

Official Journal

of the European Communities

ISSN 0378-6978

L 125

Volume 29

13 May 1986

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1393/86

of 6 May 1986

opening, allocating and providing for the administration of Community tariff quotas for certain cod and fillets of cod falling within subheadings ex 03.02 A I b) and 03.02 A II a) of the Common Customs Tariff and originating in Norway

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,

Having regard to the proposal from the Commission,

Whereas an Agreement between the European Economic Community and the Kingdom of Norway was concluded on 14 May 1973; whereas, following the accession of Spain and Portugal to the Community, a supplementary protocol is to be signed in the near future; whereas, pending the entry into force of this protocol, the Council, by Regulation (EEC) No 573/86⁽¹⁾, laid down the trade arrangements for certain fishery products with Norway consequent upon these accessions;

Whereas Regulation (EEC) No 573/86 provides for the opening, to run from 1 March 1986, of Community tariff quotas at a reduced rate of duty or duty-free for certain cod and fillets of cod originating in Norway; whereas therefore the tariff quotas in question should be opened for the period 1 March to 31 December 1986; whereas, in the absence of a *pro rata temporis* clause, the proposed annual quota volumes should be opened for the period under consideration;

Whereas equal and continuous access to the quotas should be ensured for all importers and the rates for the said quotas should be applied without interruption to all imports until the quotas are used up; whereas, in the light of the principles outlined above, a Community tariff quota system based on an allocation between the Member States would seem to preserve the Community nature of the quotas; whereas, to reflect as closely as possible the

actual development of the market in the products in question, the allocation should be in proportion to the requirements of the Member States, calculated both from statistics of imports from Norway during a representative reference period and according to the economic outlook for the quota year in question;

Whereas, during the last two years for which statistics are available, average imports into each of the Member States were as follows:

	(in tonnes)		
	ex 03.02 A I b) (NIMEXE code 03.02-12)	ex 03.02 A I b) NIMEXE code 03.02-13)	03.02 A II a) (NIMEXE code 03.02-22)
Benelux	455	1	0
Denmark	3	540	42
Germany	586	1	8
Spain	0	839	20
Greece	365	190	0
France	3 684	1 271	44
Ireland	0	0	0
Italy	4 956	2 112	4 670
Portugal	9 727	5 034	0
United Kingdom	3	8	0
	19 779	9 996	4 785

Whereas, during the last two years under consideration, the products in question were imported only by certain Member States and not at all by the other Member States; whereas, under these circumstances, initial shares should be allocated to the importing Member States and the other Member States should be guaranteed access to the benefit of the tariff quotas upon imports into those States of the products concerned being notified; whereas these arrangements for allocation will equally ensure the uniform application of the Common Customs Tariff;

⁽¹⁾ OJ No L 56, 1. 3. 1986, p. 110.

Whereas in taking into account these factors and the allocation which was applied in the 25 000 tonnes tariff quota which was opened for some of these products by Regulation (EEC) No 3544/85⁽¹⁾, initial percentage shares in the quota volumes can be set approximately as follows :

	ex 03.02 A I b) (NIMEXE code 03.02-12)	ex 03.02 A I b) (NIMEXE code 03.02-13)	03.02 A II a) (NIMEXE code 03.02-22)
Benelux	0,94	—	—
Denmark	—	4,32	0,88
Germany	1,21	—	0,17
Spain	—	9,55	0,42
Greece	0,76	1,53	—
France	7,62	10,18	0,92
Ireland	—	—	—
Italy	10,25	16,91	97,61
Portugal	79,22	57,44	—
United Kingdom	—	0,07	—

Whereas, in order to take into account import trends for the products concerned in the various Member States, each quota should be divided into two instalments, the first being shared among certain Member States and the second constituting a reserve to cover the subsequent requirements of these Member States where they have used up their initial shares and any additional requirements which might arise in the other Member States ; whereas, in order to give importers in each Member State a certain degree of security, it is appropriate to fix the first instalment of the Community quotas at a level which, in the circumstances, could be 85 % and 80 % respectively of each of the quota volume ;

Whereas, the Member States' initial shares may be used up at different times ; whereas, in order to take this fact into account and avoid any break in continuity, any

