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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2569/85
of 12 September 1985**

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 organi-
zation 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 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 import levies on cereals, wheat and rye
flour, and wheat groats and meal were fixed by Regula-
tion (EEC) No 2159/85⁽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⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84⁽⁷⁾,

- 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
11 September 1985;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 2159/85 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to
the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13
September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 203, 1. 8. 1985, p. 8.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 12 September 1985 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	104,84
10.01 B II	Durum wheat	158,39 ⁽¹⁾ ⁽²⁾
10.02	Rye	98,61 ⁽⁶⁾
10.03	Barley	105,51
10.04	Oats	75,24
10.05 B	Maize, other than hybrid maize for sowing	87,11 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	0
10.07 B	Millet	52,64 ⁽⁴⁾
10.07 C	Grain sorghum	115,24 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	160,06
11.01 B	Rye flour	151,33
11.02 A I a)	Durum wheat groats and meal	258,67
11.02 A I b)	Common wheat groats and meal	172,55

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2570/85

of 12 September 1985

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
2160/85⁽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⁽⁶⁾, as last amended by Regulation (EEC)
No 855/84⁽⁷⁾,

- 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
11 September 1985;

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 13
September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 203, 1. 8. 1985, p. 11.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

ANNEX

to the Commission Regulation of 12 September 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 9	1st period 10	2nd period 11	3rd period 12
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	7,29	7,29	10,27
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0,44	0,44	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2571/85

of 12 September 1985

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 231/85 ⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 9 and 10 September 1985 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 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 124, 9. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 52, 22. 2. 1985, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽⁹⁾ OJ No L 52, 22. 2. 1985, p. 1.

⁽¹⁰⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹²⁾ OJ No L 331, 28. 11. 1978, p. 6.

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 13 September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CCT heading No	Non-member countries
15.07 A I a)	66,50 ⁽¹⁾
15.07 A I b)	76,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	87,00 ⁽²⁾
15.07 A II b)	95,00 ⁽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, Tunisia and Morocco: 24,78 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	16,72
07.03 A II	16,72
15.17 B I a)	38,80
15.17 B I b)	60,80
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 2572/85
of 11 September 1985
on the supply of various lots of butteroil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 457/85 of 19 February 1985 laying down implementing rules for 1985 for Regulation (EEC) No 3331/82 on food-aid policy and food-aid management⁽¹⁾,

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⁽²⁾, as last amended by Regulation (EEC) No 1298/85⁽³⁾, and in particular Article 6 (7) thereof,

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to Ethiopia 800 tonnes of butteroil to be supplied cif;

Whereas, therefore, supply should be effected in accordance with the rules laid down in Commission Regulation (EEC) No 1354/83 of 17 May 1983 laying down general rules for the mobilization and supply of skimmed-milk powder, butter and butteroil as food

aid⁽⁴⁾, as amended by Regulation (EEC) No 1886/83⁽⁵⁾; whereas, in particular, the periods and terms for supply and the procedure to be used to determine the costs arising therefrom should be laid down;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies shall, in accordance with the provisions of Regulation (EEC) No 1354/83, supply butteroil as food aid on the special terms set out in the Annex.

Article 2

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

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

Done at Brussels, 11 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 54, 23. 2. 1985, p. 2.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽³⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

ANNEX

Notice of invitation to tender (1)

Description of the lot	A	B
1. Programme : (a) legal basis (b) purpose	1985 Council Regulation (EEC) No 457/85 Commission Decision — of 9 July 1985 — of 1 August 1985	
2. Recipient	} Ethiopia	
3. Country of destination		
4. Stage and place of delivery	cif Assab	Massawa (2)
5. Representative of the recipient	RRC 'Relief and Rehabilitation Commission', PO box 5686, Addis Ababa	
6. Total quantity	400 tonnes	400 tonnes
7. Origin of the butteroil	To be manufactured from intervention butter	
8. Intervention agency holding the stocks	German	Belgian
9. Specific characteristics	—	
10. Packaging	5 kilograms	
11. Supplementary markings on the packaging	'FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA' (3)	
12. Shipment period	Before 31 October 1985	
13. Closing date for the submission of tenders	—	
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :		
(a) shipment period	—	
(b) closing date for the submission of tenders	—	
15. Miscellaneous	The costs of supply are determined by the German Belgian intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 (3) (4)	

(1) This Annex, together with the notice published in *Official Journal of the European Communities* No C 208 of 4 August 1983, page 9, shall serve as notice of invitation to tender.

(2) The choice between the ports of Assab and Massawa remains open ; the decision as to which one has been chosen will be notified not later than when the ship enters Ethiopian waters.

(3) The following should be included in the charter party :

'Food-aid consignment from the European Economic Community : since the freight charges do not include coordination or supervision costs, the US \$ 1,5 tax normally paid must not be applied in the case of this ship.'

(4) Commission delegate to be contacted by the successful tenderer :

M. Wallner,

Tedla Desta Building, Africa Av. (Bole Road) 1st Floor, PO box 5570,
Addis Ababa (telex 21135 DELEGEUR — Addis Ababa).

(5) The month of shipment must be marked on the sacks in concise form (e.g. V. 85 for May 1985).

COMMISSION REGULATION (EEC) No 2573/85**of 11 September 1985****on the supply of various lots of skimmed-milk powder as food aid**

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 457/85
of 19 February 1985 laying down implementing rules
for 1985 for Regulation (EEC) No 3331/82 on food-aid
policy and food-aid management⁽¹⁾,

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⁽²⁾, as last amended
by Regulation (EEC) No 1298/85⁽³⁾, and in particular
Article 7 (5) thereof,

Whereas following the taking of a number of decisions
on the allocation of food aid the Commission has allo-
cated to Ethiopia 2 000 tonnes of skimmed-milk
powder to be supplied cif;

Whereas, therefore, supply should be effected in
accordance with the rules laid down in Commission
Regulation (EEC) No 1354/83 of 17 May 1983 laying
down general rules for the mobilization and supply of
skimmed-milk powder, butter and butteroil as food

aid⁽⁴⁾, as amended by Regulation (EEC) No
1886/83⁽⁵⁾; whereas, in particular, the periods and
terms for supply and the procedure to be used to
determine the costs arising therefrom should be laid
down;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies shall, in accordance with
the provisions of Regulation (EEC) No 1354/83,
supply skimmed-milk powder as food aid on the
special terms set out in the Annex.

Article 2

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

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

Done at Brussels, 11 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 54, 23. 2. 1985, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽³⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽⁴⁾ OJ No L 142, 1. 6. 1983, p. 1.

⁽⁵⁾ OJ No L 187, 12. 7. 1983, p. 29.

