities intended for the premium during that month, on condition that the applicant has lodged a security of 105 % of the amount of the advance.

Advances shall be calculated in accordance with the method laid down in Part B of Annex II.

Article 14

1. The security referred to in Article 13 shall be lodged, at the choice of the applicant, in cash or in the form of a guarantee given by an establishment meeting the criteria laid down by the Member State from which the advance is requested. The security shall be released after the end of the fishing year in question, in proportion to the quantities of products for which entitlement to the storage premium has been recognized.

2. The security shall be declared forfeit:

(a) immediately, for quantities in respect of which the advance has been paid unduly;

(b) after the end of the fishing year:

- entirely, except in cases of *force majeure*, if the details required for the determination of the premium have not been submitted within six months after the end of the fishing year concerned; however, if such details have been submitted within two months at the latest after the date of the abovementioned period, the security shall be refunded, less 10 % of the security lodged for each month's or part of a month's delay in submitting the details in question,
- in proportion to any quantities for which entitlement to the storage premium is not recognized.

Article 15

1. Where a producers' organization or one of its members has committed an infringement of limited importance of the rules for the storage premium and that organization can prove to the satisfaction of the Member State concerned that the infringement was committed without intent to defraud or in the absence of gross negligence, the Member State shall withhold an amount equal

to 10 % of the Community selling price applicable to the quantities in question which were intended for the storage premium.

2. Member States shall notify the Commission each month of the cases in which they have applied the provisions of paragraph 1.

Article 16

The storage premium fixed for the fishing year concerned shall apply to products the storage of which began during that year irrespective of the end of the storage period.

Article 17

The conversion rate to be applied to the advance shall be the representative rate in force on the last day of the month in respect of which the request for an advance is submitted. Should the fishing year be extended beyond 31 December of the year in question, the representative rate to be applied to the advance for the month or months covered by such extension shall be the rate in force on 31 December.

The conversion rate to be applied to the premium shall be the representative rate in force on 31 December of the current year, even if the fishing year is extended beyond that date.

Article 18

1. Member States shall notify the Commission, before 1 March 1986, of the name(s) and address(es) of the body or bodies designated to monitor these arrangements and of the measures taken to implement and to check the storage premium system.

2. Each quarter, Member States shall notify the Commission of the quantities of products, broken down by category, which have been in storage, the types of storage carried out and the average sale price at the wholesale stage of products stored for the species concerned during the preceding quarter.

Article 19

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

It shall apply from 1 March 1986.

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

Done at Brussels, 11 February 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

ANNEX I

CCT heading No	Description	Freshness (1)	Presentation (1)	Size (1)
ex 03.03 A III b)	Edible crabs		Live	1, 2 (2)
ex 03.03 A V a) 2	Norway lobsters	E, A	Whole	1, 2, 3
			Tails	1, 2, 3, 4

(1) The categories of freshness, presentation and size shall be those defined pursuant to Article 2 of the basic Regulation.

(2) Within the limits fixed in Article 6 (5) of Council Regulation (EEC) No 3118/85 (OJ No L 297, 9. 11. 1985, p. 3) for certain coastal fishing zones of the United Kingdom, on condition that the return to the market of the size between 13 and 11,5 cm of these products is carried out on the local and regional markets in or near to these zones.

ANNEX II

Part A

Calculation of the final quantities eligible for the storage premium

Species :

1. Quantities offered for sale during the fishing year concerned : kg.
2. Quantities ranked as 'unsold' and intended for the storage premium during the same period :
..... kg.
3. Average percentage : (2/1 × 100).
4. Quantities finally eligible within the limit of 20 % kg.

Part B

Calculation of the advance on the storage premium

Species : Month :

1. Calculation of the eligible quantities inside the limit of 20 % :
 - (a) Quantities offered for sale between 1 January and the last day of the month concerned :
..... kg ;
 - (b) Total quantities ranked as 'unsold' and intended for the storage premium during the same period :
..... kg ;
 - (c) Average percentage : (b/a × 100) ;
 - (d) Quantities exceeding 20 % offered for sale and ineligible, carried over into the next month :
..... kg.

2. Calculation of the advance for the month of :

(1)	(2)	(3)	(4)		(5)
Quantities intended for the premium	Date of commencement of storage within the meaning of Article 8 point 1	Ending date of storage	Corresponding amount		Amount of the advance $S = (1 \times 4a) + (1 \times 4b)$
			(a) for the first month of storage	(b) for the following months of storage	
(a) Quantities carried over from preceding month :					
— quantities for which an advance has already been granted					
— quantities not yet having received an advance					
(b) Quantities intended for the premium during this month					

For the purpose of determining storage period which can be taken into account for the calculation of the storage premium, the quantities are to be taken in chronological order according to the method 'first in, first out'.

All figures shall be rounded off to multiples of 5 (i.e. 1,4 = 1, 1,5 = 2). The calculation of quantities shall be based, where necessary, on a provisional date (to be given in final form in the two months following the month in question).

COMMISSION REGULATION (EEC) No 315/86

of 11 February 1986

on the classification of goods in subheading 48.21 F II of the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 2055/84⁽²⁾, and in particular Article 3 thereof,

Whereas it is necessary, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, to adopt provisions concerning the classification of pants for use by incontinent persons, consisting of an absorbent layer of cellulose, which is internally strengthened in the middle by a less dense layer of cellulose, and covered on both sides with tissue paper; the inner surface is further covered with a porous honeycombed polyethylene film, the outer surface being covered with a smooth non-porous polyethylene film. The pants have self-adhesive tapes, rubber bands and are put up in retail packings;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68⁽³⁾, as last amended by Regulation (EEC) No 3679/85⁽⁴⁾, refers in heading No 30.04 to wadding, gauze, bandages and similar articles (for example, dressings, adhesive plasters, poultices), impregnated or coated with pharmaceutical substances or put up in packings for retail sale for medical or surgical purposes, other than goods specified in Note 3 to Chapter 30, and in heading No 48.21 to other articles of paper pulp, paper, paperboard or cellulose wadding;

Whereas the pants in question are not impregnated or coated with pharmaceutical substances; whereas, moreover, although they are put up in packings for retail sale, they are not specifically so put up for medical or surgical purposes; whereas the normal use made of the pants, while they do mitigate the consequences of incontinence, does not necessarily mean they are used for medical or

surgical purposes; whereas, therefore, the pants should not be classified under heading No 30.04;

Whereas Note 1 to Chapter 48 does not exclude the pants in question; whereas it appears from the Explanatory Notes to the Customs Cooperation Council's Nomenclature that heading No 48.21 covers all articles of paper pulp, paper, paperboard or cellulose wadding not covered by one of the preceding headings of Chapter 48 and not excluded from Chapter 48; whereas napkins for babies, sanitary towels and paper undergarments are among the goods included under that heading;

Whereas the pants of which the essential part is the absorbent cellulose layer, are used for hygienic purposes by incontinent persons or are napkins for babies and sanitary towels; whereas therefore it is appropriate to classify them under subheading 48.21 F II;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Pants for use by incontinent persons, consisting of an absorbent layer of cellulose, which is internally strengthened in the middle by a thinner layer of cellulose, and covered on both sides with tissue paper; the inner surface is further covered with a porous honeycombed polyethylene film, the outer surface being covered with a smooth non-porous polyethylene film; the pants have self-adhesive tapes, rubber bands and are put up in retail packings shall be classified in the Common Customs Tariff under subheading;

48.21 Other articles of paper pulp, paper, paperboard or cellulose wadding

F. Other

II. Other

Article 2

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

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 191, 19. 7. 1984, p. 1.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 351, 28. 12. 1985, p. 2.

