

English edition

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 2889/85  
of 17 October 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<sup>(1)</sup>, as last amended by  
Regulation (EEC) No 1018/84<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC)  
No 2543/73<sup>(4)</sup>, 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<sup>(5)</sup> 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<sup>(6)</sup>, as last amended by Regulation (EEC)  
No 855/84<sup>(7)</sup>,

— 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  
16 October 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 18 October  
1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.

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

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 203, 1. 8. 1985, p. 8.

<sup>(6)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(7)</sup> OJ No L 90, 1. 4. 1984, p. 1.

## ANNEX

## to the Commission Regulation of 17 October 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	118,06
10.01 B II	Durum wheat	168,97 <sup>(1)</sup> <sup>(5)</sup>
10.02	Rye	109,70 <sup>(6)</sup>
10.03	Barley	118,12
10.04	Oats	96,73
10.05 B	Maize, other than hybrid maize for sowing	106,17 <sup>(2)</sup> <sup>(3)</sup>
10.07 A	Buckwheat	0
10.07 B	Millet	70,65 <sup>(4)</sup>
10.07 C	Grain sorghum	121,22 <sup>(4)</sup>
10.07 D I	Triticale	<sup>(7)</sup>
10.07 D II	Canary seed; other cereals	0 <sup>(5)</sup>
11.01 A	Wheat or meslin flour	178,85
11.01 B	Rye flour	167,14
11.02 A I a)	Durum wheat groats and meal	275,16
11.02 A I b)	Common wheat groats and meal	192,53

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

<sup>(2)</sup> 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'.

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

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

<sup>(5)</sup> 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.

<sup>(6)</sup> 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.

<sup>(7)</sup> 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 2890/85**  
**of 17 October 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 organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 1018/84 <sup>(2)</sup>, 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 agricultural policy <sup>(3)</sup>, as last amended by Regulation (EEC) No 2543/73 <sup>(4)</sup>, 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 <sup>(5)</sup> 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 <sup>(6)</sup>, as last amended by Regulation (EEC) No 855/84 <sup>(7)</sup>,

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

Whereas these exchange rates being those recorded on 16 October 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 18 October 1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*  
 Frans ANDRIESEN  
*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.

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

<sup>(4)</sup> OJ No L 263, 19. 9. 1973, p. 1.

<sup>(5)</sup> OJ No L 203, 1. 8. 1985, p. 11.

<sup>(6)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(7)</sup> OJ No L 90, 1. 4. 1984, p. 1.

## ANNEX

to the Commission Regulation of 17 October 1985 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

*(ECU/tonne)*

CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	21,99
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	1,72	1,72	0,98
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	30,80

## B. Malt

*(ECU/tonne)*

CCT heading No	Description	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	39,14	39,14
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	29,25	29,25
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 2891/85**  
of 17 October 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 231/85<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1201/85<sup>(4)</sup>, 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<sup>(5)</sup>, as last amended by Regulation (EEC) No 436/85<sup>(6)</sup>, 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<sup>(7)</sup>, 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<sup>(8)</sup>, as last amended by Regulation (EEC) No 435/85<sup>(9)</sup>, 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<sup>(10)</sup>;

Whereas by Regulation (EEC) No 3131/78 of 28 December 1978<sup>(11)</sup> 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<sup>(12)</sup> 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 14 and 15 October 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.

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

<sup>(2)</sup> OJ No L 26, 31. 1. 1985, p. 12.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.

<sup>(4)</sup> OJ No L 124, 9. 5. 1985, p. 1.

<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.

<sup>(6)</sup> OJ No L 52, 22. 2. 1985, p. 2.

<sup>(7)</sup> OJ No L 169, 28. 6. 1976, p. 9.

<sup>(8)</sup> OJ No L 142, 9. 6. 1977, p. 10.

<sup>(9)</sup> OJ No L 52, 22. 2. 1985, p. 1.

<sup>(10)</sup> OJ No L 181, 21. 7. 1977, p. 4.

<sup>(11)</sup> OJ No L 370, 30. 12. 1978, p. 60.

