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Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2260/84

of 17 July 1984

amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission⁽¹⁾,

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

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas Article 11 (6) of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽⁴⁾, as last amended by Regulation (EEC) No 1556/84⁽⁵⁾, provides that a percentage of the consumption aid is to be allocated to publicity campaigns and possibly to other projects for the promotion of the consumption of olive oil in the Community; whereas, in the light of the situation on the market in olive oil, in particular following the accession of the Hellenic Republic to the Community, provision should be made for the possibility of allocating the percentage referred to above for the promotion of the consumption of Community olive oil on both the Community and the world markets;

Whereas, under Article 20d (1) of Regulation No 136/66/EEC, recognized groups or recognized associations may withhold as a fee, a percentage to be determined of the amount of production aid paid to them; whereas, in order to ensure that the system of production aid is applied more effectively, that provision should be amended to cover more approximately the

expenditure arising from the supervision by producer organizations and associations thereof provided for in the context of the production aid scheme;

Whereas Article 20d (3) of the said Regulation provides that recognized producer groups and recognized associations may conclude storage contracts in respect of the olive oil which they market; whereas, in view of their structure and objectives, this possibility should be restricted to producer groups and associations recognized within the meaning of Regulation (EEC) No 1360/78⁽⁶⁾ whose tasks include the placing of the olive oil on the market,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 136/66/EEC is hereby amended as follows:

1. In the first subparagraph of Article 11 (6), 'in the Community' is replaced by 'produced in the Community';

2. In Article 20d:

(a) paragraph 1 is replaced by the following:

'1. A percentage to be determined of the amount of production aid paid to recognized organizations or recognized associations shall be withheld. The resulting amount shall be used to help finance the expenditure incurred in the work done pursuant to Article 5 (3) and Article 20c.

At the same time and in accordance with the same procedure as for the production aid, the Council shall decide, for the following marketing year, the percentage of the production aid which may be withheld.'

⁽¹⁾ OJ No C 249, 17. 9. 1983, p. 3.

⁽²⁾ OJ No C 307, 14. 11. 1983, p. 103.

⁽³⁾ OJ No C 23, 30. 1. 1984, p. 20.

⁽⁴⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁵⁾ OJ No L 150, 6. 6. 1984, p. 5.

⁽⁶⁾ OJ No L 166, 23. 6. 1978, p. 1.

(b) paragraph 3 is replaced by the following :

'3. Where prices on the Community market are close to the intervention price over a period to be determined, it may be decided, in accordance with the procedure laid down in Article 38, that recognized groups or recognized associations within the meaning of Regulation (EEC) No 1360/78 may conclude storage contracts in respect of the olive oil which they market.'

3. In Article 42b the reference to subheading ex 20.01 B is replaced by a reference to subheading ex 20.01 C.

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 1 November 1984.

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

Done at Brussels, 17 July 1984.

For the Council

The President

A. DEASY

COUNCIL REGULATION (EEC) No 2261/84

of 17 July 1984

**laying down general rules on the granting of aid for the production of olive oil
and of aid to olive oil producer organizations**

THE COUNCIL 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 2260/84⁽²⁾,
and in particular Article 5 (4) thereof,

Having regard to the proposal from the Commission,

Whereas Article 5 of Regulation No 136/66/EEC
introduced a system of production aid for olive oil;
whereas this aid in respect of areas under olives at a
certain date is granted to growers who are members of
the producer organizations specified in Article 20c (1)
of Regulation No 136/66/EEC and whose average
production is at least 100 kilograms of oil per market-
ing year and to other growers on the basis of the
number and production potential of olive trees and of
the yields of such trees, as determined according to a
standard method, and provided that the olives
produced have actually been harvested;

Whereas, pending the establishing of a register of olive
cultivation, aid for the growers concerned should be
calculated on the basis of the average yields of olive
trees;

Whereas, in order to ensure the proper operation of
the system of aid, it is necessary to determine the
types of olive oil in respect of which aid is granted;

Whereas, in order to ensure the proper operation of
the system aid, the rights and obligations of all those
concerned, namely growers producer organizations and
associations of producer organizations and also the
Member States concerned should be laid down;

Whereas the basis should be a system of crop declara-
tions made by growers;

Whereas the olive oil producer organizations referred
to in Article 20c (1) of Regulation No 136/66/EEC
must have a minimum number of members or repre-
sent a minimum percentage of growers or of oil
production; whereas these minimum numbers or
percentages must be fixed at levels compatible, on the

one hand, with the need for efficiency of the organiza-
tions and, on the other hand, with facilities for verifi-
cation available in the producer Member States;
whereas to ensure the efficient management of the
organizations, certain additional conditions to be
fulfilled by member growers should be laid down;

Whereas the associations of olive oil producer organi-
zations referred to in Article 20c (2) of the said Regula-
tion must be composed of a minimum number of
groups or represent a minimum percentage of national
production; whereas these minimum numbers or
percentages should be set at levels which enable the
special coordination and checking work incumbent on
such associations to be carried out in an effective
manner;

Whereas Article 20c of the said Regulation specifies
that producer organizations and associations of
producer organizations should carry out certain verifi-
cation and coordination tasks; whereas the precise
nature of these tasks should therefore be defined;

Whereas, in the interests of proper administration,
producer organizations and associations thereof must
apply to the competent national authorities for recog-
nition in good time before the beginning of the
marketing year; whereas the Member State concerned
should decide on their application within a reasonable
time;

Whereas, in accordance with Article 20d (1) of the said
Regulation, a percentage of the aid may be retained to
contribute towards the expenditure incurred by
producer organizations and associations thereof on
making checks; whereas steps should be taken to
ensure that the sums retained are used only for the
financing of the tasks provided for in Article 20c (1)
and (2) of the said Regulation;

Whereas Article 20d (2) of the said Regulation
provides that only associations are to qualify for an
advance on the amount of the aid; whereas for reasons
of sound management this advance should not exceed
a certain percentage of the amount of the aid;

Whereas, in order to ensure the proper operation of
the system of production aid for growers who belong
to producer organizations, provision should be made
for paying aid only in respect of the quantities
obtained in approved mills; whereas, for the purposes
of approval, the mills concerned should fulfil a
number of conditions;

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

(2) See page 1 of this Official Journal.

Whereas the aid in question is of considerable advantage to oil producers and represents a financial burden on the Community; whereas, in order to guarantee that the aid is granted only in respect of oil which qualifies therefor, provision should be made for an appropriate system of administrative checks;

Whereas, in the interests of proper administration of the aid system, provision should be made for Member States to determine the quantity of olive oil eligible for aid in cases where the actual production of an olive grower is in doubt;

Whereas experience has shown that, despite the large number of specific checks introduced, the number of growers to be supervised makes detailed and effective checking and verification difficult; whereas it is necessary to resolve these difficulties by setting up in each Member State a computerized file containing all the information needed to facilitate checking and the prompt detection of irregularities,

HAS ADOPTED THIS REGULATION:

CHAPTER 1

General provisions

Article 1

As from the 1984/85 marketing year, the general rules laid down in this Regulation shall apply to the granting of the production aid for olive oil referred to in Article 5 of Regulation No 136/66/EEC.

Article 2

1. Production aid shall be granted in respect of olive oil provided that it meets the specifications laid down in points 1 and 4 of the Annex to Regulation No 136/66/EEC and the areas under olives are covered by the declaration provided for in Article 1 (1) of Regulation (EEC) No 1590/83⁽¹⁾ or satisfy the conditions laid down in Article 1 (2) of that Regulation.

2. The aid shall be granted to olive growers established in the Member States. For the purposes of this Regulation an olive grower shall be any grower of olives which are used to produce oil.

3. The aid shall be granted on application by the parties concerned to the Member State in which the oil has been produced.

4. In the case of olive growers who are members of a producer organization as specified in Article 20c (1) of Regulation No 136/66/EEC and whose average production is not less than 100 kilograms of olive oil per marketing year, the aid shall be granted, in accordance with the first indent of Article 5 (2) of that Regulation, in respect of the quantity of oil actually produced at an approved mill, subject to Article 7.

In the case of other olive growers, the aid shall be granted in accordance with the second indent of Article 5 (2) of Regulation No 136/66/EEC and shall be equal to that resulting from applying the olive yields and oil yields, fixed according to the standard method provided for in Article 18 to the number of olive trees in production.

5. For the 1984/85 and 1985/86 marketing years, producer Member States shall determine which olive growers whose average production is at least 100 kilograms of oil per marketing year are entitled to aid granted according to the quantity of oil actually produced by applying the olive yields and oil yields fixed pursuant to Article 18 to the number of olive trees in production.

6. Before 31 March 1986, the Council, acting by a qualified majority on a proposal from the Commission, shall lay down the criteria to be applied from the 1986/87 marketing year onwards for determining which olive growers have an average production of at least 100 kilograms of oil per marketing year.

CHAPTER 2

Obligations incumbent on olive growers

Article 3

1. Each olive grower shall, at the beginning of the marketing year and before a date to be determined, submit to the competent authorities of the Member State concerned a crop declaration containing, on the first occasion it is lodged:

- particulars of the olive trees grown and their location,
- a copy of the declaration submitted for the purpose of compiling the olive-cultivation register. As regards Greece and until the olive-cultivation register has been compiled in that Member State, this declaration may be replaced by that referred to in Article 1 (1) of Regulation (EEC) No 1590/83.

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 39.

2. For the following marketing years each olive grower shall, before a date to be determined, lodge a supplementary declaration indicating any changes that have occurred or stating that his previous crop declaration remains applicable.

3. Olive growers who are members of a producer organization shall, by a date to be determined, lodge with the organization of which they are members an individual aid application providing evidence that the olives have been crushed or a sales invoice for the olives or both documents.

4. The olive growers referred to in paragraph 3 shall lodge the crop declaration and aid application through their organization.

5. An olive grower may not be a member of more than one producer organization for areas located in a given administrative area and may not lodge more than one crop declaration and one aid application for those areas.

If an olive grower leaves the organization before the end of the period mentioned in the first indent of Article 20c (1) (g) of Regulation No 136/66/EEC, he may not join another organization provided for by this Regulation during the remainder of the period.

Producer organizations shall notify the Member State concerned of the names of olive growers referred to in the second subparagraph.

6. In the case of olive growers who are not members of a producer organization, the crop declaration submitted individually shall count as an aid application provided that it is supplemented before a date to be determined by:

- a declaration that they have for the marketing year in question harvested their olives, and
- information on the intended use of the olives.

7. Olive growers who fail to comply with the obligations laid down in this Article shall be refused aid.

CHAPTER 3

Producer organizations

Article 4

1. Without prejudice to the other requirements of Article 20c (1) of Regulation No 136/66/EEC a producer organization may not be recognized under that Regulation unless:

- (a) it consists, in the case of organizations producing and increasing the market value of olives and olive oil, of at least 700 olive growers; or
- (b) it consists, in other cases, of at least 1 200 olive growers; should one or more organizations produ-

cing and increasing the market value of olives and olive oil be a member of the organization in question, the growers concerned shall be considered individually for the purposes of calculating the minimum number of growers required; or

- (c) it represents at least 25 % of the olive growers or of olive oil production in the economic region in which it has been set up.

2. Only the following may belong to a producer organization: olive growers who own an olive grove which they exploit or olive growers who have been exploiting an olive grove for a period of at least three years.

To this end, olive growers shall submit to the producer organizations of which they are members the information needed to establish that they are persons exploiting an olive grove and information on any changes which have occurred since their application for membership.

3. For the purposes of this Regulation, 'economic region' shall mean a region which, under criteria to be fixed by the Member State concerned, possesses similar production conditions from the point of view of olive growing.