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

Done at Brussels, 11 February 1986.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 316/86

of 13 February 1986

fixing the export refunds on baled tobacco from the 1985 harvest

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular the second subparagraph of Article 9 (1) and the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas under Article 9 of Regulation (EEC) No 727/70 the difference between world prices and Community prices for the products referred to in Article 1 of the said Regulation may be covered by an export refund;

Whereas under Council Regulation (EEC) No 326/71 of 15 February 1971 laying down general rules for granting export refunds on raw tobacco and fixing the amount of such refunds⁽³⁾ the granting of refunds must be limited to baled tobacco produced from leaf tobacco harvested in the Community; whereas the refunds must be fixed for each variety produced in the Community in the light of the factors referred to in Article 2 (1) of Regulation (EEC) No 326/71;

Whereas for some varieties the outlets are very limited or involve high transport costs; whereas, moreover, some third countries exporting tobacco charge prices which have a marked effect on the competitive position of Community tobacco; whereas Article 4 of Regulation (EEC) No 326/71 foresees criteria to be taken into account in the assessment of the exceptional cases referred to in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70; whereas in view of the abovementioned situation it may be concluded that these circumstances constitute exceptional cases which therefore justify the refund being fixed outside the limits specified in the second subparagraph of Article 9 (1) of Regulation (EEC) No 727/70;

Whereas, as a result of progress in processing and market preparation, an increasingly large part of Community production of certain varieties of tobacco is being exported in the form of threshed (stripped) tobacco; whereas, consequently, the amount of the refund should

be differentiated according to the form in which the baled tobacco is presented; whereas for exports of entirely threshed (stripped) tobacco it should be specified that the refund is to be granted only on the strips, not scraps, and the amount should be increased accordingly to take account of the results of threshing; whereas, to avoid any risk of confusion, the strips must measure at least 0,5 centimetres;

Whereas the trade in threshed (stripped) tobacco involves only a few tobacco varieties; whereas some oriental varieties in particular are not threshed on account of their small leaf size; whereas the refund should therefore be differentiated only for strips from varieties which are actually threshed and the differentiated amount worked out by applying to the basic amount set for unthreshed tobacco of the particular variety the coefficient set in the Annex to Commission Regulation (EEC) No 410/76 of 23 February 1976, fixing the maximum permissible weight losses in connection with the supervision of the first processing and market preparation of tobacco⁽⁴⁾, as last amended by Regulation (EEC) No 886/85⁽⁵⁾;

Whereas, to apply the rules and criteria referred to above in the present situation on the market in tobacco, and in particular in the light of Community and world prices, a refund should be fixed for the products listed in the Annex, at the levels and for the countries specified therein;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of varieties of baled tobacco from the 1985 harvest on which the export refund referred to in Article 9 of Regulation (EEC) No 727/70 is to be granted, the amount of the refund and the countries of destination shall be as specified in the Annex.

The refund shall be granted on baled tobacco presented in one of the following two forms:

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 39, 17. 2. 1971, p. 1.

⁽⁴⁾ OJ No L 50, 26. 2. 1976, p. 11.

⁽⁵⁾ OJ No L 96, 3. 4. 1985, p. 10.

- (a) tobacco in the form of whole or cut (not stripped) leaves falling within heading No 24.01 of the Common Customs Tariff (column 3),
- (b) threshed (totally stripped) tobacco in the form of strips measuring at least 0,50 centimetres, falling within heading No 24.01 of the Common Customs Tariff (column 4).

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 until 31 December 1986.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

(en Écus/kg)

Serial Number	Variety	Amount of the refund on tobacco in the form of whole or cut (unstripped) leaves (Article 1 (2) (a))	Amount of the refund on threshed (totally stripped) tobacco (Article 1 (2) (b))	Countries of destination
1	2	3	4	5
1	Badischer Geudertheimer	0,34	0,47	All third countries
2	Badischer Burley E	0,34	0,47	
3	Virgin D	0,30	0,42	
4	(a) Paraguay (b) Dragon vert and hybrids thereof, Philippin, Petit Grammont (Flobecq), Semois, Appel terre	0,34 0,34	0,47 0,47	
7	Bright	0,30	0,42	All third countries except the United States and Canada
8	Burley I	0,30	0,42	
9	Maryland	0,30	0,42	
10	Kentucky	0,44	0,61	
11	(a) Forchheimer Havana II c)	0,34	0,47	All third countries
13	Xanti-Yaka	0,44	—	All third countries except the United States and Canada
14	(a) Perustitza (b) Samsun	0,44 0,30	— —	
15	Erzegovina	0,44	—	
16	(a) Round Tip (b) Scafati c) Sumatra I	0,72	—	
17	Basmas	0,34	—	All third countries except Turkey and Yugoslavia
18	Katerini and similar varieties	0,34	—	
19	(a) Kaba Koulak classic (b) Ellassona	0,34 0,34	— —	
20	(a) Kaba Koulak non classic (b) Myrodata Smyrne, Trapezous, and Phi I	0,44 0,44	— —	
21	Myrodata Agrinion	0,44	—	
22	Zichnomyrodata	0,34	—	
23	Tsebelia	0,44	0,61	
24	Mavra	0,44	—	
25	Burley GR	0,30	0,42	
26	Virginia GR	0,30	0,42	

COMMISSION REGULATION (EEC) No 317/86
of 13 February 1986
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Regulation (EEC) No 1935/85 ⁽³⁾, as last amended by Regulation (EEC) No 198/86 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 February 1986.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 181, 13. 7. 1985, p. 8.

⁽⁴⁾ OJ No L 25, 31. 1. 1986, p. 13.

ANNEX

to the Commission Regulation of 13 February 1986 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	30,91
04.01 A I b)	0120	28,50
04.01 A II a) 1	0130	28,50
04.01 A II a) 2	0140	34,36
04.01 A II b) 1	0150	27,29
04.01 A II b) 2	0160	33,15
04.01 B I	0200	64,00
04.01 B II	0300	135,39
04.01 B III	0400	209,24
04.02 A I	0500	24,75
04.02 A II a) 1	0620	159,78
04.02 A II a) 2	0720	190,16
04.02 A II a) 3	0820	192,58
04.02 A II a) 4	0920	248,77
04.02 A II b) 1	1020	152,53
04.02 A II b) 2	1120	182,91
04.02 A II b) 3	1220	185,33
04.02 A II b) 4	1320	241,52
04.02 A III a) 1	1420	30,13
04.02 A III a) 2	1520	40,68
04.02 A III b) 1	1620	135,39
04.02 A III b) 2	1720	209,24
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,5253 ^(*)
04.02 B I b) 1 bb)	2320	per kg 1,8291 ^(*)
04.02 B I b) 1 cc)	2420	per kg 2,4152 ^(*)
04.02 B I b) 2 aa)	2520	per kg 1,5253 ^(*)
04.02 B I b) 2 bb)	2620	per kg 1,8291 ^(*)
04.02 B I b) 2 cc)	2720	per kg 2,4152 ^(*)
04.02 B II a)	2820	52,91
04.02 B II b) 1	2910	per kg 1,3539 ^(*)
04.02 B II b) 2	3010	per kg 2,0924 ^(*)
04.03 A	3110	246,17
04.03 B	3210	300,33
04.04 A	3300	187,83 ^(*)
04.04 B	3900	293,66 ^(*)
04.04 C	4000	163,23 ^(*)
04.04 D I a)	4410	169,32 ^(*)
04.04 D I b)	4510	179,86 ^(*)
04.04 D II	4610	276,58
04.04 E I a)	4710	293,66
04.04 E I b) 1	4800	219,12 ⁽¹⁰⁾

<i>(ECU/100 kg net weight, unless otherwise indicated)</i>		
CCT heading No	Code	Import levy
04.04 E I b) 2	5000	181,15 ⁽¹⁾
04.04 E I c) 1	5210	135,86
04.04 E I c) 2	5250	277,87
04.04 E II a)	5310	293,66
04.04 E II b)	5410	277,87
17.02 A II	5500	41,79 ⁽¹²⁾
21.07 F I	5600	41,79
23.07 B I a) 3	5700	116,82
23.07 B I a) 4	5800	151,90
23.07 B I b) 3	5900	141,53
23.07 B I c) 3	6000	114,90
23.07 B II	6100	151,90

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 24,31 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 24,31 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to:
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria,
 - 60 ECU per 100 kg net weight for products listed under (s) of that Annex imported from Finland,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and subheadings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 318/86
of 13 February 1986
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as amended by Regulation (EEC) No 2429/72 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are

being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9,5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 368, 20. 12. 1985, p. 3.

⁽⁶⁾ OJ No L 223, 8. 8. 1981, p. 10.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85⁽²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas Commission Regulation (EEC) No 896/84⁽³⁾, as amended by Regulation (EEC) No 2881/84⁽⁴⁾, laid down additional provisions concerning the granting of refunds

on the change from one milk year to another; whereas those provisions provide for different refunds according to the date of manufacture of the products;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.

Article 2

This Regulation shall enter into force on 14 February 1986.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 272, 13. 10. 1984, p. 16.