<sup>(12)</sup> 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 18 October 1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANNEX I

## Minimum import levies on olive oil

*(ECU/100 kg)*

CCT heading No	Non-member countries
15.07 A I a)	80,00 <sup>(1)</sup>
15.07 A I b)	81,00 <sup>(1)</sup>
15.07 A I c)	60,00 <sup>(1)</sup>
15.07 A II a)	93,00 <sup>(2)</sup>
15.07 A II b)	95,00 <sup>(3)</sup>

<sup>(1)</sup> 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 county ; however, the repayment may not exceed the amount of the tax in force.

<sup>(2)</sup> 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.

<sup>(3)</sup> 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	17,82
07.03 A II	17,82
15.17 B I a)	40,50
15.17 B I b)	64,80
23.04 A II	4,80

## COMMISSION REGULATION (EEC) No 2892/85

of 16 October 1985

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Article 1 of Council Regulation (EEC) No 3219/84 of 6 November 1984 establishing ceilings and Community supervision for imports of certain products originating in Yugoslavia<sup>(2)</sup>,

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

<i>(tonnes)</i>		
CCT heading No	Description	Ceiling
44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like	26 769

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

HAS ADOPTED THIS REGULATION:

*Article 1*

From 21 October to 31 December 1985, the levying of customs duties applicable to third countries shall be re-established on imports into the Community of the following products:

CCT heading No	Description	Origin
44.18	Reconstituted wood, being wood shavings, wood chips, sawdust, wood flour or other ligneous waste agglomerated with natural or artificial resins or other organic binding substances, in sheets, blocks or the like	Yugoslavia

*Article 2*

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

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

Done at Brussels, 16 October 1985.

*For the Commission*

COCKFIELD

*Vice-President*

<sup>(1)</sup> OJ No L 41, 14. 2. 1983, p. 2.

<sup>(2)</sup> OJ No L 306, 23. 11. 1984, p. 53.

## COMMISSION REGULATION (EEC) No 2893/85

of 17 October 1985

amending Regulation (EEC) No 2033/85 adapting the guaranteed total quantities of milk and milk products referred to in Article 5c of Regulation (EEC) No 804/68 and in Article 6 of Regulation (EEC) No 857/84

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1298/85 <sup>(2)</sup>, and in particular Article 5c (7) thereof,

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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1305/85 <sup>(4)</sup>, and in particular the second subparagraph of Article 6 (2) thereof,

Whereas, pursuant to Regulations (EEC) No 804/68 and (EEC) No 857/84, the guaranteed total quantities of milk and milk products fixed in respect of deliveries to purchasers and of direct sales to consumption may be adapted under certain conditions; whereas Commission Regulation (EEC) No 2033/85 <sup>(5)</sup> adapts, in the case of Italy, the guaranteed total quantities in respect of the first 12 month period; whereas the said quantities for Italy should, in the light of the statistical data provided by the Italian Government, be adapted with effect from 1 April 1985;

Whereas in the case of Germany, France and the United Kingdom the guaranteed total quantity of deliveries and the direct sales to consumption should be

adapted in order to take into account the structural changes which have been recorded in the light of statistical data;

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 following paragraph is hereby added to Article 1 of Regulation (EEC) No 2033/85:

'As from 1 April 1985:

- (a) the guaranteed total quantities for Germany, France, Italy and the United Kingdom which are set out in the second subparagraph of Article 5c (3) of Regulation (EEC) No 804/68 shall be adapted as follows:

Germany	23 423
France	25 494
Italy	8 798
United Kingdom	15 329,574

- (b) the total quantities specified in the Annex to Regulation (EEC) No 857/84 in the case of Germany, France, Italy and the United Kingdom shall be adapted as follows:

Germany	130
France	1 014
Italy	1 116
United Kingdom	395,426'

*Article 2*

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

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 137, 27. 5. 1985, p. 5.

<sup>(3)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(4)</sup> OJ No L 137, 27. 5. 1985, p. 12.

<sup>(5)</sup> OJ No L 192, 23. 7. 1985, p. 9.