4. Member States shall take any necessary action to encourage the setting up of producer groups as specified in Regulation (EEC) No 1360/78⁽¹⁾ or of other organizations for producing and increasing the market value of olives and olive oil which can be recognized as producer organizations for the purposes of this Regulation.

Article 5

1. Producer organizations wishing to obtain recognition from the beginning of a marketing year shall apply to the competent authority of the Member State concerned by 30 June of the previous marketing year at the latest.

2. By 15 October, following receipt of the application, at the latest, the competent authority shall, after checking whether the organization meets the requirements of Article 20c (1) of Regulation No 136/66/EEC and of Article 4, take a decision on the application and notify it forthwith to the organization concerned and to the Commission.

Recognition shall take effect from the beginning of the marketing year following that in which application was made.

⁽¹⁾ OJ No L 166, 23. 6. 1978, p. 1.

3. Recognized producer organizations shall by 30 June of each year declare to the competent authority any changes made in their structure since their recognition or last annual declaration and report any notices of withdrawal of or application for membership received.

The competent authority shall ascertain, on the basis of this statement and of any appropriate enquiries, whether the conditions for recognition continue to be met.

If they are no longer met or if the structure of an organization does not allow for its members' production to be verified, the competent authority must, without delay and at the latest before the beginning of the following marketing year, withdraw recognition and notify its decision to do so to the Commission.

Article 6

1. Recognized producer organizations shall:

- lodge the crop declarations of all their members in accordance with Article 3 (1),
- make on-the-spot checks on the data given in a percentage of these declarations to be determined,
- submit once per month in a standardized form suitable for computer processing as provided for in Article 16 the aid applications of their members. Aid shall be requested for the quantity produced by those members who have completed their oil production, provided that the checks specified in Article 8 have been made and the resulting obligations discharged.

All applications relating to the production of a single marketing year must, on pain of preclusion, be lodged before a date to be specified.

2. In cases where a producer organization belongs to an association of such organizations, the crop declarations and aid applications of the olive grower members must be submitted by the association.

Article 7

In cases where an olive grower who is a member of a producer organization

- has also rented olive groves for a period of less than three years,
- has sold either some or all of his olive production, and
- has joined the organization during the marketing year,

the quantity of oil for which aid is received may not be greater than that determined by the standard

method of applying to the number of olive trees in production the olive yields and oil yields fixed as provided for in Article 18.

Article 8

1. Before submitting the aid application each producer organization shall verify the quantity of olive oil in respect of which aid is applied for by each of its members. For the purposes of this verification the organization shall check in particular:

- that the production of olives declared by each grower as having been pressed in an approved mill tallies with the particulars given on his crop declaration, on the basis of criteria to be determined,
- that the particulars supplied by each grower as to the quantities of olives pressed and the quantities of oil obtained correspond to the quantities of olives and oil stated in the stock records of approved mills.

2. Producer organizations shall forward the files on their members to the competent authorities of the Member State concerned in the following cases:

- where the particulars referred to in the first indent of paragraph 1 appear not to tally after the organization has obtained all supporting documents and any information that may be used to establish the quantity actually produced,
- where the particulars referred to in the second indent of paragraph 1 appear not to correspond,
- where the particulars of the crop declaration do not correspond to the situation revealed by the checks.

CHAPTER 4

Associations of producer organizations

Article 9

1. Without prejudice to the requirements of Article 20c (2) of Regulation No 136/66/EEC an association may not be recognized unless it comprises at least 10 producer organizations recognized under Article 5 or a number of organizations accounting for at least 5 % of the olive oil produced in the Member State concerned.

However, the producer organizations comprising an association must be from two or more economic regions.

2. The provisions on recognition and withdrawal thereof set out in Article 5 shall also apply to associations.

Article 10

The associations specified in Article 20c (2) of Regulation No 136/66/EEC :

- shall coordinate the activities of the organizations of which they are composed and ensure that these activities accord with the provisions of this Regulation, and in particular shall directly and in accordance with a percentage to be determined verify the manner in which the checks specified in Articles 6 and 8 have been carried out,
- shall lodge with the competent authorities the crop declarations and the aid applications forwarded to them by the organizations of which they are composed,
- shall receive from the Member State concerned advances on the production aid, as mentioned in Article 12, and the balance of the aids, and shall forthwith divide them amongst the producers who are members of the organizations of which they are composed.

CHAPTER 5

Rules common to olive oil producer organizations and associations thereof*Article 11*

1. The amount of the sum withheld referred to in Article 20d (1) of Regulation No 136/66/EEC shall be used in the following way :

- (a) a sum to be determined shall be paid to each association on the basis of the number of members of the producer organizations of which it is composed ;
- (b) the balance shall be paid to all the producer organizations on the basis of :
 - the number of individual aid applications lodged with each organization by its members,
 - checks carried out under the aid procedure.

2. Member States in which olive oil is produced shall ensure that the sums made over to the associations and to producer organizations in application of paragraph 1 are used by them only for financing the activities for which they are responsible under this Regulation.

3. If sums are not used, in whole or in part, as specified in paragraph 2, they must be repaid to the Member States concerned, and shall be deducted from the expenditure financed by the EAGGF.

4. In order to facilitate the operation of associations and producer organizations, Member States are autho-

rized to pay to them, at the beginning of each marketing year, and advance to be calculated on a flat-rate basis on the number of members.

5. Producer Member States shall lay down rules regarding allocation of the aid and the time limits for payment to olive growers.

Article 12

1. Producer Member States shall be authorized to pay associations of producer organizations an advance on the amount of the claimed aids.

2. During the 1984/85, 1985/86 and 1986/87 marketing years, the advance referred to in paragraph 1 to each grower shall not exceed :

- the amount resulting from applying the olive yields and oil yields fixed according to Article 18, to the number of olive trees in production as stated in the crop declaration, or the amount resulting from the quantity mentioned in the application if that quantity is less than that referred to above, or
- 50 % of the amount resulting from the average of the aids actually paid during the two preceding marketing years.

Article 13

1. Member States shall approve only mills whose proprietors :

- (a) have forwarded to the relevant Member State, in accordance with rules to be determined, full information on their technical equipment and actual pressing capacity and any changes in this information ;
- (b) have agreed to undergo any check provided for under the aid procedure, to accept on their premises any means of control deemed necessary and to allow any checks on their accounts ;
- (c) have not been subject, during the preceding marketing year, to proceedings for irregularities noted during checks made pursuant to Article 14 and pursuant to this Article as regards approval for the 1984/85 marketing year ;
 - have not been subject to proceedings for irregularities noted during checks made for the 1983/84 marketing year pursuant to Articles 7 and 9 of Regulation (EEC) No 2959/82 ⁽¹⁾, and

⁽¹⁾ OJ No L 309, 5. 11. 1982, p. 30.

— have not had their approval withdrawn for a period extending beyond 31 October 1984 in pursuance of that Regulation;

(d) agree to keep standardized stock records meeting criteria to be determined.

2. Member States shall verify before granting approval whether the conditions for approval are fulfilled, and in particular shall check on the spot the technical equipment and actual pressing capacity of mills.

3. During the 1984/85 and 1985/86 marketing years, the Member States concerned may grant provisional approval to the mill involved as soon as an application for approval containing the information referred to in paragraph 1 has been submitted.

Such provisional approval shall become definitive as soon as the Member State concerned has ascertained that the conditions for approval laid down in paragraph 1 are fulfilled.

Should it be found that one of the conditions specified in paragraph 1 is not fulfilled, the provisional approval shall be withdrawn.

4. In cases where one of the conditions for approval set out in paragraph 1 is no longer fulfilled, approval shall be withdrawn for a period in keeping with the gravity of infringement.

5. In cases where approval is withdrawn in accordance with paragraphs 3 and 4, no new application for approval may be granted at any time during the period of withdrawal:

— to the same natural or legal person operating the mill in question, or

— to any natural or legal person who wishes to operate the mill in question, unless that person can show, to the satisfaction of the Member concerned, that the application for fresh approval is not intended to circumvent the sanction imposed.

6. Should the withdrawal of a mill's approval have serious consequences on the pressing capacity in a given production zone, it may be decided to approve the mill under special control arrangements.

CHAPTER 6

System of checks

Article 14

1. Each producer Member State shall apply a system of checks to ensure that the product in respect of which aid is granted is eligible for such aid.

2. Producer Member States shall verify the activities of each producer organization and association and, in particular, that the checking operations have been carried out by these bodies.

3. In the course of each marketing year and during the oil-pressing period in particular, producer Member States shall carry out on-the-spot checks on the activities and the stock records of a percentage of approved mills to be determined.

The mills selected must be representative of the pressing capacity of a production zone.

4. In the case of the olive oil defined at point 1 of the Annex to Regulation No 136/66/EEC and produced by growers who are not members of a producer organization, checking shall be by sampling on the spot and must verify:

— that the crop declarations are accurate,

— that the olives harvested are to be used to produce oil and, if possible, that they have actually been processed into oil.

The checks shall be carried out on a percentage of growers to be determined on the basis of holding sizes in particular.

5. For these checks and verifications Member States shall use *inter alia* the computerized data files provided for in Article 16.

These files shall be used to guide the checking operations to be carried out pursuant to paragraphs 1 to 4.

Article 15

1. Member States shall determine the quantity of oil eligible for aid on the basis of the applications submitted under Articles 3 and 6, taking into account all relevant facts, and in particular all the checks and verifications provided for in this Regulation.

The quantity of olive oil referred to in point 4 of the Annex to Regulation No 136/66/EEC for which aid may be given shall be determined on the basis of production of the type of oil defined at point 1 of that Annex.

2. In the case of producers whose files have been forwarded to it by their organization in accordance with Article 8 (2) the Member State shall determine the quantity of oil for which aid shall be given.

3. Where the checks specified in Articles 13 and 14 do not confirm the figures in the stock records of an approved mill, the Member State concerned shall, without prejudice to any sanctions which may be imposed on the mill, determine, for each producer who is a member of an organization which has had its olive crop pressed in the mill in question, the quantity of oil for which aid shall be given.

4. For the purpose of determining the quantity eligible for aid in cases covered by paragraphs 2 and 3, the Member State shall in particular, use the olive yields and oil yields fixed in accordance with the standard method of Article 18.

Article 16

1. Each producer Member State shall draw up and keep up to date permanent computerized files of olive and olive-oil production data.

2. These files must contain at least the following information :

(a) for each olive grower and for each marketing year for which he has made an application for aid :

- the information contained in the crop declaration provided for in Article 3,
- the quantities of oil produced for which an application for production aid has been made and the quantities for which aid is paid,
- the information resulting from the on-the-spot checks made on the olive grower ;

(b) for producer organizations and associations of producer organizations, all information needed to verify their activities in connection with the present aid system and also the results of checks made by the Member States ;

(c) for oil mills and for each marketing year the data appearing in the stock records, information on technical equipment and pressing capacity and the results of checks made pursuant to this Regulation ;

(d) the indicative annual yields for each homogeneous production zone.

Article 17

1. The files referred to in Article 16 shall be confidential.

The following shall have access to them :

- the national authorities empowered by the Member State,

— Commission employees in cooperation with the competent officials of the Member States and in accordance with Regulation (EEC) No 729/70 ⁽¹⁾, as last amended by Regulation (EEC) No 3509/80 ⁽²⁾, particularly with regard to the procedures laid down,

— producer organizations and associations thereof, as regards the aspects which the Member States deem necessary in order to check effectively on their respective existing members.

2. The information files set up and the processing systems used in checking them must be compatible with the computerized systems used by each producer Member State for the register of olive cultivation.

CHAPTER 7

Final provisions

Article 18

The olive yields and oil yields mentioned in the second indent of the first subparagraph of Article 5 (2) of Regulation No 136/66/EEC shall be fixed by homogeneous production zones, at the latest by 31 May of each year, on the basis of the figures supplied by producer Member States not later than 30 April of each year.