Member State which has almost used up its initial quota shares should draw an additional share from the corresponding reserve ; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows ; whereas the initial and additional shares must be valid until the end of the quota period ; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must be in a position to monitor the extent to which the quota amounts have been used up and to inform Member States thereof ;

Whereas, if at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the corresponding reserve to prevent a part of any Community tariff quota from remaining unused in one Member State when it could be used in others ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation relating to the administration of the quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION :

Article 1

1. Until 31 December 1986 the Common Customs Tariff duties on the following products, originating in Norway, shall be totally suspended within the limits of the Community tariff quotas shown against each one of them :

CCT heading No	Description	Quota volume in tonnes
03.02	Fish, dried, salted or in brine ; smoked fish, whether or not cooked before or during the smoking process : A. Dried, salted or in brine I. Whole, headless or in pieces : ex b) Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>) — Dried and salted — Wet, salted or in brine II. Filets : a) Of Cod (<i>Gadus morhua</i>, <i>Boreogadus saida</i>, <i>Gadus ogac</i>)	13 250 10 000 3 000

⁽¹⁾ OJ No L 338, 17. 12. 1985, p. 8.

2. Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic shall apply the following duties :

CCT heading No	Spain	Portugal
ex 03.02 A I b)	6 %	0 %
03.01 A II a)	6 %	0 %

3. Imports of the products in question shall not benefit from the quotas referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States according to Article 21 of Regulation (EEC) No 3796/81, is at least equal to the reference price if such a price has been fixed by the Community for the product under consideration.

4. The Protocol on the definition of the concept of originating products and on methods of administrative cooperation, annexed to the Agreement between the European Economic Community and the Kingdom of Norway, shall be applicable.

Article 2

1. The tariff quotas laid down in Article 1 (1) shall be divided into two instalments.

2. A first instalment of each quota shall be allocated among certain Member States ; the shares which, subject to Article 5, shall be valid until 31 December 1986, shall be as follows :

	(in tonnes)		
	ex 03.02 A I b) (NIMEXE code 03.02-12)	ex 03.02 A I b) (NIMEXE code 03.02-13)	03.02 A II a) (NIMEXE code 03.02-22)
Benelux	106	—	—
Denmark	—	367	21
Germany	136	—	4
Spain	—	812	10
Greece	85	130	—
France	857	865	22
Ireland	—	—	—
Italy	1 153	1 437	2 343
Portugal	8 913	4 883	—
United Kingdom	—	6	—
	11 250	8 500	2 400

3. The second instalment of each quota, being respectively 2 000, 1 500 and 600 tonnes, shall constitute the corresponding reserve.

4. If an importer notifies the imminent import of the products in question into a Member State that does not participate in the initial allocation and if such importer requests the benefit of the quota, the Member State

concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve so permits.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next unit.

2. If, after one of its initial shares has been used up, 90 % or more of the second share drawn by a Member State has been used up, then that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up where necessary to the next unit.

3. If, after one of its second shares has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until each of the reserves is used up.

4. By way of derogation from paragraphs 1, 2, and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 December 1986.

Article 5

The Member States shall return to the reserve, not later than 15 November 1986, such unused portion of their initial share as, on 1 November 1986 is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 November 1986 of the total quantities of the products in question imported up to 1 November 1986 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 20 November 1986 of the amount in each reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take every measure necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

3. Member States shall charge imports of the products in question against their shares as and when the products

are entered with the customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports of the products concerned originating in Norway and entered with customs authorities for free circulation.

Article 8

At the Commission's request, the Member States shall inform it of imports of the products concerned actually charged against their shares.

Article 9

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 10

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

It shall apply from 1 March 1986.

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

Done at Brussels, 6 May 1986.

For the Council

The President

P. H. van ZEIL

COMMISSION REGULATION (EEC) No 1394/86

of 12 May 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 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 Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 720/86 ⁽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 9 May 1986 ;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients ;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 720/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1986.

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

Done at Brussels, 12 May 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 65, 7. 3. 1986, p. 31.