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

Done at Brussels, 17 October 1985.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

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**COMMISSION REGULATION (EEC) No 2894/85**

of 17 October 1985

**amending Regulations (EEC) No 2121/85 and (EEC) No 2122/85 as regards the time limit for the purchase of pigmeat by the Belgian intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 2966/80<sup>(2)</sup>, and in particular Article 20 thereof,

Whereas, in the light of the health situation in the stockfarming sector in Belgium, provision is made in Commission Regulations (EEC) No 2121/85<sup>(3)</sup> and (EEC) No 2122/85<sup>(4)</sup>, and under the conditions stated therein, for the purchase of pigmeat stored under the exceptional support measures adopted for the market in pigmeat in Belgium;

Whereas Article 1 (4) of Regulation (EEC) No 2121/85 and the identical Article 1 (4) in Regulation (EEC) No 2122/85 both provide that the Belgian intervention agency shall buy meat offered in accordance with Article 1 of the respective Regulations no later than 15 days after receipt of the offer for sale;

Whereas the Belgian intervention agency is experiencing serious difficulties in respecting this time limit

due to the lack of availability of cold stores; whereas this limit should therefore be removed;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulations (EEC) No 2121/85 and (EEC) No 2122/85 are hereby amended as follows:

Article 1 (4) of both of the abovementioned Regulations is replaced by the following:

'4. The Belgian intervention agency shall buy meat properly offered in accordance with this Article as soon as technically possible having regard to the availability of storage facilities'.

*Article 2*

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

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 1.  
<sup>(2)</sup> OJ No L 307, 18. 11. 1980, p. 5.  
<sup>(3)</sup> OJ No L 198, 30. 7. 1985, p. 20.  
<sup>(4)</sup> OJ No L 198, 30. 7. 1985, p. 25.

**COMMISSION REGULATION (EEC) No 2895/85****of 17 October 1985****amending Regulation (EEC) No 1343/85 fixing the monetary compensatory amounts, as regards the non-application of these amounts to casein and caseinates added to certain 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 974/71 of 12 May 1971 on certain measures of conjunctural policy to be taken in agriculture following the temporary widening of the margins of fluctuation for the currencies of certain Member States <sup>(1)</sup>, as last amended by Regulation (EEC) No 855/84 <sup>(2)</sup>, and in particular Article 6 thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 974/71 have been fixed by Commission Regulation (EEC) No 1343/85 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2871/85 <sup>(4)</sup>;

Whereas it has emerged that casein and/or caseinates may be added to powdered or concentrated milk or cream; whereas no compensatory amount is applicable to casein or caseinates; whereas, for the purposes of

calculating the monetary compensatory amount applicable to the finished product, the part accounted for by added casein and/or caseinates should therefore be excluded;

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*

Notes <sup>(5)</sup>, <sup>(7)</sup>, <sup>(8)</sup> and <sup>(9)</sup> to Annex I, part 5 of Regulation (EEC) No 1343/85 are amended as shown in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 18 October 1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(2)</sup> OJ No L 90, 1. 4. 1984, p. 1.

<sup>(3)</sup> OJ No L 138, 27. 5. 1985, p. 2.

<sup>(4)</sup> OJ No L 276, 17. 10. 1985, p. 1.

## ANNEX

## Notes

(<sup>3</sup>) The basic amount for 100 kg of product falling within this subheading shall be equal to the sum of the following components :

(a) the amount per 100 kg indicated multiplied by  $\frac{1}{100}$  of the weight of the lactic part contained in 100 kg of product. However, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount resulting from the preceding calculation shall be :

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

and then

— divided by the weight of the non-fat lactic part contained in 100 kg of the product ;

(b) an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to  $\frac{1}{100}$  of the amount indicated in Part 7 of this Annex under subheading 17.01 A (undenatured) of the Common Customs Tariff.

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

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

and, in particular :

— the lactose content of the added whey.

(<sup>7</sup>) The basic amount for 100 kg of product falling within this subheading shall be equal to the sum of the following components :

(a) the amount per 100 kg indicated. However, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount indicated shall be :

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

and then

— divided by the weight of the non-fat lactic part contained in 100 kg of the product ;

(b) an additional amount for each percentage point of sucrose content of 100 kg net of the product, equal to  $\frac{1}{100}$  of the amount indicated in Part 7 of this Annex under subheading 17.01 A (undenatured) of the Common Customs Tariff.

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

— the actual content by weight of added whey and/or added lactose and/or added casein and/or added caseinates per 100 kg of the product,

and, in particular :

— the lactose content of the added whey.

(<sup>8</sup>) The basic amount for 100 kg of product falling within this subheading shall be equal to the amount indicated. However, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the basic amount shall be equal to the amount indicated :

— multiplied by the weight of the non-fat part, other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kg of the product,

and then

— divided by the weight of the non-fat part contained in 100 kg of the product.