Article 19

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.

The following shall be fixed in accordance with the same procedure :

- the yields referred to in Article 18,
- the sum referred to in Article 11 (1) (a).

Article 20

In order to ensure a smooth transition from the arrangements currently in force to those established under this Regulation, the Commission may decide on any necessary measures for the 1984/85 marketing year in accordance with the procedure referred to in Article 38 of Regulation No 136/66/EEC.

With a view to ensuring the respect of the objectives of this Regulation whilst taking into consideration specific problems which may arise in certain Member States in the application of these provisions, the Member States concerned may, after consulting the

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 2.

⁽²⁾ OJ No L 367, 31. 12. 1980, p. 87.

Commission, whilst taking into consideration any additional criteria, grant for a transitional period of three marketing years, from the marketing year 1984/85, provisional recognition to such producers' organizations and their associations which make a request.

Article 21

Before the end of the third year of application of this Regulation, the Commission will submit to the Council a report on the working of the arrangements

laid down by this Regulation accompanied by proposals enabling the Council to revise the arrangements.

Article 22

The Member States shall notify the Commission of the measures taken pursuant to this Regulation.

Article 23

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, 17 July 1984.

For the Council

The President

A. DEASY

COUNCIL REGULATION (EEC) No 2262/84

of 17 July 1984

laying down special measures in respect of olive oil

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Article 5 of Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽⁴⁾, as last amended by Regulation (EEC) No 2260/84 ⁽⁵⁾, introduced a system of production aid for olive oil; whereas this aid in respect of areas under olives at a certain date is granted to growers who are members of the producer organizations specified in Article 20c (1) of Regulation (EEC) No 136/66/EEC and whose average production is at least 100 kilograms of oil per marketing year and to other growers on the basis of the number and production potential of olive trees and of the yields of such trees, as determined according to a standard method, and provided that the olives produced have actually been harvested;

Whereas experience has shown that, despite the existence of rules providing for numerous specific controls, there are problems as regards ensuring timely and effective control; whereas this could lead to an unwarranted financial burden on the Community;

Whereas, in the present situation, special measures should therefore be laid down to ensure that the production aid scheme is applied correctly and in a uniform manner;

Whereas experience has shown administrative structures in the producer Member States to be inadequate to implement the controls provided for in the Community rules; whereas these Member States must therefore set up administratively autonomous bodies to perform these tasks; whereas, since the Member States

are required to set up at short notice special structures to perform tasks going beyond the controls to be undertaken by Member States pursuant to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁶⁾, as last amended by Regulation (EEC) No 3509/80 ⁽⁷⁾, provision should be made for financial contribution from the Community over a certain period;

Whereas there is a relationship between effective control arrangements and the sanctions applicable in cases where a breach of the regulations comes to light; whereas the present arrangements concerning sanctions should be stiffened and supplemented in order to produce a greater deterrent effect, having regard to the specific characteristics of the common organization of the market in olive oil; whereas, accordingly, Member States should apply a system of sanctions in cases where discrepancies in connection with the production aid scheme come to light; whereas, in order to ensure that the sanctions in question are applied properly and in a uniform manner, certain specific cases should be defined in which sanctions are applicable,

HAS ADOPTED THIS REGULATION:

Article 1

1. Each producer Member State shall, in accordance with its legal structure, set up an agency for the purpose of carrying out certain checks and duties in connection with the olive oil production aid scheme.

However, Member States whose production is less than 3 000 tonnes over a reference period to be determined shall not be required to set up an agency. In that case the Member States concerned shall take all requisite measures to ensure that the tasks of the agency mentioned in this Article are carried out.

2. In order to ensure that the production-aid arrangements are correctly applied, the agency referred to in paragraph 1 shall, in accordance with the work schedule referred to in paragraph 4:

— check that the work of the producer organizations and associations thereof complies with Council

⁽¹⁾ OJ No C 249, 17. 9. 1983, p. 5.

⁽²⁾ OJ No C 104, 16. 4. 1984, p. 92.

⁽³⁾ OJ No C 23, 30. 1. 1984, p. 20.

⁽⁴⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽⁵⁾ See page 1 of this Official Journal.

⁽⁶⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁷⁾ OJ No L 367, 31. 12. 1980, p. 87.

Regulation (EEC) No 2261/84 of 17 July 1984, laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organizations⁽¹⁾,

- conduct checks of approved mills;
- carry out checks on the end-use of the oil obtained by crushing the olives and on the end-use of its by-products,
- collect, verify and process, at national level, the data required for ascertaining the yields referred to in Article 18 of Regulation (EEC) No 2261/84,
- conduct statistical surveys on the production, processing and consumption of olive oil,

At the Member State's request the agency shall:

- investigate the files referred to in Article 15 (2) of Regulation (EEC) No 2261/84,
- carry out the checks referred to in Article 14 (2), (3) and (4) of Regulation (EEC) No 2261/84,
- carry out the prescribed checks relating to consumption aid.

On its own initiative or at the Commission's request, the Member State may also instruct the agency to carry out specific enquiries.

3. The agency shall be given full administrative autonomy. It shall be given full powers by the Member State concerned to carry out the tasks specified in paragraph 2.

Its staff shall consist of officials, the number and level of training of whom shall be suited to the tasks referred to above.

4. Before the beginning of each marketing year, the Member State concerned shall, acting on a proposal from the agency, draw up budget estimates and a work schedule designed to ensure that the production-aid scheme is correctly applied; the budget and schedule shall be forwarded by the Member State to the Commission. The Commission may request the Member State, without prejudice to the responsibilities of the latter, to make any change in the provisional budget or work schedule which it considers appropriate.

Persons designated by the Commission may at any time monitor any of the work carried out by the agency,

The agency shall submit to the Member State and the Commission regular reports on the work which it has carried out. Such reports shall mention any problems

encountered and, where appropriate, suggestions as to how to improve the checking arrangements.

5. Over a period of three years from 1 November 1984, the following percentages of the agency's actual expenditure shall be chargeable to the general budget of the European Communities:

- 100 % for the first two years, up to a maximum of 14 million ECU for the agency set up in Italy and 7 million ECU for the agency set up in Greece,
- 50 % for the third year.

Member States may, under conditions to be determined in accordance with the procedure provided for in Article 38 of Regulation No 136/66/EEC, cover part of the expenditure to be borne by them by a deduction from the Community aid granted for olive oil.

The Council, acting by a qualified majority on a proposal from the Commission, shall adopt by 1 January 1987 the method for financing the expenditure in question as from the 1987/88 marketing year.

6. The annual amount representing the actual expenditure referred to in paragraph 5 shall be decided upon by the Commission on the basis of the particulars provided by the Member States concerned. The amount in question shall be granted when the Commission is satisfied that the agency has been set up and has performed the work assigned to it.

In order to facilitate the setting up and operation of the agency, the amount in question may be paid in advance in the form of instalments during the year in question, in accordance with the agency's annual budget, the latter being drawn up with the agreement of the Member State and the Commission before the end of October of each following year.

Article 2

Under Article 11a of Regulation No 136/66/EEC, producer Member States shall take specific and appropriate measures in order to penalize any breaches of the production-aid arrangements, particularly where it has been noted that:

- (a) the figures which appear in the crop declaration referred to in Article 3 of Regulation (EEC) No 2261/84 do not correspond to the actual situation;
- (b) the quantity of oil eligible for aid is less than that applied for by growers belonging to a producer organization who are entitled to aid in relation to the quantity of olive oil actually produced;
- (c) a producer organization or an association of such organizations has not fulfilled the obligations arising under this Regulation;
- (d) a mill has not fulfilled the obligations arising under this Regulation.

⁽¹⁾ See page 3 of this Official Journal.

Article 3

1. For the purpose of implementing the provisions of Article 2, the Member States shall apply the following measures at least:

- (a) in the case referred to in Article 2 (a), where the inaccurate crop declaration includes an increase in the olive oil production potential in question which does not correspond to the actual situation, the grower concerned must pay an amount which is related to the resulting increase in potential and is sufficiently dissuasive;
- (b) in the case referred to in Article 2 (b), the Member State concerned shall recover any amounts which may have been paid in error in respect of the aid and the grower concerned must pay an amount which is sufficiently dissuasive and is related to the amount of the aid applied for in respect of the quantity of oil not recognized as eligible.

2. In the cases referred to in paragraph 1, and without prejudice to Article 20c of Regulation No 136/66/EEC, if the producer organization to which the grower belongs did not in accordance with its obligations correctly check the individual application for aid and the crop declaration, it shall be jointly and severally liable for payment of the amounts referred to in paragraph 1.

3. Where, in cases referred to in paragraph 1, the irregularities recorded have minimal repercussions, the Member States concerned need not require growers to pay the amounts referred to in paragraph 1.

Article 4

1. Where a producer organization or an association of such Organizations has failed to carry out the checks for which it is responsible under Articles 6, 8 and 10 of Regulation (EEC) No 2261/84, the Member State concerned shall withdraw recognition for a period of between one and five marketing years.

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

Done at Brussels, 17 July 1984.

2. Without prejudice to Article 2, if a check at a mill shows irregularities including a substantial difference between the quantities of olives pressed or oil produced and the quantities shown in the stock records, or inadequacy in the stock records, or in communication thereof, the Member State concerned shall withdraw approval from the mill in question for a period of between one and five marketing years.

3. For the purpose of determining the period for which recognition or approval is to be withdrawn, the competent authority shall take into account both the gravity and the duration of the infringement.

4. Throughout the period covered by the withdrawal of recognition or approval referred to in paragraphs 1 and 2, no new recognition or approval may be granted by the Member State concerned following an application intended to circumvent the sanction imposed.

Should the withdrawal of a mill's approval have serious consequences for the pressing facilities in a given production zone, it may be decided to allow the mill to operate under special arrangements.

Article 5

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.

Article 6

Member States shall communicate to the Commission the measures they have taken pursuant to this Regulation.

Article 7

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 November 1984.

For the Council

The President

A. DEASY

COMMISSION REGULATION (EEC) No 2263/84

of 2 August 1984

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Regulation (EEC) No 2157/83⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC)

No 974/71, as last amended by Regulation (EEC) No 855/84,

- 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 1 August 1984;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2157/83 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 3 August 1984.

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

Done at Brussels, 2 August 1984.

For the Commission

Poul DALSA GER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 47.

ANNEX

to the Commission Regulation of 2 August 1984 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>		
CCT heading No	Description	Levies
10.01 B I	Common wheat, and meslin	74,69
10.01 B II	Durum wheat	128,38 ⁽¹⁾ ^(?)
10.02	Rye	85,59 ⁽⁶⁾
10.03	Barley	68,37
10.04	Oats	39,37
10.05 B	Maize, other than hybrid maize for sowing	43,48 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	0 ⁽⁴⁾
10.07 C	Grain sorghum	73,42 ⁽⁴⁾
10.07 D I	Triticale	(7)
10.07 D II	Canary seed ; other cereals	0 ^(?)
11.01 A	Wheat or meslin flour	117,57
11.01 B	Rye flour	132,83
11.02 A I a)	Durum wheat groats and meal	212,07
11.02 A I b)	Common wheat groats and meal	126,97

- (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 435/80, 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 2264/84
of 2 August 1984**

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 organ-
ization of the market in cereals ⁽¹⁾, as last amended by
Regulation (EEC) No 1018/84 ⁽²⁾, and in particular
Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary
Committee,

Whereas the premiums to be added to the levies on
cereals and malt were fixed by Regulation (EEC) No
2158/83 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in
relation to each other at any given moment within
a band of 2,25 %, a rate of exchange based on
their central rate, multiplied by the coefficient

provided for in Article 2b (2) of Regulation (EEC)
No 974/71, as last amended by Regulation (EEC)
No 855/84,

- 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 coeffi-
cient;

Whereas these exchange rates being those recorded on
1 August 1984;

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 3 August
1984.