ANNEX

Notice of invitation to tender (1)

Description of the lot	A	B
1. Programme : (a) legal basis (b) purpose	1985 Council Regulation (EEC) No 457/85 Commission Decision — of 9 July 1985 — of 1 August 1985	
2. Recipient	}	
3. Country of destination	Ethiopia	
4. Stage and place of delivery	cif Assab	Massawa (2)
5. Representative of the recipient	RRC 'Relief and Rehabilitation Commission', PO box 5686, Addis Ababa	
6. Total quantity	500 tonnes	500 tonnes
7. Origin of the skimmed-milk powder	Community market	
8. Intervention agency holding the stocks	Belgian	German
9. Specific characteristics	Annex I B to Regulation (EEC) No 1354/83	
10. Packaging	25 kilograms	
11. Supplementary markings on the packaging	'FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA' (2)	
12. Shipment period	Before 31 October 1985	
13. Closing date for the submission of tenders	—	
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :		
(a) shipment period	—	
(b) closing date for the submission of tenders	—	
15. Miscellaneous	The costs of supply are determined by the	
	Belgian	German
	intervention agency in accordance with Article 15 of Regulation (EEC) No 1354/83 (3) (4)	

Description of the lot	C
1. Programme : (a) legal basis (b) purpose	1985 Council Regulation (EEC) No 457/85 Commission Decision — of 9 July 1985 — of 1 August 1985
2. Recipient	}
3. Country of destination	Ethiopia
4. Stage and place of delivery	cif Assab / Massawa (?)
5. Representative of the recipient	RRC 'Relief and Rehabilitation Commission', PO box 5686, Addis Ababa
6. Total quantity	1 000 tonnes (*)
7. Origin of the skimmed-milk powder	Community market
8. Intervention agency	—
9. Specific characteristics	Annex I B to Regulation (EEC) No 1354/83
10. Packaging	25 kilograms
11. Supplementary markings on the packaging	'FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA' (*)
12. Shipment period	Before 30 November 1985
13. Closing date for the submission of tenders	7 October 1985
14. In the case of a second invitation to tender pursuant to Article 14 (2) of Regulation (EEC) No 1354/83 :	
(a) shipment period	Before 15 December 1985
(b) closing date for the submission of tenders	14 October 1985
15. Miscellaneous	(*) (*)

Notes :

- (¹) This Annex, together with the notice published in *Official Journal of the European Communities* No C 208 of 4 August 1983, page 9, shall serve as notice of invitation to tender.
 - (²) The choice between the ports of Assab and Massawa remains open ; the decision as to which one has been chosen will be notified not later than when the ship enters Ethiopian waters.
 - (³) The following should be included in the charter party :
'Food-aid consignment from the European Economic Community : since the freight charges do not include coordination or supervision costs, the US \$ 1,5 tax normally paid must not be applied in the case of this ship.'
 - (⁴) Commission delegate to be contacted by the successful tenderer :
M. Wallner,
Tedla Desta Building, Africa Av. (Bole Road) 1st Floor, PO box 5570,
Addis Abada (telex 21135 DELEGEUR — Addis Ababa).
 - (⁵) The month of shipment must be marked on the sacks in concise form (e.g. V. 85 for May 1985).
 - (⁶) The tender may only relate to a partial quantity amounting to 500 tonnes or a multiple of 500 tonnes ; see third subparagraph of Article 11 (3) of Regulation (EEC) No 1354/83.
-

COMMISSION REGULATION (EEC) No 2574/85

of 12 September 1985

fixing, for the second 12-month period, amounts for the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector⁽¹⁾, as last amended by Regulation (EEC) No 1305/85⁽²⁾, and in particular Article 11 (a) thereof,

Whereas Article 5c of Regulation (EEC) No 804/68 instituted a levy payable by every producer or purchaser of milk or other milk products on quantities exceeding an annual reference quantity; whereas rates for this levy are set in Article 1 of Regulation (EEC) No 857/84;

Whereas, pursuant to Article 11 of Regulation (EEC) No 857/84, the Commission must determine amounts for the levy,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the levy referred to in Article 1 (1) of Regulation (EEC) No 857/84 is fixed for the second 12-month period at:

- 20,88 ECU per 100 kilograms of milk and/or milk equivalent where formula A is applied,
- 27,84 ECU per 100 kilograms of milk and/or milk equivalent where formula B is applied or where formula A is applied with allocation of the reference quantities to the producer groups or associations thereof referred to in Article 12 (c),
- 20,88 ECU per 100 kilograms of milk and/or milk equivalent where there is direct sale for consumption.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 April 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 90, 1. 4. 1984, p. 13.⁽²⁾ OJ No L 137, 27. 5. 1985, p. 12.

COMMISSION RECOMMENDATION No 2575/85/ECSC

of 12 September 1985

on Community surveillance of imports of certain iron and steel products covered by the ECSC Treaty and originating in Brazil and amending recommendation No 41/85/ECSC

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 thereof,

Whereas imports of certain iron and steel products covered by the Treaty establishing the European Coal and Steel Community and originating in non-member countries other than Spain were subjected to Community surveillance under Commission recommendation No 41/85/ECSC⁽¹⁾;

Whereas, however, for imports of iron and steel products originating in Brazil it is necessary to amend the list of products subject to surveillance and for certain of these products to make the issue of an import document subject to the presentation of an export licence issued by the Brazilian authorities; whereas this special surveillance scheme should therefore be introduced for imports originating in Brazil and recommendation No 41/85/ECSC should consequently be amended;

Whereas, in consequence, recommendation No 41/85/ECSC shall no longer apply to Brazil,

MAKES THE FOLLOWING RECOMMENDATION:

Article 1

1. The importation into the Community of iron and steel products covered by the ECSC Treaty, listed in Annexes I, II and III and originating in Brazil shall be subject to the issue of an import document.
2. The products referred to in paragraph 1 shall be considered to be prime-quality products until proof to the contrary is supplied by the importer.
3. The import document shall be issued or endorsed by the Member States, free of charge and for any quantities requested, upon receipt of the application and in any case within not more than 10 working days of the submission of the completed application and presentation of two duplicates of the relevant

purchase contract or contracts and the vendor's order confirmation or confirmations. The originals of these documents must be produced if required by the issuing authority. If the products in question are declared to be non-prime products, the import document shall indicate the precise characteristics which justify the said classification of the products.

4. For the products referred to in Annex I, the issue of the import document shall be subject to the presentation of the export licence issued by the Brazilian authorities. The specifications given on the import application relating to the characteristics of the product and destination must tally with those on the export document. The country of destination shall be deemed to be that in which the goods are put into free circulation or made subject to inward processing arrangements.

5. The period of validity of the import document shall be two months, without prejudice to possible changes in the import arrangements in force.

6. Completely used import documents shall be returned immediately to the issuing office. Documents not, or incompletely, used two months after their date of issue shall be returned to the issuing office within five working days of their date of expiry.

Article 2

1. The importer's application must state:
 - (a) the country of origin and the country of consignment;
 - (b) a description of the goods and an indication of the Common Customs Tariff subheading and the NIMEXE code;
 - (c) the characteristics establishing any claim that the goods are non-prime products;
 - (d) the quantity of the goods in tonnes, by individual lots;
 - (e) the name, address, telephone number and telex number of the vendor;
 - (f) the name, address, telephone number and telex number of the importer;
 - (g) the name, address, telephone number and telex number of any final purchaser, where known;

⁽¹⁾ OJ No L 7, 9. 1. 1985, p. 5.

