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Commission

86/37/EEC, ECSC :

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 - Council Regulation (EEC) No 485/85,
 - Council Regulation (EEC) No 486/85,
 - Council Decision 85/159/EEC,
 - Decision 85/160/ECSC of the representatives of the Government of the Member States of the European Coal and Steel Community, meeting within the Council of 26 February 1985

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 527/86**of 28 February 1986****fixing the corrective amount applicable to the refund on cereals**

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⁾,

Having regard to 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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

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⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation 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 exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 Council Regulation (EEC) No 1676/85⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽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.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		3	4	5	6	7	8	9
10.01 B I	Common wheat and meslin for exports to:							
	— China	0	+ 6,00	+ 5,00	+ 4,00	— 30,00	— 30,00	— 30,00
	— other third countries	0	0	— 1,00	— 2,00	— 36,00	— 36,00	— 36,00
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	— 30,00	— 30,00	— 30,00	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

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 528/86

of 28 February 1986

fixing the corrective amount applicable to the refund 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 Council Regulation (EEC) No 3793/85⁽²⁾,

Having regard to 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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

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⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 Council Regulation (EEC) No 1676/85⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent, and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 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 L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ 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, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the corrective amount applicable to the refund on malt

CCT heading No	(ECU/tonne)					
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	0
11.07 B	0	0	0	0	0	0

CCT heading No	(ECU/tonne)					
	6th period 9	7th period 10	8th period 11	9th period 12	10th period 1	11th period 2
11.07 A I a)	0	0	0	0	0	0
11.07 A I b)	0	0	0	0	0	0
11.07 A II a)	0	0	0	0	0	0
11.07 A II b)	0	0	0	0	0	0
11.07 B	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 529/86
of 28 February 1986
fixing the aid for soya beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, and in particular Article 2 (7) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 2 (1) of Regulation (EEC) No 1491/85, aid is to be granted for soya beans harvested within the Community where the guide price for a marketing year exceeds the world price; whereas the said aid is to be equal to the difference between those two prices;

Whereas the guide price for soya beans for the 1985/86 marketing year was fixed by Council Regulation (EEC) No 1492/85 ⁽²⁾; whereas for Spain and for Portugal this price was fixed by Council Regulation (EEC) No 455/86 ⁽³⁾; whereas pursuant to Articles 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal aid for soya beans harvested in these two Member States is to be introduced from the beginning of the 1986/87 marketing year;

Whereas, pursuant to Council Regulation (EEC) No 2194/85 of 25 July 1985 adopting general rules concerning special measures for soya beans ⁽⁴⁾, the world price for soya beans is to be determined on the basis of the most favourable actual purchasing possibility, with the exception of offers and prices which may not be considered as representative of the actual market trend; whereas account is to be taken of offers made on the world market as well as the prices quoted on exchanges which are important in terms of international trade;

Whereas, pursuant to Commission Regulation (EEC) No 2329/85 of 12 August 1985 laying down detailed rules for the application of the special measures for soya beans ⁽⁵⁾, as last amended by Regulation (EEC) No 3761/85 ⁽⁶⁾, the

world market price is to be fixed per 100 kilograms and calculated on the basis of the most favourable offers and quotations for delivery within 30 days following the date when the said offers and quotations were recorded;

Whereas, where the offers and quotations do not comply with the said conditions, the necessary adjustments must be carried out, particularly those referred to in Article 2 of Regulation (EEC) No 2329/85;

Whereas, if the said system is to operate normally, aid 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 ⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the aid rate applying during the marketing year shall be fixed twice a month in time to be applied from the first and the 16th day of each month;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the subsidy on soya beans should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of Regulation (EEC) No 1491/85 is hereby fixed at 35,989 ECU per 100 kilograms in the Member States of the Community as constituted on 31 December 1985.

Article 2

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 17.

⁽³⁾ OJ No L 53, 1. 3. 1986.

⁽⁴⁾ OJ No L 204, 2. 8. 1985, p. 1.

⁽⁵⁾ OJ No L 218, 15. 8. 1985, p. 16.

⁽⁶⁾ OJ No L 356, 31. 12. 1985, p. 66.

⁽⁷⁾ 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, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 530/86
of 28 February 1986
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽¹⁾, as last amended by Regulation (EEC) No 1976/85 ⁽²⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for the 1985/86 marketing year was fixed by Council Regulation (EEC) No 1500/85 ⁽³⁾; whereas for Spain this price was fixed by Council Regulation (EEC) No 459/86 ⁽⁴⁾;

Whereas Article 1 of Council Regulation (EEC) No 486/86 of 25 February 1986 making special arrangements for the granting of the cotton production aid in Spain during the period 1 March to 31 August 1986 ⁽⁵⁾ states that the rules of implementation for the cotton production aid that are in force in Spain for the 1985/86 marketing year are to remain applicable for the period 1 March to 31 August 1986;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community

harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 2183/81 of 30 July 1981 laying down rules implementing the system of aid for cotton ⁽⁶⁾, as last amended by Regulation (EEC) No 2428/85 ⁽⁷⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 2183/81; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend; whereas, with regard to cotton seed, account must be taken of the offers and quotations recorded on the principal markets in Greece;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, under Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, this price is to be established on the basis of the value of the products obtained from the processing of those seeds, less the cost of crushing; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 2183/81;

Whereas, if the subsidy system is to operate normally, subsidies 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 ⁽⁸⁾,

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 186, 19. 7. 1985, p. 1.

⁽³⁾ OJ No L 151, 10. 6. 1985, p. 25.

⁽⁴⁾ OJ No L 53, 1. 3. 1986.

⁽⁵⁾ OJ No L 54, 1. 3. 1986.

⁽⁶⁾ OJ No L 211, 31. 7. 1981, p. 35.

⁽⁷⁾ OJ No L 230, 29. 8. 1985, p. 12.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

— 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 aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginning cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU per 100 kilograms.
2. The aid in Spain for cotton produced in that country shall however be that granted under the national arrangements.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 531/86

of 28 February 1986

fixing the export refunds 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 the Act of Accession of Spain and Portugal,

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 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 the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide 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⁽⁴⁾, and Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976⁽⁵⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide 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, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice 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 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁶⁾, as last amended by Regulation (EEC) No 1027/84⁽⁷⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Regulation (EEC) No 1077/68⁽⁸⁾, as amended by Regulation (EEC) No 2764/71⁽⁹⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

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 when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽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 281, 1. 11. 1975, p. 78.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁷⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁸⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽⁹⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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 destination;

Whereas Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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 for a given period in relation 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, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (ECU/tonne)
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	164,84
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	141,05
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight (7)	154,87
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight (7)	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II) (7)	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	170,33
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	141,05
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight (1) (8)	199,12
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight (1) (8)	154,87
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1,3 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight (1) (8)	132,74
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight (2)	164,84
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) (2)	—
11.02 B I a) 2 (aa)	Clipped oats	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of tegument content not exceeding 0,5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated (?)	125,38
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) (?)	—
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grutten') (?)	164,84
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') (?)	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') (?)	133,21
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') (?)	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled (?)	—
11.02 B II c) (1)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('Gruetze' or 'Grutten') (?) (?)	165,93
11.02 B II c) (2)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ('Gruetze' or 'Grutten') (?) (?)	127,21
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category (?)	219,78
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category (?)	175,82
11.02 C IV	Pearled oats (?)	—
11.02 D I	Wheat not otherwise worked than kibbled	84,00
11.02 D II	Rye not otherwise worked than kibbled	105,00
11.02 E I b) 1 (aa)	Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	164,84
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	156,72
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	125,38
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	176,99

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	143,81
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	27,50
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	27,66
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	195,80
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	195,60
11.08 A I	Maize starch (*)	146,85
11.08 A II	Rice starch (*)	200,26
11.08 A III	Wheat starch (*)	180,86
11.08 A IV	Potato starch (*)	146,85
11.08 A V	Starches other than maize, rice, wheat, or potato starch (*)	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6,25$)	220,32
17.02 B II a)	Glucose and malto-dextrine, other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated (*)	191,54
17.02 B II b)	Malto-dextrine and malto-dextrine syrup; glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated (*)	146,85
17.02 F II a)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, in the form of powder, whether or not agglomerated	200,66
17.02 F II b)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, other than in the form of powder	139,55
21.07 F II	Flavoured or coloured glucose syrup, and malto-dextrine syrup	146,85
23.02 A I a)	Brans sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	26,44
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	26,44
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1,5 % by weight	26,44
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	26,44
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6,25$)	72,96

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- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (⁵) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (⁶) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
- (⁷) The analytical method to be used for the determination of the fatty matter content is that printed in Annex I (method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
- (⁸) The procedure to be followed for the determination of the fatty matter content is as follows :
- the sample has to be crushed so that 90 % or more can pass through a sieve with an aperture of 500 microns and 100 % can pass through a sieve with an aperture of 1 000 microns,
 - the analytical method to be used afterwards is that which is printed in Annex I (Method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
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COMMISSION REGULATION (EEC) No 532/86
of 28 February 1986
fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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 that Regulation 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 other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽⁴⁾, as amended by

Regulation (EEC) No 2560/77 ⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs ⁽⁶⁾, as last amended by Regulation (EEC) No 537/83 ⁽⁷⁾, provides that calculation of the export refund must be based on the average of the refunds granted on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the month of exportation and on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice ⁽⁸⁾, as amended by Regulation (EEC) No 3817/85 ⁽⁹⁾, should be used;

⁽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. 60.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.
⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.
⁽⁷⁾ OJ No L 63, 9. 3. 1983, p. 10.
⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.
⁽⁹⁾ OJ No L 368, 31. 12. 1985, p. 16.

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⁽¹⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case

of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund		
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I):			
		Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:			
	0510	— Exceeding 5 % but not exceeding 10 %	6,00 ⁽²⁾	5,92 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	1010	— Exceeding 10 % but not exceeding 20 %	12,00 ⁽²⁾	11,84 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	2010	— Exceeding 20 % but not exceeding 30 %	24,00 ⁽²⁾	23,68 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	3010	— Exceeding 30 % but not exceeding 40 %	36,01 ⁽²⁾	35,51 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	4010	— Exceeding 40 % but not exceeding 50 %	48,01 ⁽²⁾	47,35 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	5010	— Exceeding 50 % but not exceeding 60 %	60,01 ⁽²⁾	59,19 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	6010	— Exceeding 60 % but not exceeding 70 %	72,01 ⁽²⁾	71,03 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾
	7010	— Exceeding 70 %	78,56 ⁽²⁾	77,49 ⁽²⁾ ⁽³⁾	— ⁽⁴⁾

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

⁽²⁾ For exports to Zones A, B, C, D and E specified in Annex II to Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 501/85.

⁽³⁾ Minimum content of maize and/or sorghum exceeding: 0510: 5 %; 1010: 10 %; 2010: 20 %; 3010: 30 %; 4010: 40 %; 5010: 50 %; 6010: 60 %; 7010: 60 %.

In so far as this minimum is observed, these refunds shall, at the request of the party concerned, also apply where the cereal products' content exceeds the maximum specified on the same line.

⁽⁴⁾ For export to other third countries.

COMMISSION REGULATION (EEC) No 533/86

of 28 February 1986

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Regulation (EEC) No 2727/75⁽⁵⁾, as amended by Regulation (EEC) No 3793/85⁽⁶⁾, for the fixing of the import levy on the products falling within subheading 17.02 B II of the Common Customs Tariff, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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⁽⁷⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

— 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 it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:		
	C. Maple sugar and other syrup	0,4901	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine):		
	I. Isoglucose	—	58,68
	ex II. Other	0,4901	—
	E. Artificial honey, whether or not mixed with natural honey	0,4901	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4901	—
21.07	Food preparations not elsewhere specified or included:		
	F. Flavoured or coloured sugar syrups:		
	III. Isoglucose	—	58,68
	IV. Other	0,4901	—

COMMISSION REGULATION (EEC) No 534/86

of 28 February 1986

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the

chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 17.02 B II a) of the Common Customs Tariff and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;

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⁽⁹⁾;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

— 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situa-

tion and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	42,62
	ex II. Other, excluding sorbose	0,4262	—
	E. Artificial honey, whether or not mixed with natural honey	0,4262	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4262	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	42,62
	IV. Other (other than lactose, glucose and malto-dextrine syrups)	0,4262	—

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 535/86
of 28 February 1986
fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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⁾,

Having regard to Council Regulation No 171/67/EEC of 27 June 1967 on export refunds and levies on olive oil⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first sentence of Article 7 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations No 171/67/EEC and (EEC) No 616/72⁽⁵⁾, as last amended by Regulation (EEC) No 2962/77⁽⁶⁾;

Whereas Article 2 of Regulation No 171/67/EEC provides that the refund must be the same for the whole Community;

Whereas Article 3 of Regulation No 171/67/EEC provides that when the refund on olive oil is being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of olive oil on the Community market and prices for olive oil on the world market,
- the aims of the common organization of the market in olive oil 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, furthermore, Article 4 of Regulation No 171/67/EEC provides that the said refund must be fixed in accordance with the following criteria:

- the olive oil prices in the main producing areas of the Community,
- the most favourable quotations recorded on the various markets of importing third countries, and
- the marketing costs and the most favourable transport charges from Community markets in the main producing areas to ports or other points of export in the Community, as well as costs incurred in placing the goods on the world market;

Whereas Article 5 of Regulation No 171/67/EEC provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 7 of Regulation No 171/67/EEC provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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⁽⁷⁾,

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No 130, 28. 6. 1967, p. 2600/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁶⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

— 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, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on olive oil

CCT heading No	Description	(ECU/100 kg) Refund
15.07 A I (a)	Fixed vegetable oils, fluid or solid, crude, refined or purified : Olive oil : Untreated : Virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	67,00
II (a)	Other : Obtained by processing oils falling within subheading 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	67,00

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 536/86

of 28 February 1986

fixing 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 3793/85 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice ⁽⁵⁾, as last amended by Regulation (EEC) No 1027/84 ⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas the 1985/86 marketing year for cereals other than durum wheat begins on 1 August 1985; whereas the Council has not, to date, adopted prices for these products for the 1985/86 marketing year; whereas the Commission, in compliance with the tasks entrusted to it by the Treaty, is obliged to adopt the precautionary measures

essential to ensure continuity of operation of the common agricultural policy in the cereals sector;