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

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

and, in particular :

— the lactose content of the added whey.

- (<sup>9</sup>) In the case of products to which whey and/or lactose and/or casein and/or caseinates have been added, no compensatory amount shall be granted. However, the amounts indicated shall apply if compensatory amounts have to be charged.

When completing :

- customs export formalities carried out in a Member State the currency of which has appreciated,
- customs import formalities carried out in a Member State the currency of which has depreciated,
- customs export formalities carried out in a Member State making use of the option provided in Article 2a of Regulation (EEC) No 974/71,

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

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COMMISSION REGULATION (EEC) No 2896/85  
of 17 October 1985

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 30 September to 6 October 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 <sup>(1)</sup>, 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 <sup>(2)</sup>, 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 30 September to 6 October 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 30 September to 6 October 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 30 September 1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 137, 27. 5. 1985, p. 20.

<sup>(2)</sup> 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 30 September to 6 October 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 2897/85**  
**of 17 October 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<sup>(1)</sup>, as  
last amended by Regulation (EEC) No 1482/85<sup>(2)</sup>, 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<sup>(3)</sup>,  
as last amended by Regulation (EEC) No 2883/85<sup>(4)</sup>;

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 Regu-  
lation (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 18 October  
1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

- <sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.  
<sup>(2)</sup> OJ No L 151, 10. 6. 1985, p. 1.  
<sup>(3)</sup> OJ No L 169, 29. 6. 1985, p. 77.  
<sup>(4)</sup> OJ No L 277, 17. 10. 1985, p. 25.

ANNEX

to the Commission Regulation of 17 October 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	46,88 42,79 <sup>(1)</sup>

<sup>(1)</sup> 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 2898/85

of 17 October 1985

altering the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 231/85<sup>(2)</sup>,

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

Having regard to Council Regulation (EEC) No 1223/83 of 20 May 1983 on the exchange rates to be applied in agriculture<sup>(5)</sup>, as last amended by Regulation (EEC) No 1297/85<sup>(6)</sup>,

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

Having regard to the opinion of the Monetary Committee,

Whereas the export refunds on oil seeds were fixed by Regulation (EEC) No 2741/85<sup>(9)</sup>;

Whereas, in the absence of the target price for the 1985/86 marketing year for colza and rape seed in the absence of the amount of the monthly increase for November, December 1985, January, February and March 1986 for colza and rape seed, the amount of the

refunds in the case of advance fixing for October, November, December 1985, January, February and March 1986 for colza and rape seed has been obtained only provisionally on the basis of the target price and the monthly increase 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 it follows from applying the detailed rules contained in Regulation (EEC) No 2741/85 to the information at present known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

*Article 1*

In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71<sup>(10)</sup>, fixed in the Annex to Regulation (EEC) No 2741/85, are altered as shown in the Annex hereto.

The amount of the refunds in the case of advance fixing for October, November, December 1985, January, February and March 1986 for colza and rape seed will, however, be confirmed or replaced as from 18 October 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 November, December 1985, January, February and March 1986 for colza and rape seed.

No refund is fixed for sunflower seed.

*Article 2*

This Regulation shall enter into force on 18 October 1985.

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

<sup>(2)</sup> OJ No L 26, 31. 1. 1985, p. 12.

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

<sup>(4)</sup> OJ No L 264, 23. 11. 1972, p. 1.

<sup>(5)</sup> OJ No L 132, 21. 5. 1983, p. 33.

<sup>(6)</sup> OJ No L 137, 27. 5. 1985, p. 1.

<sup>(7)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(8)</sup> OJ No L 143, 30. 5. 1984, p. 4.

<sup>(9)</sup> OJ No L 259, 1. 10. 1985, p. 35.