- (h) the proposed date and place (customs office) of importation ;
- (i) the point of delivery used for the calculation of the invoiced price ;
- (j) the date of the contract for the purchase of the goods and the contract number or any other reference given by the vendor by which the delivery in question may be identified ;
- (k) where applicable, that the goods in question are intended for processing under contract and subsequent re-export outside the Community (country of re-export to be specified).

2. The following additional information shall also be supplied for goods listed in Annex I or II :

A. For goods originating in and consigned directly from Brazil (direct importation) :

- (a) a commercial description of the goods, including exact specifications, sufficient to permit calculation of the delivered price according to the price lists selected ;
- (b) the delivered price per tonne, including customs duties, transport costs and all extras, rebates and any other factors relevant to calculation of the delivered price ;
- (c) details of :
 - (i) the Community producer's price lists chosen for calculating the delivered price, stating the date of the chosen lists, or
 - (ii) where appropriate, the non-member country offer on which the terms of the delivery have been aligned, giving details sufficient to identify the offer, including its date, or
 - (iii) where appropriate, other prices (to be justified) ;

(d) the date of issuance of the bill of lading, if available.

B. For goods originating in Brazil but consigned from any non-member country (indirect importation) :

- (a) a complete description corresponding to that appearing in the list of products subject to the basic prices in force ;
- (b) the cif price at the Community frontier, per tonne, in the currency of the contract, plus customs duties applicable and unloading costs.

3. The importer shall declare that neither he nor the purchaser will be granted any reduction, rebate or other form of refund not mentioned in the contract

for the transaction, either at the time of the transaction or subsequently.

4. The importer shall certify that his application for an import document is accurate.

5. The importer shall state whether his application is a repeat of a previous application concerning the same delivery.

Article 3

1. The Member States shall communicate to the Commission, as soon as such information is established by the competent authorities, any difference between :

- the delivered price calculated according to the provisions on prices applicable to Brazil on the date scheduled for importation, and
- the price used on the basis of the chosen Community producer's price list pursuant to Article 2 (2) (A) (c) or justified otherwise.

They shall also furnish all necessary documents, notably the duplicates of import documents applications, purchase contracts and vendor's order confirmations, wherever the price difference noted is considerable or relates to a large quantity.

2. For goods originating in Brazil but consigned from another non-member country, the Member States shall communicate to the Commission, as soon as such information is established by the competent authorities, any difference, in ECU per tonne, between :

- the basic price as published in the *Official Journal of the European Communities*, plus any extras, and
- the cif price at the Community frontier, including customs duties applicable and unloading costs.

3. Within the first 10 days of each month, Member States shall notify the Commission of the tonnage and amounts (calculated on the basis of the cif prices) for which import documents were issued during the preceding month.

4. The information supplied by Member States shall include :

- (a) a breakdown by product (Common Customs Tariff subheading and NIMEXE code) with separate declaration of the quantities declared as being non-prime products ;

- (b) a breakdown by country of origin ;
- (c) within the total of any one product, the quantities not imported directly from Brazil and, in this case, breakdown by country or countries of consignment ;
- (d) the quantities of each product re-exported outside the Community after inward processing.

5. Within the first 10 days of each month, Member States shall communicate to the Commission the tonnage and the amounts (calculated on the basis of the cif price) for which import documents have expired during the preceding month without having been used by importers.

Article 4

For the purposes of this recommendation, the country of consignment shall be deemed to be the last intermediate non-member country in which the product in question was the subject of entrepôt operations or legal transactions not connected with its transportation.

Article 5

Recommendation No 41/85/ECSC is hereby amended as follows :

1. Article 1 (1) is replaced by the following :
 - '1. The importation into the Community of iron and steel products covered by the Treaty establishing the European Coal and Steel Community listed in Annex III A or III B and originating in non-member countries other than Spain and Brazil,

shall be subject to the issue of an import document.'

2. Article 2 (2) C, first paragraph is replaced by the following :

'C. The countries listed in Annex I or II but consigned from any non-member country other than the country of origin (indirect importation) and for foods originating in a non-member country other than Spain and Brazil not listed in Annexes I and II.'

3. Article 3 (2) (ii) is replaced by the following :
 - '(ii) goods originating in non-member countries other than Spain and Brazil or those listed in Annexes I and II;'

4. Article 3 (2) (iii) is deleted.

5. Brazil is deleted from the list of third countries mentioned in Annex II.

Article 6

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

It shall apply until 31 December 1985.

Done at Brussels, 12 September 1985.

For the Commission

Willy DE CLERCQ

Member of the Commission

*ANNEX I***List of products subject to price and quantitative surveillance requiring an import document issued on presentation of a Brazilian export certificate**

NIMEXE codes : 73.02-01, 73.02-09, 73.06-10, 73.06-20, 73.06-30, 73.07-12, 73.07-21, 73.07-24, 73.08-01, 73.08-03, 73.08-05, 73.08-07, 73.08-21, 73.08-25, 73.08-29, 73.08-41, 73.08-45, 73.08-49, 73.09-00, 73.10-11, 73.10-12, 73.10-14, 73.10-15, 73.10-17, 73.10-18, 73.10-42, 73.11-11, 73.11-12, 73.11-14, 73.11-16, 73.11-19, 73.11-41, 73.11-50, 73.12-11, 73.12-19, 73.12-21, 73.12-51, 73.12-71, 73.13-11, 73.13-16, 73.13-17, 73.13-19, 73.13-21, 73.13-23, 73.13-26, 73.13-32, 73.13-34, 73.13-36, 73.13-41, 73.13-43, 73.13-45, 73.13-47, 73.13-49, 73.13-50, 73.13-64, 73.13-65, 73.13-67, 73.13-68, 73.13-72, 73.13-74, 73.13-76, 73.13-78, 73.13-79, 73.13-82, 73.13-84, 73.13-86, 73.13-87, 73.13-88, 73.13-89, 73.13-92, 73.61-20, 73.62-10, 73.62-30, 73.63-29, 73.63-72, 73.64-20, 73.64-72, 73.65-21, 73.65-23, 73.65-25, 73.65-53, 73.65-55, 73.65-70, 73.65-81, 73.71-21, 73.71-23, 73.71-24, 73.71-29, 73.71-53, 73.72-11, 73.72-13, 73.72-19, 73.72-33, 73.72-39, 73.73-23, 73.73-25, 73.73-26, 73.73-29, 73.73-33, 73.73-35, 73.73-36, 73.73-39, 73.73-72, 73.74-21, 73.74-23, 73.74-29, 73.74-72, 73.75-11, 73.75-19, 73.75-23, 73.75-33, 73.75-43, 73.75-53, 73.75-54, 73.75-59, 73.75-63, 73.75-73, 73.75-79, 73.75-83, 73.75-84, 73.75-89, 73.16-14, 73.16-16, 73.16-17, 73.16-20, 73.16-40, 73.16-51.

*ANNEX II***List of products subject to price and quantitative surveillance and requiring an import document the issue of which is not subject to the presentation of an export certificate from the Brazilian authorities**

NIMEXE codes : 73.01-10, 73.01-21, 73.01-23, 73.01-25, 73.01-27, 73.01-31, 73.01-35, 73.01-41, 73.01-49, 73.63-21, 73.75-29.