ANNEX

to the Commission Regulation of 12 May 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	8,11	177,69
10.01 B II	Durum wheat	31,61	227,62 ⁽¹⁾ ⁽⁵⁾
10.02	Rye	46,32	165,36 ⁽⁶⁾
10.03	Barley	41,18	166,05
10.04	Oats	80,34	162,65
10.05 B	Maize, other than hybrid maize for sowing	—	155,74 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	41,18	54,51 ⁽⁴⁾
10.07 C	Grain sorghum	—	162,33 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	26,89	264,30
11.01 B	Rye flour	80,38	247,04
11.02 A I a)	Durum wheat groats and meal	62,83	366,65
11.02 A I b)	Common wheat groats and meal	26,24	282,65

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1395/86

of 12 May 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 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 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 9 May 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 Annexes 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 Annexes hereto.

Article 2

This Regulation shall enter into force on 13 May 1986.

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

Done at Brussels, 12 May 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 I

to the Commission Regulation of 12 May 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from Portugal

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

ANNEX II

to the Commission Regulation of 12 May 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 5	1st period 6	2nd period 7	3rd period 8
10.01 B I	Common wheat, and meslin	0	2,33	2,39	5,13
10.01 B II	Durum wheat	0	1,45	1,45	6,12
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	3,26	3,35	7,20

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	4,15	4,25	9,13	9,13
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	3,10	3,18	6,82	6,82
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1396/86
of 12 May 1986

fixing the quantities of pigmeat to be offered for sale by invitation to tender and at a fixed price in May 1986 pursuant to Article 2 (a) of Regulation (EEC) No 2858/85 and publishing the results of the invitation to tender of 29 April 1986

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 20 thereof,

Whereas Article 2 (a) (3) of Commission Regulation (EEC) No 2858/85 of 11 October 1985 on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85⁽³⁾, as last amended by Regulation (EEC) No 3698/85⁽⁴⁾, provides that the quantities of meat to be sold in the monthly invitation to tender, for specific quantities to be processed into products intended for uses other than for human consumption, are to be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75; whereas the quantities for the invitation to tender of 27 May 1986 need to be fixed in accordance with the availability of meat and the current state of the market for pigmeat;

Whereas Article 8 (1) of Regulation (EEC) No 2858/85 further provides that the quantities not sold in a given invitation to tender are to be sold at a fixed price in accordance with the terms set out therein; whereas Article 8 (2) provides that the quantities to be thus sold are to be published in the *Official Journal of the*

European Communities at the same time as the results of the invitation to tender relating thereto;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Belgian intervention agency shall put up for sale, in accordance with Articles 2 (a) (3) and 3 (1) of Regulation (EEC) No 2858/85, approximately 3 000 tonnes of pigmeat in the invitation to tender of 27 May 1986.

Article 2

1. In accordance with Articles 2 (a) (3) and 3 (1) of Regulation (EEC) No 2858/85, the results of the invitation to tender of 29 April 1986 appear in Annex I hereto.

2. In accordance with the provisions of Article 8 (1) of Regulation (EEC) No 2858/85 the quantities of meat remaining for sale at a fixed price as from 12 May 1986 appear in Annex II as well as the price applicable to the product in question.

Article 3

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

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

Done at Brussels, 12 May 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ OJ No L 351, 28. 12. 1985, p. 51.

ANNEX I

Results of 29 April 1986 invitation to tender in accordance with Articles 2 (a) (3) and 3 (1) of Regulation (EEC) No 2858/85

Description of products	Quantities accepted (tonnes)	Minimum price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	3 000	10
Bellies with rind, frozen (ex 02.01 A III a) 5)		
Middles, frozen (ex 02.01 A III a) 6)		

ANNEX II

Quantities of meat remaining for sale at fixed prices as from 12 May 1986 in accordance with Article 8 (1) of Regulation (EEC) No 2858/85

Description of products	Quantities (tonnes)	Price (ECU/tonne)
Carcases, frozen (ex 02.01 A III a) 1)	—	—
Bellies with rind, frozen (ex 02.01 A III a) 5)		
Middles, frozen (ex 02.01 A III a) 6)		

COMMISSION REGULATION (EEC) No 1397/86

of 12 May 1986

re-establishing the levying of customs duties applicable to third countries on
certain products originating in Yugoslavia

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

Having regard to the Cooperation Agreement between the
European Economic Community and the Socialist Federal
Republic of Yugoslavia⁽¹⁾, and in particular Protocol 1
thereto,

Having regard to Article 1 of Council Regulation (EEC)
No 3138/85 of 22 October 1985 establishing ceilings and
Community supervision for imports of certain goods
originating in Yugoslavia (1986)⁽²⁾;