<sup>(10)</sup> OJ No L 75, 30. 3. 1971, p. 16.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

ANNEX

to the Commission Regulation of 17 October 1985 altering the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current month	1st month	2nd month	3rd month	4th month	5th month
1. Gross refunds (ECU)	23,000 <sup>(1)</sup>	23,520 <sup>(1)</sup>	24,040 <sup>(1)</sup>	24,560 <sup>(1)</sup>	25,080 <sup>(1)</sup>	25,600 <sup>(1)</sup>
2. Final refunds						
Seeds harvested and exported from :						
— Federal Republic of Germany (DM)	56,52 <sup>(1)</sup>	57,76 <sup>(1)</sup>	59,02 <sup>(1)</sup>	60,41 <sup>(1)</sup>	61,65 <sup>(1)</sup>	63,37 <sup>(1)</sup>
— Netherlands (Fl)	63,68 <sup>(1)</sup>	65,08 <sup>(1)</sup>	66,48 <sup>(1)</sup>	68,04 <sup>(1)</sup>	69,44 <sup>(1)</sup>	71,31 <sup>(1)</sup>
— BLEU (Bfrs/Lfrs)	1 067,47 <sup>(1)</sup>	1 091,61 <sup>(1)</sup>	1 115,74 <sup>(1)</sup>	1 138,92 <sup>(1)</sup>	1 163,05 <sup>(1)</sup>	1 180,02 <sup>(1)</sup>
— France (FF)	158,45 <sup>(1)</sup>	162,09 <sup>(1)</sup>	165,36 <sup>(1)</sup>	168,30 <sup>(1)</sup>	171,94 <sup>(1)</sup>	175,59 <sup>(1)</sup>
— Denmark (Dkr)	193,54 <sup>(1)</sup>	197,92 <sup>(1)</sup>	202,30 <sup>(1)</sup>	206,67 <sup>(1)</sup>	211,05 <sup>(1)</sup>	214,91 <sup>(1)</sup>
— Ireland (£ Irl)	17,253 <sup>(1)</sup>	17,643 <sup>(1)</sup>	18,029 <sup>(1)</sup>	18,375 <sup>(1)</sup>	18,765 <sup>(1)</sup>	19,048 <sup>(1)</sup>
— United Kingdom (£)	14,205 <sup>(1)</sup>	14,527 <sup>(1)</sup>	14,849 <sup>(1)</sup>	15,170 <sup>(1)</sup>	15,492 <sup>(1)</sup>	15,649 <sup>(1)</sup>
— Italy (Lit)	32 219 <sup>(1)</sup>	32 987 <sup>(1)</sup>	33 566 <sup>(1)</sup>	34 152 <sup>(1)</sup>	34 923 <sup>(1)</sup>	35 477 <sup>(1)</sup>
— Greece (Dr)	1 534,30 <sup>(1)</sup>	1 587,52 <sup>(1)</sup>	1 640,74 <sup>(1)</sup>	1 693,96 <sup>(1)</sup>	1 747,18 <sup>(1)</sup>	1 800,39 <sup>(1)</sup>

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

## COMMISSION REGULATION (EEC) No 2899/85

of 17 October 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1018/84<sup>(2)</sup>, 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<sup>(3)</sup>, 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<sup>(4)</sup>, as amended by Regulation (EEC) No 1607/71<sup>(5)</sup>;

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<sup>(6)</sup>, as last amended by Regulation (EEC) No 855/84<sup>(7)</sup>,
- 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 18 October 1985.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

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

<sup>(5)</sup> OJ No L 168, 27. 7. 1971, p. 16.

<sup>(6)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(7)</sup> 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, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANNEX

to the Commission Regulation of 17 October 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	61,00
	— zone II b) and the Iberian Peninsula	68,00
	— other third countries	71,00
10.01 B II	Durum wheat	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	50,00
	— other third countries	60,00
10.02	Rye	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	72,00
	— other third countries	82,00
10.03	Barley	
	for exports to :	
	— Switzerland, Austria and Liechtenstein	72,00
	— zone II b)	79,00
	— Japan	—
	— other third countries	—
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	80,00
	— of an ash content of 521 to 600	80,00
	— of an ash content of 601 to 900	70,00
	— of an ash content of 901 to 1 100	65,00
	— of an ash content of 1 101 to 1 650	60,00
	— of an ash content of 1 651 to 1 900	54,00



		<i>(ECU/tonne)</i>
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	80,00
	— of an ash content of 701 to 1 150	80,00
	— of an ash content of 1 151 to 1 600	80,00
11.02 A I a)	— of an ash content of 1 601 to 2 000	80,00
	Durum wheat groats and meal :	
	— of an ash content of 0 to 1 300 <sup>(1)</sup>	234,00
	— of an ash content of 0 to 1 300 <sup>(2)</sup>	220,00
11.02 A I b)	— of an ash content of 0 to 1 300	197,00
	— of an ash content of more than 1 300	186,00
	Common wheat groats and meal :	
	— of an ash content of 0 to 520	80,00

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

<sup>(2)</sup> 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 2900/85

of 17 October 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1018/84<sup>(2)</sup>,

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<sup>(3)</sup>,

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<sup>(4)</sup>, as last amended by Regulation (EEC) No 1027/84<sup>(5)</sup>, 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<sup>(6)</sup> 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<sup>(7)</sup>, as last amended by Regulation (EEC) No 855/84<sup>(8)</sup>,
- 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,

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 107, 19. 4. 1984, p. 1.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 107, 19. 4. 1984, p. 15.