*ANNEX III***List of products subject to quantitative surveillance and requiring an import document the issue of which is not subject to the presentation of an export certificate from the Brazilian authorities**

NIMEXE codes : 73.61-50, 73.71-55, 73.71-56, 73.71-59, 73.73-24, 73.73-34, 73.75-39, 73.75-49, 73.75-69.

COMMISSION REGULATION (EEC) No 2576/85

of 12 September 1985

amending Regulation (EEC) No 685/69 as regards the time limits for payment for butter bought in by intervention agencies

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 1298/85 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Article 5 (5) of Commission Regulation (EEC) No 685/69 of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 1767/85 ⁽⁴⁾, lays down the time limit for payment for butter bought in by intervention agencies ;

Whereas, as part of the annual price fixing, the Council decided to reduce the intervention price for butter during the 1985/86 marketing year ; whereas, moreover, the second year of application of the scheme for controlling milk production involves a further reduction in the reference quantities of purchasers or producers ; whereas, generally speaking, in view of the overall situation in the milk sector, it appears desirable to relax the constraints affecting small milk producers for the 1985/86 milk year ; whereas, with this in view, Member States should be entitled to bring forward the time limit for payment of intervention butter manufactured from deliveries by small milk producers ;

Whereas, given the diversity of production and processing structures in the Community in the sector concerned and the fact that the financial consequences

of the measure are borne by the Member States under Council Regulation (EEC) No 3247/81 ⁽⁵⁾, as last amended by Regulation (EEC) No 2139/85 ⁽⁶⁾, Member States should be left to define small producers for the purpose of implementing the measure ;

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

The following subparagraphs are hereby added to Article 5 (5) of Regulation (EEC) No 685/69 :

'During the 1985/86 marketing year Member States shall be entitled to pay for butter manufactured from deliveries by small milk producers, and bought in by intervention agencies, from the 60th day after it is taken over.

Member States which make use of this entitlement shall communicate in good time to the Commission the steps which they envisage taking in order to apply the measure.'

Article 2

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

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽⁴⁾ OJ No L 168, 28. 6. 1985, p. 23.

⁽⁵⁾ OJ No L 327, 14. 11. 1981, p. 1.

⁽⁶⁾ OJ No L 199, 31. 7. 1985, p. 13.

COMMISSION REGULATION (EEC) No 2577/85
of 12 September 1985
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 804/68
of 27 June 1968 on the common organization of the
market in milk and milk products ⁽¹⁾, as last amended
by Regulation (EEC) No 1298/85 ⁽²⁾, and in particular
Article 14 (8) thereof,

Whereas the import levies on milk and milk products
were fixed by Regulation (EEC) No 1935/85 ⁽³⁾, as last
amended by Regulation (EEC) No 2441/85 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 16
September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13
⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.
⁽³⁾ OJ No L 181, 13. 7. 1985, p. 8.
⁽⁴⁾ OJ No L 232, 30. 8. 1985, p. 8.

ANNEX

to the Commission Regulation of 12 September 1985 fixing the import levies on milk and milk products

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

CCT heading No	Code	Import levy
04.01 A I a)	0110	26,51
04.01 A I b)	0120	24,10
04.01 A II a) 1	0130	24,10
04.01 A II a) 2	0140	29,41
04.01 A II b) 1	0150	22,89
04.01 A II b) 2	0160	28,20
04.01 B I	0200	57,96
04.01 B II	0300	122,60
04.01 B III	0400	189,47
04.02 A I	0500	18,91
04.02 A II a) 1	0620	121,59
04.02 A II a) 2	0720	164,89
04.02 A II a) 3	0820	167,31
04.02 A II a) 4	0920	234,75
04.02 A II b) 1	1020	114,34
04.02 A II b) 2	1120	157,64
04.02 A II b) 3	1220	160,06
04.02 A II b) 4	1320	227,50
04.02 A III a) 1	1420	30,13
04.02 A III a) 2	1520	40,68
04.02 A III b) 1	1620	122,60
04.02 A III b) 2	1720	189,47
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,1434 (*)
04.02 B I b) 1 bb)	2320	per kg 1,5764 (*)
04.02 B I b) 1 cc)	2420	per kg 2,2750 (*)
04.02 B I b) 2 aa)	2520	per kg 1,1434 (*)
04.02 B I b) 2 bb)	2620	per kg 1,5764 (*)
04.02 B I b) 2 cc)	2720	per kg 2,2750 (*)
04.02 B II a)	2820	52,91
04.02 B II b) 1	2910	per kg 1,2260 (*)
04.02 B II b) 2	3010	per kg 1,8947 (*)
04.03 A	3110	222,91
04.03 B	3210	271,95
04.04 A	3300	188,05 (*)
04.04 B	3900	233,26 (*)
04.04 C	4000	163,23 (*)
04.04 D I a)	4410	168,16 (*)
04.04 D I b)	4510	174,28 (*)
04.04 D II	4610	271,00
04.04 E I a)	4710	233,26
04.04 E I b) 1	4800	192,95 (10)

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

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	181,15 ⁽¹¹⁾
04.04 E I c) 1	5210	135,86
04.04 E I c) 2	5250	277,87
04.04 E II a)	5310	233,26
04.04 E II b)	5410	277,87
17.02 A II	5500	41,79 ⁽¹²⁾
21.07 F I	5600	41,79
23.07 B I a) 3	5700	88,18
23.07 B I a) 4	5800	114,47
23.07 B I b) 3	5900	106,82
23.07 B I c) 3	6000	87,13
23.07 B II	6100	114,47

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 23,64 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 23,64 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to:
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria, for products listed under (s) of that Annex imported from Finland and for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and sub-headings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 2578/85
of 12 September 1985
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1298/85⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports ;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of :

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

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

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

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products⁽⁵⁾, as last amended by Regulation (EEC) No 2283/81⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose ; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community ;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 137, 27. 5. 1985, p. 5.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 223, 8. 8. 1981, p. 10.

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽²⁾, as last amended by Regulation (EEC) No 855/84⁽³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption ; whereas the cheese rinds and cheese wastes are not products intended for this purpose ; whereas, to avoid any confusion in interpretation, it should be specified that

there will be no refund for these products which fall within heading No 04.04 ;

Whereas Commission Regulation (EEC) No 896/84⁽⁴⁾, as amended by Regulation (EEC) No 2881/84⁽⁵⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another ; whereas those provisions provide for different refunds according to the date of manufacture of the products ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 13 September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 1.

⁽⁴⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁵⁾ OJ No L 272, 13. 10. 1984, p. 16.