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % (1) :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 05	7,15
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 15	10,34
	(3) Of a fat content, by weight, exceeding 3 %	0110 20	13,34
	b) Other :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 25	7,15
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 35	10,34
	(3) Of a fat content, by weight, exceeding 3 %	0110 40	13,34
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0130 10	7,15
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0130 22	10,34
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	13,34
	2. Exceeding 4 %	0140 00	15,34
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0150 10	7,15
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0150 21	10,34
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	13,34
	2. Exceeding 4 %	0160 00	15,34

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight ⁽¹⁾ :		
	ex I. Exceeding 6 % but not exceeding 21 % :		
	(a) Of a fat content, by weight, not exceeding 10 %	0200 05	19,34
	(b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 %	0200 11	29,13
	(c) Of a fat content, by weight, exceeding 17 %	0200 21	43,12
	II. Exceeding 21 % but not exceeding 45 % :		
	(a) Of a fat content, by weight, not exceeding 35 %	0300 12	51,11
	(b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 %	0300 13	79,09
	(c) Of a fat content, by weight, exceeding 39 %	0300 20	87,09
	III. More than 45 % :		
	(a) Of a fat content, by weight, not exceeding 68 %	0400 11	99,08
	(b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 %	0400 22	145,04
	(c) Of a fat content, by weight, exceeding 80 %	0400 30	169,02
04.02	Milk and cream, preserved, concentrated or sweetened :		
	A. Not containing added sugar ⁽²⁾ :		
	II. Milk and cream, in powder or granules :		
	a) In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight :		
	1. Not exceeding 1,5 %	0620 00	85,86
	2. Exceeding 1,5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	0720 00	85,86
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	0720 20	100,23
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	0720 30	106,88
	(dd) Of a fat content, by weight, exceeding 25 %	0720 40	116,10
	3. Exceeding 27 % but not exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 28 %	0820 20	117,16
	(bb) Of a fat content, by weight, exceeding 28 %	0820 30	118,39

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	120,15
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	130,64
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	134,28
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	147,09
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	155,95
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	165,04
	b) Other, of a fat weight content :		
	1. Not exceeding 1,5 %	1020 00	85,86
	2. Exceeding 1,5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	85,86
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	100,23
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	106,88
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	116,10
	3. Exceeding 27 % but not exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 28 %	1220 20	117,16
	(bb) Of a fat content, by weight, exceeding 28 %	1220 30	118,39
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	120,15
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	130,64
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	134,28
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	147,09
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	155,95
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	165,04

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net content of 2,5 kg or less and of a fat content by weight not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8,9 % and of a non-fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7,4 % (33) Exceeding 7,4 % 2. Other, of a non fat lactic dry matter content : (aa) Of less than 15 %, by weight (bb) Of 15 % or more, by weight b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 8,9 % (33) Exceeding 8,9 %, by weight, but not exceeding 11 % (44) Exceeding 11 %, by weight, but not exceeding 21 % (55) Exceeding 21 %, by weight, but not exceeding 39 % (66) Exceeding 39 % (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7,4 % (33) Exceeding 7,4 %, by weight, but not exceeding 8,9 % (44) Exceeding 8,9 % 2. Exceeding 45 %	1420 12 1420 22 1420 50 1420 60 1420 70 1520 10 1520 20 1620 70 1630 00 1630 10 1630 20 1630 30 1630 40 1630 50 1630 60 1630 70 1630 80 1720 00	— 13,34 19,38 24,59 30,65 25,13 36,34 — 13,34 25,13 31,13 51,11 87,09 19,38 24,59 30,65 36,34 99,08

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : aa) Not exceeding 1,5 % bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 % 2. Other, of a fat content, by weight : aa) Not exceeding 1,5 % bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 %	2220 00 2320 10 2320 20 2320 30 2320 40 2420 10 2420 20 2520 00 2620 10 2620 20 2620 30 2620 40 2720 10 2720 20	0,8586 (*) per kg 0,8586 (*) per kg 1,0023 (*) per kg 1,0688 (*) per kg 1,1610 (*) per kg 1,1716 (*) per kg 1,3064 (*) per kg 0,8586 (*) per kg 0,8586 (*) per kg 1,0023 (*) per kg 1,0688 (*) per kg 1,1610 (*) per kg 1,1716 (*) per kg 1,3064 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In immediate packings of a net capacity of 2,5 kg or less and of a fat content by weight not exceeding 9,5 % : (1) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 % by weight (bb) Of 15 % or more (2) Of a fat content, by weight, exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6,9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9,5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2810 11 2810 12 2810 15 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	— (*) per kg 0,1334 (*) per kg 22,36 (*) 37,83 (*) 22,36 (*) 37,83 (*) 0,2713 (*) per kg 0,5111 (*) per kg 0,8709 (*) per kg 0,9908 (*) per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % (II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 03 3110 16	137,19 ⁽¹⁰⁾ 172,60 ⁽¹⁰⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	177,02 ⁽¹⁰⁾
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	181,45 ⁽¹⁰⁾
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99,5 %	3210 10	181,45 ⁽¹⁰⁾
	(II) Exceeding 99,5 %	3210 20	240,80 ⁽¹⁰⁾ ⁽¹¹⁾
04.04	Cheese and curd (%) :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	(I) Pieces packed in vacuum or in inert gas, of a net weight of less than 7,5 kg	3800 40	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		71,91
	— Zone E		8,83
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		143,04
	(II) Other	3800 60	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		71,91
	— Zone E		8,83
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		143,04
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		90,34
	— Zone E		10,00
	— Canada		—
	— Norway and Finland		—
	— Australia		25,78
	— Other destinations		115,99
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex a) Not exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 27 % or more but less than 33 %	4410 05	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		10,05
	— Zone E		2,38
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		20,24

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Of 33 % or more but less than 38 % for exports to :	4410 10	
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,85
	— Zone E		4,99
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :	4410 20	
	(aa) Less than 20 %		
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,85
	— Zone E		4,99
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(bb) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		32,12
	— Zone E		7,34
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		63,98
	(4) Of 43 % or more and of a fat content, by weight, in the dry matter :	4410 40	
	(aa) Less than 20 %		
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,85
	— Zone E		4,99
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(bb) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		32,12
	— Zone E		7,34
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		63,98
	(cc) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		46,72
	— Zone E		10,66
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		94,00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex b) Exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,85
	— Zone E		4,99
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(2) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		32,12
	— Zone E		7,34
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		63,98
	(3) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		46,72
	— Zone E		10,66
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		94,00
	(4) Of 46 % or more and less than 55 %	4510 40	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		46,72
	— Zone E		10,66
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		94,00
	(5) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		55,43
	— Zone E		12,65
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		111,52
	II. Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		55,43
	— Zone E		12,65
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		111,52

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter : ex a) Not exceeding 47 % : (1) Grana Padano, Parmigiano Reggiano for exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland — Other destinations (2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk for exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland — Other destinations (3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to : — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland — Other destinations b) Exceeding 47 % but not exceeding 72 % : ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Australia — Switzerland — Other destinations ex 2. Other, of a fat content, by weight, in the dry matter (7) : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland — Other destinations	4710 11 4710 17 4710 22 4850 00 5120 12	145,00 110,00 80,00 — 90,00 182,82 165,00 160,00 102,52 — 105,03 209,94 100,00 50,00 50,00 — 60,00 134,36 — 65,33 — — — 32,27 — 148,76 — 43,77 10,38 — 13,50 — 78,89

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		48,28
	— Zone E		11,33
	— Canada		—
	— Norway and Finland		20,00
	— Switzerland		—
	— Other destinations		97,19
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		54,86
	— Zone E		12,71
	— Canada		—
	— Norway and Finland		24,00
	— Switzerland		—
	— Other destinations		110,44
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano :		
	(aaa) Provolone	5120 32	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		98,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		149,30
	(bbb) Others	5120 36	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		82,54
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		122,16
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		82,54
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		32,61
	— Switzerland		—
	— Other destinations		122,16

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italice, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		82,54
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		105,58
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney	5120 58	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		65,33
	— Zone E		8,83
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		122,93
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more	5120 60	
	(aaa) Manufactured exclusively from sheep milk		
	for exports to :		
	— Zone E		5,35
	— Canada		—
	— Norway and Finland		—
	— Other destinations		37,78
	(bbb) Other	5120 65	
	for exports to :		
	— Zone E		5,35
	— Canada		—
	— Norway and Finland		—
	— Other destinations		37,78
	(66) Feta	5120 82	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		48,58
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		92,07
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		65,33
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		122,93

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Kefalotyri, Kefalograviera and Kasseri manufactured exclusively from sheep's and/or goats' milk	5120 84	
	for exports to:		
	— Zone D, Ceuta, Melilla and Andorra		98,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		149,30
	(99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter:		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to:		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		65,33
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		122,93
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to:		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		82,54
	— Zone E		—
	— Canada		—
	— Norway and Finland		27,50
	— Australia		32,61
	— Switzerland		—
	— Other destinations		122,16
	ex c) Exceeding 72 % (excluding cheeses produced from whey) (7):		
	1. In immediate packings of a net capacity not exceeding 500 grams:		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to:		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		22,07
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter:		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(11) Of 60 % or more but less than 69 %	5121 20	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		29,68
	(22) Of 69 % or more	5121 30	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		36,24
	(cc) Other	5121 40	—
	2. Other :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 51	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		22,07
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 69 %	5121 60	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		7,50
	— Switzerland and Liechtenstein		—
	— Other destinations		29,68
	(22) Of 69 % or more	5121 70	
	For exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		36,24
	(cc) Other	5121 80	—