Whereas Article 1 of the abovementioned Protocol
provides that the products listed below, imported under
reduced duty rates according to Article 15 of the Coopera-
tion Agreement are subject to the annual ceiling indicated
below, above which the customs duties applicable to third
countries may be re-established:

(tonnes)		
CCT heading No	Description	Ceiling
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg	38 896

Whereas imports into the Community of those products,
originating in Yugoslavia, have reached that ceiling;
whereas the situation on the Community market requires
that customs duties applicable to third countries on the
products in question be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 May to 31 December 1986, the levying of
customs duties applicable to third countries shall be
re-established on imports into the Community of the
following products:

CCT heading No	Description	Origin
31.05	Other fertilizers; goods of the present Chapter in tablets, lozenges and similar prepared forms or in packings of a gross weight not exceeding 10 kg	Yugoslavia

Article 2

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

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

Done at Brussels, 12 May 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 2.

⁽²⁾ OJ No L 304, 16. 11. 1985, p. 26.

COMMISSION REGULATION (EEC) No 1398/86

of 12 May 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 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 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 1264/86⁽⁶⁾, as last amended by Regulation (EEC) No 1384/86⁽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 9 May 1986;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

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 1264/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 May 1986.

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

Done at Brussels, 12 May 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 107, 24. 4. 1986, p. 45.

⁽⁷⁾ OJ No L 120, 8. 5. 1986, p. 54.

⁽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 12 May 1986 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.02 A II ⁽²⁾	303,36	297,32
11.02 B II b) ⁽²⁾	222,71	219,69
11.02 C II ⁽²⁾	267,31	264,29
11.02 D II ⁽²⁾	171,50	168,48
11.02 E II b) ⁽²⁾	303,36	297,32
11.02 F II ⁽²⁾	303,36	297,32

⁽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.

COMMISSION REGULATION (EEC) No 1399/86

of 12 May 1986

amending Regulation (EEC) No 1146/86 laying down protective measures, in respect of imports of sweet potatoes

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 20 (2) thereof,Whereas, in accordance with Commission Regulation (EEC) No 1146/86⁽³⁾, the issue of import licences for sweet potatoes falling within subheading 07.06 B of the Common Customs Tariff has been suspended since 19 April 1986;

Whereas this is the first time that the issue of import licences has been suspended for such products and this has occurred in the middle of a period of shipment; whereas the special situation of products which were being loaded or shipped by sea on 19 April 1986 should be taken into account;

Whereas, with a view to control and administrative management, the term of validity of licences issued in compliance with this Regulation should be limited,

HAS ADOPTED THIS REGULATION:

Article 1

The following three subparagraphs are added to Article 1 of Regulation (EEC) No 1146/86:

'This Regulation shall not apply to products which are shown to be in shipment on the date of publication of this Regulation, or to have left the supplying country by that date.

The parties concerned shall prove to the satisfaction of the competent authority that the conditions laid down in the second subparagraph are fulfilled.

The term of validity of licences issued in compliance with this Article shall be limited to 30 June 1986.'

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 from 19 April 1986.

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

Done at Brussels, 12 May 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 103, 19. 4. 1986, p. 58.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 March 1986

authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of early ware potatoes originating in Cuba

(Only the German, French and Dutch texts are authentic)

(86/158/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Articles 14 (3) and 17 thereof,

Having regard to the requests made by Belgium, Germany, France, Luxembourg and the Netherlands,

Whereas under the provisions of Directive 77/93/EEC, potato tubers other than those officially certified as seed potatoes pursuant to other Community provisions, originating in third countries not belonging to the continent of Europe, may in principle not be introduced into the Community because of the risk of introducing exotic potato diseases unknown in the Community;

Whereas, however, Article 14 (3) of the said Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas the growing of early ware potatoes in Cuba from seed potatoes supplied by certain Member States has

become an established practice; whereas part of the supply of early ware potatoes in the Community has been ensured by imports of such material from Cuba;

Whereas information supplied by and in Cuba has shown that there are good reasons to believe that Cuba has implemented adequate health, quality and control standards in her potato production, and that at least in respect of potatoes derived from seed potatoes supplied by the Community exotic potato diseases unknown in the Community are not likely to occur;