ANNEX

to the Commission Regulation of 12 September 1985 fixing the export refunds on milk and milk products

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

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	<p>4. Exceeding 29 % :</p> <p>(aa) Of a fat content, by weight, not exceeding 41 %</p> <p>(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %</p> <p>(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %</p> <p>(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %</p> <p>(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %</p> <p>(ff) Of a fat content, by weight, exceeding 79 %</p> <p>b) Other, of a fat weight content :</p> <p>1. Not exceeding 1,5 %</p> <p>2. Exceeding 1,5 % but not exceeding 27 % :</p> <p>(aa) Of a fat content, by weight, not exceeding 11 %</p> <p>(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %</p> <p>(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %</p> <p>(dd) Of a fat content, by weight, exceeding 25 %</p> <p>3. Exceeding 27 % but not exceeding 29 % :</p> <p>(aa) Of a fat content, by weight, not exceeding 28 %</p> <p>(bb) Of a fat content, by weight, exceeding 28 %</p> <p>4. Exceeding 29 % :</p> <p>(aa) Of a fat content, by weight, not exceeding 41 %</p> <p>(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %</p> <p>(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %</p> <p>(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %</p> <p>(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %</p> <p>(ff) Of a fat content, by weight, exceeding 79 %</p>	<p>0920 10</p> <p>0920 30</p> <p>0920 40</p> <p>0920 50</p> <p>0920 60</p> <p>0920 70</p> <p>1020 00</p> <p>1120 10</p> <p>1120 20</p> <p>1120 30</p> <p>1120 40</p> <p>1220 20</p> <p>1220 30</p> <p>1320 10</p> <p>1320 30</p> <p>1320 40</p> <p>1320 50</p> <p>1320 60</p> <p>1320 70</p>	<p>111,90</p> <p>121,68</p> <p>125,07</p> <p>136,99</p> <p>145,25</p> <p>153,71</p> <p>78,60</p> <p>78,60</p> <p>93,35</p> <p>99,56</p> <p>108,13</p> <p>109,12</p> <p>110,27</p> <p>111,90</p> <p>121,68</p> <p>125,07</p> <p>136,99</p> <p>145,25</p> <p>153,71</p>

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2,5 kg or less and of a fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8,9 % and of a non-fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	13,34
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	18,05
	(22) Exceeding 3 %, by weight, but not exceeding 7,4 %	1420 60	22,90
	(33) Exceeding 7,4 %	1420 70	28,55
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	25,13
	(bb) Of 15 % or more, by weight	1520 20	33,84
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8,9 %	1630 00	13,34
	(33) Exceeding 8,9 %, by weight, but not exceeding 11 %	1630 10	25,13
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	31,13
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	51,11
	(66) Exceeding 39 %	1630 40	87,09
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	18,05
	(22) Exceeding 3 %, by weight, but not exceeding 7,4 %	1630 60	22,90
	(33) Exceeding 7,4 %, by weight, but not exceeding 8,9 %	1630 70	28,55
	(44) Exceeding 8,9 %	1630 80	33,84
	2. Exceeding 45 %	1720 00	99,08

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar :		
	I. Milk and cream, in powder or granules :		
	ex b) Other, excluding whey :		
	1. In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight :		
	aa) Not exceeding 1,5 %	2220 00	0,7860 (*) per kg
	bb) Exceeding 1,5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2320 10	0,7860 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2320 20	0,9335 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2320 30	0,9956 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2320 40	1,0813 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2420 10	1,0912 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2420 20	1,2168 (*) per kg
	2. Other, of a fat content, by weight :		
	aa) Not exceeding 1,5 %	2520 00	0,7860 (*) per kg
	bb) Exceeding 1,5 % but not exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 11 %	2620 10	0,7860 (*) per kg
	(22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	2620 20	0,9335 (*) per kg
	(33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	2620 30	0,9956 (*) per kg
	(44) Of a fat content, by weight, exceeding 25 %	2620 40	1,0813 (*) per kg
	cc) Exceeding 27 % :		
	(11) Of a fat content, by weight, not exceeding 41 %	2720 10	1,0912 (*) per kg
	(22) Of a fat content, by weight, exceeding 41 %	2720 20	1,2168 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	<p>ex II. Milk and cream, excluding whey other than in powder or granules :</p> <p>ex a) In immediate packings of a net capacity of 2,5 kg or less and of a fat content by weight not exceeding 9,5 % :</p> <p>(1) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content :</p> <p>(aa) Of less than 15 % and of a fat content :</p> <p>(11) Not exceeding 3 %, by weight</p> <p>(22) Exceeding 3 % by weight</p> <p>(bb) Of 15 % or more</p> <p>(2) Of a fat content, by weight, exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more</p> <p>b) Other, of a fat content, by weight :</p> <p>ex 1. Not exceeding 45 % :</p> <p>(aa) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more</p> <p>(bb) Of a fat content, by weight, exceeding 6,9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more</p> <p>(cc) Of a fat content by weight, exceeding 9,5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 %</p> <p>(dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 %</p> <p>(ee) Of a fat content, by weight, exceeding 39 %</p> <p>2. Exceeding 45 %</p>	<p>2810 11</p> <p>2810 12</p> <p>2810 15</p> <p>2810 20</p> <p>2910 70</p> <p>2910 76</p> <p>2910 80</p> <p>2910 85</p> <p>2910 90</p> <p>3010 00</p>	<p>— (*) per kg</p> <p>0,1334 (*) per kg</p> <p>20,83 (*)</p> <p>35,23 (*)</p> <p>20,83 (*)</p> <p>35,23 (*)</p> <p>0,2713 (*) per kg</p> <p>0,5111 (*) per kg</p> <p>0,8709 (*) per kg</p> <p>0,9908 (*) per kg</p>
04.03	<p>Butter :</p> <p>ex A. Of a fat content, by weight, not exceeding 85 % :</p> <p>(I) Of a fat content, by weight, of 62 % or more, but less than 78 %</p> <p>(II) Of a fat content, by weight, of 78 % or more but less than 80 %</p>	<p>3110 03</p> <p>3110 16</p>	<p>131,05 ⁽¹⁰⁾</p> <p>164,87 ⁽¹⁰⁾</p>

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	169,10 ⁽¹⁰⁾
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	173,33 ⁽¹⁰⁾
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99,5 %	3210 10	173,33 ⁽¹⁰⁾
	(II) Exceeding 99,5 %	3210 20	233,77 ⁽¹⁰⁾ ⁽¹¹⁾
04.04	Cheese and curd ⁽⁶⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	(I) Pieces packed in vacuum or in inert gas, of a net weight of less than 7,5 kg	3800 40	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		46,73
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		134,81
	(II) Other	3800 60	
	For exports to :		
	— Zone D, Ceuta, Melilla and Andorra		46,73
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		134,81
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		85,06
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		25,78
	— Other destinations		109,29
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex a) Not exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 27 % or more but less than 33 %	4410 05	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		6,36
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		21,52

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Of 33 % or more but less than 38 % for exports to :	4410 10	
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 20	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(bb) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		60,40
	(4) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 40	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(bb) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		60,40
	(cc) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,87
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,74

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex b) Exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		14,39
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		41,83
	(2) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		21,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		60,40
	(3) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,87
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,74
	(4) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 55 %	4510 40	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,87
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,74
	(bb) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		36,63
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		105,28
	II. Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		36,63
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		105,28