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex II. Other (excluding cheeses produced from whey): ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight: (1) Of 60 % or more but less than 80 % For exports to: — Zone E — Canada — Norway and Finland — Other destinations (2) Of 80 % or more but less than 85 % For exports to: — Zone E — Canada — Norway and Finland — Other destinations (3) Of 85 % or more but less than 95 % For exports to: — Zone E — Canada — Norway and Finland — Other destinations (4) Of 95 % or more For exports to: — Zone E — Canada — Norway and Finland — Other destinations	5310 05 5310 11 5310 22 5310 31	— — — 73,61 — — — 98,15 — — — 104,28 — — — 116,55
23.07	Sweetened forage; other preparations of a kind used in animal feeding: ex B. Other, containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs^(*): I. Containing starch, or glucose or glucose syrup, or maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II: a) Containing no starch or containing 10 % or less, by weight, of starch: (3) Containing 50 % or more but less than 75 %, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of^(*): (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62	— 1,76 2,34 2,93 3,52 4,10

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(4) Containing 75 % or more, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of (°):		
	(aa) Less than 30 %	5800 13	—
	(bb) 30 % or more but less than 40 %	5800 23	1,76
	(cc) 40 % or more but less than 50 %	5800 32	2,34
	(dd) 50 % or more but less than 60 %	5800 42	2,93
	(ee) 60 % or more but less than 70 %	5800 52	3,52
	(ff) 70 % or more but less than 75 %	5800 62	4,10
	(gg) 75 % or more but less than 80 %	5800 72	4,40
	(hh) 80 % or more	5800 82	4,69
	ex II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, and containing 50 % or more milk products, by weight, and with a milk content in powder or granules (excluding whey), by weight, of (°):		
	(a) 30 % or more but less than 40 %	5900 01	25,76
	(b) 40 % or more but less than 50 %	5900 05	34,34
	(c) 50 % or more but less than 60 %	5900 12	42,93
	(d) 60 % or more but less than 70 %	5900 22	51,52
	(e) 70 % or more but less than 80 %	5900 32	60,10
	(f) 80 % or more but less than 88 %	5900 42	68,69
	(g) 88 % or more	5900 52	75,56

- (¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

- (²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates, shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (³) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculating the fat content, by weight.

The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components:

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added casein and/or added caseinates, contained in 100 kg of product;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁴) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements:

- (a) the amount per 100 kg shown; however, where whey and/or lactose and/or casein and/or caseinates been added to the product, the amount per 100 kg shown shall be:

- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kg of product, and then
- divided by the weight of the lactic part contained in 100 kg of product;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁵) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund and the monetary compensatory amount, in the exporting Member State, is less than 140 ECU per 100 kilograms. This limitation to 140 ECU per 100 kilograms does not apply to cheeses falling within subheading 04.04 E I ex c) of the Common Customs Tariff.

- (⁶) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.

- (⁷) When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

- the skimmed-milk powder content, by weight,
 - the content by weight of the added whey and/or added lactose and/or added casein and/or added caseinates, and
 - the lactose content of the added whey
- per 100 kg of finished product.

- (⁸) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.

- (¹⁰) Until 22 December 1985, inclusive, this amount is applicable only in the cases indicated in Article 10 (3) to (5) of Regulation (EEC) No 2729/81.

However:

- in the case of exports under either Regulation (EEC) No 2268/84 or Regulation (EEC) No 2278/84 the rate of refund is reduced by 25 ECU per 100 kilograms net,
- in the case of exports under Regulation (EEC) No 2956/84 the rate of refund shall be that applying on 18 June 1985.

- (¹¹) The rate of refund referred to in footnote (¹⁰) shall also apply to ghee exported under Regulation (EEC) No 2278/84.

N.B.: Zones A, B, C, D and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 2283/81.

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION REGULATION (EEC) No 319/86

of 13 February 1986

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 27 January to 2 February 1986

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

Having regard to Council Regulation (EEC) No 1311/85 of 23 May 1985 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, and in particular Article 5 thereof,

Whereas, under Article 3 of Regulation (EEC) No 1311/85, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Commission Regulation (EEC) No 2187/85 of 31 July 1985 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽²⁾, the amounts to be charged on departure from the territory of the United Kingdom of the products listed in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 27 January to 2 February 1986 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1311/85, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 2187/85 which left the territory of the United Kingdom during the week 27 January to 2 February 1986 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 27 January 1986.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 137, 27. 5. 1985, p. 20.

⁽²⁾ OJ No L 203, 1. 8. 1985, p. 76.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during the week 27 January to 2 February 1986

(ECU/100 kg net weight)		
CCT heading No	Description	Amount
1	2	3
ex 02.01 A II a) and ex 02.01 A II b)	Meat of adult bovine animals, fresh, chilled or frozen :	
	1. Carcases, half-carcases or 'compensated' quarters	26,26474
	2. Separated or unseparated forequarters	21,01179
	3. Separated or unseparated hindquarters	31,51769
	4. Other :	
	aa) Unboned (bone-in)	21,01179
	bb) Boned or boneless	35,98269
ex 02.06 C I a)	Meat salted, in brine, dried or smoked, of adult bovine animals :	
	1. Unboned (bone-in)	21,01179
	2. Boned or boneless	29,94180
ex 16.02 B III b) 1	Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals :	
	aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :	
	11. Containing 80 % or more by weight of beef meat excluding offals and fat	29,94180
	22. Other	21,01179

COMMISSION REGULATION (EEC) No 320/86
of 13 February 1986
amending Regulation (EEC) No 132/86 introducing a countervailing charge on
clementines originating in Morocco

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 3768/85⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 132/86 of 23 January 1986⁽³⁾ introduced a countervailing charge on clementines originating in Morocco;

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

amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of clementines originating in Morocco must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 132/86, '5,55 ECU' is hereby replaced by '1,92 ECU'.

Article 2

This Regulation shall enter into force on 14 February 1986

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

Done at Brussels, 13 February 1986

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 18, 24. 1. 1986, p. 24.

COMMISSION REGULATION (EEC) No 321/86

of 13 February 1986

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3793/85 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 3768/85, and in particular Article 12 (4) thereof,

Having regard to Council Regulation 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 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 200/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 309/86 ⁽⁶⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984 ⁽⁷⁾ as amended by Regulation (EEC) No 2744/75 ⁽⁸⁾ as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the 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 over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 12 February 1986;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁹⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to the amended Regulation (EEC) No 200/86, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February 1986.

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

Done at Brussels, 13 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 25, 31. 1. 1986, p. 19.

⁽⁶⁾ OJ No L 38, 13. 2. 1986, p. 18.

⁽⁷⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 13 February 1986 altering the import levies on products processed from cereals and rice

CCT heading No	Import levies (ECU/tonne)	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	227,91	221,87
11.01 E II ⁽²⁾	128,75	125,73
11.02 A II ⁽²⁾	247,87	241,83
11.02 A V a) 1 ⁽²⁾	192,97	186,93
11.02 A V a) 2 ⁽²⁾	227,91	221,87
11.02 A V b) ⁽²⁾	128,75	125,73
11.02 B II b) ⁽²⁾	181,71	178,69
11.02 B II c) ⁽²⁾	200,24	197,22
11.02 C II ⁽²⁾	217,98	214,96
11.02 C V ⁽²⁾	200,24	197,22
11.02 D II ⁽²⁾	140,06	137,04
11.02 D V ⁽²⁾	128,75	125,73
11.02 E II b) ⁽²⁾	247,87	241,83
11.02 E II c) ⁽²⁾	227,91	221,87
11.02 F II ⁽²⁾	247,87	241,83
11.02 F V ⁽²⁾	227,91	221,87
11.02 G II	98,49	92,45
11.04 C II a)	187,75	163,57 ⁽³⁾
11.04 C II b)	219,00	194,82 ⁽³⁾
11.08 A I	187,75	167,20
11.08 A IV	187,75	167,20
11.08 A V	187,75	83,60 ⁽³⁾
17.02 B II a) ⁽³⁾	314,81	218,09
17.02 B II b) ⁽³⁾	233,69	167,20
17.02 F II a)	325,19	228,47
17.02 F II b)	225,38	158,89
21.07 F II	233,69	167,20
23.02 A I a)	65,35	59,35
23.02 A I b)	133,17	127,17
23.02 A II a)	65,35	59,35
23.02 A II b)	133,17	127,17
23.03 A I	389,04	207,70

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽³⁾ In accordance with Regulation (EEC) No 435/80 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading 11.08 A V.

COMMISSION REGULATION (EEC) No 322/86
of 13 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 Commission Regulation (EEC) No 1809/85 ⁽³⁾, as last amended by Regulation (EEC) No 308/86 ⁽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 14 February 1986.

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

Done at Brussels, 13 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 38, 13. 2. 1986, p. 17.