Whereas it can therefore be established, on the basis of the information available at present, that there is no risk of harmful organisms spreading, provided that certain special technical conditions are complied with;

Whereas it has appeared necessary to seek confirmation through appropriate technical examination of the potato production conditions in Cuba;

Whereas the requesting Member States should therefore be authorized to provide for derogations in respect of early ware potatoes originating in Cuba, under the aforementioned special technical conditions, for the forthcoming season; whereas the system will be improved or extended, depending on the results of the outstanding technical examination;

Whereas the Standing Committee on Plant Health did not deliver an opinion within the time limit provided for;

Whereas the Commission therefore submitted to the Council a proposal on the measures to be taken;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

Whereas the Council did not adopt measures within 15 days following the date on which the matter was referred to it, but did not reject the proposed measures by a simple majority,

HAS ADOPTED THIS DECISION:

Article 1

1. Belgium, Germany, France, Luxembourg and the Netherlands are hereby authorized to provide, under the conditions laid down in paragraph 2, for derogations from Article 4 (1), with regard to the prohibitions referred to in Part A (9a) of Annex III to Directive 77/93/EEC, for early ware potatoes originating in Cuba.

2. The following conditions shall be satisfied, without prejudice to other provisions of the aforementioned Directive:

- (a) The potatoes shall be potatoes for consumption of the category 'early potatoes';
- (b) they shall preferably be immature potatoes, i.e. 'unsuberized' potatoes with loose skin; if they are not of this type, they shall have been treated for the suppression of their faculty of germination;
- (c) they shall belong to varieties the seed potatoes of which were imported into Cuba only from Member States;
- (d) they shall be the direct progeny of either seed potatoes officially certified in 1985 as 'basic seed' or 'certified seed' in one or more Member States having supplied Cuba, or of the progeny of such seed potatoes, officially certified in 1984, if this progeny was produced in Cuba and qualified as seed potatoes in accordance with the current rules applicable in Cuba;
- (e) they shall have been grown either on farms which have not grown potatoes of varieties other than those specified in (c) over the last five years, or, in the case of State farms, on land sections which are kept separate from other land where potatoes of varieties other than those specified in (c) have been grown over the last five years;
- (f) they shall have been handled by machinery which is reserved to them or which has been disinfected in an appropriate manner after each use for other purposes;
- (g) they shall not have been in store-houses where potatoes of varieties other than those specified in (c) have been stored;
- (h) they shall be free from soil, subject to a tolerance of 0,5 % by weight, and free from leaves and other plant debris;

- (i) the tolerances for tubers with defects on samples drawn in accordance with international standards shall be those applicable to the Cuban quality class 1, as specified in the Annex, up to a maximum total of 4,5 % by number of tubers for all defects and to a maximum total of 2 % by number of tubers for all defects other than potato greening, size-off types and mixing of varieties, provided that the potatoes are free of live larvae, pupas or adults of boring insects;

(k) they shall be packed:

- either in new bags,
- or in containers which have been disinfected in an appropriate manner;

(l) the official plant health certificate required pursuant to Article 12 (1) (b) of Directive 77/93/EEC shall indicate:

- under the section 'Disinfestation and/or disinfection treatment' all information related to the possible treatments referred to in (b) second option and/or (k), second indent,
- under the section 'Additional declaration':
 - name of the variety,
 - identification number or name of the farm where the potatoes have been grown and its location,
 - reference allowing the identification of the seed lot used in accordance with (d),
 - results of the examination for presence of potatoes with defects in accordance with (i);

(m) on arrival, they shall be inspected by the importing Member State for satisfaction of the requirement specified in (i);

(n) on arrival, a sample of 400 tubers shall be drawn by the importing Member State for each 50 tonnes of imported potatoes, for appropriate testing for the presence of harmful organisms. The harmful organisms concerned and the details of testing shall be determined in agreement with the plant protection organizations of the Member States.

Article 2

The authorization granted in Article 1 shall expire on 30 April 1986. It shall be revoked in so far as it is established that the conditions laid down therein are not sufficient to prevent the introduction of harmful organisms or have not been complied with.

Article 3

The Member States concerned shall notify the Commission and the other Member States of the provisions under which they make use of the authorizations granted in Article 1.

Article 4

Done at Brussels, 25 March 1986.