<sup>(6)</sup> OJ No L 131, 22. 5. 1975, p. 15.

<sup>(7)</sup> OJ No L 106, 12. 5. 1971, p. 1.

<sup>(8)</sup> 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*

*Article 2*

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

This Regulation shall enter into force on 18 October 1985.

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

Done at Brussels, 17 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

**ANNEX**

**to the Commission Regulation of 17 October 1985 fixing the corrective amount applicable to the refund on cereals**

(ECU/tonne)

CCT heading No	Description	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		10	11	12	1	2	3	4
10.01 B I	Common wheat and meslin for exports to :							
	— China	0	+ 6,00	+ 6,00	— 4,00	— 4,00	— 11,00	— 11,00
	— other third countries	0	0	0	— 10,00	— 10,00	— 17,00	— 17,00
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).

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 10 July 1985

on an aid granted by the Federal German Government to a producer of polyamide and polypropylene yarn situated in Bergkamen

(Only the German text is authentic)

(85/471/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice to the parties concerned to submit their comments as provided for in the said Article 93, and having regard to those comments,

Whereas :

I

Upon repeated requests from the Commission, the Federal German Government, by letter of 15 February 1984 and telex of 23 November 1984, belatedly informed the Commission that financial assistance had been granted to a producer of polyamide and polypropylene yarn, situated in Bergkamen, for the purpose of installing modern equipment suitable for the production of both those yarns.

The aid was granted in 1983 under the Law relating to investment subsidies (Investitionszulagengesetz) and under the joint Federal Government/Länder regional aid programme (Gemeinschaftsaufgabe). It amounted to DM 1,722 million and to DM 1,223 million respectively.

In relation to the total investment costs of DM 19,67 million the aid amounted to DM 2,945 million or

14,97 %. It led to an increase of capacity from about 3 000 tonnes to 5 000 tonnes.

Following an initial scrutiny, the Commission considered that the aid, which was granted in 1983 and was not notified to the Commission, was illegal as the German Government had failed to fulfil its obligations under Article 93 (3) of the EEC Treaty. It also considered that the aid merely concerned the modernization and, indeed, an increase of existing production capacity of polyamide and polypropylene, particularly as, contrary to the declared purpose when applying for the aid, the company used the assistance to manufacture polyamide yarn to a level of 72 % of total output in 1983.

Polyamide yarn belongs to the group of products covered by the code governing aid for synthetic fibres and yarn production, introduced by the Commission in 1977, notified to the Member States by letter of 19 July 1977 and published in the Bulletin of the European Communities of July/August 1977 (point 1.5.3) and of November 1977 (point 2.1.47) and extended in 1979, 1981 and 1983.

As the aid did not help to restructure the production facility in Bergkamen within the meaning of the Community synthetic fibres and yarn aid code and as it would neither lead to a decrease in capacity nor a conversion away from synthetic fibres and yarns, there was therefore nothing peculiar to the investment which seemed to justify the Commission in exempting the aid from the rules set by the aid code under which such aids are to be avoided.

The Commission also considered that the machine installed by virtue of the aid has an extremely short running-in period, that it is equally suitable for both polyamide and polypropylene production and has extremely short changeover times and, finally, that frequent switches from one product to the other enable a company to adapt very quickly to market trends, so that the claims of the beneficiary of the aid concerning the economic necessity to produce polyamide during the running-in period seemed totally unjustified.

Finally, the Commission considered that in a situation where other EC synthetic fibre and yarn producers continued to undertake great efforts to adapt to the present market situation by considerably reducing capacities, the aid in question did not promote a development which from the Community point of view would be adequate to counteract its trade-distorting effects and that the aid — by favouring the undertaking in question in a sector where there is a high volume of trade and where competition is very keen — was liable to affect trade between Member States and thus was incompatible with the common market.