ANNEX

to the Commission Regulation of 13 February 1986 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	48,09
	B. Raw sugar	41,90 ⁽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 323/86

of 13 February 1986

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 3793/85 ⁽²⁾, and in particular the fourth subparagraph
of Article 16 ⁽²⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or prices
on the world market for the products listed in Article 1 of
that Regulation and prices for those products in the
Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general rules for
granting export refunds on cereals and criteria for fixing
the amount of such refunds ⁽³⁾, provides that when
refunds are being fixed, account must be taken of the
existing situation and the future trend with regard to
prices and availabilities of cereals on the Community
market on the one hand, and prices for cereals and cereal
products on the world market on the other; whereas the
same Article provides that it is also important to ensure
equilibrium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports and
the need to avoid disturbances on the Community
market;

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account when
the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat
and rye flour, groats and meal are concerned, in Article 4
of Regulation (EEC) No 2746/75; whereas furthermore,
when the refund on these products is being calculated,
account must be taken of the quantities of cereals
required for their manufacture; whereas these quantities
were fixed in Commission Regulation No 162/67/EEC ⁽⁴⁾,
as amended by Regulation (EEC) No 1607/71 ⁽⁵⁾;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary to
vary the refund for certain products according to destina-
tion;

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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

- in the case of currencies which are maintained in rela-
tion 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 Council Regula-
tion (EEC) No 1676/85 ⁽⁶⁾,
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded over a given period in rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

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

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 export refunds on the products listed in Article 1 (a),
(b) and (c) of Regulation (EEC) No 2727/75, exported in
the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February
1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 13 February 1986 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — zone II b) — other third countries	70,00 77,00 10,00
10.01 B II	Durum wheat for exports to : — Switzerland, Austria and Liechtenstein — other third countries	5,00 10,00
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	5,00 10,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — zone II b) — Japan — other third countries	94,00 100,00 — 10,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	105,00 105,00 92,00 86,00 79,00 71,00

CCT heading No	Description	(ECU/tonne) Refund
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	 105,00 105,00 105,00 105,00
11.02 A I a)	Durum wheat groats and meal : — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	 291,00 275,00 246,00 232,00
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	 105,00

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

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

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

COMMISSION REGULATION (EEC) No 324/86

of 13 February 1986

fixing the export refunds on 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 the fourth subparagraph
of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or prices
on the world market for the products listed in Article 1 of
those Regulations and prices for those products within
the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general rules for
granting export refunds on cereals and criteria for fixing
the amount of such refunds⁽³⁾, provides that when
refunds are being fixed account must be taken of the
existing situation and the future trend with regard to
prices and availabilities of cereals on the Community
market on the one hand and prices for cereals and cereal
products on the world market on the other; whereas the
same Article provides that it is also important to ensure
equilibrium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports, and
the need to avoid disturbances on the Community
market;

Whereas Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice⁽⁴⁾, as last
amended by Regulation (EEC) No 1027/84⁽⁵⁾, defines the
specific criteria to be taken into account when the refund
on these products is being calculated;

Whereas it follows from applying these detailed rules to
the present situation on the market in products processed

from cereals and rice that the export refund should be
fixed at an amount which will cover the difference
between Community prices and world market prices;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary to
vary the refund for certain products according to destina-
tion;

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

- in the case of currencies which are maintained in rela-
tion 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 Council Regula-
tion (EEC) No 1676/85⁽⁶⁾,
- 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 rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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 export refunds on malt listed in Article 1 (d) of Regu-
lation (EEC) No 2727/75 subject to Regulation (EEC) No
2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 February
1986.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

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

Done at Brussels, 13 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 13 February 1986 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	93,10
11.07 A II b)	146,14
11.07 B	170,31

II

(Acts whose publication is not obligatory)

COMMISSION

SECOND COMMISSION DIRECTIVE

of 5 February 1986

amending Commission Directive 85/429/EEC amending the annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs

(86/29/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by the Commission Directive 85/520/EEC⁽²⁾, and in particular Article 7 thereof,

Whereas Directive 70/524/EEC provides for regular adaptation of the content of its Annexes to the evolution of scientific and technical knowledge;

Whereas progress in the analytical field allows the chemical composition of the antibiotic factors of tylosine to be specified and the admission of this additive to be limited to tylosine phosphate;

Whereas the use of the antibiotic flavophospholipol has been widely and successfully tested on rabbits in certain Member States, it is desirable to admit this new use of flavophospholipol provisionally at a national level until its authorization on a Community level;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs;

HAS ADOPTED THIS DIRECTIVE:

Article 1

The annexes of Directive 70/524/EEC shall be amended as set out in the annex hereto.

Article 2

Member States shall, by 3 December 1986 bring into force the laws, regulations or administrative provisions necessary to comply with Article 1, and shall immediately inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 5 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 323, 4. 12. 1985, p. 12.

ANNEX

1. In Annex I under part A 'Antibiotics' the text of item EEC No E 713 'Tylosine' is replaced at follows :

'EEC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions
					mg/kg of complete feedingstuff			
E 713	Tylosin phosphate	Macrolide, product of <i>Streptomyces fradiae</i> Composition of antibiotic factor (1) : (A) Tylosin C ₄₄ H ₇₇ NO ₁₇ : min. 80 % (B) Desmicosin C ₃₉ H ₆₃ NO ₁₄ (C) Macrocin C ₄₃ H ₇₃ NO ₁₇ (D) Relomycin C ₄₆ H ₇₉ NO ₁₇ (A) + (B) + (C) + (D) : min. : 95 %	Piglets Pigs	4 months 6 months	10 5	40 20		

(1) According to the method of analysis of the British Pharmacopeia (Veterinary) 1985.

2. In Annex II under part A 'Antibiotics' the following is added :

'EEC No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Last day of validity
					mg/kg of complete feedingstuffs				
26	Flavophospholipol	$C_{70}H_{124}O_{46}N_4P$	Rabbits	—	2	4	—	30. 11. 1987	

COMMISSION DECISION

of 5 February 1986

authorizing the formation by Röchling Eisenhandel KG, Ludwigshafen, and Possehl Eisen- und Stahl GmbH, Mannheim, of 'Stahlcenter Röchling-Possehl GmbH & Co KG', Mannheim, and the agreement in restraint of competition concluded in connection therewith

(Only the German text is authentic)

(86/30/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 65 and 66 thereof,

Having regard to Decision No 24-54 of the High Authority of 6 May 1954 laying down, in implementation of Article 66 (1) of the Treaty, a Regulation on what constitutes control of an undertaking⁽¹⁾;

Having regard to the application filed jointly by Röchling Eisenhandel KG, Ludwigshafen, and Possehl Eisen- und Stahl GmbH, Mannheim, on 11 February 1985, as amended by letter dated 12 August 1985,

Whereas :

I

1. Röchling Eisenhandel KG, Ludwigshafen (Röchling), is a steel-trading undertaking within the meaning of Article 80 of the Treaty with a capital of DM 16 million and a wholly-owned subsidiary of Gebr. Röchling KG, Mannheim. It carries out every kind of commercial transaction, but in particular those involving products of the steel-producing and processing industry.

2. Possehl Eisen- und Stahl GmbH, Mannheim (Possehl), is a steel-trading undertaking within the meaning of Article 80 of the Treaty, with a capital of DM 1 million, engaged in the stocking and marketing of products of the steel industry. It is a wholly-owned subsidiary of the Eisen- und Stahlgesellschaft Saar-Luxemburg mbH, Stuttgart (Saarlux), which in turn belongs to the Sacilor group.

3. Röchling and Possehl intend to form a joint venture under the name of 'Stahlcenter Röchling-Possehl GmbH & Co. KG, Mannheim' (Stahlcenter Röchling-Possehl), with a capital of DM 2 million. The main object of this undertaking will be to trade in steel products in the Mannheim-Ludwigshafen area.

4. The plan is for Possehl's existing depot in Mannheim to be run by the joint venture. The existing depot of

Röchling Eisenhandel KG in Ludwigshafen is to be closed. To help it perform its tasks, the joint venture will take over from its shareholders (Röchling and Possehl) the necessary equipment and some of their staff.

5. Röchling will hold a 49 % interest in the joint venture and Possehl will hold a 51 % interest, both as limited partners in Röchling-Possehl GmbH & Co. KG and as shareholders in the general partner Röchling-Possehl GmbH, Mannheim. The relevant agreements provide, however, that resolutions require a majority of more than 51 % of the votes cast, so that neither participant can outvote the other under the present division of shareholdings.

6. Accordingly, Röchling and Possehl will exercise joint control over Stahlcenter Röchling-Possehl within the meaning of Decision No 24-54. The proposed transaction will therefore bring about a concentration within the meaning of Article 66 (1) between Stahlcenter Röchling-Possehl and Röchling on the one hand and between Stahlcenter Röchling-Possehl and Possehl on the other, though no concentration will arise between Röchling and Possehl.

7. In addition to forming Stahlcenter Röchling-Possehl, Röchling and Possehl, or Saarlux, have concluded an agreement which provides that the customers of both parties in the Mannheim-Ludwigshafen area will be supplied exclusively by the joint venture. In view of this agreement they have each undertaken, as from 1 March 1985, to conclude no more long-term contracts without the other party's consent and to coordinate purchasing.