Whereas, in order to ensure continuity of operation of the import arrangements for cereals, the prices set in Article 2 of Regulation (EEC) No 2124/85 ⁽⁷⁾, should be used for calculation of the levies on processed products; whereas these prices will be adjusted, beginning on 1 September 1985, by amounts equal to the monthly increases fixed by Regulation (EEC) No 1020/84;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals ⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁹⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Regulation (EEC) No 1921/75 ⁽¹⁰⁾, as amended by Regulation (EEC) No 2415/75 ⁽¹¹⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Regulation (EEC) No 2742/75 ⁽¹²⁾, as last amended by Regulation (EEC) No 1499/85 ⁽¹³⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in respect of products falling within subheading 07.06 A of the Common Customs Tariff, Council Regulation (EEC) No 604/83 of 14 March 1983 on the import

⁽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 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁷⁾ OJ No L 198, 30. 7. 1985, p. 31.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹¹⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹²⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹³⁾ OJ No L 151, 10. 6. 1985, p. 24.

system applicable in 1983 to 1986 to products falling within subheading 07.06 A of the Common Customs Tariff and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽¹⁾ lays down the terms on which the import levy may be charged at 6 % *ad valorem* and provides for the Common Customs Tariff to be amended accordingly ;

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⁽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, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession ; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and

Portugal⁽³⁾, the same arrangements are to be applied in the case of Spain ; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation 156/67/EEC and taking into account the situation with regard to market prices in Portugal ; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy ;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and 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 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 72, 18. 3. 1983, p. 3.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 7.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the import levies on products
processed from cereals and rice

CCT heading No	(ECU/tonne)	
	Imports	
	Portugal	Third countries
07.06 A I	29,60	146,81 ⁽¹⁾
07.06 A II	32,62	149,83 ⁽¹⁾
11.01 C ⁽²⁾	59,32	270,30
11.01 D ⁽²⁾	133,16	240,62
11.01 E I ⁽²⁾	6,04	232,16
11.01 E II ⁽²⁾	3,02	131,15
11.01 F ⁽²⁾	32,28	168,02
11.01 G ⁽²⁾	3,02	140,70
11.02 A II ⁽²⁾	68,81	250,93
11.02 A III ⁽²⁾	59,32	270,30
11.02 A IV ⁽²⁾	133,16	240,62
11.02 A V a) 1 ⁽²⁾	6,04	197,22
11.02 A V a) 2 ⁽²⁾	6,04	232,16
11.02 A V b) ⁽²⁾	3,02	131,15
11.02 A VI ⁽²⁾	32,28	168,02
11.02 A VII ⁽²⁾	3,02	140,70
11.02 B I a) 1 ⁽²⁾	50,38	237,92
11.02 B I a) 2 aa)	75,05	135,95
11.02 B I a) 2 bb) ⁽²⁾	130,14	237,60
11.02 B I b) 1 ⁽²⁾	50,38	237,92
11.02 B I b) 2 ⁽²⁾	130,14	237,60
11.02 B II a) ⁽²⁾	3,02	213,25
11.02 B II b) ⁽²⁾	49,40	183,97
11.02 B II c) ⁽²⁾	3,02	204,01
11.02 B II d) ⁽²⁾	3,02	218,99
11.02 C I ⁽²⁾	3,02	255,93
11.02 C II ⁽²⁾	58,81	220,70
11.02 C III ⁽²⁾	80,04	373,07
11.02 C IV ⁽²⁾	116,01	211,53
11.02 C V ⁽²⁾	3,02	204,01
11.02 C VI ⁽²⁾	3,02	218,99
11.02 D I ⁽²⁾	3,02	164,25
11.02 D II ⁽²⁾	38,59	141,79
11.02 D III ⁽²⁾	33,21	152,77
11.02 D IV ⁽²⁾	75,05	135,95
11.02 D V ⁽²⁾	3,02	131,15
11.02 D VI ⁽²⁾	3,02	140,70
11.02 E I a) 1 ⁽²⁾	33,21	152,77
11.02 E I a) 2 ⁽²⁾	75,05	135,95
11.02 E I b) 1 ⁽²⁾	65,24	299,66
11.02 E I b) 2 ⁽²⁾	147,28	266,68
11.02 E II a) ⁽²⁾	6,04	290,57
11.02 E II b) ⁽²⁾	68,81	250,93
11.02 E II c) ⁽²⁾	6,04	232,16
11.02 E II d) 1 ⁽²⁾	55,72	286,23
11.02 E II d) 2 ⁽²⁾	6,04	249,00
11.02 F I ⁽²⁾	6,04	290,57
11.02 F II ⁽²⁾	68,81	250,93
11.02 F III ⁽²⁾	59,32	270,30
11.02 F IV ⁽²⁾	133,16	240,62

CCT heading No	(ECU/tonne)	
	Imports	
	Portugal	Third countries
11.02 F V ⁽²⁾	6,04	232,16
11.02 F VI ⁽²⁾	32,28	168,02
11.02 F VII ⁽²⁾	3,02	140,70
11.02 G I	6,04	124,59
11.02 G II	6,04	100,26
11.04 C I	32,62	149,83
11.04 C II a)	20,55	191,55
11.04 C II b)	20,55	222,80
11.07 A I a)	10,88	292,24
11.07 A I b)	10,88	221,11
11.07 A II a)	63,57	272,20 ⁽⁴⁾
11.07 A II b)	50,25	206,14
11.07 B	56,76	238,44 ⁽⁴⁾
11.08 A I	20,55	191,55
11.08 A II	72,78	231,09
11.08 A III	20,55	307,17
11.08 A IV	20,55	191,55
11.08 A V	20,55	191,55
11.09	181,34	702,46
17.02 B II a) ⁽³⁾	96,72	319,76
17.02 B II b) ⁽³⁾	66,49	237,49
17.02 F II a)	96,72	330,38
17.02 F II b)	66,49	228,99
21.07 F II	66,49	237,49
23.02 A I a)	10,14	66,27
23.02 A I b)	14,88	135,15
23.02 A II a)	10,14	66,27
23.02 A II b)	14,88	135,15
23.03 A I	181,34	393,76

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

⁽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.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

COMMISSION REGULATION (EEC) No 537/86

of 28 February 1986

fixing the import levies on compound feedingstuffs

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 the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs ⁽³⁾, as amended by Regulation (EEC) No 2560/77 ⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the 1985/86 marketing year for cereals other than durum wheat begins on 1 August 1985; whereas the Council has not, to date, adopted prices for these products for the 1985/86 marketing year; whereas the Commission, in compliance with the tasks entrusted to it by the Treaty, is obliged to adopt the precautionary measures essential to ensure continuity of operation of the common agricultural policy in the cereals sector;

Whereas, in order to ensure continuity of operation of the import arrangements for cereals, the prices set in Article 2 of Regulation (EEC) No 2124/85 ⁽⁵⁾, should be used for calculation of the levies on processed products; whereas these prices will be adjusted, beginning on 1 September 1985, by amounts equal to the monthly increases fixed by Regulation (EEC) No 1020/84;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985

must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal ⁽⁶⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation 156/67/EEC and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

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 ⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 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. 60.

⁽⁴⁾ OJ No L 303, 28. 11. 1977, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1985, p. 31.

⁽⁶⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁷⁾ 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, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the import levies on compound feedingstuffs

(ECU / tonne)

CCT heading No	Nomenclature in simplified wording	Levies	
		Portugal	Third countries
	Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 968/68, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II, or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04, and subheadings 17.02 A and 21.07 F I) containing starch, glucose or glucose syrup :		
	Containing no starch or containing 10 % or less by weight of starch :		
23.07 B I a) 1	— Containing no milk products or containing less than 10 % by weight of such products	30,98	10,88
23.07 B I a) 2	— Containing 10 % or more but less than 50 % by weight of milk products	792,79	10,88
	Containing more than 10 % but not more than 30 % by weight of starch :		
23.07 B I b) 1	— Containing no milk products or containing less than 10 % by weight of such products	73,69	10,88
23.07 B I b) 2	— Containing 10 % or more but less than 50 % by weight of milk products	835,50	10,88
	Containing more than 30 % by weight of starch :		
23.07 B I c) 1	— Containing no milk products or containing less than 10 % by weight of such products	136,50	10,88
23.07 B I c) 2	— Containing 10 % or more but less than 50 % by weight of milk products	898,31	10,88

COMMISSION REGULATION (EEC) No 538/86

of 28 February 1986

fixing the rates of the refunds applicable from 1 March 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

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 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 1982/85⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by the Act of Accession⁽⁶⁾;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EEC) No 23/86⁽⁸⁾, Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83⁽⁹⁾ and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽¹⁰⁾, as last amended by Regulation (EEC) No 453/85⁽¹¹⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 5, 8. 1. 1986, p. 5.

⁽⁹⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽¹⁰⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽¹¹⁾ OJ No L 52, 22. 2. 1985, p. 40.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable from 1 March 1986 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No

804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the rates of the refunds applicable from 1 March 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	(ECU/100 kg) Rate of refund
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CCT heading No 35.01 b) On exportation of other goods	— 85,86
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	116,10
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7,5 % and a content by weight in dry matter equal to 25 % (PG 4)	30,65
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 442/84 and (EEC) No 1932/81 b) On exportation of goods of CCT subheadings 21.07 G VII to IX c) On exportation of other goods	— 194,45 181,45

COMMISSION REGULATION (EEC) No 539/86

of 28 February 1986

fixing the rates of the refunds applicable from 1 March 1986 to certain products
in the sugar sector exported in the form of goods not covered by Annex II to the
Treaty

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 Regula-
tion (EEC) No 3768/85 ⁽²⁾, and in particular Article 19 (1)
and (2) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No
1785/81 provides that for the products listed in Article 1
(1) (a), (c), (d), (g) and (h) of that Regulation an export
refund may be granted when these goods are exported in
the form of goods listed in Annex I of that same Regula-
tion; whereas Council Regulation (EEC) No 3035/80 of
11 November 1980 laying down general rules for granting
export refunds for certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds ⁽³⁾, as last amended by Regulation (EEC) No
1982/85 ⁽⁴⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products on the
Community market and the prices ruling on the
world market;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those

which use third country products under inward
processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80
provides that, when the rate of the refund is being fixed,
account should be taken, where appropriate, of refunds,
aids or other measures having equivalent effect applicable
in all Member States in accordance with the Regulation
on the common organization of the market in the
product in question to the basic products listed in Annex
A to that Regulation or to assimilated products;

Whereas a production refund is granted in respect of
white sugar or raw sugar under the conditions laid down
in Council Regulation (EEC) No 1400/78 of 20 June
laying down general rules for the production refund on
sugar used in the chemical industry ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 1 March 1986 to
the basic products appearing in Annex A to Regulation
(EEC) No 3035/80 and listed in Article 1 (1) and (2) of
Regulation (EEC) No 1785/81, exported in the form of
goods listed in Annex I to Regulation (EEC) No 1785/81,
are fixed as shown:

- (a) in Table A of the Annex hereto for those same goods
in so far as they have not benefited from the granting
of a production refund provided for by Regulation
(EEC) No 1400/78;
- (b) in Table B of the Annex hereto for goods other than
those mentioned under (a).

Article 2

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁵⁾ OJ No L 170, 27. 6. 1978, p. 9.

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

Done at Brussels, 28 February 1986.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the rates of the refunds applicable from 1 March 1986 to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Table A

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	42,62
	Raw sugar:	37,89
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$42,62 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose or flavoured or coloured isoglucose syrups:	42,62 ⁽²⁾

Table B

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	42,62
	Raw sugar:	37,89
	Syrups of beet sugar or cane sugar containing, in the dry state, 98 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$42,62 \times \frac{S^{(1)}}{100}^{(3)}$
	Molasses:	—

⁽¹⁾ 'S' represents the weight of sucrose (including invert sugar expressed as sucrose) in 100 kilograms of syrup.

⁽²⁾ Amount of refund for 100 kilograms of dry matter.

⁽³⁾ This amount must be reduced by the amount of the production refund in force at the time of exportation.

COMMISSION REGULATION (EEC) No 540/86

of 27 February 1986

on the amount of the refunds to be granted on exportation of cereals to certain destinations

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 3768/85⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas when supplies of the categories specified in Article 5 of Commission Regulation (EEC) No 2730/79⁽³⁾, as last amended by Regulation (EEC) No 568/85⁽⁴⁾, are made, the goods are treated as exports from the Community; whereas the refunds applicable on exports of common wheat flour should therefore be granted when supplies of it fall within any of these categories;

Whereas the provision enacted below should apply in respect of certificates fixing the refund in advance from 1 November 1985 onwards and of exports made from that date onwards;

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 refund applicable shall be granted on any supply of common wheat flour of subheading 11.01 A of the Common Customs Tariff that falls within any of the supply categories specified in Article 5 of Regulation (EEC) No 2730/79.

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 the effect from 1 November 1985.

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

Done at Brussels, 27 February 1986

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 65, 6. 3. 1985, p. 5.

COMMISSION REGULATION (EEC) No 541/86
of 27 February 1986
amending for the second time Regulation (EEC) No 1795/85 fixing
countervailing charges on seeds

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

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

Whereas Commission Regulation (EEC) No 1795/85⁽³⁾,
as amended by Regulation (EEC) No 238/86⁽⁴⁾, fixed
countervailing charges on seeds in respect of a certain
type of hybrid maize for sowing;

Whereas, since that time, a significant variation has been
recorded in the free-at-frontier offer prices which, under
the terms of Article 4 (2) of Commission Regulation
(EEC) No 1665/72⁽⁵⁾, requires that these charges be
amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1795/85 is replaced
by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 27 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 50.

⁽⁴⁾ OJ No L 29, 4. 2. 1986, p. 17.

⁽⁵⁾ OJ No L 175, 2. 8. 1972, p. 49.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CCT heading number	Description	Amount of countervailing charge (%)	Country of origin
ex 10.05	Maize :		
	A. Hybrid for sowing :		
	I. Double hybrids and top cross hybrids	0,8 27,6 27,6	Hungary Romania Other countries ⁽²⁾
	II. Three cross hybrids	0,7 1,5 39,0 39,0	Yugoslavia Hungary Romania Other countries ⁽³⁾
	III. Single hybrids	9,6 39,5 47,6 79,0 79,0	Hungary Austria Canada Yugoslavia Other countries ⁽⁴⁾

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value with the exception of Spain and Portugal.