Therefore, the Commission took the view that the aid was illegal in view of the infringement of Article 93 (3) of the Treaty and did not meet the conditions which must be fulfilled for one of the exceptions of Article 92 of the Treaty to apply. It initiated the procedure provided for in the first subparagraph of Article 93 (2) of the Treaty.

By letter of 7 February 1985 it gave the German Government notice to submit its comments.

## II

The German Government, in submitting its comments under the procedure provided for in Article 93 (2) of the Treaty by letter of 12 April 1985, pointed out that the aided investment aimed at replacing polyamide by polypropylene yarn, which it described to be the direction in which the Commission wished the industry to proceed.

It also declared that such a switch must take into account the market situation which in 1983 and early 1984 did not permit a full and immediate changeover from one product to the other.

The German Government also pointed out that in 1984 polyamide yarn production only reached 1 700 tonnes of which 70 % (= 1 200 tonnes) was exported

to third countries, while of the remaining 500 tonnes 80 % was shipped to other subsidiaries of the parent company which owns the Bergkamen plant. In the same year polypropylene production reached 2 320 tonnes, of which 30 % was exported to third countries. In view of this relationship between the two yarns and in respect of the respective shares of production sold in the EC the German Government considered that the distortion of competition resulting from the aid would be next to nothing.

In commenting under the same procedure, three other Member States, three federations of firms in the sector and one individual company supported the Commission's view and expressed great concern about the support measure. In these comments it was underlined that the sector in question still suffered from serious problems of overcapacity and depressed prices and that in such a situation the aid would be liable to distort competition in the EC by giving an unfair advantage to the beneficiary.

It was also pointed out that any aid in favour of increased polyamide yarn production would be contrary to the synthetic fibre and yarn aid code.

## III

There is a very high volume of trade in synthetic fibre and yarn and particularly in polyamide and polypropylene yarn with 66 and 39 % of total EC production being traded within the Community. The company in question, the production capacity of which represents 3,2 and 5,6 % of total EC-capacity in polyamide and polypropylene respectively, participates actively in this intra-Community trade by shipping 30 % of production output of polyamide and 70 % of polypropylene to other Member States.

There is substantial overcapacity in polyamide and polypropylene yarn in the EEC as — despite a recent cyclical upswing which results primarily from lower imports from the USA because of the higher value of the dollar and which must also be seen in the light of very low shipment levels in previous years — the geographical shift in production shares continues in favour of the Third World and as the general shift from polyamide towards polyester also persists. In 1984 the capacity utilization rate for polyamide was 81 %, having increased from 52 % in 1982 primarily because capacities of some 70 000 tonnes had been scrapped. Production output remained unchanged during the last four years. The capacity utilization rate for polypropylene was 71 % in 1984 after having stood at 56 % in 1982. Although prospects may be

slightly better in polypropylene than in other synthetic fibres, the existing capacity will equally be largely out of balance with demand for a considerable number of years.

As a result, there is heavy competition amongst polyamide and polypropylene producers in the EC, many of which continue to lose money as prices which still do not exceed the 1974 levels are depressed.

When State financial aid strengthens the position of an undertaking compared with other undertakings competing in intra-Community trade the latter must be regarded as affected by that aid. In this case, the aid, which reduced the investment costs which the firm situated in Bergkamen would normally have to bear, is liable to affect trade and distort or threaten to distort competition between Member States by favouring the said enterprise within the meaning of Article 92 (1) of the Treaty. Article 92 (1) lays down the principle that aid having the features there described is incompatible with the common market.

The exceptions from this principle set out in Article 92 (2) are not applicable in this case because of the character of the aid and as the Law under which the aid was granted is not intended for such a purpose.

Article 92 (3) sets out which aids may be considered to be compatible with the common market. Compatibility with the Treaty must be determined in the context of the Community and not of a single Member State. In order to safeguard the proper functioning of the common market and taking into account the principles of Article 3 (f) of the Treaty, the exceptions from the principle of Article 92 (1), as set out in Article 92 (3), must be construed narrowly when an aid scheme or any individual award is scrutinized.

In particular, they may be applied only when the Commission is satisfied that the free play of market forces alone, without the aid, would not induce the prospective aid recipient to adopt a course of action contributing to attainment of one of the said objectives.