II

8. The proposed transaction is intended to increase the efficiency and profitability of the two trading companies directly involved and contribute to their restructuring and consolidation.

The need for this concentration in the trading field has made itself felt owing to the presence of huge overcapacity in the steel stockholding business. It must be viewed in the context of the concentration in the production field precipitated by the steel crisis, which requires an — albeit less far-reaching — readjustment in the trading field.

(¹) OJ of the ECSC, 11. 5. 1954, p. 345.

The reduced profitability in recent years of the undertakings directly involved in the agreement, which is reflected above all in the downward trend in their sales during the last three years (1982, 1983 and 1984) compared with 1981 and in their financial performance over the same period, forced them to either close both their depots and dismiss the entire workforce or concentrate on one depot (Mannheim) and close the other (Ludwigshafen), thereby remaining in business and saving most of the jobs with the result that the continued existence of another competitor on the market is assured.

As a result of the concentration on one depot outlined above and the consequent reduction in sales facilities, considerable savings will be achieved in marketing, administrative, stocking and staff costs. Better use will also be made of the available staff and facilities, thereby increasing the joint venture's chances of survival as the two depots of Röchling and Possehl are currently less than 50 % utilized. Substantial extra capital expenditure of about DM 6 million, which would otherwise have been needed to modernize the partly obsolete facilities of the Ludwigshafen depot, will also be saved.

The efficiency of distribution will be improved through better advice and after-sales service for customers. The undertakings concerned intend to introduce modern office technology in the depot of the joint venture and to apply a dialogue system. As a result of this and of the fact that customers will henceforth need to deal with only one depot, ordering will be simplified and handling will be speeded up. The partners will be able to halve the amount

of stocks they carry. It will be possible to batch orders and save on transport costs.

The abovementioned consequences of rationalization in the case of sales also apply *mutatis mutandis* to buying, especially as regards the saving of purchasing, administrative, stocking and staff costs, the better use of staff and the available facilities, the saving of capital expenditure, the introduction of modern office technology and the dialogue system, the simplification of ordering and handling, the saving of transport costs, etc.

The parties intend, moreover, to change the marketing structure in such a way that, in future, goods will be sold not only to merchants as in the past but also directly to the consumer.

All in all, implementation of the agreement will create conditions ensuring the most rational distribution of products with a high degree of efficiency, advantages which will ultimately benefit the consumer.

9. To assess the effect of the transaction on the steel market, it is necessary to analyze the businesses of each of the undertakings concerned in the steel trading field, which is the main area of activity both of the two companies directly involved in the joint venture (Röchling and Possehl) and of the planned joint venture itself.

10. The Federal Republic of Germany alone is to be considered the geographically relevant market as the commercial activities both of the joint venture and of the two parent companies are confined to that market.

11. The relevant sales figures are given in the table below:

Sales of rolled finished steel products in the Federal Republic of Germany

(Deals involving sales from stock and direct-to-customer sales)

(in 1 000 tonnes)

	(1)	(2)	(3)	(4)		(5)	(6)	(7)		
	Federal Republic	Gebr. Röchling Group	Sacilor group (Saarlux + Possehl)	Röchling group + Sacilor group		Röchling KG Ludwigshafen establishment (LH)	Possehl	Röchling LH + Possehl		
				Sales	% of (1)			Sales	% of (4)	% of (1)
1981	19 905	306,61	1 005,91	1 312,52	6,6	59,60	40,34	99,94	7,6	0,5
1982	16 453	205,47	780,30	985,77	6,0	37,13	29,35	66,48	6,7	0,4
1983	16 481	165,94	561,93	727,87	4,4	24,82	25,38	50,20	6,9	0,3
1984	15 542	162,13	592,94	754,27	4,8	22,37	18,22	40,59	5,4	0,3

This survey shows that the sales of the two depots of Röchling in Ludwigshafen and Possehl in Mannheim which are to be merged account for a small proportion (5,4 %) of the sales of the two groups indirectly involved (Röchling and Sacilor). Compared with total sales of the products in question by all steel dealers in the Federal Republic of Germany, the market share of the two depots concerned comes to only 0,3 %.

12. In order to assess any group effect, the sales of the two groups to which the two undertakings taking part in the joint venture belong must be lumped together.

13. In 1984, sales by the Gebr. Röchling group (to which Röchling Eisenhandel KG belongs) amounted to 162 130 tonnes.

14. In the same year, the Sacilor group (to which Possehl Eisen- und Stahl GmbH belongs) sold 592 940 tonnes of the relevant products on the German market (where it carries on business through Possehl and its parent company Eisen- und Stahlgesellschaft Saar-Luxemburg mbH, Stuttgart (Saarlux)).

15. The two groups' combined sales amount to 754 270 tonnes, which is the biggest possible group effect of the transaction on the German market. These sales represent approximately 4,8 % of total sales by all firms on this market trading in the relevant products.

16. It is apparent, therefore, that, even allowing for this biggest possible group effect, both groups' market share on the German market remains relatively small. On that market, the parties face keen competition from many larger steel dealers, both members of groups and independent operators.

17. It is concluded from the above that the proposed transaction will not give the undertakings and groups of undertakings concerned the power to determine prices, control or restrict production or distribution or hinder effective competition in a substantial part of the market for the products in question or evade the rules of competition instituted under the Treaty, in particular by establishing an artificially privileged position involving a substantial advantage in access to markets. The proposed transaction therefore satisfies the conditions for authorization set out in Article 66 (2).

III

18. The agreement incorporated in the outline agreement between Röchling and Possehl to the effect that the customers of both parties in the Mannheim-Ludwigshafen area will in future be supplied exclusively by the joint venture restricts free competition between the parties and the joint venture within the common market.

Under this agreement, the parties undertake not to trade on their own account in the Mannheim-Ludwigshafen area.

The restriction consists in the fact that the joint venture will be shielded against competition from the companies concerned (ban on competition).

19. In these circumstances, the agreement falls under the prohibition provided for in principle in Article 65 (1) of the Treaty.

IV

20. Article 65 (2) of the Treaty provides, however, that specialization agreements or joint-buying or joint-selling agreements and agreements which are strictly analogous in nature and effect may be authorized if the Commission finds that they meet the requirements of the provision.

21. The non-competition agreement must be viewed against the background of the restructuring of the undertakings concerned by means of the hiving-off of their operations in the Mannheim-Ludwigshafen area. Like specialization agreements or joint-buying or joint-selling agreements, it conduces to the rationalization of commercial processes. It is therefore strictly analogous in nature and effect to those agreements and can therefore be authorized under Article 65 (2) of the Treaty if and in so far as it makes for a substantial improvement in the production or distribution of those products, if the agreement in question is essential in order to achieve these results and is not more restrictive than is necessary for that purpose, and if it is not liable to give the undertakings concerned the power to determine the prices, or to control or restrict the production or marketing, of a substantial part of the products in question within the common market or to shield them against effective competition from other undertakings within the common market.

22. The non-competition agreement will make for a substantial improvement in the distribution of the products concerned as it is closely connected with the formation of the joint venture and is designed to facilitate its commercial success and prevent the beneficial effects expected of its formation (see paragraph 8 above) from being undermined by competing activities on the part of the parent companies.

The agreement therefore satisfies the requirement set out in Article 65 (2) (a).

23. It must also be examined whether the non-competition agreement is essential in order to achieve these results.

As already indicated (paragraph 8 above), the turnover, the sales revenue and hence the gross trading profit of Possehl and Röchling (Ludwigshafen establishment) are constantly diminishing. This can best be seen from their financial results: whereas a profit was made in 1982, mounting losses were incurred in 1983 and 1984.

The formation of the joint venture and the related restructuring constitute an appropriate means of stopping and reversing this downward trend. A precondition for this, however, is the maintenance of the viability of the joint venture. The non-competition agreement serves this very purpose. Without the concentration of supply on the joint venture, reduced profitability and inefficiency would ensue owing to turnover being insufficient to cover costs. To that extent the agreement is essential in order to achieve these results.

24. The non-competition agreement is not more restrictive than is necessary for the purpose described above.

The further restriction contained in clause 9 of the outline agreement, which provides for mutual coordination of purchasing and the need for the other party's consent in the event of the conclusion of long-term contracts (see paragraph 7 above), has no separate competition-restraining effect. It applies only to the interval between the conclusion of the agreement and the formation and bringing into operation of the joint venture and is simply intended to prevent the ban on competition from being circumvented by the parent companies before the joint venture starts operating.

The requirement laid down in Article 65 (2) (b) is therefore also satisfied.

25. Lastly, it must be examined whether the agreement is liable to give the undertakings concerned the power to determine the prices, or to control or restrict the production or marketing, of a substantial part of the products in question within the common market, or to shield them against effective competition from other undertakings within the common market.