This Decision is addressed to the Kingdom of Belgium, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the Kingdom of the Netherlands.

For the Commission

Frans ANDRIESEN

Vice-President

*ANNEX***Tolerances for tubers with defects applicable to Cuban quality class 1**

(referred to in Article 1 (2) (i) of this Decision)

Type of defects	% by number of tubers
Major defects	
Severe mechanical damage	1,0
Damage caused by diseases (scab)	0,5
Potato greening	2,0
Wet rot	0
Dry rot	0,5
Minor defects	
Presence of soil	0,5
Slight mechanical damage	1,0
Damage caused by insects	1,0
Size off-types by transverse diameter	1,0
Mixing of varieties	0

COMMISSION DECISION

of 25 March 1986

changing the import arrangements established by Council Regulation (EEC) No 3420/83 and applied in the Benelux countries, France and Italy in respect of the People's Republic of China

(Only the Dutch, French and Italian texts are authentic)

(86/159/EEC)

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

Having regard to Council Regulation (EEC) No 3420/83 of 14 November 1983 on import arrangements for products originating in State-trading countries, not liberalized at Community level ⁽¹⁾, and in particular Article 9 (1) thereof,

Whereas Council Regulation (EEC) No 3420/83 established the list of products originating in State-trading countries whose release for free circulation in the Member States is subject to quantitative restrictions ;

Whereas the Joint Committee established by the Agreement between the European Economic Community and the People's Republic of China of 21 May 1985 ⁽²⁾, met in Peking on 6 and 7 March 1986 ; whereas upon completion of its work it recommended, among other measures, the abolition of quantitative restrictions on the release for free circulation in certain Member States of products originating in China ;

Whereas, pursuant to Article 7 (1) of Regulation (EEC) No 3420/83, the Governments of the Benelux countries, France and Italy have informed the other Member States and the Commission that they consider that the import arrangements applied in the Benelux countries, France and Italy in respect of imports of various industrial products from China should be amended in accordance with that Regulation ;

Whereas, following the examination of different aspects of the measures recommended by the Joint Committee, action should be taken thereon, account being taken in

particular of Article 5 (2) of the Agreement between the European Economic Community and the People's Republic of China,

HAS ADOPTED THIS DECISION :

Article 1

The quantitative restrictions on the release for free circulation in the Member States specified in the Annex, of the goods therein indicated originating in China, are hereby abolished.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the French Republic and the Italian Republic.

Article 3

This Decision shall apply from 1 April 1986.

Done at Brussels, 25 March 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 346, 8. 12. 1983, p. 6.

⁽²⁾ OJ No L 250, 19. 9. 1985, p. 2.

ANNEX

Member State	CCT heading No	NIMEXE- code (1986)	Product
Benelux	64.02 ex B	64.02 ex 61 ex 69	Men's and boy's footwear with uppers of textile fabric
	85.01 ex A	85.01-01	
France	50.09	50.09-01-80	
	59.17 B I	59.17-21	
Italy	81.04 ex IJ	81.04-52 81.04-53	

COMMISSION DECISION**of 26 March 1986****fixing the minimum selling price for unprocessed currants from the 1984 harvest for standing invitation to tender provided for in Regulation (EEC) No 352/86****(86/160/EEC)**

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 8 (8) thereof,

Having regard to Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables ⁽²⁾, and in particular Article 6 (1) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 352/86 of 18 February 1986 opening a standing invitation to tender for the sale of unprocessed currants from the 1984 harvest intended for specific uses ⁽³⁾, storage agencies have put up for sale by standing invitation to tender 2 000 tonnes of currants ;

Whereas, under Article 15 of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies ⁽⁴⁾, as amended by Regulation (EEC) No 344/86 ⁽⁵⁾, in the light of the tenders received in response to each individual invitation to tender a minimum selling price must be fixed or a decision must be taken to make no award ;

Whereas, in the light of the tenders received for the individual invitation to tender, the minimum selling price should be fixed at the level specified below ;

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

HAS ADOPTED THIS DECISION :

Article 1

For the individual invitation to tender under Regulation (EEC) No 352/86 in respect of which the time limit for the submission of tenders expired on 5 March 1986 the minimum selling price shall be fixed at 6 ECU per 100 kilograms.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 26 March 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽³⁾ OJ No L 42, 19. 2. 1986, p. 10.