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

Done at Brussels, 2 August 1984.

For the Commission

Poul DALSAGER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 50.

ANNEX

to the Commission Regulation of 2 August 1984 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 8	1st period 9	2nd period 10	3rd period 11
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	3,16	3,16	0,32
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	6,95	6,95	18,94
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	10,66	10,66	10,66
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 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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	5,62	5,62	0,57	0,57
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	4,20	4,20	0,43	0,43
11.07 B	Roasted malt	0	4,90	4,90	0,50	0,50

COMMISSION REGULATION (EEC) No 2265/84

of 2 August 1984

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 1556/84 ⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria ⁽³⁾, as last amended by Regulation (EEC) No 663/84 ⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco ⁽⁵⁾, as last amended by Regulation (EEC) No 663/84 and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia ⁽⁶⁾, as last amended by Regulation (EEC) No 1112/84 ⁽⁷⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey ⁽⁸⁾, as last amended by Regulation (EEC) No 664/84 ⁽⁹⁾, and in particular Article 10 (2) thereof,

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

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978 ⁽¹¹⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender ⁽¹²⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 30 and 31 July 1984 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION :

Article 1

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

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

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 5.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 73, 16. 3. 1984, p. 10.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁷⁾ OJ No L 108, 25. 4. 1984, p. 4.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 73, 16. 3. 1984, p. 11.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

Article 2

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

Article 3

This Regulation shall enter into force on 3 August 1984.

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

Done at Brussels, 2 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	62,00 ⁽¹⁾
15.07 A I b)	61,00 ⁽¹⁾
15.07 A I c)	63,00 ⁽¹⁾
15.07 A II a)	71,00 ⁽²⁾
15.07 A II b)	101,00 ⁽³⁾

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

- (a) Spain and Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 22,36 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria and Morocco: 24,78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by those countries; however, the repayment may not exceed the amount of the tax in force.
- (d) Tunisia: 34,78 ECU/100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CCT heading No	Non-member countries
07.01 N II	13,42
07.03 A II	13,42
15.17 B I a)	30,50
15.17 B I b)	48,80
23.04 A II	5,04

COMMISSION REGULATION (EEC) No 2266/84

of 31 July 1984

fixing the buying-in prices for carcasses, half-carcasses, forequarters and hind-quarters in the beef and veal sector valid with effect from 20 August 1984 and repealing Regulation (EEC) No 1222/84

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by the Act of Accession of Greece, and in particular Article 6 (5) (c) thereof,

Having regard to Council Regulation (EEC) No 868/84 of 31 March 1984 fixing for the 1984/85 marketing year the guide price and intervention price for adult bovine animals⁽²⁾, and in particular Article 3 (4) thereof,

Whereas, pursuant to the provisions of Council Regulation (EEC) No 1302/73 of 15 May 1973 laying down general rules for intervention on the market in beef and veal⁽³⁾, the qualities and presentations of products bought in must be determined while taking account, on the one hand, of the need to ensure effective support for the market and balance between the market in question and that of rival animal products and, on the other hand, the Community's financial responsibilities in this field;

Whereas, in view of the situation in the beef and veal market and the unsettled prospects, in part due to the measures taken to bring the dairy sector under control, provision should be made for producers to be able to offer carcasses, half-carcasses, forequarters and hind-quarters of certain qualities of bovine animals into intervention;

Whereas, by Regulation (EEC) No 869/84 of 31 March 1984⁽⁴⁾, the Council decided, by way of an experiment, to implement for a period of three years the Community scale for the classification of carcasses of adult bovine animals established under Regulation (EEC) No 1208/81⁽⁵⁾ in connection with intervention measures; whereas the categories and qualities of products which may be bought in by the intervention

agencies must therefore be defined on the basis of the said scale;

Whereas the maximum and minimum limits within which the Member States may vary the buying-in prices to take account of the classification subdivisions which they apply by virtue of Article 3 (3) of Regulation (EEC) No 1208/81 should be defined for each quality;

Whereas the joint presentation of the forequarter and hindquarter from the same half-carcass serves to facilitate controls carried out by the intervention agency as regards respect for the rules governing quality and the classification of meats presented; whereas, to this effect, provisions should be introduced enabling the intervention agencies to require that the two quarters be presented together;

Whereas Commission Regulation (EEC) No 1222/84 of 2 May 1984 fixing the buying-in prices for forequarters in the beef and veal sector valid with effect from 14 May 1984⁽⁶⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. With effect from 20 August 1984, the intervention agencies shall buy in carcasses, half-carcasses, forequarters and hindquarters of certain qualities of adult bovine animals offered subject to the conditions laid down in Regulation (EEC) No 2226/78⁽⁷⁾ at prices fixed for each product in the Annex hereto.

2. The buying-in prices for each quality, referred to in paragraph 1, may be increased by a maximum of 2 ECU or reduced by a maximum of 5 ECU to take account of the possible subdivision of each classification under the Community scale referred to in Article 3 (3) of Regulation (EEC) No 1208/81.

3. The Member States which proceed with the subdivision of classes foreseen in paragraph 2 are authorized to limit purchases into intervention to some of these sub-classes.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 90, 1. 4. 1984, p. 30.

⁽³⁾ OJ No L 132, 15. 5. 1973, p. 3.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 32.

⁽⁵⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽⁶⁾ OJ No L 117, 3. 5. 1984, p. 25.

⁽⁷⁾ OJ No L 261, 26. 9. 1978, p. 5.

4. Subject to the conditions referred to above, only meats from male animals shall be eligible for buying-in operations.

Article 2

Regulation (EEC) No 1222/84 is hereby repealed with effect from 20 August 1984.

5. With regard to quarters, producers shall, if so requested by the intervention agency, present to the latter, together with the quarter offered, the other quarter from the same half-carcase.

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, 31 July 1984.

For the Commission

Poul DALSAER

Member of the Commission

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

- Kategori A: Slagtekroppe af unge ikke-kastrerede handyr på under to år,
 Kategori C: Slagtekroppe af kastrerede handyr.
- Kategorie A: Schlachtkörper von jungen männlichen, nicht kastrierten Tieren von weniger als 2 Jahren,
 Kategorie C: Schlachtkörper von männlichen kastrierten Tieren.
- Κατηγορία Α: Σφάγια νεαρών μη ευνουχισμένων αρρένων ζώων κάτω των 2 ετών,
 Κατηγορία C: Σφάγια ευνουχισμένων αρρένων ζώων.
- Category A: Carcasses of uncastrated young male animals of less than two years of age,
 Category C: Carcasses of castrated male animals.
- Catégorie A: Carcasses de jeunes animaux mâles non castrés de moins de 2 ans,
 Catégorie C: Carcasses d'animaux mâles castrés.
- Categoria A: Carcasse di giovani animali maschi non castrati di età inferiore a 2 anni,
 Categoria C: Carcasse di animali maschi castrati.
- Categorie A: Geslachte niet-gecastreerde jonge mannelijke dieren minder dan 2 jaar oud,
 Categorie C: Geslachte gecastreerde mannelijke dieren.

Opkøbspris i ECU pr. 100 kg af produkterne
 Ankaufspreis in ECU je 100 kg des Erzeugnisses
 Τιμή αγοράς σε ECU ανά 100 χγρ προϊόντων
 Buying-in price in ECU per 100 kg of product
 Prix d'achat en Écus par 100 kilogrammes de produits
 Prezzi di acquisto in ECU per 100 kg di prodotti
 Aankoopprijs in Ecu per 100 kg produkt

BELGIQUE/BELGIË

- *Quartiers avant, découpe droite à 8 côtes, provenant des:*
 — *Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:*

Catégorie A classe R2 / Categoria A klasse R2	274,717
Catégorie A classe R3 / Categoria A klasse R3	272,317
Catégorie A classe O2 / Categoria A klasse O2	269,917
Catégorie A classe O3 / Categoria A klasse O3	265,917
Catégorie C classe R3 / Categoria C klasse R3	270,120
Catégorie C classe O3 / Categoria C klasse O3	266,120

DANMARK

- *Forfjerdinger, udskåret, med 5 ribben, idet slag og bryst bliver siddende på forfjerdingeren, af:*

Kategori A klasse R2	255,849
Kategori A klasse R3	253,599
Kategori A klasse O2	251,349
Kategori A klasse O3	247,599
Kategori C klasse R3	239,666
Kategori C klasse O3	235,916

- *Forfjerdinger, lige udskåret med 8 ribben, af:*

Kategori A klasse R2	272,906
Kategori A klasse R3	270,506
Kategori A klasse O2	268,106
Kategori A klasse O3	264,106
Kategori C klasse R3	255,644
Kategori C klasse O3	251,644

DEUTSCHLAND

— *Vorderviertel, auf 5 Rippen geschnitten, Fleisch- und Knochendünnung bleiben am Vorderviertel, stammend von:*

Kategorie A Klasse U2	269,999
Kategorie A Klasse U3	267,749
Kategorie A Klasse R2	262,499
Kategorie A Klasse R3	260,249
Kategorie C Klasse U3	260,887
Kategorie C Klasse R3	253,387
Kategorie C Klasse R4	251,137

— *Vorderviertel, auf 8 Rippen querschnitten, stammend von:*

Kategorie A Klasse U2	287,999
Kategorie A Klasse U3	285,599
Kategorie A Klasse R2	279,999
Kategorie A Klasse R3	277,599
Kategorie C Klasse U3	278,279
Kategorie C Klasse R3	270,279
Kategorie C Klasse R4	267,879

ΕΛΛΑΔΑ

— *Εμπρόσθια τεταρτημόρια κοπής με 5 πλευρές —η λάπα να αποτελεί τμήμα του εμπροσθίου τεταρτημορίου— προερχόμενο από:*

Κατηγορία Α κλάση R2	277,509
Κατηγορία Α κλάση R3	275,259
Κατηγορία Α κλάση O2	273,009
Κατηγορία Α κλάση O3	269,259

— *Εμπρόσθια τεταρτημόρια κοπής με 8 πλευρές —η λάπα να αποτελεί τμήμα του εμπροσθίου τεταρτημορίου— προερχόμενα από:*

Κατηγορία Α κλάση R2	277,509
Κατηγορία Α κλάση R3	275,259
Κατηγορία Α κλάση O2	273,009
Κατηγορία Α κλάση O3	269,259

FRANCE

— *Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des:*

Catégorie A classe U2	275,308
Catégorie A classe U3	273,058
Catégorie A classe R2	265,558
Catégorie A classe R3	263,308
Catégorie A classe O2	261,058
Catégorie A classe O3	257,308
Catégorie C classe U2	282,263
Catégorie C classe U3	280,013
Catégorie C classe U4	273,263
Catégorie C classe R3	271,013
Catégorie C classe R4	268,763
Catégorie C classe O3	265,763

— *Quartiers avant, découpe droite à 10 côtes, provenant des:*

Catégorie A classe U2	293,662
Catégorie A classe U3	291,262
Catégorie A classe R2	283,262
Catégorie A classe R3	280,862
Catégorie A classe O2	278,462
Catégorie A classe O3	274,462
Catégorie C classe U2	301,080
Catégorie C classe U3	298,680
Catégorie C classe U4	291,480
Catégorie C classe R3	289,080
Catégorie C classe R4	286,680
Catégorie C classe O3	283,480

IRELAND

— *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from :*

Category C class U3	249,426
Category C class U4	244,176
Category C class R3	243,426
Category C class R4	241,176
Category C class O3	239,676

— *Forequarters, straight cut at 10th rib, from :*

Category C class U3	266,054
Category C class U4	260,454
Category C class R3	259,654
Category C class R4	257,254
Category C class O3	255,654