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

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

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

COMMISSION REGULATION (EEC) No 542/86

of 28 February 1986

allocating among the Member States the quantity of preserved cultivated mushrooms that can be imported free of the additional amount in 1986

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾,

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures applicable to imports of preserved cultivated mushrooms⁽²⁾, and in particular Article 6 thereof,

Whereas Article 1 of Commission Regulation (EEC) No 3433/81⁽³⁾, as last amended by Regulation (EEC) No 3294/85⁽⁴⁾, states that the quantity fixed in Article 3 of Regulation (EEC) No 1796/81 is for each calendar year to be allocated among the Member States; whereas the allocation may be revised on the basis of information on the

quantities for which import licences have been issued in the period to 30 June of the year in question;

Whereas under the terms of Article 394 (1) of the Act of Accession the Community rules on production of and trade in agricultural products are to apply in the new Member States from 1 March 1986;

Whereas Commission Regulation (EEC) No 3776/85⁽⁵⁾ made a temporary allocation among the Member States except Spain and Portugal for the period 1 January to 28 February 1986; whereas the quantities for which import licences have been issued during that period are not precisely known; whereas a new allocation among the Member States for the period 1 January to 31 December 1986 incorporating the quantities set out in Regulation (EEC) No 3776/85 should be made;

Whereas import licences may be issued in Spain and Portugal only from 1 March 1986 onwards; whereas Spain and Portugal should be allocated quantities for the period 1 March to 31 December 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantity fixed by Article 3 of Regulation (EEC) No 1796/81 is hereby allocated as follows:

(a) For the Community as constituted on 31 December 1985 for the period 1 January to 31 December 1986:

		<i>(net weight in tonnes)</i>				
Importing country	Country of origin	China	South Korea	Taiwan	Hong Kong	Other
Belgium	}	268	—	48	—	—
Luxembourg						
Denmark		855	20	—	—	—
Germany		25 933	2 960	1 819	433	1 565
Greece		15	5	137	—	20
France		10	—	18	—	2
Ireland		—	—	—	—	—
Italy		—	—	25	—	—
Netherlands		61	15	58	—	—
United Kingdom		87	—	201	—	—

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽³⁾ OJ No L 346, 2. 12. 1981, p. 5.

⁽⁴⁾ OJ No L 316, 27. 12. 1985, p. 23.

⁽⁵⁾ OJ No L 360, 31. 12. 1985, p. 29.

(b) For Spain and for Portugal for the period 1 March to 31 December 1986 :

(net weight in tonnes)

Country of origin Importing country	China	South Korea	Taiwan	Hong Kong	Other
Spain	3	—	10	—	—
Portugal	—	—	—	1	—

Article 2

The Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 543/86

of 28 February 1986

laying down methods of measuring sugar in products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, and in particular Article 10 (10) thereof,

Whereas Article 10 (7) of Regulation (EEC) No 426/86 lays down that added sugar content for the products listed in Annex III of the Regulation means the reading obtained by using a refractometer, multiplied by a coefficient and reduced by a specific figure ;

Whereas to ensure uniform determination of the sugar content, the methods of using the refractometer should be defined ;

Whereas the methods so determined replace those previously provided for in Annex III of Council Regulation (EEC) No 516/77 ⁽²⁾, this Regulation being repeated by Regulation (EEC) No 426/86 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The refractometer method to be used for determining sugar content for the products listed in Annex III of Regulation (EEC) No 426/86 shall be as indicated in the Annex.

Article 2

References to Annex III of Regulation (EEC) No 516/77 shall be construed as references to the Annex to this Regulation.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 73, 21. 3. 1977, p. 1.

ANNEX

METHOD OF MEASURING DRY SOLUBLE RESIDUE IN PRODUCTS PROCESSED FROM FRUIT AND VEGETABLES BY REFRACTOMETRY**I. Field of application**

Application of this method is related to the quantity of sugar present in the product analyzed. The presence of amino acids, salts of organic acids, flavonoids and mineral substances alters the refractive index.

II. Definition

Dry soluble residue (determined by refractometry) means the percentage weight of sucrose in an aqueous solution of sucrose which, under given conditions of preparation and a given temperature, has the same refractive index as the product analyzed. This percentage is expressed in grams per 100 grams.

III. Principle

Deduction of the dry soluble residue content of a product from its refractive index.

IV. Apparatus

Abbe-type refractometer

This apparatus must have a scale indicating the percentage weight of sugar to the nearest 0,1 %. It must be so constructed that samples can be introduced easily and quickly. It must be easy to clean.

The refractometer must have a thermometer with a scale extending from at least $+15^{\circ}\text{C}$ to $+25^{\circ}\text{C}$. It must also have a water circulator enabling measurements to be made at a temperature of $+20^{\circ}\text{C} \pm 5^{\circ}\text{C}$.

Operating instructions for this apparatus, and in particular those dealing with calibration and light source, must be strictly followed.

V. Method**1. Preparation of sample****1.1. Liquid and limpid products**

Mix carefully and proceed to determination

1.2. Semi-dense products, purées, fruit juices with matter in suspension.

Carefully mix an average laboratory sample and then homogenize. Strain part of the sample through dry gauze folded in four, remove the first drops and proceed to determination on the filtrate.

1.3. Dense products (jams and jellies)

If the homogenized product cannot be used directly, weigh 40 g of the product to the nearest 0,01 g in 250 ml beaker and add 100 ml of distilled water.

Boil gently for two or three minutes, stirring with a glass rod.

Cool, decant contents of the beaker into a graduated 200 ml flask, bring up to the required level with distilled water and mix carefully. Allow to stand for 20 minutes, then strain through a folded filter or a Büchner funnel.

Make determination on the filtrate

1.4. Frozen products

Defrost and remove stones or pips and cores. Mix the product with the liquid formed during defrosting and proceed as in 1.2 or 1.3.

1.5. Dry products containing whole fruit or pieces of fruit

Cut part of the laboratory sample into small pieces, remove stones or pips and cores and mix carefully.

Weigh 10 to 20 g of the product to the nearest 0,01 g in a beaker. Add distilled water to at least five times the weight of the product. Heat in a water bath for 30 minutes, stirring occasionally with a glass rod. When cool homogenize contents of the beaker and pour into a graduated 100 to 250 ml measuring flask (depending on the size of the sample). Bring to the required level and mix carefully. After 20 minutes filter into a dry container and make determination on the filtrate.

2. Determination

Bring the sample to the measurement temperature (+ 20 °C) by immersing the container in a water bath of the required temperature.

Place a small sample on the lower prism of the refractometer, taking care to ensure that the sample covers the glass surface uniformly when the prisms are pressed against each other. Measure in accordance with the operating instructions for the apparatus used.

Read the percentage weight of sucrose to the nearest 0,1 %.

Make at least two determinations on the same prepared sample.

VI. Expression of results

Calculation and formulation

The dry soluble residue content, conventionally expressed in grams of sucrose per 100 grams of product, is calculated as follows: The percentage sucrose content indicated by refractometry is used direct. If the reading is made at a temperature other than + 20 °C, correct as indicated in the attached table.

If measurement has been made on a dilute solution, the dry soluble residue is equal to

$$M \times \frac{100}{E}$$

M being the weight (in grams) of dry soluble residue per 100 grams of product indicated by the refractometer and E the weight (in grams) of product per 100 ml of solution.

Corrections when determination is made at a temperature other than 20 °C

Temperature °C	Sucrose in grams per 100 grams of product									
	5	10	15	20	30	40	50	60	70	75
Subtract										
15	0,25	0,27	0,31	0,31	0,34	0,35	0,36	0,37	0,36	0,36
16	0,21	0,23	0,27	0,27	0,29	0,31	0,31	0,32	0,31	0,23
17	0,16	0,18	0,20	0,20	0,22	0,23	0,23	0,23	0,20	0,17
18	0,11	0,12	0,14	0,15	0,16	0,16	0,15	0,12	0,12	0,09
19	0,06	0,07	0,08	0,08	0,08	0,09	0,09	0,08	0,07	0,05
Add										
21	0,06	0,07	0,07	0,07	0,07	0,07	0,07	0,07	0,07	0,07
22	0,12	0,14	0,14	0,14	0,14	0,14	0,14	0,14	0,14	0,14
23	0,18	0,20	0,20	0,21	0,21	0,21	0,21	0,22	0,22	0,22
24	0,24	0,26	0,26	0,27	0,28	0,28	0,28	0,28	0,29	0,29
25	0,30	0,32	0,32	0,34	0,36	0,36	0,36	0,36	0,36	0,37

The temperature may not vary by more than ± 5 °C from 20 °C.

COMMISSION REGULATION (EEC) No 544/86**of 27 February 1986****opening tariff quotas for fishery products coming from joint ventures set up
between natural or legal persons from Spain and from other countries**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 168 thereof,

Whereas Article 168 of the Act of Accession provides for the gradual elimination of the exemptions, suspensions or tariff quotas granted by Spain for fishery products coming from joint ventures set up between natural or legal persons from Spain and from other countries ;

Whereas annual quotas should be opened corresponding to such progressive elimination, for each tariff heading or subheading, subject to the overall quantities provided for in the Act of Accession ;

Whereas, within the framework of these overall quantities, the quotas per tariff heading or subheading are allocated proportionally according to the scheme applicable in 1983 ;

Whereas provision should be made for the supply of information to the Commission so that it can keep watch on the management of these arrangements ;

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

Article 1

1. For the period from 1 March to 31 December 1986, tariff quotas shall be opened in Spain for the fishery products referred to in Article 168 of the Act of Accession, in accordance with the provisions of that Article and with the rules laid down in the Annex hereto.

2. The customs duties applicable shall be wholly suspended on each of the products referred to in paragraph 1, subject to each of the tariff quotas specified in the Annex.

Article 2

Distribution of the quantities referred to in Article 1 which may, where appropriate, be subject to partial allocation on a half-yearly basis, between the undertakings referred to in Annex XII to the Act of Accession, shall be undertaken by the competent Spanish authorities.

Article 3

Each quarter, not later than 15 days after the end of each quarter, Spain shall inform the Commission of the quantities actually imported under these quota arrangements. The Commission may at any time request a statement of the extent to which the quotas have been used up.

Article 4

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

It shall apply from 1 March to 31 December 1986.

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

Done at Brussels, 27 February 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

ANNEX

Product, heading or subheading	Description	Authorized zero duty (tonnes)
03.01 B I t) 2	Hake, frozen	18 690
03.01 B II b) 1, 2, 6, 8, 9 ex 03.01 B II b) 14	Fillets, frozen	3 640
ex 03.02 A I b)	Cod, salted, not dried	1 650
ex 03.01 B I c)	Tuna, frozen	1 650
ex 03.01 A I b) ex 03.01 B I ex 03.01 C	Fish products, various, frozen	4 700
ex 03.01 B I	Various fish, fresh	13 120
ex 03.03 B IV a) 1 cc)	Squid (<i>Illex</i>), frozen	8 220
ex 03.03 B IV a) ex 03.03 B IV b)	Molluscs, fresh and frozen	7 150
ex 03.03 A I ex 03.03 A III b) ex 03.03 A IV c) ex 03.03 A V a) 1	Crustaceans, frozen	6 820
ex 03.03 A I 03.03 A II a) ex 03.03 A III b) 03.03 A V a) 2	Crustaceans, live and fresh	660
Total		66 300

COMMISSION REGULATION (EEC) No 545/86**of 27 February 1986****laying down detailed rules for applying the arrangements for a security as provided for in Regulation (EEC) No 360/86 laying down rules for the application by Spain and Portugal of quantitative restrictions on 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 360/86 of 17 February 1986 on the application by Spain and Portugal of quantitative restrictions on fishery products⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas the issue of the import licences referred to in Article 3 (1) of Regulation (EEC) No 360/86 is subject to the lodging of a security under Article 3 (2) of the same Regulation;

Whereas more harmonious application of the Community rules may be ensured by the establishment of common rules for the lodging, release and forfeiture of the security; whereas, to take account of the experience which Spain and Portugal have in managing a system of import licences in conjunction with security arrangements for fishery products, it should be left to these Member States to lay down certain special rules concerning the security arrangements;

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

1. On each application for an import licence as referred to in Article 3 of Regulation (EEC) No 360/86, importers shall lodge a security in cash or in the form of a guarantee from an establishment meeting the criteria laid down by the Member State issuing the licence.
2. The amount of the security shall be not less than 5 % of the total value of the product covered by the import licence. It shall be set in national currency.
3. The security shall be released, once the Member State has checked on compliance with the provisions of Article 5 of Regulation (EEC) No 360/86, in proportion to the quantities actually imported under the licence concerned.

Article 2

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

It shall apply with effect from 1 March 1986.

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

Done at Brussels, 27 February 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 43, 20. 2. 1986, p. 8.

COMMISSION REGULATION (EEC) No 546/86**of 27 February 1986****laying down detailed rules for applying the supplementary trade mechanism to fishery products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 174 and 361 thereof,

Whereas the Act of Accession introduced a supplementary trade mechanism applicable to imports of certain products into the new Member States and laid down the general rules therefor, particularly as regards determination of the annual intra-Community share in such imports;

Whereas this mechanism is intended to ensure that the markets of the new Member States concerned are gradually opened up to imports from other Member States of the Community; whereas the estimated level of imports determined for a given marketing year must not thereby be lower than for the preceding marketing year;

Whereas, to enable the quantities imported under the supplementary trade mechanism to be managed in line with market conditions the intra-Community share should be divided into quarterly instalments, which may be reviewed if necessary;

Whereas the grant of a licence by each of the new importing Member States prior to any importation into its territory should facilitate monitoring of the imports concerned; whereas, to take account of the experience acquired by the new Member States in managing a system of import licences for fishery products, those States should be allowed to lay down certain administrative procedures relating to the issue of such licences;

Whereas the conditions for implementing the appropriate measures limiting or suspending imports provided for in Articles 174 (4) and 361 (4) of the Act of Accession should be defined;

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 detailed rules for applying the supplementary trade mechanism referred to in Articles

174 and 361 of the Act of Accession of Spain and Portugal, hereinafter referred to as the 'Act of Accession'.

Article 2

1. Before 31 December each year the Commission shall establish, in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81, for the whole of the next marketing year and for each of the new Member States, an overall forward supply estimate for each of the products referred to in Articles 174 (1) and (2) and 361 (1) and (2) of the Act of Accession. This estimate shall be established by defining an estimated overall level of imports on the basis of the average level of imports of the product in question into Spain and Portugal over the last three years for which statistics are available. The estimated overall level of imports shall include an intra-Community share as defined in paragraph 3 and a remainder determined, if appropriate, at the time of the annual fixing of the quantitative restrictions referred to in Council Regulation (EEC) No 360/86 (1).

2. For the products referred to in Articles 174 (1) and 361 (1) of the Act of Accession, when the overall level of imports is established, a distinction shall be made in each case between imports from the other Member States and imports from third countries.

For the products referred to in Articles 174 (2) and 361 (2) of the Act of Accession, when the overall level of imports is established, a distinction shall be made in each case between imports from the other acceding country and imports from all other sources, including the Member States of the Community as constituted on 31 December 1985.

3. Imports from the other Member States as referred to in the first subparagraph of paragraph 2, and imports from the other acceding country as referred to in the second subparagraph 2 shall be increased by 15 % at the time of each annual determination. They shall constitute or be considered as the intra-Community share of the overall level of imports referred to in the second subparagraph of paragraph 1.