⁽⁴⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁵⁾ OJ No L 41, 18. 2. 1986, p. 15.

COMMISSION DIRECTIVE**of 4 April 1986****amending Commission Directive 76/527/EEC of 4 June 1976 on the calculation of total or partial relief from import duties under the outward processing procedure in respect of accession compensatory amounts****(86/161/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/119/EEC of 18 December 1975 on the harmonization of provisions laid down by law, regulation or administrative action in respect of outward processing ⁽¹⁾, and in particular Article 14 thereof,

Whereas Article 1 (2) of Commission Directive 76/527/EEC of 4 June 1976 on the calculation of total or partial relief from import duties under the outward processing procedure ⁽²⁾ lays down that for the calculation of the total or partial relief from import duties mentioned in Article 1 (1) on products which are reimported after outward processing in another Member State, the import duties applicable to the reimported products shall not be modified by the accession compensatory amounts which would be applicable to the temporarily exported goods if they were imported into the Member State concerned from the Member State in which they were subject to processing or to the last processing operation ;

Whereas Article 9 (4) of Commission Regulation (EEC) No 296/86 of 10 February 1986 on the implementation of the arrangements for inward processing, outward processing and processing under customs control in trade between the Member States of the Community as constituted on 31 December 1985 and Spain and Portugal and also in trade between the two new Member States for such time as customs duties are levied in such trade ⁽³⁾ lays down that where goods are sent for outward processing, no amounts shall apply to goods exported to the Member State where the processing takes place other than the monetary compensatory amounts levied under the common agricultural policy or under specific arrangements applicable to certain goods resulting from the processing of agricultural products ; whereas consequently

the situation described in the third recital of Directive 76/527/EEC whereby accession compensatory amounts are levied or granted on goods exported for outward processing no longer applies ;

Whereas, contrary to the sixth recital of Directive 76/527/EEC, for the calculation of the total or partial relief from import duties provided for in Article 10 of Directive 76/119/EEC on products which are reimported after outward processing in another Member State, the import duties applicable to the reimported products shall be modified by the accession compensatory amounts that would be applicable to the temporarily exported goods if they were imported into the Member State concerned from the country in which they were subject to processing or to the last processing operation ;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on Customs Processing Arrangements,

HAS ADOPTED THIS DIRECTIVE :

Article 1

Directive 76/527/EEC is hereby amended as follows :

1. The figure '1' shall be deleted from Article 1 (1).
2. Article 1 (2) shall be deleted.

Article 2

The Member States shall bring into force the measures necessary to comply with this Directive from 1 March 1986.

Article 3

1. Each Member State shall notify the Commission immediately of the provisions adopted to implement the Directive.

2. The Commission shall notify the other Member States thereof.

⁽¹⁾ OJ No L 24, 30. 1. 1976, p. 58.

⁽²⁾ OJ No L 153, 12. 6. 1976, p. 43.

⁽³⁾ OJ No L 36, 12. 2. 1986, p. 5.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 4 April 1986

For the Commission

COCKFIELD

Vice-President

COMMISSION DECISION

of 4 April 1986

authorizing the Kingdom of Spain to introduce intra-Community surveillance of imports of products originating in certain third countries which have been put into free circulation in one of the Member States and which may be the subject of protective measures under Article 115 of the Treaty

(86/162/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of 20 December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State⁽¹⁾, and in particular Articles 1 and 2 thereof,

Whereas the abovementioned Decision requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of the imports concerned;

Whereas the Spanish Government has submitted an application to the Commission for such authorization in respect of certain products originating in certain third countries;

Whereas Spain has been authorized by the Community to maintain quantitative restrictions on a temporary basis on imports of the products in question, by way of derogation from the system of free intra-Community trade, because of the economic difficulties facing the sector concerned in Spain;

Whereas, as a result, there are differences in the conditions governing the import of these products into the Member States and these differences are capable of causing deflections of trade;

Whereas the Spanish authorities have pointed out that, as a result of the abolition between Spain and the Community of all quantitative restrictions and measures having equivalent effect concerning the movement of the products in question, there is a risk of trade in products originating in third countries being deflected through the other Member States towards Spain; whereas such deflec-

tions are capable of aggravating the continuing difficulties affecting the sector concerned in Spain, thus putting at risk achievement of the objectives of the abovementioned trade measures;