ITALIA

— *Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti dai :*

Categoria A classe U2	286,056
Categoria A classe U3	283,866
Categoria A classe R2	276,566
Categoria A classe R3	274,376
Categoria A classe O2	272,186
Categoria A classe O3	268,536

— *Quarti anteriori, taglio a 5 costole, il pancettone fa parte del quarto anteriore, provenienti dai :*

Categoria A classe U2	286,056
Categoria A classe U3	283,866
Categoria A classe R2	276,566
Categoria A classe R3	274,376
Categoria A classe O2	272,186
Categoria A classe O3	268,536

LUXEMBOURG

— *Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des :*

Catégorie A classe R2	259,366
Catégorie A classe O2	254,866
Catégorie C classe R3	253,403
Catégorie C classe O3	249,653

— *Quartiers avant, découpe droite à 8 côtes, provenant des :*

Catégorie A classe R2	276,657
Catégorie A classe O2	271,857
Catégorie C classe R3	270,297
Catégorie C classe O3	266,297

NEDERLAND

— *Voorvoeten, afgesneden op 5 ribben, waarbij de flank, de platte ribben en de naborst aan de voorvoet vastzitten, afkomstig van :*

Categorie A klasse R2	258,164
Categorie A klasse R3	255,914

— *Voorvoeten, recht afgesneden op 8 ribben, afkomstig van :*

Categorie A klasse R2	275,374
Categorie A klasse R3	272,974

UNITED KINGDOM

A. Great Britain

— *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:*

Category C class U2	252,911
Category C class U3	250,661
Category C class U4	245,411
Category C class R3	243,161
Category C class R4	240,911

— *Forequarters, straight cut at 10th rib, from:*

Category C class U2	269,771
Category C class U3	267,371
Category C class U4	261,771
Category C class R3	259,371
Category C class R4	256,971

B. Northern Ireland

— *Forequarters, cut at fifth rib, with thin flank included in the forequarter, from:*

Category C class U3	249,426
Category C class U4	244,176
Category C class R3	243,426
Category C class R4	241,176
Category C class O3	239,676

— *Forequarters, straight cut at 10th rib, from:*

Category C class U3	266,054
Category C class U4	260,454
Category C class R3	259,654
Category C class R4	257,254
Category C class O3	255,654

BELGIQUE/BELGIË

— *Quartiers arrière, découpe droite à 5 côtes:*

— *Achtersvoeten, recht afgesneden op 5 ribben:*

Catégorie A classe R2 / Catégorie A klasse R2	412,075
Catégorie A classe R3 / Catégorie A klasse R3	408,475
Catégorie A classe O2 / Catégorie A klasse O2	404,875
Catégorie A classe O3 / Catégorie A klasse O3	398,875
Catégorie C classe R3 / Catégorie C klasse R3	405,180
Catégorie C classe O3 / Catégorie C klasse O3	399,180

— *Quartiers arrière, découpe à 8 côtes, dite « pistola »:*

— *Achtersvoeten, „pistola“-snit op 8 ribben:*

Catégorie A classe R2 / Catégorie A klasse R2	429,245
Catégorie A classe R3 / Catégorie A klasse R3	425,495
Catégorie A classe O2 / Catégorie A klasse O2	421,745
Catégorie A classe O3 / Catégorie A klasse O3	415,495
Catégorie C classe R3 / Catégorie C klasse R3	422,063
Catégorie C classe O3 / Catégorie C klasse O3	415,813

DANMARK

— *Bagfjerdinger, udskåret med 5 ribben:*

Kategori A klasse R2	409,358
Kategori A klasse R3	405,758
Kategori A klasse O2	402,158
Kategori A klasse O3	396,158
Kategori C klasse R3	383,466
Kategori C klasse O3	377,466

— *Bagfjerdinger, udskåret med 8 ribben, såkaldte «pistoler»:*

Kategori A klasse R2	426,415
Kategori A klasse R3	422,665
Kategori A klasse O2	418,915
Kategori A klasse O3	412,665
Kategori C klasse R3	399,444
Kategori C klasse O3	393,194

DEUTSCHLAND

— *Hinterviertel, gerade Schnitfführung mit 5 Rippen:*

Kategorie A Klasse U2	431,999
Kategorie A Klasse U3	428,399
Kategorie A Klasse R2	419,999
Kategorie A Klasse R3	416,399
Kategorie C Klasse U3	417,419
Kategorie C Klasse R3	405,419
Kategorie C Klasse R4	401,819

ΕΛΛΑΔΑ

— *Οπίσθια τέταρτα ευθείας τομής με 5 πλευρές:*

Κατηγορία Α κλάση R2	444,014
Κατηγορία Α κλάση R3	440,414
Κατηγορία Α κλάση O2	436,814
Κατηγορία Α κλάση O3	430,814

— *Οπίσθια τέταρτα τομής pistola με 8 πλευρές:*

Κατηγορία Α κλάση R2	462,515
Κατηγορία Α κλάση R3	458,765
Κατηγορία Α κλάση O2	455,015
Κατηγορία Α κλάση O3	448,765

FRANCE

— *Quartiers arrière, découpe droite à 3 côtes:*

Catégorie A classe U2	440,492
Catégorie A classe U3	436,892
Catégorie A classe R2	424,892
Catégorie A classe R3	421,292
Catégorie A classe O2	417,692
Catégorie A classe O3	411,692
Catégorie C classe U2	451,620
Catégorie C classe U3	448,020
Catégorie C classe U4	437,220
Catégorie C classe R3	433,620
Catégorie C classe R4	430,020
Catégorie C classe O3	425,220

— *Quartiers arrière, découpe à 8 côtes, dite « pistola »:*

Catégorie A classe U2	458,846
Catégorie A classe U3	455,096
Catégorie A classe R2	442,596
Catégorie A classe R3	436,846
Catégorie A classe O2	435,096
Catégorie A classe O3	428,846
Catégorie C classe U2	470,438
Catégorie C classe U3	466,688
Catégorie C classe U4	455,438
Catégorie C classe R3	451,688
Catégorie C classe R4	447,938
Catégorie C classe O3	442,938

IRELAND

— *Hindquarters, straight cut at third rib:*

Category C class U3	399,082
Category C class U4	390,682
Category C class R3	389,482
Category C class R4	385,882
Category C class O3	383,482

— *Hindquarters, 'pistola' cut at eighth rib:*

Category C class U3	415,710
Category C class U4	406,960
Category C class R3	405,710
Category C class R4	401,960
Category C class O3	399,460

ITALIA

— *Quarti posteriori, taglio a 5 costole, detto pistola :*

Categoria A classe U2	497,660
Categoria A classe U3	493,850
Categoria A classe R2	481,150
Categoria A classe R3	477,340
Categoria A classe O2	473,530
Categoria A classe O3	467,180

— *Quarti posteriori, taglio a 8 costole, detto pistola :*

Categoria A classe U2	497,660
Categoria A classe U3	493,850
Categoria A classe R2	481,150
Categoria A classe R3	477,340
Categoria A classe O2	473,530
Categoria A classe O3	467,180

LUXEMBOURG

— *Quartiers arrière, découpe droite à 5 côtes :*

Catégorie A classe R2	414,985
Catégorie A classe O2	407,785
Catégorie C classe R3	405,445
Catégorie C classe O3	399,445

— *Quartiers arrière, découpe à 8 côtes, dite « pistola » :*

Catégorie A classe R2	432,276
Catégorie A classe O2	424,776
Catégorie C classe R3	422,339
Catégorie C classe O3	416,089

NEDERLAND

— *Achtersvoeten, recht afgesneden op 5 ribben :*

Categorie A klasse R2	413,062
Categorie A klasse R3	409,462

UNITED KINGDOM

A. Great Britain

— *Hindquarters, straight cut at third rib :*

Category C class U2	404,657
Category C class U3	401,057
Category C class U4	392,657
Category C class R3	389,057
Category C class R4	385,457

— *Hindquarters, 'pistola' cut at eighth rib :*

Category C class U2	421,518
Category C class U3	417,768
Category C class U4	409,018
Category C class R3	405,268
Category C class R4	401,518

B. Northern Ireland

— *Hindquarters, straight cut at third rib :*

Category C class U3	399,082
Category C class U4	390,682
Category C class R3	389,482
Category C class R4	385,882
Category C class O3	383,482

— *Hindquarters, 'pistola' cut at eighth rib :*

Category C class U3	415,710
Category C class U4	406,960
Category C class R3	405,710
Category C class R4	401,960
Category C class O3	399,460

BELGIQUE / BELGIË

— *Carcasses, demi-carcasses :*— *Hele dieren, halve dieren :*

Catégorie A classe R2 / Categoria A klasse R2	343,396
Catégorie A classe R3 / Categoria A klasse R3	340,396
Catégorie A classe O2 / Categoria A klasse O2	337,396
Catégorie A classe O3 / Categoria A klasse O3	332,396
Catégorie C classe R3 / Categoria C klasse R3	337,650
Catégorie C classe O3 / Categoria C klasse O3	332,650

DANMARK

— *Hele og halve kroppe :*

Kategori A klasse R2	341,132
Kategori A klasse R3	338,132
Kategori A klasse O2	335,132
Kategori A klasse O3	330,132
Kategori C klasse R3	319,555
Kategori C klasse O3	314,555

DEUTSCHLAND

— *Ganze oder halbe Tierkörper :*

Kategorie A Klasse U2	359,999
Kategorie A Klasse U3	356,999
Kategorie A Klasse R2	349,999
Kategorie A Klasse R3	346,999
Kategorie C Klasse U3	347,849
Kategorie C Klasse R3	337,849
Kategorie C Klasse R4	334,849

ΕΛΛΑΔΑ

— *Σφάγια, ημισφάγια :*

Κατηγορία Α κλάση R2	370,012
Κατηγορία Α κλάση R3	367,012
Κατηγορία Α κλάση O2	364,012
Κατηγορία Α κλάση O3	359,012

FRANCE

— *Carcasses, demi-carcasses :*

Catégorie A classe U2	367,077
Catégorie A classe U3	364,077
Catégorie A classe R2	354,077
Catégorie A classe R3	351,077
Catégorie A classe O2	348,077
Catégorie A classe O3	343,077
Catégorie C classe U2	376,350
Catégorie C classe U3	373,350
Catégorie C classe U4	364,350
Catégorie C classe R3	361,350
Catégorie C classe R4	358,350
Catégorie C classe O3	354,350

IRELAND

— *Carcases, half-carcases :*

Category C class U3	332,568
Category C class U4	325,568
Category C class R3	324,568
Category C class R4	321,568
Category C class O3	319,568

ITALIA

— *carcasse, mezzene e quarti:*

Categoria A classe U2	391,858
Categoria A classe U3	388,858
Categoria A classe R2	378,858
Categoria A classe R3	375,858
Categoria A classe O2	372,858
Categoria A classe O3	367,858

LUXEMBOURG

— *Carcasses, demi-carcasses:*

Catégorie A classe R2	345,821
Catégorie A classe O2	339,821
Catégorie C classe R3	337,871
Catégorie C classe O3	332,871

NEDERLAND

— *Hele dieren, halve dieren:*

Categorie A klasse R2	344,218
Categorie A klasse R3	341,218

UNITED KINGDOM

A. Great Britain

— *Carcases, half-carcases:*

Category C class U2	337,214
Category C class U3	334,214
Category C class U4	327,214
Category C class R3	324,214
Category C class R4	321,214

B. Northern Ireland

— *Carcases, half-carcases:*

Category C class U3	332,568
Category C class U4	325,568
Category C class R3	324,568
Category C class R4	321,568
Category C class O3	319,568