The intra-Community share determined for a given marketing year may in no case be below the level applied in the preceding year.

Article 3

1. The intra-Community share defined in Article 2 shall be divided, when it is being determined, into four quarterly instalments whose volume may be reviewed, if necessary, in the course of the marketing year.

(1) OJ No L 43, 20. 2. 1986, p. 8.

2. If, for a given product, actual imports in the course of a quarter are less than the instalment laid down for that quarter, the unused quantities shall be carried forward to the following quarter of the same year.

Article 4

1. Any import into Spain and Portugal of the products referred to in Articles 174 (1) and (2) and 361 (1) and (2) of the Act of Accession must be effected on the basis of an import licence issued in advance by the competent agency of the importing Member State. A single licence shall be issued for each import operation.

Licences shall be issued on application by the importer, within five working days of the lodging of the application and after providing security in accordance with the detailed rules laid down pursuant to Regulation (EEC) No 360/86. Licences shall not be transferable.

2. Import licences shall be valid only for the products for which they were requested and, without prejudice to Article 6, shall carry the right to import, under the licence and during its period of validity, the net quantity of product specified, from the country or group of countries mentioned on the licence, in accordance with paragraph 4.

3. Without prejudice to Article 6, licences granted in respect of imports from other Member States of the Community shall be valid for a period of 60 days from their date of issue.

4. The importing Member State shall lay down detailed rules relating to the grant of import licences and shall in particular determine the maximum quantity which may be covered by each licence, which, for authorized import quantities of at least 100 tonnes per quarter, may in no case exceed 5 % of the estimated overall level of imports. However, applications for licences as referred to in paragraph 1 must contain at least the following information, which must be included on the licence :

- the name and address of the importer,
- a precise description of the product, in particular :
 - the usual commercial name,
 - the definition under the Common Customs Tariff nomenclature,
 - the country of origin,
- the quantity of product in tonnes,
- the value of the product in terms of the cif price,
- the probable date and place of import.

5. The Member States in question shall communicate to the Commission the rules which they intend to adopt pursuant to paragraph 4. In the absence of observations

by the Commission within one month, the proposed rules shall be deemed to be accepted.

Article 5

1. At the time of placing the products into free circulation, the import licence shall be stamped by the competent customs service, which shall enter or certify on the said licence the net quantity actually imported thereunder.

2. For the purpose of monitoring the quantities imported, the importer shall without delay send a copy of the licence referred to in paragraph 1 to the competent agency which issued him the licence.

3. The importing Member State shall notify to the Commission, within 10 days after the end of each quarter, by product and country of provenance :

- the overall quantity and value of the products which were the subject of applications for import licences in the preceding quarter,
- the quantity and value of the products actually imported in the preceding quarter.

On the basis of this information, the Commission shall determine for each product the intra-Community share of total imports effected during the current marketing year.

Article 6

Where the market of one of the new Member States is disturbed or threatened with disturbance as a result of imports of one or more products covered by this Regulation, the Commission, acting on its own initiative or at the request of the new Member State concerned, may adopt in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81, appropriate measures as provided for in Articles 174 (4) and 361 (4) of the Act of Accession. The importing Member State concerned shall supply the Commission with all the additional information, in particular on the market situation, necessary for the purpose of this Article.

Article 7

Where the supplementary trade mechanism does not apply for the whole of a calendar year, special provisions for any reduction of the overall forward supply estimate shall be drawn up in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 3796/81.

Article 8

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

It shall apply from 1 March 1986.

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

Done at Brussels, 27 February 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

COMMISSION REGULATION (EEC) No 547/86

of 27 February 1986

fixing the special rates for converting the free-at-frontier reference prices of imported liqueur wines into national currency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3805/85 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 2 thereof,

Having regard to Commission Regulation (EEC) No 1393/76 of 17 June 1976 laying down detailed rules for the importation of products in the wine-growing sector originating in third countries ⁽⁴⁾, as last amended by Regulation (EEC) No 2135/84 ⁽⁵⁾, and in particular Article 1 a ⁽⁴⁾ thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, pursuant to Article 1a of Regulation (EEC) No 1393/76, special rates are used to convert the free-at-frontier reference prices for imported liqueur wines into national currency; whereas the special rates applicable at present were fixed by Commission Regulation (EEC) No 420/86 ⁽⁶⁾;

Whereas for the currencies of the Member States maintained at any given moment within a maximum spread of 2,25 %, the special rate is the conversion rate resulting from the central rate; whereas for the other currencies, the special rate for the period 1 March to 31 August 1986 is equal to the conversion rate in relation to all the currencies of the Member States maintained at any given moment with a maximum spread of 2,25 % resulting from the average rate taken into consideration for the purposes of calculating the monetary compensatory amounts valid on 1 February 1986;

Whereas under the terms of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽⁷⁾, and in particular of Article 6 (2) thereof, the central rates and the market rates are to be multiplied by a corrective factor of 1,035239,

HAS ADOPTED THIS REGULATION:

Article 1

The special rate referred to in Article 1a of Regulation (EEC) No 1393/76 shall be:

- (a) for the Belgian franc and the Luxembourg franc:
Bfrs/Lfrs 1 = 0,0215462 ECU,
- (b) for the Danish krone:
Dkr 1 = 0,118835 ECU,
- (c) for the German mark:
DM 1 = 0,431540 ECU,
- (d) for the French franc:
FF 1 = 0,140728 ECU,
- (e) for the pound sterling:
£ 1 = 1,47538 ECU,
- (f) for the Irish pound:
£Irl 1 = 1,33314 ECU,
- (g) for the Italian lira:
Lit 100 = 0,0636745 ECU,
- (h) for the Dutch guilder:
Fl 1 = 0,383001 ECU,
- (i) for the Greek drachma:
Dr 100 = 0,714223 ECU,
- (j) for the Spanish peseta:
pta 100 = 0,693622 ECU.

Article 2

Regulation (EEC) No 420/86 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 157, 18. 6. 1976, p. 20.

⁽⁵⁾ OJ No L 196, 26. 7. 1984, p. 21.

⁽⁶⁾ OJ No L 48, 26. 2. 1986, p. 24.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 6.

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

Done at Brussels, 27 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 548/86

of 27 February 1986

laying down detailed rules for the application of accession compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals⁽¹⁾, and in particular Article 8 thereof, and to the corresponding provisions of the other Regulations laying down general rules for the system of accession compensatory amounts applicable to agricultural products,

Whereas the accession compensatory amounts are charged on imports and granted on export; whereas, for the sake of uniformity, the procedures to be complied with should be aligned with existing customs procedures as far as possible; whereas, for this purpose, the provisions, *inter alia*, of the following Regulations should be taken into account:

- Council Regulation (EEC) No 754/76 of 25 March 1976 on the customs treatment applicable to goods returned to the customs territory of the Community⁽²⁾,
- Council Regulation (EEC) No 2102/77 of 20 September 1977 introducing a Community export declaration⁽³⁾,
- Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure⁽⁴⁾, as last amended by Regulation (EEC) No 1209/85⁽⁵⁾,
- Commission Regulation (EEC) No 409/86 of 20 February 1986 on methods of administrative cooperation to safeguard during the transitional period the free movement of goods in trade between the Community as constituted on 31 December 1985, on the one hand, and Portugal and Spain on the other hand, and in trade between the two new Member States⁽⁶⁾;

Whereas the accession compensatory amount should not be paid until evidence is provided that the products have

been entered for consumption in the Member State of destination; whereas, to this end, the provisions of Article 20 (3) of Commission Regulation (EEC) No 2730/79 of 29 November 1979 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁷⁾, as last amended by Regulation (EEC) No 568/85⁽⁸⁾, should be applied; whereas in cases where use is made of Article 10 of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽⁹⁾, this evidence must also meet the requirements of Article 15 of Commission Regulation (EEC) No 3154/85⁽¹⁰⁾;

Whereas, in order to facilitate the financing of exports, Member States should be authorized to advance to exporters, once the customs export formalities have been completed, all or part of the accession compensatory amount, provided that a security has been lodged guaranteeing that the advance will be repaid should it later emerge that no accession compensatory amount fell to be paid;

Whereas the correcting amount provided for in Article 152 of the Act of Accession for fruit and vegetables and the regulatory amount provided for in Article 123 for wine sector products are both applicable under certain conditions; whereas at present it appears desirable that the provisions of this Regulation should not apply to either of them;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down detailed rules for the application of the system of compensatory amounts, hereinafter referred to as 'accession compensatory amounts', provided for in Articles 72 and 240 of the Act of Accession.

2. The provisions of this Regulation shall also apply to the compensatory amounts referred to in Articles 118 and 304 of the Act of Accession.

⁽¹⁾ OJ No L 53, 1. 3. 1986.

⁽²⁾ OJ No L 89, 2. 4. 1976, p. 1.

⁽³⁾ OJ No L 246, 27. 9. 1977, p. 1.

⁽⁴⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽⁵⁾ OJ No L 124, 9. 5. 1985, p. 19.

⁽⁶⁾ OJ No L 46, 25. 2. 1986, p. 5.

⁽⁷⁾ OJ No L 317, 12. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 65, 6. 3. 1985, p. 5.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽¹⁰⁾ OJ No L 310, 21. 11. 1985, p. 9.

3. For the purposes of this Regulation :

(a) 'products' shall mean agricultural products covered by a common organization of a market ;

(b) 'export declaration' shall mean either :

- the export declaration as referred to in Regulation (EEC) No 2102/77, or
- without prejudice to customs provisions, any other declaration prescribed by the Member States to be submitted to the customs authorities at the time of completion of the customs export formalities with a view to applying accession compensatory amounts.

Article 2

1. On import into Portugal or Spain of products not having either of the status referred to in Article 9 (2) of the Treaty, the quantity, nature and characteristics of such products necessary for the determination of the accession compensatory amounts shall be established according to the provisions applicable to import duties in trade with third countries.

2. On export from Portugal or Spain to third countries, the quantity, nature and characteristics of products necessary for the determination of the accession compensatory amounts shall be established according to the provisions applicable to export refunds.

Article 3

The provisions in force under customs legislation governing trade with third countries shall apply to the accession compensatory amounts to be charged in intra-Community trade.

Article 4

Articles 5 to 9 shall apply to the granting of accession compensatory amounts in intra-Community trade.

Article 5

1. Unless the amount is fixed in advance, the accession compensatory amount to be granted shall be the amount in force on the date on which the customs authorities accept the export declaration by which the exporter states his intention to export the products in question and qualify for an accession compensatory amount.

This date shall also be used for determining the quantity, nature and characteristics of the products exported.

2. At the time of acceptance of the export declaration, the products shall be placed under customs control and shall so remain until they are entered for consumption.

3. No accession compensatory amount shall be granted on products which are not of sound and fair merchantable quality, or on products intended for human consumption whose characteristics or condition rule out or substantially impair their use for that purpose.

Article 6

The export declaration used for the completion of customs export formalities in order for products to qualify for an accession compensatory amount must include all such particulars as are necessary for determining the accession compensatory amount, in particular :

- (a) the relevant heading or subheading of the Common Customs Tariff ;
- (b) a description of the products in accordance with the nomenclature used for accession compensatory amounts ;
- (c) the net weight of the products or, where applicable, the quantity expressed in the unit of measurement to be taken into account in determining the accession compensatory amount in respect of each heading or subheading of the Common Customs Tariff ;
- (d) in so far as it is necessary for determining the accession compensatory amount, particulars of the composition of the products.

Article 7

1. The accession compensatory amount to be granted shall be paid only on submission of the export declaration indicating the particulars referred to in Article 6 and the date on which the declaration was accepted by the customs authorities.

If the export declaration cannot be produced, the competent authorities may exceptionally accept an authenticated photocopy or duplicate thereof issued in accordance with national provisions.

2. Payment of the accession compensatory amount shall moreover be subject to production, in addition to the document specified in paragraph 1, of :

- (a) evidence that the goods have been entered for consumption in a Member State in respect of which the accession compensatory amount is applicable. This evidence shall be provided :
 - as specified in Article 20 (3) (a) or (c) of Regulation (EEC) No 2730/79 *mutatis mutandis*,
 - in cases where use is being made of Article 10 of Regulation (EEC) No 1677/85, by means of the procedure laid down in Article 15 of Regulation (EEC) No 3154/85,

and

- (b) a copy or photocopy of the transport document.

3. If there are serious doubts about the true destination of the goods, the competent authorities of the Member States may require additional evidence to demonstrate to their satisfaction that they have actually been placed on the market in the Member State in respect of which the accession compensatory amount is applicable.

4. The evidence referred to in paragraph 2 (a) not be required in cases where the goods have been irretrievably lost for reasons of *force majeure* after they left the exporting Member State.

Article 8

1. Member States shall advance to the exporter at his request all or part of the accession compensatory amount as soon as customs export formalities are completed, on condition that he provides security to guarantee repayment of the amount advanced plus 15 %. They may specify the circumstances under which applications for advance payment of part of the amount will be considered.

The amount of the advance shall be calculated using the accession compensatory amount rate applicable for the destination declared and adjusted by any monetary compensatory or other amount applicable under Community Regulations.

2. If the amount advanced is greater than that actually due on the goods exported the exporter shall pay 115 % of the difference between the two amounts.

If however by reason of *force majeure*:

- the evidence required under this Regulations for payment to the accession compensatory amount cannot be provided, or
- the goods go to a destination other than that for which the advance was calculated,

the additional 15 % shall not be charged.

Securities shall be released in proportion to the accession compensatory amount in respects of which the evidence required under this Regulation has been provided.

3. If an amount due from an exporter is not paid despite a request to that effect the security covering it shall be forfeit.

Article 9

1. Accession compensatory amounts shall be granted only on receipt of written application from the person concerned and shall be made by the Member State on whose territory the export declaration was accepted. Member States may prescribe the use of a special application form.

2. Except in cases of *force majeure*, no claim for payment shall be entertained unless the relevant documents are submitted within 12 months following the date on which the customs authorities accepted the export declaration referred to in Article 5.

3. The competent authorities of a Member State may require translation of all the documents supporting the claim for payment of accession compensatory amounts into the official language or one of the official languages of the Member State.

Article 10

Where products are reimported into the Member State of exportation after being exported to another Member State, the provisions of Regulation (EEC) No 754/76 shall apply *mutatis mutandis* in the Member State of reimport to products fulfilling the conditions set in Article 2 (2) of the said Regulation.