These effects of the implementation of the agreement in question will be limited for the most part to the area in which the joint venture operates, i.e. the Mannheim-Ludwigshafen area. Outside this area, both of the groups indirectly involved in the agreement (the Gebr. Röchling group and the Sacilor Group via Saarlux) will continue to carry on business as independent competitors. This competition will not be affected substantially by the agreement because, firstly, marketing conditions are different in the various territories supplied by the parent companies or by the joint venture and, secondly, the quantities which the undertakings concerned will continue to sell independently are much larger than the quantities sold by the joint venture, which account for

only 5,4 % of both groups' total sales (see table at paragraph 11). Moreover, the participants face stiff competition everywhere in the Federal Republic of Germany from other, in some cases much bigger, suppliers. It therefore follows from the above that the agreement in question satisfies the requirement of Article 65 (2) (c).

26. The agreement for which authorization is sought is open-ended. In order to be able to monitor the impact of the agreement and the influence it has on market conditions, the Commission considers it appropriate to grant the authorization for an initial period of eight years.

27. In view of the time restriction, the agreement for which authorization is sought is therefore compatible with Article 65 (2) of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

The formation by Röchling Eisenhandel KG, Ludwigshafen, and Possehl Eisen- und Stahl GmbH, Mannheim, of 'Stahlcenter Röchling-Possehl GmbH & Co. KG', Mannheim, is hereby authorized.

Article 2

The agreement between Röchling Eisenhandel KG, Ludwigshafen, and Possehl Eisen- und Stahl GmbH, Mannheim, or Eisen und Stahlgesellschaft Saar-Luxemburg mbH, Stuttgart, concerning the exclusive supply of both parties' customers in the Mannheim-Ludwigshafen area by Stahlcenter Röchling-Possehl GmbH & Co. KG, Mannheim, is hereby authorized until 31 December 1993.

Article 3

This Decision is addressed to Röchling Eisenhandel KG, Richard-Wagner-Straße 9, D-6800 Mannheim, and Possehl Eisen- und Stahl mbH, Rotterdamer Straße 21-23, D-6800 Mannheim.

Done at Brussels, 5 February 1986.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION DECISION

of 5 February 1986

adopting certain special rules for the application in the beef and veal sector of Regulation (EEC) No 1055/77 on the storage and movement of products bought in by an intervention agency

(86/31/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1055/77 of 17 May 1977 on the storage and movement of products bought in by an intervention agency⁽¹⁾, and in particular Article 4 thereof,

Whereas certain products held by the French intervention agency are in storage in Austria; whereas these products have been sold for processing in Germany;

Whereas specific rules covering cases such as this have not yet been adopted;

Whereas in order to ensure equality of treatment of the interested parties pending the adoption of specific rules on this matter it should be specified that when the products are imported into Germany monetary compensatory amounts shall be applicable but not customs duties or levies;

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

HAS ADOPTED THIS DECISION:

Article 1

When the products held by the French intervention agency in storage in Austria that have been sold under the sales contracts listed in the Annex hereto are reimported into Germany:

- no customs duties or levies shall be imposed, and
- no import licence need be presented,

provided that a removal order as specified in Article 6 of Commission Regulation (EEC) No 1687/76⁽²⁾, referring to one of the said sales contracts is produced at the customs office for re-importation. At the time of importation that customs office shall issue the control copy T No 5 mentioned in Article 2 (3) of that Regulation.

Article 2

The competent authorities concerned shall cooperate in verification of the particulars of the sales operations concerned. In particular, the French intervention agency shall notify the relevant removal order serial numbers to the competent German authorities.

Article 3

This Decision is addressed to the French Republic and the Federal Republic of Germany.

Done at Brussels, 5 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 128, 24. 5. 1977, p. 1.

⁽²⁾ OJ No L 190, 14. 7. 1976, p. 1.

ANNEX

Sales contract serial numbers	Quantity covered	Quantity in storage in Austria	Cold store
85/3212/85/26	300 tonnes	200 tonnes	} Wiener Kühlhaus } frigoscandia GmbH } Franzosengraben } A—130 WIEN
86/3212/85/34	40 tonnes	40 tonnes	
86/3212/85/37	20 tonnes	20 tonnes	
86/3212/85/40	125 tonnes	125 tonnes	
86/3212/85/41	360 tonnes	81 tonnes	

COMMISSION DECISION

of 5 February 1986

amending Decision 83/384/EEC as regards the list of establishments in Australia
approved for the purpose of importing fresh meat into the Community

(86/32/EEC)

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

Having regard to Council Directive 72/462/EEC of 12
December 1972 on health and veterinary inspection
problems upon importation of bovine animals and swine
and fresh meat from third countries ⁽¹⁾, as last amended by
Directive 83/91/EEC ⁽²⁾, and in particular Articles 4 (1)
and 18 (1) thereof,

Having regard to Council Directive 77/96/EEC of 21
December 1976 on the examination for trichinae (*Trichi-
nella spiralis*) upon importation from third countries of
fresh meat derived from domestic swine ⁽³⁾, as last
amended by Directive 84/319/EEC ⁽⁴⁾ and in particular
Article 4 thereof,

Whereas a list of establishments in Australia, approved for
the purpose of the importation of fresh meat into the
Community, was drawn up initially by Commission Deci-
sion 83/384/EEC ⁽⁵⁾, as last amended by Decision
85/483/EEC ⁽⁶⁾;

Whereas a routine inspection under Article 5 of Directive
72/462/EEC and Article 3 (1) of Commission Decision
83/196/EEC of 8 April 1983 concerning on-the-spot
inspections to be carried out in respect of the importation
of bovine animals and swine and fresh meat from non-
member countries ⁽⁷⁾ has revealed that the level of

hygiene of certain establishments has altered since the
last inspection;

Whereas the list of establishments should, therefore, be
amended;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Veterinary
Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 83/384/EEC is hereby replaced
by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 5 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 59, 5. 3. 1983, p. 34.

⁽³⁾ OJ No L 26, 31. 1. 1977, p. 67.

⁽⁴⁾ OJ No L 167, 27. 6. 1984, p. 34.

⁽⁵⁾ OJ No L 222, 13. 8. 1983, p. 36.

⁽⁶⁾ OJ No L 287, 29. 10. 1985, p. 32.

⁽⁷⁾ OJ No L 108, 26. 4. 1983, p. 18.

ANNEX

LIST OF ESTABLISHMENTS FROM WHICH IMPORTS OF FRESH MEAT MAY BE
AUTHORIZED WITHOUT TIME LIMIT

Approval No	Establishment	Address
I. BOVINE MEAT		
A. Slaughterhouses and cutting premises		
3	The Metropolitan Regional Abattoir	Brisbane, Queensland
7	CQME Co. Pty Ltd	Rockhampton, Queensland
55	Gosford Meats Pty Ltd	Gosford, New South Wales
135	Blue Ribbon Export Division	Launceston, Tasmania
151	Richardson's Meat Industries Ltd	Hobart, Tasmania
170	Beef City Pty Ltd	Purrawunda, Queensland
195	R. J. Gilbertson Pty Ltd	Longford, Tasmania
223	Tancred Bros Pty Ltd	Pentland, Queensland
239	Northern Cooperative Meat Co. Ltd	Casino, New South Wales
243	Warwick Bacon Company Pty Ltd	Warwick, Queensland
423	S. E. Meat (Aust.) Ltd	Naracoorte, South Australia
439	Norwest Beef Industries Ltd	Katherine, Northern Territory
484 ⁽¹⁾	Mudginberri Station	Mudginberri, Northern Territory
503 ⁽¹⁾	Riverstone Meat Co. Pty Ltd	Riverstone, New South Wales
525	Tancred Bros Pty Ltd	Beaudesert, Queensland
533	Murray Bridge Meat Pty Ltd	Murray Bridge, South Australia
556	Victorian Inland Meat Co.	Kyneton, Victoria
642	Metro Meat (Cootamundra) Ltd	Cootamundra, New South Wales
648	E. G. Green and Sons Pty Ltd	Harvey, Western Australia
712	Western Australian Meat Commission	Fremantle, Western Australia
736	F. J. Walker Ltd	Aberdeen, New South Wales
751	Tasmeats Ltd	Camdale, Tasmania
761	R. J. Gilbertson Pty Ltd	Melbourne, Victoria
767	Metro Meat Ltd	Noarlunga, South Australia
1027	Linley Valley Meat Pty Ltd (Smorgon Consolidated Industries)	Wooroloo, Western Australia
1321	Tancred Bros Pty Ltd	Mount Isa, Queensland
1537	F. J. Walker Pty Ltd	Tennant Creek, Northern Territory

⁽¹⁾ Offal excluded.