COMMISSION REGULATION (EEC) No 2267/84

of 31 July 1984

**providing for the grant of private storage aid fixed at a standard rate in advance
in respect of carcasses, half-carcasses, hindquarters and forequarters of beef**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 805/68
of 27 June 1968 on the common organization of the
market in beef and veal ⁽¹⁾, as last amended by the Act
of Accession of Greece, and in particular Articles
6 (5) (b) and 8 (2) thereof,

Whereas, in view of the serious difficulties on the
market in beef owing to the extraordinary slaughte-
rings of adult bovine animals, private storage aid
should be granted in respect of such animals;

Whereas the provisions of Commission Regulation
(EEC) No 1091/80 ⁽²⁾, as last amended by Regulation
(EEC) No 2826/82 ⁽³⁾, should be followed in respect of
the grant of private storage aid for beef;

Whereas provisions should be made to ensure that the
animals involved be slaughtered exclusively in
slaughterhouses which are approved and supervised in
accordance with the provisions of Council Directive
64/433/EEC ⁽⁴⁾, as last amended by Directive
83/90/EEC ⁽⁵⁾;

Whereas Article 3 of Council Regulation (EEC) No
989/68 ⁽⁶⁾, as amended by Regulation (EEC) No
428/77 ⁽⁷⁾, provides that, if the market situation so
requires, the period of storage may be curtailed or
extended; whereas it is therefore appropriate that, in
addition to the amounts of aid granted for a specific
storage period, amounts to be added or reduced in the
event of that period being extended or curtailed
should also be fixed;

Whereas, in order to prevent the financing of normal
private storage, it appears desirable to fix high
minimum quantities;

Whereas, foreseeable market conditions make it
necessary to provide for storage periods between 9 and
12 months; whereas, in order to improve the effici-
ency of the scheme, provisions should be laid down
enabling the applicants to benefit from an advance
payment of the aid subject to a security;

Whereas, in view of the exceptional circumstances in
the beef market and in order to encourage operators to
make use of private storage it should be provided that,
for a limited period, products under a private storage
contract should be able at the same time to be placed
under the system laid down in Article 5 (1) of Regula-
tion (EEC) No 565/80 of 4 March 1980 on the advance
payment of export refunds in respect of agricultural
products ⁽⁸⁾; whereas, in view of the contractual storage
periods it is necessary to derogate from Article 11 (2)
of Regulation (EEC) No 798/80 of 31 March 1980
laying down general rules on the advance payment of
export refunds and positive monetary compensatory
amounts in respect of agricultural products ⁽⁹⁾, as last
amended by Regulation (EEC) No 1663/81 ⁽¹⁰⁾, as to
the period during which the products may stay under
the system laid down in Regulation (EEC) No 565/80;

Whereas provision should be made for the possibility
of reducing the storage period where meat removed
from storage is intended for export; whereas proof that
the meat has been exported must be supplied as in the
case of refunds, in accordance with Commission
Regulation (EEC) No 2730/79 ⁽¹¹⁾, as last amended by
Regulation (EEC) No 519/83 ⁽¹²⁾;

Whereas, in order for the Commission to closely
monitor the effect of the private storage scheme, a
Member State shall communicate the necessary infor-
mation;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 114, 3. 5. 1980, p. 18.

⁽³⁾ OJ No L 297, 23. 10. 1982, p. 18.

⁽⁴⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁵⁾ OJ No L 59, 5. 3. 1983, p. 10.

⁽⁶⁾ OJ No L 169, 18. 7. 1968, p. 10.

⁽⁷⁾ OJ No L 61, 5. 3. 1977, p. 17.

⁽⁸⁾ OJ No L 62, 4. 3. 1980, p. 5.

⁽⁹⁾ OJ No L 87, 31. 3. 1980, p. 42.

⁽¹⁰⁾ OJ No L 166, 24. 6. 1981, p. 9.

⁽¹¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

⁽¹²⁾ OJ No L 58, 5. 3. 1983, p. 5.

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Applications may be submitted between 20 August 1984 and 23 November 1984 for aid for the private storage of one of the cuts of adult bovine animals defined in Article 2 (2).

The amounts of this aid, by tonne of product, bone in, are fixed in the Annex hereto for each of these cuts, pursuant to Article 6(1) of Regulation (EEC) No 1091/80.

If the quantities in respect of which contracts have been applied for or the market situation make it advisable, the deadline for the submission of applications may be changed.

2. The amount of aid shall be adjusted if the period of storage is extended or reduced. The supplements per month and deductions *per diem* for each of the cuts referred to in Article 2 (2) are fixed in the Annex hereto.

3. Subject to the provisions of this Regulation, the provisions of Regulation (EEC) No 1091/80 shall apply.

Article 2

1. Only meat produced in accordance with the provisions of Article 3 (1A) (a) to (e) of Council Directive 64/433/EEC shall be eligible for private storage aid.

2. For the purposes of this Regulation :

— the carcass shall have a minimum average weight of 220 kilograms,

— the half-carcass shall have a minimum average weight of 110 kilograms,

— the hindquarter shall mean :

(a) the rear part of the half-carcass cut in the manner known as 'pistola' with a minimum of five cut ribs and a maximum of eight ribs and with a minimum average weight of 55 kilograms; it is cut straight to the hip bone and then parallel to the fillet so that this is practically free from attached parts of the flank; or

(b) the rear part of the half-carcass cut in the manner known as 'straight' with a minimum of

three ribs and a maximum of five ribs and with an average minimum weight of 55 kilograms.

— the forequarter shall mean :

(a) the front part of the half-carcass cut in the manner known as 'pistola' with a minimum of five ribs and a maximum of eight ribs and with a minimum weight of 55 kilograms, the flank being attached to the forequarter;

or

(b) the front part of the half-carcass and in a manner known as 'straight' with a minimum of eight ribs and a maximum of 10 ribs and with a minimum average weight of 55 kilograms.

Article 3

1. The minimum quantity per contract shall be 20 tonnes expressed as bone-in meat.

2. The contract may only cover unboned meat of one of the cuts referred to in Article 2 (2).

3. Placing in storage must be carried out within 28 days of the date of conclusion of the contract.

Article 4

1. Subject to the provisions laid down in paragraph 2, the contractor may, before placing into store, cut or bone all or part of the products referred to in Article 2 (2), provided that only the quantity for which the contract has been concluded is employed and that all the meat resulting from such operations is placed in store.

2. If the quantity stored unboned, or, if cut or boned, the quantity of unboned meat employed, is less than the quantity for which the contract was concluded and :

(a) not less than 90 % of that quantity, the amount of aid referred to in the second subparagraph of Article 1 (1) shall be reduced proportionally;

(b) less than 90 % of that quantity, private storage aid shall not be paid.

3. In case of boning :

(a) if the quantity placed in a store does not exceed 69 kilograms of boned meat per 100 kilograms of unboned meat employed, private storage aid shall not be payable;

(b) if the quantity placed in store exceeds 69 kilograms but is lower than 77 kilograms of boned meat per 100 kilograms of unboned meat employed, the aid referred to in the second subparagraph of Article 1 (1) shall be reduced proportionally.

4. No aid shall be granted :

- (a) for quantities placed in store unboned, or in case of cutting or boning, for quantities of unboned meat employed, in excess of the quantities for which the contract was concluded ; and
- (b) in case of boning, for quantities in excess of 77 kilograms of boned meat per 100 kilograms of unboned meat employed.

Article 5

1. The period of storage shall be either nine, 10, 11 or 12 months, at the storer's option ; the storer shall state his preference at the time of submitting the application referred to in the first subparagraph of Article 1 (1).

2. Entitlement to payment of the aid shall be established only if the meat has remained in storage throughout the storage period.

3. After three months of contractual storage a single advance payment of the aid may be made, at the storer's request on condition that he lodges a security equal to the advance payment plus 20 %.

The advance payment shall not exceed the aid corresponding to the contracted storage period and shall be converted into national currency by applying the representative rate in force on the day of conclusion of the storage contract.

4. The security referred to in paragraph 3 shall be lodged at the applicant's choice either in cash or in the form of a guarantee given by an establishment satisfying criteria fixed by the Member State in which the security is lodged.

5. The provisions of Article 5 (2) and (3) of Regulation (EEC) No 1091/80 shall equally apply to the security referred to in paragraph 3.

Article 6

1. By way of derogation from Article 2 (4) of Regulation (EEC) No 1091/80 products under a private storage contract may simultaneously be placed under the system laid down in Article 5 (1) of Regulation (EEC) No 565/80.

2. In this case, by way of derogation from Article 11 (2) of Regulation (EEC) No 798/80, the period referred to in that Article shall be 12 months.

Article 7

1. On the expiry of a storage period of two months, the Contracting Party may withdraw from store all or part of the quantity of meat under contract, subject to

a minimum of 10 tonnes, provided that within 60 days following its removal from storage :

- the meat has left the Community's territory within the meaning of Article 9 (2) of Regulation (EEC) No 2730/79, or
- the meat has reached its destination in the cases referred to in Article 5 (1) of Regulation (EEC) No 2730/79, or
- the meat has been placed in a victualling warehouse approved pursuant to Article 26 to Regulation (EEC) No 2730/79.

The Contracting Party shall inform the intervention agency at least two working days before the commencement of withdrawal operations, stating the quantities he intends to export.

For the purposes of the first subparagraph proof shall be furnished as in the case of refunds.

2. Where application has been made of paragraph 1, the amount of aid shall be reduced, in accordance with Article 1 (2), the first day of removal from storage not being included in the period of storage under contract.

3. Where application has been made of Article 5 (3) prior to the application of paragraph 1 an amount equal to the difference between the advance payment of aid and the amount referred to in paragraph 2 shall be recouped from the storer.

Article 8

The amount of the security referred to in Article 4 (2) of Regulation (EEC) No 1091/80 shall be :

- 130 ECU per tonne in respect of contracts covering carcasses or half-carcasses,
- 165 ECU per tonne in respect of contracts covering hindquarters,
- 95 ECU per tonne in respect of contracts covering forequarters.

Article 9

Member States shall communicate by telex to the Commission before Thursday of each week the results of the application of Articles 5 (3), 6 (1) and 7 (1) of this Regulation.

Article 10

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, 31 July 1984.

For the Commission

Poul DALSAER

Member of the Commission

ANNEX

Products in respect of which aid is granted	Amount of aid in ECU/tonne for a storage period of				Amount in ECU/tonne	
	9 months	10 months	11 months	12 months	to be added per month	to be deducted per day
(a) Fresh or chilled carcasses or half-carcasses with a minimum average weight of 220 kg and 110 kg respectively	640	660	680	700	35	0,65
(b) Fresh or chilled hindquarters cut in the manner known as 'pistoia' with a minimum of five ribs and a maximum of eight ribs and with a minimum average weight of 55 kg	820	840	860	880	40	0,65
(c) Fresh or chilled hindquarters cut in the manner known as 'straight' with a minimum of three ribs and a maximum of five ribs and with a minimum average weight of 55 kg	805	825	845	865	40	0,65
(d) Fresh or chilled forequarters cut in the manner known as 'pistoia' with a minimum of five ribs and a maximum of eight ribs and with a minimum average weight of 55 kg	460	480	500	520	30	0,65
(e) Fresh or chilled forequarters cut in the manner known as 'straight' with a minimum of eight ribs and a maximum of 10 ribs and with a minimum average weight of 55 kg	475	495	515	535	30	0,65

COMMISSION REGULATION (EEC) No 2268/84

of 31 July 1984

on special sales of intervention butter for export to various destinations and amending Regulation (EEC) No 1687/76

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1557/84⁽²⁾, and in particular Article 6(7) thereof,

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 855/84⁽⁴⁾, and in particular Article 4 thereof,

Whereas Article 6 of Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽⁵⁾, as last amended by Regulation (EEC) No 3521/83⁽⁶⁾, rules that special conditions may be laid down when butter is put on sale for export, in order to take account of the special requirements for such sales and to guarantee that the product is not diverted from its destination;

Whereas the quantities of butter at present in public storage and the likely increase of these quantities in the future are such that the scope for disposal on the markets in a number of third countries should be exploited to the full;

Whereas it seems desirable to make butter in public storage available to operators at a reduced price; whereas action should be taken to ensure that butter sold under this Regulation is not released into free circulation within the Community;

Whereas operators may purchase the butter in question throughout the Community; whereas, therefore, the monetary compensatory amounts should be adjusted on the basis of the selling price of the intervention butter;

Whereas, in order to ensure that the butter is not diverted from its destination, a system of supervision should operate from the time the butter is removed from storage until it has reached its destination in the third country concerned; whereas, for reasons of

clarity, it should be noted that the provisions on supervision laid down by Commission Regulation (EEC) No 1687/76⁽⁷⁾, as last amended by Regulation (EEC) No 978/84⁽⁸⁾, are applicable; whereas, moreover, in light of the specific nature of this operation, additional conditions should be introduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Under the conditions laid down in this Regulation, intervention agencies shall sell butter purchased in accordance with Article 6(1) of Regulation (EEC) No 804/68 and at least six months old on the day the contract is concluded.
2. Butter sold pursuant to this Regulation shall be exported without further processing exclusively to one of the destinations listed in the Annex.