Article 11

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 27 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 549/86

of 28 February 1986

authorizing the use for a transitional period in Spain of national import documents issued before 1 March 1986

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and of Portugal⁽¹⁾, and in particular Article 90 (1) thereof,

Whereas imports into Spain of agricultural products from third countries are subject to the presentation of either a 'Declaración de importación de mercancías liberadas' or a 'Licencia de importación'; whereas so that commercial traffic is not held up it should be specified that the above mentioned documents issued before 1 March 1986 may for a transitional period commencing on that date replace the import licences required under the Community rules;

Whereas importation into Spain of products from third countries subject in Spain to the supplementary trade mechanism may be made under cover of the above-mentioned documents; whereas quantities imported under cover of these documents should be taken into account for application of the mechanism;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Spanish documents 'Declaración de importación de mercancías liberadas' and 'Licencia de

importación' issued in Spain before 1 March 1986 may be used until 30 April 1986 to enter third country products for free circulation in Spain. In the case of products covered by Common Customs Tariff headings or subheadings 10.01 BI, 10.02, 10.03, 10.04, 10.05 B and 10.07 the last day on which the forms may be used shall be 14 April 1986.

During the abovementioned period these documents shall replace the import licences for the products in question required under the Community rules.

2. The provisions of paragraph 1 shall not be applicable if the documents in question have been used for the purpose of the advance fixing of import duty.

3. Should the documents referred to in paragraph 1 cover products subject to the supplementary trade mechanism the quantities imported under cover of them from 1 March 1986 shall be taken into account for the purposes of application of the mechanism. To this end Spain shall notify the Commission:

— by 5 March 1986 at the latest of the quantities of each product in respect of which application was made before 1 March 1986 for issue of the said documents with validity after that day.

and

— the quantities of products imported under cover of these documents from 1 March 1986 onwards.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 302, 15. 11. 1985, p. 23.

COMMISSION REGULATION (EEC) No 550/86

of 28 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 No 1676/85 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 first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1984/85 marketing year by Regulations (EEC) No 2734/75⁽⁴⁾, (EEC) No 1019/84⁽⁵⁾, (EEC) No 1020/84⁽⁶⁾ and (EEC) No 1413/84⁽⁷⁾;

Whereas the 1985/86 marketing year for cereals began on 1 July 1985 for durum wheat and on 1 August 1985 for the other cereals; whereas the Council has not, to date, adopted cereal prices for the 1985/86 marketing year; whereas the Commission, in compliance with the tasks entrusted to it by the Treaty, is obliged to adopt the precautionary measures essential to ensure continuity of operation of the common agricultural policy in the cereals sector;

Whereas, in order to ensure continuity of operation of the import arrangements for cereals, the following prices should be used for calculation of the levies:

— for durum wheat and for durum wheat qwats and meal, a price equal to the threshold price fixed for the 1984/85 marketing year and applicable on 1 July 1984, namely 352,67 ECU per tonne for durum wheat and 547,09 ECU per tonne for durum wheat qwats and meal.

— for the other cereals the prices set out in Article 2 of Regulation (EEC) No 2124/85⁽⁸⁾;

Whereas the abovementioned prices will be adjusted, beginning on 1 August 1985 for durum wheat and for durum wheat qwats and meal and on 1 September 1985 for the other cereals, by amounts equal to the monthly increases fixed by Regulation (EEC) No 1020/84;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Regulation No 156/67/EEC⁽⁹⁾, as last amended by Regulation (EEC) No 31/76⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulations (EEC) No 2731/75⁽¹¹⁾, as last amended by Regulation (EEC) No 1028/84⁽¹²⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Regulation No 158/67/EEC⁽¹³⁾, as last amended by Regulation (EEC) No 3135/84⁽¹⁴⁾, and in Regulation No 159/67/EEC⁽¹⁵⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in 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

⁽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 281, 1. 11. 1975, p. 34.
⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 4.
⁽⁶⁾ OJ No L 107, 19. 4. 1984, p. 6.
⁽⁷⁾ OJ No L 126, 23. 5. 1984, p. 6.

⁽⁸⁾ OJ No L 198, 30. 7. 1985, p. 31.
⁽⁹⁾ OJ No 128, 27. 6. 1967, p. 2533/67.
⁽¹⁰⁾ OJ No L 5, 10. 1. 1976, p. 18.
⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 22.
⁽¹²⁾ OJ No L 107, 19. 4. 1984, p. 17.
⁽¹³⁾ OJ No 128, 27. 6. 1967, p. 2536/67.
⁽¹⁴⁾ OJ No L 293, 10. 11. 1984, p. 11.
⁽¹⁵⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council 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 27 February 1986;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/85 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽¹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in

Regulation No 156/67/EEC and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by 0,73 ECU or more,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the 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 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

ANNEX

to the Commission Regulation of 28 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	163,56
10.01 B II	Durum wheat	220,82 ⁽¹⁾ ⁽²⁾
10.02	Rye	147,42 ⁽³⁾
10.03	Barley	155,52
10.04	Oats	139,66
10.05 B	Maize, other than hybrid maize for sowing	147,84
10.07 A	Buckwheat	0
10.07 B	Millet	89,57
10.07 C	Grain sorghum	145,18
10.07 D I	Triticale	⁽⁴⁾
10.07 D II	Canary seed ; other cereals	0 ⁽²⁾
11.01 A	Wheat or meslin flour	243,96
11.01 B	Rye flour	221,36
11.02 A I a)	Durum wheat groats and meal	355,94
11.02 A I b)	Common wheat groats and meal	261,30

⁽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⁾ 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.

⁽³⁾ 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.

⁽⁴⁾ 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 551/86

of 28 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 27 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 1 March 1986.

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

Done at Brussels, 28 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 28 February 1986 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 3	1st period 4	2nd period 5	3rd period 6
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0,96
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0,96
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	2,12	2,12	1,16
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	8,14
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	1,71	1,71
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	1,28	1,28
11.07 B	Roasted malt	0	0	0	1,49	1,49

COMMISSION REGULATION (EEC) No 552/86
of 28 February 1986
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 3772/85⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increments in the target price of sunflower seed for the 1985/86 marketing year have been fixed in Regulations (EEC) No 1489/85⁽⁷⁾, and (EEC) No 1490/85⁽⁸⁾; whereas the target price for colza, rape and sunflower seed application in Spain and in Portugal was set by Regulation (EEC) No 454/86⁽⁹⁾;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza, rape and sunflower seed

and in the absence of the amount of the monthly increase for April, May, and June 1986 for colza and rape seed, the amount of the subsidy in the case of advance fixing for March, April, May and June 1986 for colza and rape seed has been obtainable only provisionally on the basis of the target price and the monthly increase as last proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the target price for the 1985/86 marketing year is known;

Whereas, in the absence of the target price for the 1986/87 marketing year for colza, rape and sunflower seed, in the case of advance fixing for July and August 1986 for colza and rape seed and for August 1986 for sunflower seed, the amount of the subsidy on these products has been obtainable only on the basis of the target price and the monthly increase proposed by the Commission to the Council for the marketing year 1986/87; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the target price for the 1986/87 marketing year is known;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹⁰⁾, as last amended by Regulation (EEC) No 1983/82⁽¹¹⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹²⁾, as last amended by Regulation (EEC) No 1971/85⁽¹³⁾, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/86.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 151, 10. 6. 1985, p. 13.

⁽⁸⁾ OJ No L 151, 10. 6. 1985, p. 14.

⁽⁹⁾ OJ No L 53, 1. 3. 1986.

⁽¹⁰⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹¹⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹²⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

⁽¹³⁾ OJ No L 185, 18. 7. 1985, p. 15.

or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 %; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0,242 ECU;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis

for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community;

Whereas the factors to be taken into consideration for the purpose of determining that margin are defined in Article 8 of Regulation No 225/67/EEC; whereas no adjustment should be made where the margin is found to be less than 0,604 ECU;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾ laid down rules for granting the subsidy on oil seeds; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽²⁾, as last amended by Regulation (EEC) No 3818/85⁽³⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽³⁾ OJ No L 368, 31. 12. 1985, p. 20.

and 5 of Regulation No 115/67/EEC ; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used ; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals ;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86 ⁽¹⁾ ; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States ;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount ; whereas Article 1 of Regulation (EEC) No 1813/84 ⁽²⁾ defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

- (a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :
 - the conversion rate used under the common agricultural policy, and
 - the conversion rate resulting from the central rate,
- (b) for Italy, the United Kingdom and Greece, the difference between :
 - the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
 - the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate ; whereas Regulation (EEC) No 2679/85 ⁽³⁾ fixed the coefficient ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week ; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary ;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ECU and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation ; whereas, pursuant to the same Article, the spot and forward exchange rates for the ECU in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.
2. The amount of the subsidy in the case of advance fixing for March, April, May and June 1986 for colza and rape seed will, however, be confirmed or replaced as from 1 March 1986 to take into account the target price which is fixed for these products for the 1985/86 marketing year, and the amount of the monthly increase for April, May and June 1986 for colza and rape seed.
3. The amount of the subsidy in the case of advance fixing for July and August 1986 for colza and rape seed and for August 1986 for sunflower seed will however be confirmed or replaced as from 1 March 1986 to take into account the target price which is fixed for these products for the 1986/87 marketing year.

Article 2

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 53, 1. 3. 1986.

⁽²⁾ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 254, 25. 9. 1985, p. 14.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month (1)	2nd month (1)	3rd month (1)	4th month (1)	5th month (2)	6th month (2)
1. Gross aids (ECU)						
— Spain	—	—	—	—	0,613	0,613
— Portugal	—	—	—	—	0,000	0,000
— Other Member States	32,868	27,976	27,976	28,693	24,419	24,419
2. Final aids						
(a) Seed harvested and processed in :						
— Federal Republic of Germany (DM)	79,56	68,26	68,28	70,08	59,89	60,32
— Netherlands (Fl)	89,65	76,91	76,91	78,93	67,46	67,88
— BLEU (Bfrs/Lfrs)	1 525,46	1 298,42	1 298,42	1 330,84	1 132,47	1 126,02
— France (FF)	228,30	193,48	193,14	197,62	167,68	165,46
— Denmark (Dkr)	276,58	235,42	235,42	241,45	205,49	205,03
— Ireland (£ Irl)	24,655	20,985	20,982	21,311	18,104	18,000
— United Kingdom (£)	19,164	15,769	15,769	16,262	13,610	13,461
— Italy (Lit)	47 398	39 732	39 555	40 514	34 169	33 570
— Greece (Dr)	2 716,68	2 012,16	2 012,16	2 112,54	1 670,83	1 670,83
(b) Seed harvested in Spain and processed :						
— in Spain (Pta)	—	—	—	—	97,00	11,08
— in Portugal (Pta)	—	—	—	—	2 733,75	2 686,84
— in a Member State listed at (a) (Pta)	—	—	—	—	2 733,75	2 686,84
(c) Seed harvested in Portugal and processed :						
— in Spain (Esc)	—	—	—	—	3 521,15	3 405,24
— in Portugal (Esc)	—	—	—	—	0,00	0,00
— in a Member State listed at (a) (Esc)	—	—	—	—	3 521,15	3 405,24
(d) Seed harvested in a Member State listed at (a) and processed :						
— in Spain						
— in Portugal						

The amounts given at (a) remain unchanged

The amounts given at (a) remain unchanged

(1) On the basis of the Commission's proposal concerning the indicative price for the 1985/86 marketing year and subject to confirmation by the Council's decision.

(2) Contingent on the Council's decision on prices and related matters for the 1986/87 marketing year.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)					
— Spain	—	—	—	—	—
— Portugal	—	—	—	—	—
— Other Member States	39,689	38,926	38,926	41,648	41,389
2. Final aids					
(a) Seed harvested and processed in :					
— Federal Republic of Germany (DM)	96,11	94,35	94,37	100,79	100,19
— Netherlands (Fl)	108,30	106,31	106,31	113,54	112,87
— BLEU (Bfrs/Lfrs)	1 842,04	1 806,63	1 806,63	1 932,20	1 920,17
— France (FF)	275,62	270,19	269,86	288,69	286,84
— Denmark (Dkr)	333,98	327,56	327,56	350,47	348,29
— Ireland (£ Irl)	29,771	29,199	29,195	31,053	30,856
— United Kingdom (£)	23,100	22,576	22,576	24,446	24,268
— Italy (Lit)	57 189	55 997	55 824	59 941	59 534
— Greece (Dr)	3 257,74	3 150,91	3 150,91	3 532,03	3 495,76
(b) Seed harvested in Spain and processed :					
— in Spain (Pta)	—	—	—	—	—
— in Portugal (Pta)	—	—	—	—	—
— in a Member State listed at (a) (Pta)	—	—	—	—	—
(c) Seed harvested in Portugal and processed :					
— in Spain (Esc)	—	—	—	—	—
— in Portugal (Esc)	—	—	—	—	—
— in a Member State listed at (a) (Esc)	—	—	—	—	—
(d) Seed harvested in a Member State listed at (a) and processed :					
— in Spain	The amounts given at (a) are to be multiplied by 1,037269				
— in Portugal					
	The amounts given at (a) remain unchanged				

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	2st month	3rd month	4nd month	5th month	6th month
DM	2,163730	2,155740	2,144780	2,135660	2,135660	2,114240
Fl	2,443920	2,437280	2,427690	2,420030	2,420030	2,402680
Bfrs/Lfrs	44,342900	44,374300	44,379100	44,409200	44,409200	44,437800
FF	6,650230	6,665480	6,702200	6,731600	6,731600	6,785560
Dkr	7,989740	7,979560	7,964750	7,954000	7,954000	7,941980
£ Irl	0,715512	0,720067	0,724915	0,728451	0,728451	0,733135
£	0,646257	0,647847	0,649025	0,650371	0,650371	0,655218
Lit	1 472,19	1 482,06	1 494,23	1 503,18	1 503,18	1 528,59
Dr	133,602200	133,534600	133,357000	133,262900	133,262900	133,121600
Pta	136,370304	136,928678	137,018840	137,774125	137,774125	139,066863
Esc	141,902080	145,750272	147,687848	149,384976	149,384976	154,359439

COMMISSION REGULATION (EEC) No 553/86
of 28 February 1986
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 3772/85⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 1474/84⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increases in the target price for sunflower seed for the 1985/86 marketing year were fixed by Regulations (EEC) No 1489/85⁽⁹⁾ and (EEC) No 1490/85⁽¹⁰⁾; whereas the target price for colza, rape and sunflower seed in Spain and in Portugal was fixed by Regulation (EEC) No 454/86⁽¹¹⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas in the absence of a target price for colza and rape seed for the 1985/86 marketing year and of an amount for the monthly increases applicable in April, May and June 1986 for colza and rape seed, in cases of advance fixing for the months of March, April, May and June 1986 of the refund on these products it has been possible only to make a provisional calculation using the target price and monthly increase proposed by the Commission to the Council for the 1985/86 marketing year; whereas therefore such refund amounts must be applied only provisionally and confirmed or altered when the target price for the 1985/86 marketing year is known;

Whereas in the absence of a target price for colza and rape seed for the 1986/87 marketing year, in cases of advance fixing for the months of July and August 1986 of the refund on these products, it has been possible only to make a provisional calculation using the target price and the monthly increase proposed by the Commission to the Council for the 1986/87 marketing year; whereas therefore such refund amounts must be applied only provisionally and confirmed or altered when the target price for the 1986/87 marketing year is known;

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 362, 31. 12. 1985, p. 24.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 151, 10. 6. 1985, p. 13.