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana Padano, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		115,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		90,00
	— Other destinations		173,67
	(2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk	4710 17	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		135,00
	— Zone E		160,00
	— Canada		102,52
	— Norway and Finland		—
	— Switzerland		105,03
	— Other destinations		200,79
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more	4710 22	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		85,00
	— Zone E		50,00
	— Canada		50,00
	— Norway and Finland		—
	— Switzerland		60,00
	— Other destinations		125,21
	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		32,27
	— Switzerland		—
	— Other destinations		123,89
	ex 2. Other, of a fat content, by weight, in the dry matter (?):		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 12	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		27,70
	— Zone E		—
	— Canada		—
	— Norway and Finland		13,50
	— Switzerland		—
	— Other destinations		71,09

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		30,33
	— Zone E		—
	— Canada		—
	— Norway and Finland		20,00
	— Switzerland		—
	— Other destinations		93,92
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		35,65
	— Zone E		—
	— Canada		—
	— Norway and Finland		24,00
	— Switzerland		—
	— Other destinations		105,02
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano :		
	(aaa) Provolone	5120 32	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		78,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		144,46
	(bbb) Others	5120 36	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		71,19
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		116,72
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		78,49
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		32,61
	— Switzerland		—
	— Other destinations		116,72

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		78,49
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		100,88
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney	5120 58	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		116,04
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more		
	(aaa) Manufactured exclusively from sheep milk	5120 60	
	for exports to :		
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Other destinations		40,11
	(bbb) Other	5120 65	
	for exports to :		
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Other destinations		40,11
	(66) Feta	5120 82	
	for exports to :		
	— Zone D, Ceuta, Melilla and Andorra		32,10
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		88,00
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		116,04

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Kefalotyri, Kefalograviera and Kasseri manufactured exclusively from sheep's and/or goats' milk	5120 84	
	for exports to:		
	— Zone D, Ceuta, Melilla and Andorra		78,00
	— Zone E		110,00
	— Canada		80,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		144,46
	(99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter:		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to:		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		43,17
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Australia		31,93
	— Switzerland		—
	— Other destinations		116,04
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to:		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		78,49
	— Zone E		—
	— Canada		—
	— Norway and Finland		27,50
	— Australia		32,61
	— Switzerland		—
	— Other destinations		116,72
	ex c) Exceeding 72 % (excluding cheeses produced from whey) (7):		
	1. In immediate packings of a net capacity not exceeding 500 grams:		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to:		
	— Austria		—
	— Zone D, Ceuta, Melilla and Andorra		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		21,45
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter:		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(11) Of 60 % or more but less than 69 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 20	— — — — — — 28,48
	(22) Of 69 % or more For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 30	— — — — — — 34,15
	(cc) Other	5121 40	—
	2. Other :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 51	— — — — — — 21,45
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 69 % For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 60	— — — — 7,50 — 28,48
	(22) Of 69 % or more For exports to : — Austria — Zone D, Ceuta, Melilla and Andorra — Zone E — Canada — Norway and Finland — Switzerland and Liechtenstein — Other destinations	5121 70	— — — — — — 34,15
	(cc) Other	5121 80	—

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07 (cont'd)	<p>(4) Containing 75 % or more, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of ⁽⁸⁾:</p> <p>(aa) Less than 30 %</p> <p>(bb) 30 % or more but less than 40 %</p> <p>(cc) 40 % or more but less than 50 %</p> <p>(dd) 50 % or more but less than 60 %</p> <p>(ee) 60 % or more but less than 70 %</p> <p>(ff) 70 % or more but less than 75 %</p> <p>(gg) 75 % or more but less than 80 %</p> <p>(hh) 80 % or more</p> <p>ex II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, and containing 50 % or more milk products, by weight, and with a milk content in powder or granules (excluding whey), by weight, of ⁽⁸⁾:</p> <p>(a) 30 % or more but less than 40 %</p> <p>(b) 40 % or more but less than 50 %</p> <p>(c) 50 % or more but less than 60 %</p> <p>(d) 60 % or more but less than 70 %</p> <p>(e) 70 % or more but less than 80 %</p> <p>(f) 80 % or more but less than 88 %</p> <p>(g) 88 % or more</p>	<p>5800 13</p> <p>5800 23</p> <p>5800 32</p> <p>5800 42</p> <p>5800 52</p> <p>5800 62</p> <p>5800 72</p> <p>5800 82</p> <p>5900 01</p> <p>5900 05</p> <p>5900 12</p> <p>5900 22</p> <p>5900 32</p> <p>5900 42</p> <p>5900 52</p>	<p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>—</p> <p>23,58</p> <p>31,44</p> <p>39,30</p> <p>47,16</p> <p>55,02</p> <p>62,88</p> <p>69,17</p>

- (¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose, no export refund shall be granted.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose have been added to the product.
- (²) The weight of the added non-lactic matter and/or added whey and/or added lactose shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose, the added whey and/or added lactose shall not be taken into account in the calculation of the amount of refund.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (³) The weight of added non-lactic matter and/or added whey and/or added lactose shall not be taken into account for the purpose of calculating the fat content, by weight.
The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :
(a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose, contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (⁴) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :
(a) the amount per 100 kg shown ; however, where whey and/or lactose have been added to the product, the amount per 100 kg shown shall be :
— multiplied by the weight of the lactic part other than the added whey and/or added lactose contained in 100 kg of product, and then
— divided by the weight of the lactic part contained in 100 kg of product ;
(b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.
When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the actual content by weight of whey and/or lactose added per 100 kg of finished product,
and, in particular,
— the lactose content of the added whey.
- (⁵) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund and the monetary compensatory amount, in the exporting Member State, is less than 140 ECU per 100 kilograms. This limitation to 140 ECU per 100 kilograms does not apply to cheeses falling within subheading 04.04 E I ex c) of the Common Customs Tariff.
- (⁶) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.
- (⁷) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :
— the skimmed-milk powder content, by weight,
— the content by weight of the added whey and/or lactose, and
— the lactose content of the added whey
per 100 kg of finished product.
- (⁸) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.
- (¹⁰) Amount applicable only in the cases indicated in Article 10 (3) to (5) of Regulation (EEC) No 2729/81.
However :
— in the case of exports under either Regulation (EEC) No 2268/84 or Regulation (EEC) No 2278/84 the rate of refund is reduced by 25 ECU per 100 kilograms net,
— in the case of exports under Regulation (EEC) No 2956/84 the rate of refund shall be that applying on 18 June 1985.
- (¹¹) The rate of refund referred to in footnote (¹⁰) shall also apply to ghee exported under Regulation (EEC) No 2278/84.