Article 2

1. The butter shall be sold ex-cold storage plant at a price equal to the buying-in price paid by the intervention agency at the time at which the contract of sale is concluded, minus 33 ECU per 100 kilograms.
2. It shall be sold in quantities of 100 tonnes or more. The purchaser shall, at the latest when the contract is concluded, make a payment on account to the intervention agency of 5 ECU for the contract quantities.

Article 3

1. The intervention agency shall maintain an up-dated list of cold-storage plants in which the butter released for sale is stored, together with the quantities available, and shall make this list available to the parties concerned, on application.
2. The intervention agency shall make such arrangements as are necessary in order to ensure that the parties concerned may examine, at their own expense, samples taken from the butter released for sale before the contract of sale is concluded.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 150, 6. 6. 1984, p. 6.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁶⁾ OJ No L 352, 15. 12. 1983, p. 4.

⁽⁷⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽⁸⁾ OJ No L 99, 11. 4. 1984, p. 11.

3. The purchaser shall waive any rights to legal action in respect of the quality and characteristics of the butter sold.

Article 4

1. The purchaser shall make final settlement to the intervention agency, after the butter has been removed and within the time limit referred to in paragraph 2, of the balance of the purchase price referred to in Article 1 for each of the quantities of which he takes delivery, and shall lodge a security of 36 ECU per 100 kilograms for such quantities, in accordance with Article 13(1) of Regulation (EEC) No 1687/76.

2. The purchaser shall remove the butter which has been sold to him within a period of six months, calculated as from the day on which the contract was concluded. Removal may be split up into part lots of no less than 20 tonnes each.

Except in cases of *force majeure*, the sale of the remaining quantities shall be cancelled if the purchaser has not made the payment referred to in paragraph 1 within the prescribed time limit and the payment on account for the aforementioned quantities shall be forfeit.

Where the payment referred to in paragraph 1 has been made without removal having taken place within the time limit laid down above, the cost of storing the butter shall be chargeable to the purchaser as from the first day following expiry of the time limit.

3. Export formalities for the butter must be completed within a period of one month as from the day on which delivery was accepted.

Article 5

The butter shall be delivered by the intervention agency in packages bearing the following statements in letters at least one centimetre high in the language or languages of the exporting country:

'Butter exported under Regulation (EEC) No 2268/84'

Article 6

Except in cases of *force majeure*, the security referred to in Article 4(1) shall be forfeit in proportion to those

quantities for which the proof referred to in Article 13(4) of Regulation (EEC) No 1687/76 has not been produced within the time limit of 12 months as from the date on which the export declaration was accepted.

Article 7

The monetary compensatory amount applicable to the butter sold under this Regulation shall be the same as the monetary compensatory amount laid down under Regulation (EEC) No 974/71 multiplied by the coefficient set out in part 5 of Annex I to the Commission Regulation fixing the monetary compensatory amounts.

Article 8

The exchange rate to be applied within the framework of this Regulation is the representative rate valid on the day of the conclusion of the contract of sale.

Article 9

The following point 13 and the footnote relating to it, are added to part I of the Annex to Regulation (EEC) No 1687/76 'Products to be exported in the same state':

'13. Commission Regulation (EEC) No 2268/84 of 31 July 1984 on special sales of intervention butter for export to various destinations⁽¹⁾.

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 35.'

Article 10

Member States shall communicate to the Commission, at the latest by the 10th day of each month, the quantities of butter which have, in the previous month:

- been the subject of a contract of sale under this Regulation,
- been removed from storage.

Article 11

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 3 September 1984.

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

Done at Brussels, 31 July 1984.

For the Commission

Poul DALSAER

Member of the Commission

*ANNEX***DESTINATIONS**

- | | |
|------------------------|---------------|
| — Egypt | — Iran |
| — Saudi Arabia | — Iraq |
| — Oman | — Jordan |
| — United Arab Emirates | — USSR |
| — Bahrain | — Lebanon |
| — Qatar | — Israel |
| — Kuwait | — North Yemen |
| — Syria | — South Yemen |
-

COMMISSION REGULATION (EEC) No 2269/84

of 2 August 1984

abolishing the countervailing charge on cherries originating in Hungary

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Whereas Commission Regulation (EEC) No 2121/84
of 24 July 1984⁽³⁾ introduced a countervailing charge
on cherries originating in Hungary;

Whereas for this product originating in Hungary 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 cherries
originating in Hungary can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2121/84 is hereby repealed.

Article 2

This Regulation shall enter into force on 3 August
1984.

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

Done at Brussels, 2 August 1984.

For the Commission

Poul DALSGER

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 130, 16. 5. 1984, p. 1.

⁽³⁾ OJ No L 195, 25. 7. 1984, p. 42.

COMMISSION REGULATION (EEC) No 2270/84
of 2 August 1984
fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽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 destination;

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,
- 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;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 August 1984.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 107, 19. 4. 1984, p. 15.

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

Done at Brussels, 2 August 1984.

For the Commission
Poul DALSAGER
Member of the Commission

—
ANNEX

to the Commission Regulation of 2 August 1984 fixing the export refunds on malt

	<i>(ECU/tonne)</i>
CCT heading No	Refund
11.07 A I b)	7,98
11.07 A II b)	56,46
11.07 B	67,45

COMMISSION REGULATION (EEC) No 2271/84

of 2 August 1984

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 1018/84⁽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 174/84⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 2543/73⁽⁶⁾, 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 Regulation (EEC) No 2171/84⁽⁷⁾, as last amended by Regulation (EEC) No 2258/84⁽⁸⁾;

Whereas Council Regulation (EEC) No 1027/84 of 31 March 1984⁽⁹⁾ amended Regulation (EEC) No 2744/75⁽¹⁰⁾ as regards products falling within sub-heading 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 coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71, as last amended by Regulation (EEC) No 855/84,

— 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 1 August 1984;

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 Regulation (EEC) No 1579/74⁽¹¹⁾ 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 amended Regulation (EEC) No 2171/84, are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 1984.

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

Done at Brussels, 2 August 1984.

For the Commission

Poul DALSAER

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 21, 26. 1. 1984, p. 1.

⁽⁵⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁶⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁷⁾ OJ No L 197, 27. 7. 1984, p. 38.

⁽⁸⁾ OJ No L 206, 2. 8. 1984, p. 24.

⁽⁹⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 2 August 1984 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⁾	158,99	152,95
11.02 B II b) ⁽²⁾	116,03	113,01
11.02 C II ⁽²⁾	138,97	135,95
11.02 D II ⁽²⁾	89,69	86,67
11.02 E II b) ⁽²⁾	158,99	152,95
11.02 F II ⁽²⁾	158,99	152,95

⁽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 2272/84
of 2 August 1984
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 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 1556/84⁽²⁾, and in particular Article 27 (4),

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 855/84⁽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 the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 2066/84⁽⁷⁾, as last amended by Regulation (EEC) No 2234/84⁽⁸⁾;

Whereas, for the period 27 June to 3 July 1984, for certain currencies:

— for the current month, the difference referred to in Article 2 (1) of Regulation (EEC) No 1569/72

differs by more than one point from the percentage adopted for the previous fixing,

— for certain following months the difference referred to in Article 2 (2) of Regulation (EEC) No 1569/72 exceeds 0,5 %; whereas this difference in the case of certain forward differential amounts differs by more than one point from the percentage adopted for the previous fixing;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2066/84 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 1984.

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

Done at Brussels, 2 August 1984.

For the Commission

Poul DALSAER

Member of the Commission

(1) OJ No 172, 30. 9. 1966, p. 3025/66.
(2) OJ No L 150, 6. 6. 1984, p. 5.
(3) OJ No L 132, 21. 5. 1983, p. 33.
(4) OJ No L 90, 1. 4. 1984, 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 191, 19. 7. 1984, p. 19.
(8) OJ No L 205, 1. 8. 1984, p. 31.

COMMISSION REGULATION (EEC) No 2273/84

of 2 August 1984

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1018/84⁽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 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 coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71, as last amended by Regulation (EEC) No 855/84,
- 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 the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 3 August 1984.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

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

Done at Brussels, 2 August 1984.

For the Commission
Poul DALSGER
Member of the Commission

ANNEX

to the Commission Regulation of 2 August 1984 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

		(ECU/tonne)
CCT heading No	Description	Refund
10.01 B I	Common wheat and meslin	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	6,00
	— Zone II b)	13,00
	— other third countries	—
10.01 B II	Durum wheat	—
10.02	Rye	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	—
	— other third countries	—
10.03	Barley	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	15,00
	— Zone II b)	22,00
	— Japan	—
	— other third countries	—
10.04	Oats	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	—
	— Algeria, Tunisia and Libya	18,00
	— other third countries	—
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour :	
	— of an ash content of 0 to 520	26,00
	— of an ash content of 521 to 600	26,00
	— of an ash content of 601 to 900	23,00
	— of an ash content of 901 to 1 100	21,00
	— of an ash content of 1 101 to 1 650	20,00
	— of an ash content of 1 651 to 1 900	18,00

		<i>(ECU/tonne)</i>
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	26,00
	— of an ash content of 701 to 1 150	26,00
	— of an ash content of 1 151 to 1 600	26,00
11.02 A I a)	— of an ash content of 1 601 to 2 000	26,00
	Durum wheat groats and meal :	
	— of an ash content of 0 to 1 300 ⁽¹⁾	171,00
	— of an ash content of 0 to 1 300 ⁽²⁾	162,00
11.02 A I b)	— of an ash content of 0 to 1 300	145,00
	— of an ash content of more than 1 300	136,00
	Common wheat groats and meal :	
	— of an ash content of 0 to 520	26,00

⁽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 amended by Regulation (EEC) No 3634/83 (OJ No L 360, 23. 12. 1983).

COMMISSION REGULATION (EEC) No 2274/84

of 2 August 1984

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 1018/84⁽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 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 existing 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 coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71, as last amended by Regulation (EEC) No 855/84,
- 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 cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 August 1984.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 107, 19. 4. 1984, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 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.

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

Done at Brussels, 2 August 1984.