⁽¹⁰⁾ OJ No L 151, 10. 6. 1985, p. 14.

⁽¹¹⁾ OJ No L 53, 1. 3. 1986.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁾ as last amended by Regulation (EEC) No 1815/84⁽²⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽³⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount; whereas Article 1 of Regulation (EEC) No 1813/84⁽⁴⁾ defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate,

(b) for Italy, the United Kingdom and Greece, the difference between:

- the relationship between the conversion rate used under the common agricultural policy for the

currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and

- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas Regulation (EEC) No 2679/85⁽⁵⁾ fixed the coefficient;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

⁽¹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽³⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 254, 25. 9. 1985, p. 14.

2. In cases of advance fixing of the refund on colza and rape seed for the months of March, April, May and June 1986 the amount will however be confirmed or altered with effect from 1 March 1986 on the basis of the target price set for these products for the 1985/86 marketing year and of the amount for the monthly increases applicable in April, May and June 1986 on colza and rape seed.

3. In cases of advance fixing of the refund on colza and rape seed for the months of July and August 1986 the

amount will however be confirmed or altered with effect from 1 March 1986 on the basis of the target price set for these products for the 1986/87 marketing year.

4. There shall be no refund on sunflower seed.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current month (1)	2nd month (1)	3rd month (1)	4th month (1)	5th month (2)	6th month (2)
1. Gross refunds (ECU):						
— Spain	18,870	19,390	19,390	19,390	15,843	15,843
— Portugal	25,000	25,520	25,520	25,520	21,360	21,360
— other Member States	25,000	25,520	25,520	25,520	21,360	21,360
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	61,33	62,57	62,59	62,75	52,83	53,31
— Netherlands (Fl)	69,10	70,50	70,50	70,67	59,49	59,98
— BLEU (Bfrs/Lfrs)	1 160,30	1 184,43	1 184,43	1 183,45	990,38	983,03
— France (FF)	172,39	176,03	175,65	174,93	145,81	143,28
— Denmark (Dkr)	210,37	214,75	214,75	214,75	179,74	179,22
— Ireland (£ Irl)	18,753	19,143	19,139	18,900	15,780	15,662
— United Kingdom (£)	13,761	14,083	14,083	14,083	11,509	11,340
— Italy (Lit)	35 137	35 905	35 709	35 520	29 355	28 672
— Greece (Dr)	1 615,07	1 668,29	1 668,29	1 668,29	1 242,53	1 242,53
— Spain (Pta)	2 729,77	2 804,85	2 804,85	2 804,85	2 292,73	2 239,29
— Portugal (Esc)	3 767,37	3 762,25	3 710,82	3 665,77	3 040,30	2 908,26

(1) On the basis of the Commission's proposal concerning the indicative price for the 1985/86 marketing year and subject to confirmation by the Council's decision.

(2) Contingent on the Council's decision on prices and related matters for the 1986/87 marketing year.

COMMISSION REGULATION (EEC) No 554/86

of 28 February 1986

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 15.07 A II a) of the Common Customs Tariff; whereas, however, if the oil

employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For March and April 1986, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 112,31 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- 63,00 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- 12,46 ECU per 100 kilograms for olive oil utilized in Spain,
- 83,66 ECU per 100 kilograms for olive oil utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 555/86
of 28 February 1986
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 1418/76 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 within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice 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 rice and broken rice on the Community market on the one hand and prices for rice and broken rice 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 the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Regulation (EEC) No 1361/76⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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 destination;

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least 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 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⁽⁵⁾,
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION :

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on rice and broken rice

CCT heading No	Description	(ECU/tonne) Amount of refund
ex 10.06	Rice : B. I. Paddy rice ; husked rice : b) Husked rice : 1. Round grain 2. Long grain for export to : — Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italia — Other third countries II. Semi-milled or wholly milled rice : a) Semi-milled rice : 1. Round grain 2. Long grain b) Wholly milled rice : 1. Round grain 2. Long grain in bulk or packaged for export to : — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ — Zone I — Other third countries in immediate packings of 5 kg net or less for export to : — Zones I, II b), IV a), IV b) and VI — Zone V a) and VII c) and Canada III. Broken rice	— 210,00 — — — — 262,50 — — 300,00 310,00 —

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

NB : The zones are those defined in the Annex to 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 556/86

of 28 February 1986

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0,30 ECU per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0,30 ECU per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Regulation (EEC) No

1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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⁽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 relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽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, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)					
CCT heading No	Description	Current 3	1st period 4	2nd period 5	3rd period 6
ex 10.06	Rice :				
	B. I. Paddy rice, husked rice :				
	a) Paddy rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Husked rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	—	—	—	—
	b) Wholly milled rice :				
	1. Round grain	—	—	—	—
	2. Long grain	0	0	0	0
	III. Broken rice	—	—	—	—

COMMISSION REGULATION (EEC) No 557/86

of 28 February 1986

fixing the amount of aid for peas, field beans and sweet lupins used in animal feed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1485/85⁽²⁾, and in particular Article 3 (6) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Council Regulation (EEC) No 3814/85⁽⁴⁾, and in particular Article 24 (1) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, an aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the average world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1832/85⁽⁶⁾,

Whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82 the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1985/86 marketing year in the Member States of the Community as constituted on 31 December 1985 was fixed by Council Regulation (EEC) No 1486/85⁽⁷⁾; whereas the price in Spain and in Portugal applicable from 1 March 1986 was fixed by Council Regulation (EEC) No 000/86⁽⁸⁾;

Whereas the amount of the monthly increases in the threshold price was fixed by Regulation (EEC) No 1487/85⁽⁹⁾;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of soya cake from third countries; whereas moreover in the case of products harvested and processed in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas transitional measures should be adopted whereby between 1 March and 30 June 1986 aid is to be granted only in respect of peas, field beans and sweet lupins harvested and processed in Spain, in Portugal or in the Community as constituted at 31 December 1985; whereas, subject to adoption of the Commission Regulation laying down the said transitional measures, no aid should be fixed in respect of the period and the products concerned;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the average world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this average price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products; whereas separate adjustments may be made for peas, for field beans and for sweet lupins; whereas no adjustment may however be greater than the amount given by the calculation indicated in Article 3a of Commission Regulation (EEC) No 2049/82⁽¹⁰⁾, as last amended by Regulation (EEC) No 3319/85⁽¹¹⁾;

Whereas, under Article 1 of Regulation (EEC) No 2049/82, the average price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Regulation (EEC) No 1486/85 delivered to Rotterdam;

Whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, under Article 1 of Regulation (EEC) No 2036/82, when no offer or quotation can be used for determining the world market price of soya cake, it is to be determined from offers of and quotations for soya cake

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 9.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 173, 3. 7. 1985, p. 3.

⁽⁷⁾ OJ No L 151, 10. 6. 1985, p. 8.

⁽⁸⁾ OJ No L 53, 1. 3. 1986.

⁽⁹⁾ OJ No L 151, 10. 6. 1985, p. 10.

⁽¹⁰⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹¹⁾ OJ No L 317, 28. 11. 1985, p. 15.

obtained by the processing of soya seed in nity the Community and from offers of and quotations for competing products on the world market ; whereas in this case the most favourable offers and quotations are to be taken into account for :

- bulk soya cake obtained by the processing of soya seed in the Community delivered to Rotterdam, and
- other oil cakes offered on the world market, adjusted as necessary to take account of the difference between their value and that of soya cake ;

Whereas, under Article 3 of Regulation (EEC) No 3540/85, the term of validity of the certificates fixing the aid in advance is limited to the end of the sixth month following that in which the application for the certificate is lodged ; whereas the amount of aid fixed in advance is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82 ; whereas the amount of the aid for the products in question is adjusted using the corrective amount defined in Article 25 of Regulation (EEC) No 3540/85 whereas this corrective amount may be adjusted as provided for in Article 26 of that Regulation ;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (1) ;
- 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 correcting factor ;

Whereas the aid must be fixed twice a month in order to be applied from the first and sixteenth each month ; whereas it may be adjusted in between ;

Whereas the initial activating price for the aid for peas, field beans and sweet lupins has not yet been fixed for the 1986/87 marketing year ; whereas the amount of the aid itself has been fixed on the basis of the activating price for 1985/86 ; whereas the amount of the aid for this marketing year has been fixed on the basis of the activating threshold price proposed by the Commission to the Council ; whereas this amount must be applied provisionally and confirmed or altered when the 1986/1987 marketing year prices are known,

HAS ADOPTED THIS REGULATION :

Article 1

The amount of the aid referred to in Article 3 (1) of Regulation (EEC) No 1431/82 is fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIËSEN

Vice-President

(1) OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to Commission Regulation of 28 February 1986 fixing the amount of aid for peas, field beans and sweet lupins used in animal feed

Amounts of the aid applicable from 1 March 1986

(ECU/100 kg)

	Current month	1st month	2nd month	3rd month	4th month	5th month	6th month
1. Peas and field beans harvested and processed:							
(a) in the Community as constituted on 31 December 1985	15,359 ⁽¹⁾	15,831 ⁽¹⁾	15,831 ⁽¹⁾	15,831 ⁽¹⁾	14,751 ⁽²⁾	14,751 ⁽²⁾	14,931 ⁽²⁾
(b) in Spain	15,220	15,700	15,700	15,700	14,620 ⁽²⁾	14,620 ⁽²⁾	14,800 ⁽²⁾
(c) in Portugal	14,818	15,320	15,320	15,320	14,240 ⁽²⁾	14,240 ⁽²⁾	14,420 ⁽²⁾
2. Sweet lupins harvested and processed:							
(a) in the Community as constituted on 31 December 1985	17,604	18,235	18,235	18,235	18,235 ⁽²⁾	18,235 ⁽²⁾	18,235 ⁽²⁾
(b) in Spain	14,958	15,600	15,600	15,600	15,600 ⁽²⁾	15,600 ⁽²⁾	15,600 ⁽²⁾
(c) in Portugal	16,882	17,553	17,553	17,553	17,553 ⁽²⁾	17,553 ⁽²⁾	17,553 ⁽²⁾

⁽¹⁾ Should a certificate of purchase at the minimum price include the terms: 'The contract does not provide for any price adjustment in respect of the following quantity: ...', the amount of the aid shall be equal to 14,279 ECU per 100 kilograms in respect of the quantity concerned.

⁽²⁾ Dependent on the initial activating price for the aid that is set for the 1986/87 marketing year.

COMMISSION REGULATION (EEC) No 558/86**of 28 February 1986****fixing the amount of aid for peas and field beans referred to in Article 3 (2) of Regulation (EEC) No 1431/82**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1485/85⁽²⁾, and in particular Article 3 (6) (b) thereof,

Having regard to Council Regulation (EEC) No 2036/82 of 19 July 1982 adopting general rules concerning special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1832/85⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the average world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas Council Regulation (EEC) No 1486/85 of 23 May 1985⁽⁵⁾ fixed the guide price for peas and field beans for the 1985/86 marketing year; whereas the guide price for Spain and for Portugal applicable from 1 March 1986 was set by Council Regulation (EEC) No 458/86⁽⁶⁾;

Whereas, in accordance with Article 2a of Regulation (EEC) No 1431/82, the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas Council Regulation (EEC) No 1487/85 of 23 May 1985⁽⁷⁾ fixed the amount of these monthly increases;

Whereas pursuant to Articles 121 (3) and 307 (3) of the Act of Accession of Spain and Portugal the aid granted on products harvested and processed in either of these Member States is to be reduced by the customs duties charged by the Member State on peas and field beans imported from third countries; whereas in addition the

aid granted on products harvested and processed in Spain is to be reduced by the difference between the guide price applied in Spain and the common guide price;

Whereas transitional measures should be adopted whereby between 1 March and 30 June 1986 aid is to be granted only in respect of peas and field beans harvested and processed in Spain, in Portugal or in the Community as constituted at 31 December 1985; whereas, subject to adoption of the Commission Regulation laying down the said transitional measures, no aid should be fixed in respect of the period and the products concerned;

Whereas under Regulation (EEC) No 2036/82 the world market price for peas and field beans, as referred to in Article 3 (2) of Council Regulation (EEC) No 1431/82, is to be determined on the basis of offers made on the world market, disregarding those which cannot be considered representative of actual market trends; whereas in cases where no offer can be used for determining the world market price, this price is determined from prices recorded on the markets of the principal exporting countries; whereas in cases where no offer either on the world market or on those of the principal exporting countries can be used for determining the world market price this price is fixed at a level equal to the guide price for the products in question;

Whereas, under Commission Regulation (EEC) No 2049/82 of 20 July 1982⁽⁸⁾, as last amended by Regulation (EEC) No 3319/85⁽⁹⁾, and under Regulation (EEC) No 2036/82 and Regulation (EEC) No 1486/85, the average world market price is to be established per 100 kilograms of products in bulk, delivered at Rotterdam, of sound quality; whereas, for the purpose of establishing this price, only the most favourable offers to deliveries closest in distance, excluding those relating to products being transported by ship, are used;

Whereas for offers and prices that do not comply with the conditions laid down above, the necessary adjustments must be made, and in particular those referred to in Article 5 of Regulation (EEC) No 2049/82;

Whereas in cases where aid is fixed in advance its amount is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.

⁽³⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁴⁾ OJ No L 173, 3. 7. 1985, p. 3.

⁽⁵⁾ OJ No L 151, 10. 6. 1985, p. 8.

⁽⁶⁾ OJ No L 53, 1. 3. 1986.

⁽⁷⁾ OJ No L 151, 10. 6. 1985, p. 10.

⁽⁸⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽⁹⁾ OJ No L 317, 28. 11. 1985, p. 15.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor referred to in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹⁾,
- 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 aid must be fixed at least once for each marketing year; whereas it may be adjusted during the intervention period if the factors taken into consideration at the time of its fixing change significantly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The world market price as specified in Article 2 of Regulation (EEC) No 2036/82 shall be 19,48 ECU/100 kg.