B. Slaughterhouses

2	Queensland Meat Export Co. Pty Ltd	Townsville, Queensland
4	F. J. Walker Pty Ltd	Townsville, Queensland
218	Northwest Exports Pty Ltd	Inverell, New South Wales
294	Teys Bros (Beenleigh) Pty Ltd	Beenleigh, Queensland
398	Gunnedah Shire Abattoir	Gunnedah, New South Wales
1242	Alice Springs Abattoirs Pty Ltd	Alice Springs, Northern Territory
1265	G. & K. O'Connor Pty Ltd	Pakenham, Victoria
1471	South Australian Meat Corporation	Gepps Cross, South Australia
1912	Seecorp Pty Ltd	Lance Creek, Victoria

Approval No	Establishment	Address
C. Cutting Premises		
3 B	R. J. Gilbertson Pty Ltd	Brisbane, Queensland
84 B	T and R Pastoral Pty Ltd	Gepps Cross, South Australia
398 E	R. J. Fletcher & Co.	Gunnedah, New South Wales
521 A	Meat Producers Australia Pty Ltd	Mudgee, New South Wales
521 C	R. J. Fletcher & Co.	Mudgee, New South Wales
656	Norwest Beef Industries Ltd	Forbes, New South Wales
1009	Matador Meat Co. Pty Ltd	North Laverton, Victoria
1735	Western Australian Lamb Marketing Board	Perth, Western Australia
1793	Victorian Inland Meat Co. Pty Ltd	Melbourne, Victoria
1889	Webb Meat Exports Pty Ltd	Melbourne, Victoria
1940	Ron Sterrett & Co. Exports Pty Ltd	Perth, Western Australia

II. SHEEPMEAT AND GOATMEAT**A. Slaughterhouses and cutting premises**

55	Gosford Meats Pty Ltd	Gosford, New South Wales
151	Richardson's Meat Industries Ltd	Hobart, Tasmania
195	R. J. Gilbertson Pty Ltd	Longford, Tasmania
199	Thomas Borthwick and Sons (Australasia) Ltd	Albany, Western Australia
239	Northern Cooperative Meat Co. Ltd	Casino, New South Wales
423	S. E. Meat (Aust.) Ltd	Naracoorte, South Australia
525	Tancred Bros Pty Ltd	Beaudesert, Queensland
533	Murray Bridge Meat Pty Ltd	Murray Bridge, South Australia
556	Victorian Inland Meat Co.	Kyneton, Victoria
572	Metro Meat (Katanning) Ltd	Katanning, Western Australia
712	Western Australian Meat Commission	Fremantle, Western Australia
751	Tasmeats Ltd	Camdale, Tasmania
761	R. J. Gilbertson Pty Ltd	Melbourne, Victoria
767	Metro Meat Ltd	Noarlunga, South Australia
1027	Linley Valley Meats Pty Ltd (Smorgon Consolidated Industries)	Wooroloo, Western Australia
1614 (1)	Tatiara Meat Co. Pty Ltd	Bordertown, South Australia

(1) Offal excluded.

B. Slaughterhouses

398	Gunnedah Shire Abattoir	Gunnedah, New South Wales
642	Metro Meat (Cootamundra) Ltd	Cootamundra, New South Wales
1471	South Australian Meat Corporation	Gepps Cross, South Australia

Approval No	Establishment	Address
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C. Cutting Premises

135	Blue Ribbon Export Division	Launceston, Tasmania
398 E	R. J. Fletcher & Co.	Gunnedah, New South Wales
521 A	Meat Producers Australia Pty Ltd	Mudgee, New South Wales
521 C	R. J. Fletcher & Co.	Mudgee, New South Wales
656	Norwest Beef Industries Ltd	Forbes, New South Wales
1009	Matador Meat Co. Pty Ltd	North Laverton, Victoria
1735	Western Australian Lamb Marketing Board	Perth, Western Australia
1793	Victorian Inland Meat Co. Pty Ltd	Melbourne, Victoria
1889	Webb Meat Exports Pty Ltd	Melbourne, Victoria
1940	Ron Sterrett & Co. Exports Pty Ltd	Perth, Western Australia

III. PIGMEAT

Slaughterhouses

3 ⁽¹⁾	The Metropolitan Regional Abattoir	Brisbane, Queensland
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⁽¹⁾ The establishment is authorized, within the meaning of Article 4 of Directive 77/96/EEC, to perform the freezing treatment provided for in Article 3 of the same Directive.

IV. HORSEMEAT

Slaughterhouses and cutting premises

750	Metro Meat Ltd	Peterborough, South Australia
2174	Achilles Meats	Tennant Creek, Northern Territory

V. COLDSTORES

(Frozen packaged meat only)

47	Watson and Son Pty Ltd	Brisbane, Queensland
107	Darwin Cold Stores Pty Ltd	Darwin, Northern Territory
132	P & O Australia Ltd	Brisbane, Queensland
149	P & O Cold Storage Ltd	Melbourne, Victoria
202	Polar Cold Storage Co.	Melbourne, Victoria
216	T. A. Field Pty Ltd	Port Alma, Queensland
253	Australian Service Cold Storage Pty Ltd	Sydney, New South Wales
263	South Australian Cold Stores Ltd	Mile End South, South Australia
274 C	Moss Vale Cold Store	Moss Vale, New South Wales
291 E	James Barnes Pty Ltd	Wagga Wagga, New South Wales
492	W. Woodmason Cold Storage Pty Ltd	Sydney, New South Wales
498	South Australian Cold Stores Ltd	Ridleyton, South Australia
565	Cascade Freezers	South Hobart, Tasmania
651	Central Coast Coldstores Pty Ltd	West Gosford, New South Wales
713	Norwest Beef Industries Ltd	Wyndham, Western Australia

Approval No	Establishment	Address
721	Townsville Cold Stores Pty Ltd	Townsville, Queensland
1013	P & O Cold Storage Ltd	Perth, Western Australia
1057	Marine Board of Burnie	Burnie, Tasmania
1060	Port Adelaide Freezers Pty Ltd	Port Adelaide, South Australia
1168	Northern Cold Stores Pty Ltd	Townsville, Queensland
1190	Rego Cold Storage Pty Ltd	Scoresby, Victoria
1258	Australian Freezers Pty Ltd	Sydney, New South Wales
1331	Balhannah Cooperative Society Ltd	Balhannah, South Australia
1356	G. & K. O'Connor Pty Ltd	Melbourne, Victoria
1379	Doboy Cold Stores Pty Ltd	Brisbane, Queensland
1380	Port of Devonport Authority	Devonport, Tasmania
1439	P & O Australia Ltd	Brisbane, Queensland
1467	South Australian Cold Stores Ltd	Dry Creek, South Australia
1487	P & O Cold Storage Ltd	Fremantle, Western Australia
1617	Frigmobile Pty Ltd	Cairns, Queensland
1625	Schumacher Icecold Pty Ltd	Brisbane, Queensland
1662	A. B. Oxford Cold Storage Co. Pty Ltd	Melbourne, Victoria
1692	Marine Board of Burnie	Burnie, Tasmania
2095	Frigmobile Pty Ltd	Townsville, Queensland
2180	P. Manettas Holdings Pty Ltd	Sydney, New South Wales
2215	Melbourne Cold Storage Co.	Melbourne, Victoria
2325	Adelaide Cold Stores Pty Ltd	Cavan, South Australia
2514	Wedgewood Pastries	Sydney, New South Wales
2773	Noble Einsiedel Pty Ltd	Dandenong, Victoria
2784	V & E Lago Pty Ltd	Brisbane, Queensland

LIST OF ESTABLISHMENTS FROM WHICH FRESH MEAT MAY BE INTRODUCED INTO THE TERRITORY OF THE COMMUNITY ONLY UNTIL THE STATED DATE

Approval No	Establishment	Address
I. BOVINE MEAT		
A. Slaughterhouses and cutting premises		
128 (1)	Derby Industries Pty Ltd	Bunbury, Western Australia
1352 (2)	Lockyer Valley Abattoir	Grantham, Queensland
B. Slaughterhouses		
235 (2)	S.C.I. Meat and Paper Pty Ltd	Dinmore, Queensland
521 (1) (2)	Mudgee Regional Abattoir	Mudgee, New South Wales
C. Cutting premises		
1618 (2)	Cisco's Meats Pty Ltd	Melbourne, Victoria

Approval No	Establishment	Address
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II. SHEEPMEAT AND GOATMEAT**A. Slaughterhouse and cutting premises**

128 ⁽¹⁾	Derby Industries Pty Ltd	Bunbury, Western Australia
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B. Slaughterhouse

521 ⁽¹⁾	Mudgee Regional Abattoir	Mudgee, New South Wales
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C. Cutting premises

1618 ⁽²⁾	Cisco's Meats Pty Ltd	Melbourne, Victoria
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III. HORSEMEAT**Slaughterhouse and cutting premises**

241 ⁽¹⁾	Fountain Selected Meats Pty Ltd	Bourke, New South Wales
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IV. COLD STORE

130 ⁽²⁾	Midland Export (1980) Pty Ltd	Perth, Western Australia
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⁽¹⁾ Until 31 July 1986.⁽²⁾ Until 31 March 1986.⁽³⁾ Offal excluded.