Whereas the Commission has examined the application of the Spanish Government and this examination has shown that Spain should be authorized to introduce intra-Community surveillance of the products indicated in the Annex which originate in the third countries listed therein and have been put into free circulation in the other Member States;

Whereas, to this end, the Kingdom of Spain should be authorized until 31 December 1986 to make intra-Community imports of the products listed in the Annex subject to the issue, in accordance with the procedures described in Article 2 of Decision 80/47/EEC, of an import document,

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Spain is authorized to introduce, until 31 December 1986 and in accordance with Article 2 of Decision 80/47/EEC, intra-Community surveillance of the products listed in the Annex.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 4 April 1986.

For the Commission

Willy DE CLERQ

Member of the Commission

⁽¹⁾ OJ No L 16, 22. 1. 1980, p. 14.

ANNEX

CCT heading No	NIMEXE code (1986)	Description	Country of origin
ex 28.08	28.08-11		Bulgaria, Hungary, Poland, Romania, Czechoslovakia, USSR, German Democratic Republic, China
29.35 ex Q	29.35-72, 73		USSR, German Democratic Republic, Poland, Bulgaria
31.03 A I ex II B	31.03-15 19 30		} German Democratic Republic
31.04 A	31.04-11—29		German Democratic Republic, USSR, Hungary
39.01 C II ex a	39.01-29		Bulgaria
39.02 ex C VII	39.02-41—61		Libya, United States of America, Japan, Mexico, Canada, South Korea, Taiwan
42.02	42.02-12—99		Hong Kong, South Korea, India, Pakistan, Argentina, Taiwan, Brazil, Singapore, Czechoslovakia, German Democratic Republic, China
71.12	71.12-11—20		United States of America, Thailand, China, Hong Kong, Canada, India
71.15	71.15-11—29		Japan, United States of America, India, China, Taiwan, Hong Kong, Brazil, Pakistan, Thailand, South Korea
71.16	71.16-11—59		Hong Kong, Japan, Thailand, United States of America, Czechoslovakia, Canada, India, South Korea, China, Taiwan, Mexico, Philippines
82.09 B	82.09-60		United States of America, Japan
ex 82.13	82.13-10, 30, 90		Japan
82.15	82.15-00		Japan
84.11 A II ex b	84.11-35—37		Hungary
84.51 ex A	84.51-ex 12 13, 14, 18 ex 20	Automatic portable typewriters, controlled by data media Other typewriters, excluding non-portable electric typewriters	} Japan

CCT heading No	NIMEXE code (1986)	Description	Country of origin
84.52 ex B	84.52-20, 30, 40, 89		Japan
85.20	85.20-01—79		Japan
85.20 A II ex B	85.20-11—29 32—49		} German Democratic Republic, Poland, Czechoslovakia, Hungary, Romania
87.07 B C D	87.07-15 21—37 50		} Bulgaria, Poland, Czechoslovakia, Hungary
87.07	87.07-10—50		Japan
ex 87.09	87.09-ex 59 ex 90	Other, of a cylinder capacity of more than 380 cm ³ Side-cars for motor cycles and auto-cycles and cycles of all kinds	} Japan
97.02	97.02-11—35		German Democratic Republic, Romania, United States of America, Philippines, China, Taiwan, Hong Kong, Poland, South Korea, Japan

ACP—EEC COUNCIL OF MINISTERS

SECOND ACP—EEC CONVENTION OF LOMÉ

(signed on 31 October 1979)

TEXTS RELATING TO AGRICULTURAL AND RURAL COOPERATION

Volume I 1. 1. 1983-31. 12. 1983
Acts of the ACP—EEC Council of Ministers
Decisions of the Committee of Ambassadors

60 pp.
BX-42-84-154-EN-C ISBN 92-824-0200-2
Price (excluding VAT) in Luxembourg:
BFR 100 IRL 1,60 UKL 1,40 USD 1,50

Volume II 1. 1. 1984-31. 12. 1984
Budget of the Technical Centre for Agricultural and Rural Cooperation (1984)

10 pp.
BX-43-85-426-EN-C ISBN 92-824-0242-8
Price (excluding VAT) in Luxembourg:
BFR 100 IRL 1,60 UKL 1,40 USD 1,50

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