Article 2

1. The amount of the aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in the Annex hereto.
2. The aid for peas and field beans identified from 1 April 1986 onwards shall be the amount referred to in paragraph 1 adjusted by the difference between the guide price applying in the month of March 1986 and that applying in the month of identification.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the amount of the aid for peas and field beans used for human consumption or as animal feed

Amounts applicable from 1 March 1986

	<i>(ECU/100 kg)</i>	
	Peas	Field beans
Products harvested and processed:		
— in the Community as constituted at 31 December 1985	14,08	14,08
— in Spain	12,92	13,41
— in Portugal	12,98	12,59

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

COMMISSION REGULATION (EEC) No 559/86

of 28 February 1986

fixing the rate of the additional aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price a supplementary aid is given for dried fodder as described under Article 1 (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1315/85 of 23 May 1985 fixing for the 1985/86 marketing year the flat-rate production aid and the guide price for dried fodder⁽³⁾; whereas the guide price applicable in Spain and in Portugal was set by Council Regulation (EEC) No 457/86⁽⁴⁾;

Whereas in the absence of the guide price for dried fodder and the threshold price for barley applicable during the 1986/87 marketing year, aid amounts fixed in advance for the months concerned have been fixed on the basis of the Commission's proposals to the Council; whereas these amounts must be provisionally applied and confirmed or altered when the 1986/87 marketing year prices are known;

Whereas the average world market price is determined for a bulk pelleted product delivered to Rotterdam of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 2026/82⁽⁶⁾, the average world market price for the products described in the first

indent of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁷⁾, as last amended by Regulation (EEC) No 3760/85⁽⁸⁾;

Whereas when no offer of or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price it is to be determined from offers on the world market of and quotations on the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas, under Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price this price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, under Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the supplementary aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1315/85; whereas when for one of the months following that of the introduction of supplementary aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78, the price determined for the previous month is

(¹) OJ No L 142, 30. 5. 1978, p. 1.

(²) OJ No L 362, 31. 12. 1985, p. 8.

(³) OJ No L 137, 27. 5. 1985, p. 28.

(⁴) OJ No L 53, 1. 3. 1986.

(⁵) OJ No L 171, 28. 6. 1978, p. 1.

(⁶) OJ No L 218, 27. 7. 1982, p. 2.

(⁷) OJ No L 179, 1. 7. 1978, p. 10.

(⁸) OJ No L 356, 31. 12. 1985, p. 65.

used to calculate the difference ; whereas, when for two or more consecutive months following that of the introduction of supplementary aid, the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78, the prices for the months in question are determined by applying the criteria laid down in Article 3 of Regulation (EEC) No 1417/78 ;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the supplementary aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 for the product concerned ; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the supplementary aid is equal to zero ;

Whereas, if the aid 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⁽¹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies in relation to the Community curren-

cies referred to in the previous indent and the afore-said coefficient ;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing ;

Whereas pursuant to Articles 120 (2) and 306 (2) of the Act of Accession of Spain and Portugal the additional aid applicable in these two Member States is to be adjusted by an amount equal to the incidence of customs duties on imports of these products from third countries ; whereas in addition in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price ;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 March 1986 to dried fodder

(ECU/tonne)

	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.06 B			Fodder otherwise dried ex 12.10 B		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Additional aid	50,783	79,110	81,663	25,392	39,555	40,832

Additional aid in case of advance fixing for the month of:

(ECU/tonne)

	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
April 1986 ⁽¹⁾	52,548	76,396	79,018	26,274	38,198	39,509
May 1986 ⁽¹⁾	52,322	76,164	78,792	26,161	38,082	39,396
June 1986 ⁽¹⁾	51,857	75,686	78,327	25,929	37,843	39,164
July 1986 ⁽¹⁾	52,530	76,377	79,000	26,265	38,189	39,500
August 1986 ⁽¹⁾ ⁽²⁾ ⁽³⁾	52,530	76,377	79,000	26,265	38,189	39,500
September 1986 ⁽¹⁾ ⁽²⁾	51,166	74,977	77,636	25,583	37,489	38,818
October 1986 ⁽¹⁾ ⁽²⁾	51,370	75,187	77,840	25,685	37,594	38,920
November 1986 ⁽¹⁾ ⁽²⁾	51,370	75,187	77,840	25,685	37,594	38,920
December 1986 ⁽¹⁾ ⁽²⁾	51,370	75,187	77,840	25,685	37,594	38,920
January 1987 ⁽³⁾	0	0	0	0	0	0
February 1987 ⁽³⁾	0	0	0	0	0	0
March 1987 ⁽³⁾	0	0	0	0	0	0

⁽¹⁾ Depending on both the guide price for dried fodder and the percentages mentioned in Article 5 of Regulation (EEC) No 1117/78 that are set for the 1986/87 marketing year.

⁽²⁾ Depending on the threshold price for barley set for the 1986/87 marketing year.

⁽³⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 560/86

of 28 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 the Act of Accession of Spain and Portugal,

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 destination;

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 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 Council Regulation (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 relation 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, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 March 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, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 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) — Magreb — other third countries	 80,00 84,00 15,00 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	 100,00 105,00 — 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	 111,00 111,00 98,00 90,00 84,00 75,00

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	111,00 111,00 111,00 111,00
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	— — — —
11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	111,00

⁽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 561/86

of 28 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 the Act of Accession of Spain and
Portugal,

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, pursuant to Article 275 of the Act of Accession
of Spain and Portugal, refunds may be granted in the case
of exports to Portugal; whereas, in the light of the situa-
tion and the level of prices no refund should be fixed in
the case of exports to Portugal;

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.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 March 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 L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽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, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	106,40
11.07 A II b)	153,60
11.07 B	179,01

COMMISSION REGULATION (EEC) No 562/86

of 28 February 1986

fixing the rates of the refunds applicable from 1 March 1986 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

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 first sentence of the fourth subparagraph of Article 16 (2) 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⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 1982/85⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;

- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products; whereas a production refund is granted in respect of common wheat, maize and broken rice under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 3794/85⁽⁸⁾; whereas, for the purposes of applying the provisions of Article 4 (3) of Regulation (EEC) No 3035/80, the amount of the production refund applicable during the month of exportation should be taken into account;

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 rates of the refunds applicable from 1 March 1986 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 March 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 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 8.
⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.
⁽⁶⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.
⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.

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

Done at Brussels, 28 February 1986.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 28 February 1986 fixing the rates of the refunds applicable from 1 March 1986 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	Rate of refund (ECU/100 kg)
10.01 B I	Common wheat, and meslin (mixed wheat and rye):	
	— For the manufacture of starch	11,000 ⁽¹⁾
	— Other than for the manufacture of starch	11,000
10.01 B II	Durum wheat	17,818
10.02	Rye	10,966
10.03	Barley	12,089
10.04	Oats	7,836
10.05 B	Maize, other than hybrid maize for sowing:	
	— For the manufacture of starch	11,062 ⁽¹⁾
	— Other than for the manufacture of starch	11,062
10.06 B I b) 1	Round grain husked rice	38,271
10.06 B I b) 2	Long grain husked rice	38,546
10.06 B II b) 1	Round grain wholly milled rice	49,382
10.06 B II b) 2	Long grain wholly milled rice	55,864
10.06 B III	Broken rice:	
	— For the manufacture of starch	15,566 ⁽¹⁾
	— Other than for the manufacture of starch	15,566
10.07 C	Sorghum	12,148
11.01 A	Wheat or meslin flour	13,052
11.01 B	Rye flour	18,498
11.02 A I a)	Durum wheat groats and meal	27,618
11.02 A I b)	Common wheat groats and meal	13,052

⁽¹⁾ This amount must be reduced by the amount of the production refund in force for the goods in question at the time of export.

COMMISSION REGULATION (EEC) No 563/86
of 28 February 1986
abolishing the countervailing charge on apples originating in Spain

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 337/86 ⁽³⁾, as amended by Regulation (EEC) No 403/86 ⁽⁴⁾ introduced a countervailing charge on apples originating in Spain ;

Whereas for this product originating in Spain there were no prices for six consecutive working days ; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of apples originating in Spain can be abolished,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 337/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 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 40, 15. 2. 1986, p. 23.

⁽⁴⁾ OJ No L 45, 22. 2. 1986, p. 27.

COMMISSION REGULATION (EEC) No 564/86

of 28 February 1986

fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1985/86 marketing year by Regulation (EEC) No 2250/85⁽³⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁴⁾, as last amended by Regulation (EEC) No 2117/80⁽⁵⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Regulation (EEC) No 1423/76⁽⁶⁾, or whether adjustments need to be made by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁷⁾, as last amended by Regulation (EEC) No 2249/85⁽⁸⁾, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 210, 7. 8. 1985, p. 14.

⁽⁴⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁵⁾ OJ No L 206, 8. 8. 1980, p. 15.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁷⁾ OJ No L 204, 24. 8. 1967, p. 1.

⁽⁸⁾ OJ No L 210, 7. 8. 1985, p. 13.

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 1418/76 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽¹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation (EEC) No 1613/71 and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Council Regulation (EEC) No 1423/76⁽²⁾ determined the standard qualities for rice and broken rice;

Whereas, in accordance with Article 20 (1) of Regulation (EEC) No 1418/76, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if varia-

tions in the factors used to calculate the levy entail an increase or a reduction of at least 1,21 ECU per tonne in the amount of the levy in force;

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 Council Regulation (EEC) No 1676/85⁽³⁾,
- 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 it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the import levies on rice and broken rice

(ECU/tonne)			
CCT heading No	Description	Portugal	Third countries ⁽¹⁾
ex 10.06	Rice :		
	B. Other :		
	I. Paddy rice ; husked rice :		
	a) Paddy rice :		
	1. Round grain	—	312,18
	2. Long grain	—	315,11
	b) Husked rice :		
	1. Round grain	—	390,22
	2. Long grain	—	393,89
	II. Semi-milled or wholly milled rice :		
	a) Semi-milled rice :		
	1. Round grain	13,05	481,92
	2. Long grain	12,97	611,78
	b) Wholly milled rice :		
	1. Round grain	13,90	513,25
	2. Long grain	13,90	655,83
	III. Broken rice	—	162,01

⁽¹⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 565/86

of 28 February 1986

fixing the premiums to be added to the import levies on rice and broken rice

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2457/85 ⁽³⁾, as last amended by Regulation (EEC) No 430/86 ⁽⁴⁾;

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 Council Regulation (EEC) No 1676/85 ⁽⁵⁾,
- 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, 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 shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 234, 31. 8. 1985, p. 8.

⁽⁴⁾ OJ No L 49, 27. 2. 1986, p. 23.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 3	1st period 4	2nd period 5	3rd period 6
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	III. Broken rice	0	0	0	0

COMMISSION REGULATION (EEC) No 566/86

of 28 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⁽⁴⁾ 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⁽⁵⁾ 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 174/86⁽⁶⁾ as last amended by Regulation (EEC) No 524/86⁽⁷⁾;

Whereas Council Regulation (EEC) No 1027/84⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75⁽⁹⁾ 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 27 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⁽¹⁰⁾ 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 174/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 28 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 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 22, 29. 1. 1986, p. 7.

⁽⁷⁾ OJ No L 51, 28. 2. 1986, p. 69.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 28 February 1986 altering the import levies on products processed from cereals and rice

CCT heading No	(ECU/tonne)	
	Imports	
	Third countries	
07.06 A I	155,87 ⁽¹⁾	
07.06 A II	158,89 ⁽¹⁾	
11.01 C ⁽²⁾	286,61	
11.01 D ⁽²⁾	256,92	
11.01 E I ⁽²⁾	270,21	
11.01 E II ⁽²⁾	152,72	
11.01 F ⁽²⁾	174,42	
11.01 G ⁽²⁾	149,94	
11.02 A II ⁽²⁾	272,67	
11.02 A III ⁽²⁾	286,61	
11.02 A IV ⁽²⁾	256,92	
11.02 A V a) 1 ⁽²⁾	235,27	
11.02 A V a) 2 ⁽²⁾	270,21	
11.02 A V b) ⁽²⁾	152,72	
11.02 A VI ⁽²⁾	174,42	
11.02 A VII ⁽²⁾	149,94	
11.02 B I a) 1 ⁽²⁾	252,41	
11.02 B I a) 2 aa) ⁽²⁾	145,19	
11.02 B I a) 2 bb) ⁽²⁾	253,90	
11.02 B I b) 1 ⁽²⁾	252,41	
11.02 B I b) 2 ⁽²⁾	253,90	
11.02 B II a) ⁽²⁾	221,29	
11.02 B II b) ⁽²⁾	200,03	
11.02 B II c) ⁽²⁾	237,84	
11.02 B II d) ⁽²⁾	233,48	
11.02 C I ⁽²⁾	265,60	
11.02 C II ⁽²⁾	240,03	
11.02 C III ⁽²⁾	395,72	
11.02 C IV ⁽²⁾	226,03	
11.02 C V ⁽²⁾	237,84	
11.02 C VI ⁽²⁾	233,48	
11.02 D I ⁽²⁾	170,41	
11.02 D II ⁽²⁾	154,11	
11.02 D III ⁽²⁾	162,01	
11.02 D IV ⁽²⁾	145,19	
11.02 D V ⁽²⁾	152,72	
11.02 D VI ⁽²⁾	149,94	
11.02 E I a) 1 ⁽²⁾	162,01	
11.02 E I a) 2 ⁽²⁾	145,19	
11.02 E I b) 1 ⁽²⁾	317,78	
11.02 E I b) 2 ⁽²⁾	284,80	
11.02 E II a) ⁽²⁾	301,44	
11.02 E II b) ⁽²⁾	272,67	
11.02 E II c) ⁽²⁾	270,21	
11.02 E II d) 1 ⁽²⁾	297,10	
11.02 E II d) 2 ⁽²⁾	265,31	
11.02 F I ⁽²⁾	301,44	
11.02 F II ⁽²⁾	272,67	
11.02 F III ⁽²⁾	286,61	
11.02 F IV ⁽²⁾	256,92	

CCT heading No	(ECU/tonne)
	Imports
	Third countries
11.02 F V ⁽²⁾	270,21
11.02 F VI ⁽²⁾	174,42
11.02 F VII ⁽²⁾	149,94
11.02 G I	129,12
11.02 G II	116,11
11.04 C I	158,89
11.04 C II a)	225,58
11.04 C II b)	256,83
11.07 A I a)	303,00
11.07 A I b)	229,15
11.07 A II a)	288,33 ^(*)
11.07 A II b)	218,19
11.07 B	252,48 ^(*)
11.08 A I	225,58
11.08 A II	240,27
11.08 A III	320,45
11.08 A IV	225,58
11.08 A V	225,58
11.09	726,62
17.02 B II a) ⁽³⁾	364,16
17.02 B II b) ⁽³⁾	271,52
17.02 F II a)	376,89
17.02 F II b)	261,34
21.07 F II	271,52
23.02 A I a)	71,35
23.02 A I b)	146,03
23.02 A II a)	71,35
23.02 A II b)	146,03
23.03 A I	436,04

⁽¹⁾ This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.