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

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

COMMISSION REGULATION (EEC) No 2579/85

of 12 September 1985

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 231/85 ⁽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 1297/85 ⁽⁴⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Regulation (EEC) No 1121/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 2522/85 ⁽⁸⁾;

Whereas the target price and the monthly increments in the target price of sunflower seed for the 1985/86 marketing year have been fixed in Regulations (EEC) No 1489/85 ⁽⁹⁾, and (EEC) No 1490/85 ⁽¹⁰⁾;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza and rape seed and in the absence of the amount of the monthly increase for October, November, December 1985, January and February 1986 for colza and rape seed, the amount of the subsidy in the case of advance fixing for September, October, November, December 1985, January and February 1986 for colza and rape seed has

been obtainable only provisionally on the basis of the target price and the monthly increase as last proposed by the Commission to the Council for the marketing year 1985/86; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1985/86 marketing year is known;

Whereas, for the period 21 to 27 August 1985, 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 1121/85 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 Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 ⁽¹¹⁾ shall be as set out in the Annexes hereto.
2. The amount of the subsidy in the case of advance fixing for September, October, November, December 1985, January and February 1986 for colza and rape seed will, however, be confirmed or replaced as from 13 September 1985 to take into account the indicative price which is fixed for these products for the 1985/86 marketing year, and the amount of the monthly increase for October, November, December 1985, January and February 1986 for colza and rape seed.

Article 2

This Regulation shall enter into force on 13 September 1985.

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

⁽²⁾ OJ No L 26, 31. 1. 1985, p. 12.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 118, 1. 5. 1985, p. 32.

⁽⁸⁾ OJ No L 239, 6. 9. 1985, p. 19.

⁽⁹⁾ OJ No L 151, 10. 6. 1985, p. 13.

⁽¹⁰⁾ OJ No L 151, 10. 6. 1985, p. 14.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU)	21,270 (1)	22,040 (1)	22,560 (1)	23,675 (1)	24,023 (1)	23,869 (1)
2. Final aids						
Seeds harvested and processed in :						
— Federal Republic of Germany (DM)	52,47 (1)	54,29 (1)	55,56 (1)	58,33 (1)	59,17 (1)	59,35 (1)
— Netherlands (Fl)	59,13 (1)	61,18 (1)	62,57 (1)	65,69 (1)	66,64 (1)	66,78 (1)
— BLEU (Bfrs/Lfrs)	987,18 (1)	1 022,92 (1)	1 047,05 (1)	1 097,83 (1)	1 113,97 (1)	1 099,28 (1)
— France (FF)	146,21 (1)	151,63 (1)	154,88 (1)	162,05 (1)	164,46 (1)	163,29 (1)
— Denmark (Dkr)	178,99 (1)	185,47 (1)	189,84 (1)	199,22 (1)	202,15 (1)	200,32 (1)
— Ireland (£ Irl)	15,955 (1)	16,532 (1)	16,919 (1)	17,710 (1)	17,971 (1)	17,741 (1)
— United Kingdom (£)	13,700 (1)	14,171 (1)	14,493 (1)	15,170 (1)	15,389 (1)	15,134 (1)
— Italy (Lit)	29 562 (1)	30 720 (1)	31 292 (1)	32 807 (1)	33 307 (1)	32 790 (1)
— Greece (Dr)	1 977,99 (1)	2 058,73 (1)	2 111,95 (1)	2 230,68 (1)	2 264,96 (1)	2 243,97 (1)

(1) On the basis of the Commission's last proposal concerning the indicative price and subject to confirmation by the Council's decision.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month
1. Gross aids (ECU)	26,011	28,126	28,741	29,981	30,596
2. Final aids					
Seeds harvested and processed in :					
— Federal Republic of Germany (DM)	64,17	69,11	70,60	73,70	75,17
— Netherlands (Fl)	72,30	77,87	79,52	83,01	84,66
— BLEU (Bfrs/Lfrs)	1 207,22	1 305,38	1 333,92	1 390,33	1 418,87
— France (FF)	178,81	193,77	197,62	205,55	209,85
— Denmark (Dkr)	218,88	236,68	241,85	252,29	257,46
— Ireland (£ Irl)	19,511	21,098	21,554	22,432	22,893
— United Kingdom (£)	16,753	18,029	18,410	19,164	19,544
— Italy (Lit)	36 155	39 400	40 078	41 749	42 660
— Greece (Dr)	2 419,19	2 647,27	2 710,22	2 841,97	2 904,91

ANNEX III

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

(value of 1 ECU)

	Current month	1st month	2nd month	3rd month	4th month	5th month
DM	2,228830	2,222110	2,214920	2,208200	2,208200	2,187960
Fl	2,506780	2,502000	2,496840	2,491490	2,491490	2,475040
Bfrs/Lfrs	45,050700	45,084100	45,127200	45,175100	45,175100	45,317500
FF	6,801230	6,810670	6,823680	6,839350	6,839350	6,892060
Dkr	8,077280	8,081800	8,082190	8,081180	8,081180	8,081710
£ Irl	0,716115	0,717009	0,717800	0,718604	0,718604	0,720598
£	0,574540	0,576278	0,577873	0,579136	0,579136	0,582396
Lit	1 484,93	1 490,41	1 496,37	1 501,71	1 501,71	1 519,04
Dr	106,06550	106,09880	106,13720	106,17400	106,17400	106,30940

COMMISSION REGULATION (EEC) No 2580/85
of 12 September 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 26 August to 1 September 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 26 August to 1 September 1985 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of Regulation (EEC) No 1311/85, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 2187/85 which left the territory of the United Kingdom during the week 26 August to 1 September 1985 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 26 August 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 137, 27. 5. 1985, p. 20.

⁽²⁾ OJ No L 203, 1. 8. 1985, p. 76.

ANNEX

**Amounts to be levied on products which left the territory of the United Kingdom during
the week 26 August to 1 September 1985**

(ECU/100 kg net weight)

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

COMMISSION REGULATION (EEC) No 2581/85
of 12 September 1985
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1482/85⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Regulation (EEC) No 1809/85⁽³⁾, as last amended by Regulation (EEC) No 2567/85⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 151, 10. 6. 1985, p. 1.
⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.
⁽⁴⁾ OJ No L 244, 12. 9. 1985, p. 37.

ANNEX

to the Commission Regulation of 12 September 1985 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	43,91 40,49 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 2582/85

of 12 September 1985

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⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas 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 13 September 1985.

⁽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.

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 12 September 1985 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	31,00
	— other third countries	41,00
10.01 B II	Durum wheat	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	30,00
	— other third countries	40,00
10.02	Rye	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	0
	— other third countries	0
10.03	Barley	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	51,00
	— Japan	—
	— other third countries	61,00
10.04	Oats	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	—
	— other third countries	—
10.05 B	Maize, other than hybrid maize for sowing	—
10.07 B	Millet	—
10.07 C	Grain sorghum	—
ex 11.01 A	Wheat flour :	
	— of an ash content of 0 to 520	58,00
	— of an ash content of 521 to 600	58,00
	— of an ash content of 601 to 900	51,00
	— of an ash content of 901 to 1 100	47,00
	— of an ash content of 1 101 to 1 650	44,00
	— of an ash content of 1 651 to 1 900	39,00

		<i>(ECU/tonne)</i>
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	58,00
	— of an ash content of 701 to 1 150	58,00
	— of an ash content of 1 151 to 1 600	58,00
11.02 A I a)	— of an ash content of 1 601 to 2 000	58,00
	Durum wheat groats and meal :	
	— of an ash content of 0 to 1 300 ⁽¹⁾	200,00
	— of an ash content of 0 to 1 300 ⁽²⁾	190,00
11.02 A I b)	— of an ash content of 0 to 1 300	169,00
	— of an ash content of more than 1 300	160,00
	Common wheat groats and meal :	
	— of an ash content of 0 to 520	58,00

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

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

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

COMMISSION REGULATION (EEC) No 2583/85

of 12 September 1985

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, multiplied by the coefficient provided for in Article 2b (2) of Regulation (EEC) No 974/71⁽⁶⁾, as last amended by Regulation (EEC) No 855/84⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

Whereas 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 13 September 1985.