For the Commission
Poul DALSAGER
Member of the Commission

ANNEX

to the Commission Regulation of 2 August 1984 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12	5th period 1	6th period 2
10.01 B I	Common wheat, and meslin : Other, for exports to :							
	— China	0	+ 4,00	+ 1,00	- 2,00	- 5,00	- 5,00	- 5,00
	— other third countries	0	- 2,00	- 5,00	- 8,00	- 11,00	—	—
10.01 B II	Durum wheat	0	0	0	—	—	—	—
10.02	Rye	0	0	0	—	—	—	—
10.03	Barley	0	0	- 2,00	- 2,00	- 2,00	—	—
10.04	Oats :	0	0	0	—	—	—	—
	for exports to :							
	— Algeria, Tunisia and Libya	0	0	0	—	—	—	—
	— other third countries	0	0	0	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	—	—	—	—	—	—	—
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 amended by Regulation (EEC) No 3634/83 (OJ No L 360, 23. 12. 1983).

COMMISSION NOTICE

The Commission hereby informs the parties concerned that, in the light of the recent agri-monetary decision of 31 March 1984, it will adjust the positive monetary compensatory amounts on products covered by Article 1 of Regulation (EEC) No 2759/75 (pigmeat sector) where such levies are, from the publication of this notice until the end of the 1983/84 marketing year, fixed in advance for transactions taking place during the 1984/85 marketing year.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 July 1984

amending the amount of the daily allowance granted to members of the
Economic and Social Committee

(84/382/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a single Council and a single Commission of the
European Communities, and in particular Article 6 thereof,

Whereas the amount of the daily allowance granted to members of the Economic and
Social Committee should be adjusted,

HAS DECIDED AS FOLLOWS:

Article 1

Council Decision 81/121/EEC of 3 March 1981 on the granting of daily allowances and
the reimbursement of travelling expenses of members of the Economic and Social
Committee, alternates and experts ⁽¹⁾, as amended by Decision 82/868/EEC ⁽²⁾, is hereby
amended as follows:

In the first indent of Article 2, 'Bfrs 3 450' is replaced by 'Bfrs 3 600'.

Article 2

This Decision shall take effect on 1 January 1985.

Done at Brussels, 19 July 1984.

For the Council

The President

J. O'KEEFFE

⁽¹⁾ OJ No L 67, 12. 3. 1981, p. 29.

⁽²⁾ OJ No L 368, 28. 12. 1982, p. 39.

COUNCIL DECISION

of 23 July 1984

implementing Decision 83/200/EEC empowering the Commission to contract loans under the new Community instrument for the purpose of promoting investment within the Community

(84/383/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 83/200/EEC of 19 April 1983 empowering the Commission to contract loans under the new Community instrument for the purpose of promoting investment within the Community⁽¹⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas applications for loans approved by the Commission represent over two-thirds of the initial tranche of borrowings authorized by the Council in its Decision 83/308/EEC⁽⁵⁾;

Whereas it is essential to ensure continuity of action for the new Community instrument in favour of investment projects in the fields of energy and infrastructure, and the financing of investment, principally that of small and medium-sized undertakings, in industry and other productive sectors;

Whereas a further tranche of borrowing and lending in accordance with Decision 83/200/EEC should therefore be authorized, for the same fields of application as those specified in Decision 83/308/EEC;

Whereas Community action in those fields will make a special contribution to the achievement of the Community's objectives of reducing regional dispari-

ties, raising growth rates, adjusting production structures and permanently solving the employment problem;

Whereas borrowings of an amount equivalent to 1 400 million ECU, by way of principal, should be authorized,

HAS DECIDED AS FOLLOWS:

Article 1

A tranche of borrowings is hereby authorized for an amount which shall not exceed the equivalent of 1 400 million ECU, by way of principal.

Article 2

The proceeds of the borrowings referred to in Article 1 shall be lent to finance investment projects carried out on Community territory which help attain the Community's priority objectives in the energy and infrastructure sectors, and in the financing of investment, principally that of small and medium-sized undertakings, in industry and the other productive sectors.

Article 3

The Commission shall decide whether or not projects are eligible in accordance with the following priorities and guidelines:

- investment projects, mainly those of small and medium-sized undertakings, in industry and directly allied services, which are designed in particular to promote the dissemination of innovation and new technology and the implementation of which contributes directly or indirectly to job creation,

⁽¹⁾ OJ No L 112, 28. 4. 1983, p. 26.

⁽²⁾ OJ No C 48, 21. 2. 1984, p. 3.

⁽³⁾ OJ No C 117, 30. 4. 1984, p. 64.

⁽⁴⁾ OJ No C 140, 28. 5. 1984, p. 16.

⁽⁵⁾ OJ No L 164, 23. 6. 1983, p. 31.

-
- the rational use of energy, the replacement of oil by other sources of energy in all sectors and infrastructure projects facilitating such replacement,
 - the projects and their execution must comply with the provisions of the Treaty and of secondary legislation, in particular with those relating to competition, and Community rules and policies applicable in the fields in question.
- infrastructure projects which are associated with the development of productive activities, which contribute to regional development or which are of Community interest, such as telecommunications, including information technology, and transport, including the transmission of energy,

Done at Brussels, 23 July 1984.

For the Council

The President

J. O'KEEFFE

COUNCIL DECISION

of 23 July 1984

concerning a contribution to the European Coal and Steel Community from the general budget of the European Communities

(84/384/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Whereas, at its meeting on 22 May 1984, the Council confirmed that solid fuels are an essential element of Community energy strategy;

Whereas the Community coal industry is being restructured and modernized;

Whereas this restructuring and modernization will inevitably lead to exceptional job losses; whereas support measures should be envisaged to alleviate the consequences of these job losses; whereas it is therefore necessary to apply Article 56 (2) (b) of the Treaty establishing the European Coal and Steel Community;

Whereas, in the present circumstances, the resources provided for by the ECSC Treaty are not sufficient to finance these measures;

Whereas the secondary effects of this situation, if not remedied, would be liable to aggravate considerably the Community's general employment situation and to

impair the harmonious development of economic activities, and this would undermine the achievement of one of the Community's main objectives;

Whereas the social measures envisaged will be based, on the one hand, on the number of jobs lost over a given period and, on the other hand, on the level of social expenditure undertaken by each Member State in respect of each job lost;

Whereas an appropriation of 60 million ECU has been entered in Chapter 10 0 of the general budget of the European Communities for 1984,

HAS DECIDED AS FOLLOWS:

Sole Article

An exceptional contribution of 60 million ECU is hereby granted to the European Coal and Steel Community, for the financial year 1984, out of the general budget of the European Communities for the same financial year, to ensure Community financing of social measures in favour of the coal industry, in accordance with the relevant Articles of the ECSC Treaty.

Done at Brussels, 23 July 1984.

For the Council

The President

J. O'KEEFFE

⁽¹⁾ OJ No C 46, 20. 2. 1984, p. 112.

⁽²⁾ OJ No C 23, 30. 1. 1984, p. 59.

COUNCIL DECISION

of 23 July 1984

on the conclusion of an Agreement in the form of an exchange of notes providing for the temporary extension of the 1977 Fisheries Agreement between the European Economic Community and the Government of the United States of America

(84/385/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the United States of America concerning fisheries off the coasts of the United States, signed on 15 February 1977, and in particular Article XVI,

Having regard to the proposal from the Commission,

Whereas a new Fisheries Agreement between the European Economic Community and the Government of the United States of America has been negotiated and submitted to the Council for approval;

Whereas, in order to prevent any interruption of Member States' fishing activities off the coasts of the United States, the 1977 Fisheries Agreement between the Community and the United States should be temporarily extended pending approval of the new Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of notes between the European Economic Community and the

Government of the United States of America, initialled on 27 June 1984 and providing for the temporary extension of the 1977 Fisheries Agreement between the European Economic Community and the Government of the United States of America, is hereby approved on behalf of the Community.

The text of the Agreement referred to in the first subparagraph is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 23 July 1984.

For the Council

The President

J. O'KEEFFE

AGREEMENT**in the form of an exchange of notes providing for the temporary extension of the 1977 Fisheries Agreement between the European Economic Community and the Government of the United States of America**

The Department of State refers the Delegation of the European Communities to the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States, signed 15 February 1977, and scheduled to expire on 1 July 1984.

The Government of the United States proposes that this Agreement be extended until 30 September 1984 or until a new governing international fishery agreement enters into force, whichever is the earlier.

If the European Economic Community agrees to such an extension, it is proposed that this note and the Delegation's reply shall constitute an Agreement between the two Parties, effective from 1 July 1984, which shall enter into force following written notification of the completion of internal procedures of the Government of the United States and the European Economic Community.

Department of State
Washington, DC

27 June 1984

I have received your letter of 27 June 1984, which reads as follows:

'The Department of State refers the Delegation of the European Communities to the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States, signed on 15 February 1977, and scheduled to expire on 1 July 1984.

The Government of the United States proposes that this Agreement be extended until 30 September 1984 or until a new governing international fishery agreement enters into force, whichever is earlier.

If the European Economic Community agrees to such an extension, it is proposed that this note and the delegation's reply shall constitute an Agreement between the two Parties, effective from 1 July 1984, which shall enter into force following written notification of the completion of internal procedures of the Government of the United States and the European Economic Community.'

I have the honour, on behalf of the European Economic Community, to confirm that the Community agrees to the proposal of the United States of America.

Roy DENMAN

Head of Delegation

Washington, DC
27 June 1984

TENTH COUNCIL DIRECTIVE

of 31 July 1984

on the harmonization of the laws of the Member States relating to turnover taxes, amending Directive 77/388/EEC — Application of value added tax to the hiring out of movable tangible property

(84/386/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 99 and 100 thereof,

Having regard to the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽¹⁾,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁴⁾,

Whereas, pursuant to Article 4 (2) of the aforementioned Directive, the hiring out of movable tangible property may constitute an economic activity subject to value added tax;

Whereas application of Article 9 (1) of the aforementioned Directive to the hiring out of movable tangible property may lead to substantial distortions of competition where the lessor and the lessee are established in different Member States and the rates of taxation in those States differ;

Whereas it is therefore necessary to establish that the place where a service is supplied is the place where the customer has established his business or has a fixed establishment for which the service has been supplied or, in the absence thereof, the place where he has his permanent address or usually resides;

Whereas, however, as regards the hiring out of forms of transport, Article 9 (1) should, for reasons of control,

be strictly applied, the place where the supplier has established his business being treated as the place of supply of such services,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/388/EEC is hereby amended as follows:

1. Article 9 (2) (d) is deleted;
2. in Article 9 (2) (e) the following indent is added:

‘— the hiring out of movable tangible property, with the exception of all forms of transport.’;
3. in Article 9 (3), ‘and the hiring out of movable tangible property’ is replaced by ‘and the hiring out of forms of transport’.

Article 2

1. Member States shall bring into force the measures necessary to comply with this Directive by 1 July 1985.
2. Member States shall inform the Commission of the provisions which they adopt for the purpose of applying this Directive. The Commission shall inform the other Member States thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 31 July 1984.

For the Council

The President

J. O’KEEFFE

⁽¹⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽²⁾ OJ No C 116, 9. 5. 1979, p. 4.

⁽³⁾ OJ No C 4, 7. 1. 1980, p. 63.

⁽⁴⁾ OJ No C 297, 28. 11. 1979, p. 16.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2202/84 of 27 July 1984 altering the monetary compensatory amounts

(Official Journal of the European Communities No L 204 of 31 July 1984)

Page 15, Annex IV, Member States: Germany and Netherlands, Sector concerned:

for: 'Cereals',

read: 'Cereals and eggs and poultry'.

**THE AGRICULTURAL SITUATION IN THE COMMUNITY
1983 REPORT**

This report is the ninth published version of the annual Report on the Agricultural Situation in the Community. It contains analyses and statistics on the general situation (economic environment and world market), the factors of production, the structures and situation of the markets in the various agricultural products, the obstacles to the common agricultural market, the position of consumers and producers, and the financial aspects. The general prospects and the market outlook for agricultural products are also dealt with.

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