⁽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.

⁽⁴⁾ In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.

COMMISSION REGULATION (EEC) No 567/86
of 28 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 523/86 ⁽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 1 March 1986.

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

Done at Brussels, 28 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 51, 28. 2. 1986, p. 68.

ANNEX

to the Commission Regulation of 28 February 1986 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	49,01
	B. Raw sugar	42,63 ⁽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.

COUNCIL REGULATION (EEC) No 568/86
of 24 February 1986

concerning the application of Protocol No 4, annexed to the Act of Accession of Spain and Portugal, with regard to the mechanism for additional responsibilities within the framework of fisheries agreements concluded by the Community with third countries

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Protocol No 4 annexed thereto,

Having regard to the proposal from the Commission,

Whereas the Act of Accession provided for the establishment of specific arrangements for fishery products obtained as a complement of fishing activities under fishing agreements concluded by the Community with third countries;

Whereas this Regulation applies only to vessels referred to in Protocol No 4; whereas it is appropriate to specify that the vessels in question are those which are registered or enrolled in a Member State of the Community and fly the flag of that State;

Whereas criteria should be defined for fixing the quantities concerned and allocating them amongst the Member States, on the one hand, and amongst the various undertakings concerned, on the other;

Whereas conditions should be laid down to govern the introduction into Community territory of the products covered by these arrangements,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down general rules concerning the specific system for the execution of operations carried out as a complement to fishing activities undertaken by vessels registered or enrolled in a Member State of the Community and flying the flag of that State, in waters falling under the sovereignty or within the jurisdiction of a third country, hereinafter referred to as 'waters', within the framework of responsibilities created under fisheries agreements concluded by the Community with the third countries concerned, as defined by Protocol No 4 to the Act of Accession of Spain and Portugal.

Article 2

1. These arrangements shall apply only to natural or legal persons established in the Community who operate on their own account a fishing vessel as referred to in Article 1.

2. Any persons referred to in paragraph 1 who apply for the arrangements must possess:

- (a) an advance import authorization issued by the competent authorities of the Member State, hereinafter referred to as an 'authorization'; and
- (b) a fishing licence issued by the authorities of the third country concerned giving access to its waters and the resources thereof.

Article 3

The quantities referred to in paragraph 3 of Protocol No 4 shall be apportioned among the Member States on the basis of the available volume of the catches allocated to them in the waters of the third countries concerned, account being taken of the relative importance of each category of product thus apportioned within the overall fishing possibilities allocated in the waters of the third country concerned.

Article 4

1. The competent authorities of each Member State shall apportion, among the various persons covered by the arrangements referred to in the second paragraph of Protocol No 4, the quantities of products the importation of which may be authorized by the Member State concerned under these arrangements.

2. Authorizations may be issued either once per year to cover all the quantities allocated to the applicant or gradually throughout the year by way of successive partial deduction from the quantity allocated until the latter has been exhausted.

3. The applicant shall present to the competent authorities the contract concluded with the undertaking(s) in the third country concerned or any evidence considered as equivalent by the said authorities.

Article 5

1. Before the 10th day of each month, Member States shall communicate to the Commission statistics relating to authorizations issued during the previous month.

2. Member States shall inform the Commission, at its request, of any cases where applications for authorization are refused, together with the reasons for such refusal, with reference to the terms laid down in this Regulation.

Article 6

1. Fishery products falling within Chapter 3 of the Common Customs Tariff as referred to in the first indent of the second paragraph of Protocol No 4 which are obtained in the territory of a third country from whole fish, fresh or chilled, caught by a vessel as referred to in

Article 1 and landed in the territory of that third country may be released for free circulation in the customs territory of the Community under partial or total exemption from import duties.

2. The authorization shall lay down the conditions governing processing operations, and in particular:

- the quantities of products to be landed directly in the territory of the third country concerned,
- the quantities of fishery products as referred to in paragraph 1, or of equivalent products, to be brought on to the Community markets as a function of the processing coefficients applicable to the operations to be carried out if the coefficients are known or, failing this, of the data available within the Community with regard to operations of the same type.

3. The amount of any import duties to be levied shall be the difference between:

- (a) the amount of import duties applicable to the fishery products referred to in paragraph 1 released for free circulation; and
- (b) the amount of import duties which would be applicable to the fish referred to in paragraph 1, necessary for obtaining the fishery products released for free circulation, if they came from the country where they were the object of the processing operation and were released for free circulation at the date of acceptance of the entry for release for free circulation of the fishery products. The amount of these duties, hereinafter referred to as the 'amount to be deducted', shall be determined in accordance with paragraph 4.

4. The amount to be deducted shall be calculated on the basis of the quantity and species of the whole fish, fresh or chilled, which are landed in the territory of the third country.

The value to be taken into consideration for the calculation of this amount shall be the value of the fish at the date of acceptance of the entry for release for free circulation of the products referred to in paragraph 3 (a).

Article 7

1. Whole fish, fresh or chilled, caught by a fishing vessel not flying the flag of a Member State, loaded or transhipped aboard a vessel as referred to in Article 1, whether or not processed under the conditions referred to in the second indent of the second paragraph of Protocol No 4, may be released for free circulation in the customs territory of the Community under partial or total exemption from import duties.

2. The import duty which might fall to be levied on release for free circulation of products falling within Chapter 3 of the Common Customs Tariff and are

obtained from fish as referred to in paragraph 1 shall be determined and levied as follows:

- (a) the customs valuation to be used for determining the amount of the import duties to be levied shall be that of whole fish, fresh or chilled, of the species from which the products declared for free circulation have been obtained, as it would be determined under the rules concerning the valuation of goods for customs purposes if the said fish were presented in the unaltered state to the customs office where the formalities for release for free circulation are completed;
- (b) the rate of import duty applicable shall be that applying on the date of the customs authorities' acceptance of the entry for release for free circulation or on the date of any other act having the same legal effects as such acceptance, in accordance with the rules in force, to whole fish, fresh or chilled, of the species from which the products entered for free circulation have been obtained.

Article 8

1. All operations carried out under these arrangements shall be mentioned in the log book of the vessels concerned.

2. At the end of each fishing period for which a fishing licence has been issued and not later than the end of each period spent in the waters of the third country concerned, the master of the vessel in question must communicate to the authorities of his country an extract from the log book.

3. Member States shall communicate this information to the Commission after due verification.

Article 9

Detailed rules for applying these arrangements and, in particular, the procedures for administrative cooperation permitting the control of landing operations outside the customs territory of the Community shall be laid down and the quantities concerned shall be determined in accordance with the procedure laid down in Article 33 of 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 Regulation (EEC) No 3655/84⁽²⁾.

Article 10

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

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 340, 28. 12. 1984, p. 1.

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

Done at Brussels, 24 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 569/86

of 25 February 1986

laying down general rules for the application of the supplementary mechanism applicable to trade

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) and Article 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 81 and 249 of the Act of Accession provided for the introduction of a supplementary mechanism applicable to trade; whereas the aim of that mechanism is to monitor the development of trade and to apply the requisite measures provided for in the Act;

Whereas the additional guidelines agreed on at the conference contained directions relating to the way in which the said mechanism is to operate; whereas those directions provided for the issuing of certificates or licences involving the provision of a security guaranteeing the completion of the transactions in respect of which applications were made for such certificates or licences;

Whereas the application of the supplementary trade mechanism must not result in Community products being treated less favourably than products from third countries;

Whereas the trend in imports from third countries should be monitored in the same way as the trend in Community imports;

Whereas where the deterioration on the market of the Community or of any one of its regions is due to imports from third countries, the measures to be taken in respect thereof are adopted pursuant to and in accordance with the mechanisms already provided for by the common organization of the markets;

Whereas Article 81 (6) and Article 249 (3) provided for an annual report on the functioning of the mechanism during the previous year; whereas adaptations to this Regulation may be proposed on the basis of that report;

Whereas as regards trade between the Community as constituted at 31 December 1985 and Spain, products of the fruit and vegetable sector covered by 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⁾ shall, in

accordance with Article 81 (1) of the Act, not be subject to the mechanism until 1 January 1990;

Whereas the provisions of Article 286 (2) of the Act concerning trade between the Community as constituted at 31 December 1985 and Portugal shall apply only as from the second stage,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where products from a Member State are subject to the supplementary mechanism applicable to trade, hereinafter referred to as 'STM', such products may be released for consumption in the importing Member State only on presentation of an STM certificate or licence.
2. STM certificates or licences shall be issued on application by any party, wherever his establishment is located in the Community.
3. STM certificates or licences shall be issued subject to the provision of a security, guaranteeing compliance with the undertaking to release for consumption during the period of validity of the STM certificate or licence, which shall be wholly or partly forfeit if the transaction is not completed within that time or is only partly completed.
4. STM certificates or licences may be issued only by a Member State other than the Member State of entry for consumption. For the purpose of applying this paragraph, the Member States of the Community as constituted at 31 December 1985 shall be considered as a single Member State.

Article 2

1. Where products from a third country enter into free circulation in Spain and where such products are the same as those referred to in Article 84 (1) of the Act of Accession, the quantity thereof which may enter into free circulation in Spain may not exceed a quantity equivalent to that resulting from the application of Article 84 of that Act.
2. The quantities referred to in paragraph 1 shall constitute quantitative restrictions within the meaning of Article 3 (3).

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

Article 3

1. Where products from third countries enter into free circulation in the Member State in which the STM applies, release for free circulation may be carried out only on presentation of an STM import licence. STM import licences shall be valid only in the Member State in which the STM applies.

For the purposes of applying this paragraph, the Member States of the Community as constituted at 31 December 1985 shall be considered as a single Member State, without prejudice to paragraph 3.

2. Paragraph 1 shall apply only to the products falling within the tariff headings in respect of which Article 1 applies.

3. Paragraph 1 shall not apply to products from third countries which are subject to quantitative restrictions in the Member State in which the STM applies.

4. STM import licences shall be issued on application by any party, wherever his establishment is located in the Community.

5. STM import licences shall be subject to the provision of a security, guaranteeing compliance with the undertaking to release for free circulation during the period of validity of the licence, which shall be wholly or partly forfeit if the transaction is not completed within that time or is only partly completed.

6. STM import licences shall be issued by any Member State.

7. Save where special provisions are laid down, STM import licences shall replace the import licences laid down for certain products by Community rules.

Article 4

1. The issuing of STM certificates and STM import licences may be:

- limited to certain products in a sector,
- spread out over the year.

2. Time limits may be set for the issuing of STM certificates and STM import licences.

Article 5

1. Where the situation on the market calls for a limitation or suspension of imports on the market of the Member State concerned, the issuing of STM certificates or licences may be limited or suspended.

2. In such cases and where regional application of these measures is concerned, provision may be made for the certificates or licences issued to be valid only in a Member State other than the Member State concerned.

Article 6

To assess the market situation of a Member State subject to the STM, account shall be taken in particular of:

- the trend in domestic prices in the Member State concerned;
- the trend in domestic demand in the Member State concerned;
- the quantities of products forming the subject of trade without further processing or after processing, between the Member State concerned and the other Member States and third countries.

Article 7

1. Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC of the Council 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⁾ or, as the case may be, in the corresponding Articles in the other Regulations on the common organization of agricultural markets.

2. Detailed rules of application relating to products covered by Council Regulation (EEC) No 827/68 of 28 June 1968 on the common organization of the market in certain products listed in Annex II to the Treaty⁽³⁾, as last amended by Regulation (EEC) No 2966/80⁽⁴⁾, and to new potatoes falling within subheading 07.01 A II of the Common Customs Tariff shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72, the Management Committee established by that Regulation being competent.

Article 8

1. On the basis of the annual report referred to in Article 81 (6) and Article 249 (3) of the Act of Accession, and in the light of experience, the Council, acting by a qualified majority on a proposal from the Commission, may alter the arrangements laid down in this Regulation.

2. The Council shall adopt any amendments before 31 March each year.

Article 9

1. This Regulation shall enter into force on 1 March 1986.

2. In accordance with Article 81 (1), and, where appropriate, with Article 249 of the Act of Accession, this Regulation shall not immediately apply to fruit and vegetable sector products covered by Regulation (EEC) No 1035/72. If before the date of application of the supplementary trade mechanism to these products the Council, acting by a qualified majority on a proposal from the Commission, does not adopt special provisions for these products, this Regulation shall apply.

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽⁴⁾ OJ No L 307, 18. 11. 1980, p. 5.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

II

(Acts whose publication is not obligatory)

COMMISSION

RECOMMENDATION OF THE COMMISSION

of 28 February 1986

to the Member States on the extension of the period of validity of the transitional measures adopted in respect of ACP States and overseas countries and territories :

- Council Regulation (EEC) No 485/85,
- Council Regulation (EEC) No 486/85,
- Council Decision 85/159/EEC,
- Decision 85/160/ECSC of the representatives of the Government of the Member States of the European Coal and Steel Community, meeting within the Council of 26 February 1985

(86/37/EEC, ECSC)

The Commission has presented to the Council proposals for extending the period of validity of the Regulations and Decisions on the transitional arrangements adopted in respect of African, Caribbean and Pacific States (ACP) and the overseas countries and territories. The Council has not yet reached a decision on those proposals.

Pending a decision, Member States are hereby invited by the Commission to continue to apply the arrangements laid down in the Regulations and Decisions listed above, subject to the decision which, it is expected, will shortly be reached by the Council.

Done at Brussels, 28 February 1986.

For the Commission

Frans ANDRIESEN

Vice-President

GUIDE TO THE COUNCIL OF THE EUROPEAN COMMUNITIES

I/1985

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COMMISSION OF THE EUROPEAN COMMUNITIES

INVESTMENT IN THE COMMUNITY COALMINING AND IRON AND
STEEL INDUSTRIES

1984 Survey

This report has been prepared on the basis of the results of the 1984 survey of investments in the Community coal and steel industries. The survey, which is conducted annually, collects information on actual and forecast capital expenditure and production potential of coal and steel enterprises.

The introductory chapter summarizes the results of the survey and the conclusions on them. Subsequent chapters of the report examine in detail the results of the survey for each producing sector, namely:

- (i) the coalmining industry;
- (ii) coking plants;
- (iii) iron-ore mines;
- (iv) iron and steel industry.

The annex to the report contains a statement of the definitions under which the survey was carried out, together with tables giving a complete analysis of the results of the survey, including tables of capital expenditure and production potential by region and by category of plant for all sectors and categories of coal and steel products falling within the ECSC Treaty.

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