⁽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 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 90, 1. 4. 1984, p. 1.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 12 September 1985 fixing the export refunds on malt

	<i>(ECU/tonne)</i>
CCT heading No	Refund
11.07 A I b)	41,23
11.07 A II b)	85,67
11.07 B	99,94

COMMISSION REGULATION (EEC) No 2584/85

of 12 September 1985

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⁽⁷⁾, as last amended by Regulation (EEC) No 855/84⁽⁸⁾,
- 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,

⁽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.

⁽⁷⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁸⁾ OJ No L 90, 1. 4. 1984, p. 1.

HAS ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 13 September 1985.

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

Done at Brussels, 12 September 1985.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 12 September 1985 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1	5th period 2	6th period 3
10.01 B I	Common wheat and meslin for exports to :							
	— China	0	+ 6,00	+ 3,00	+ 1,00	— 1,00	— 1,00	— 1,00
	— other third countries	0	0	— 3,00	— 5,00	— 7,00	— 7,00	— 7,00
10.01 B II	Durum wheat	0	— 6,00	— 10,00	— 13,00	— 13,00	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0	—	—	—
10.07 C	Grain sorghum	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	— 20,00	— 20,00	— 20,00	— 20,00
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

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

COUNCIL REGULATION (EEC) No 2585/85

of 12 September 1985

amending Regulation (EEC) No 3439/80 imposing a definitive anti-dumping duty on imports of certain polyester yarn originating in the United States of America

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, in particular Article 14 thereof,

Having regard to the proposal from the Commission, submitted after consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Procedure

(1) The Council, by Regulation (EEC) No 3439/80⁽²⁾, imposed definitive anti-dumping duties on imports of certain polyester yarn originating in the United States of America.

That Regulation was subsequently amended by Regulation (EEC) No 3198/81⁽³⁾ to exclude certain types of yarn from imposition of the duties and, following review proceedings, by Regulation (EEC) No 407/83⁽⁴⁾.

(2) The product concerned is polyester yarn both textured and non-textured falling within subheading ex 51.01 A of the Common Customs Tariff and corresponding to NIMEXE codes 51.01-29 and 30 for textured and 51.01 ex 02, ex 32, ex 34, ex 38, ex 41 and ex 42 for non-textured yarn.

(3) The Commission has since received a request from a United States exporter, Macfield Texturing Incorporated, Madison, North Carolina, (hereinafter referred to as 'Macfield') to review the duty in so far as it applies to yarn produced by that company.

(4) Since the said request provided sufficient evidence to justify a review of the proceedings,

the Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽⁵⁾ a review of the definitive anti-dumping duties on imports of polyester yarn originating in the United States of America and commenced an investigation of the matter at Community level ;

In the opening notice, the Commission gave all interested parties the opportunity to submit evidence of change in their particular circumstances sufficient to warrant their inclusion in the review proceedings.

(5) The Commission officially advised Macfield and the representatives of the exporting country of the re-opening of the proceedings.

Macfield took the opportunity given to it by the Commission to submit written and oral observations.

(6) The request for review was made by one exporter, Macfield, of textured polyester yarn from the United States of America. No other exporter, importer or Community producer submitted evidence sufficient to warrant a review of the anti-dumping duties on either textured or non-textured polyester yarn and the Commission accordingly limited its investigation to a review of the duty on textured polyester yarn produced by Macfield.

(7) The Commission sought and verified all information it deemed to be necessary for the purposes of the review proceedings and carried out investigations at the premises of Macfield.

Certain US producers requested that their products be exempted from the duty currently in force. Since these producers had not exported to the Community during the reference period, further investigation as regards these companies was not undertaken and their request for review was not granted.

The Commission selected the period from 1 September 1983 to 31 August 1984 as the relevant investigation period.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 358, 31. 12. 1980, p. 91.

⁽³⁾ OJ No L 322, 11. 11. 1981, p. 2.

⁽⁴⁾ OJ No L 50, 23. 2. 1983, p. 1.

⁽⁵⁾ OJ No C 257, 25. 9. 1984, p. 3.

B. Normal value

- (8) Normal values for the company concerned were established by taking the weighted average prices of the domestic sales of the various types of yarn exported during the reference period by Macfield.

The Commission was satisfied of Macfield's overall profitability in domestic sales of the product concerned.

- (9) In calculating normal values, the Commission excluded sales made by Macfield to companies situated in the United States of America but which were intended for export and could not, therefore, be considered as having been made in the ordinary course of trade intended for consumption in the exporting country.

Certain sales of the yarns concerned were made at a loss on the domestic market during the reference period and were also excluded for the purposes of establishing normal value, as not having been made in the ordinary course of trade intended for consumption in the exporting country.

C. Export prices

- (10) Export prices were determined on the basis of the prices actually paid or payable for the products exported to the Community during the period of investigation by the company concerned.
- (11) Macfield claimed that certain export shipments were samples and the Commission, on the basis of the evidence supplied to it, accepted this claim and, accordingly, these shipments were not taken into consideration.

D. Comparaison

- (12) In comparing normal values with export prices, the Commission took account, where appropriate, of differences affecting price comparability.

However, a claim by Macfield that, for one type of yarn, like qualities had not been compared was rejected as it did not provide any evidence to support this claim.

All comparisons were made at ex-works level.

E. Margin

- (13) Normal values on a weighted average basis were compared with export prices on a transaction-by-transaction basis for the exporter investigated.

The above examination of the facts showed the existence of dumping, the margin being equal to

the amount by which the normal value as established exceeded the price for export to the Community.

The margins varied according to shipment and the weighted average margin was 3,6 %.

- (14) The Commission considered that there was no reason to alter the dumping margin determined following the original investigation or following the first review proceedings for those exporters who did not make themselves known during the course of the review investigation.

F. Injury

- (15) As regards injury, the Commission received no new evidence to alter its view that the continued application of the existing duties, in the case of Macfield, as amended, was a requirement for the elimination of injury and the prevention of its recurrence.

G. Community interest

- (16) Thus the facts as finally established show that there is dumping and injury caused thereby and no submissions having been received from Community consumers or producers of the product or any other interested party, the interests of the Community call for continued Community intervention.

H. Rate of duty

- (17) Accordingly, Regulation (EEC) No 3439/80 should now be further amended in order to modify the definitive anti-dumping duty imposed on textured yarn exported by Macfield to the Community in accordance with the above findings

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 (2) (a) of Regulation (EEC) No 3439/80, the figure of 4,1 % relating to yarn exported by Macfield Texturing Incorporated shall be replaced by 3,6 %.

Article 2

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

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

Done at Brussels, 12 September 1985.

For the Council

The President

J. POOS

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