To apply the exceptions to cases not contributing to such an objective or where an aid is not necessary to that end would be to give unfair advantages to certain Member States' industries or undertakings, the financial positions of which would merely be bolstered, and could allow trading conditions between Member States to be affected and competition to be distorted without any justification on grounds of Community interest as set out in Article 92 (3).

The German Government has been unable to give, or the Commission to discover, any justification for a finding that the aid falls within one of the categories of exceptions in Article 92 (3).

In synthetic fibres and yarns in general, and particularly in polyamide and polypropylene yarn, there is a high level of trade between Member States and competition is very keen, because of persistent and untested overcapacities and depressed prices as documented above. For these reasons, synthetic fibres and yarns, including polymide, are subject to the synthetic fibre discipline, introduced by the Commission in 1977 and extended in 1979, 1981 and 1983.

In its letter of 8 August 1983 by which it extended the system of control of aids for a further two-year period ending on 19 July 1985, the Commission pointed out to Member States that it will express an unfavourable *a priori* opinion with regard to proposed aids, be they sectoral, regional or general, which have the effect of increasing the net production capacity of companies in this sector. It also reminded Member States that it will continue to give sympathetic consideration to proposals to grant aid for the purpose of speeding up or facilitating the process of conversion away from synthetic fibres into other activities of restructuring leading to reductions in capacity. Finally, the Commission reminded the Member States that it required prior notification of all aid proposals, of whatever type, in favour of companies in the synthetic fibre and yarn sector.

All aids to the synthetic fibre sector not only have to meet the conditions of the synthetic fibre discipline but are also subject to the 1971 and 1977 Commission guidelines for aids to the textile industry, under which the granting of aids to investment must be linked to the achievement of clear restructuring objectives as opposed to mere modernization of production facilities.

The investment in this case, however, concerned the installation of machinery with a production capacity of 5 000 tonnes, equally suitable for both polyamide and polypropylene production. As compared to the previously existing capacity at the production facility in question of some 3 000 tonnes, the new unit represents a considerable increase.

Furthermore, it has to be pointed out that the machinery installed by virtue of the aid has significant economic advantages as compared to traditional synthetic yarn manufacturing units, but has been available on the market for a number of years, so that

the State-aided investment in question is no more than a normal modernization of a synthetic yarn plant in order to remain competitive. It cannot be described as restructuring and therefore should be carried out using the undertaking's own financial resources without the use of State aid. It has to be added that the German Government, by letter of 7 May 1985, commenting under the Article 93 (2) procedure in respect of an aid proposal by the Italian Government in favour of a producer of the same polyamide yarn, opposed the financial assistance envisaged as it considered that, in view of the persistent and uncontested difficulties of the industry, projects for modernization and rationalization not even involving capacity increases should not be State aided. In this case, the aided investment led to significantly increased capacities for polyamide and polypropylene production which, as far as polyamide yarn is concerned, is contrary to the synthetic fibre and yarn aid code and there is therefore nothing peculiar to the investment in question which would justify the Commission in exempting the aid in favour of this investment from the rules set by the aid code under which such aids are to be avoided.

In respect of polypropylene and particularly in view of the German Government's claim that a switch to this yarn would be in line with the policy objectives of the Commission it has to be pointed out that this product while not having been subject to the synthetics aid code was and is in oversupply in the EC, as indicated by the capacity utilization figures above.

The Commission has never considered a changeover to polypropylene from other synthetics as restructuring in the sense of the aid code and has therefore prohibited the granting of State aid for the purpose of increasing polypropylene production when notified of such a proposal in the past. This position was made known to the Member States and third parties by means of the relevant final decision under Article 93 (2) communicated to the Member States and published in the *Official Journal of the European Communities* (OJ No L 283, 27. 10. 1984).

It is obvious that any artificial lowering of the investment costs of polypropylene producers would, in the situation described above, weaken the competitive position of other producers and would, if it led to increased capacities as in this case, have the effect of reducing capacity utilization and depressing prices. Since polypropylene yarn is traded predominantly within the Community, it is unquestionable that the aid in favour of the production facility in Bergkamen has an adverse effect on trading conditions to an extent contrary to the common interest.

Furthermore, in many markets, polypropylene and other synthetic yarns compete with each other. They

all were and are in a state of severe oversupply so that a State aid for the expansion of polypropylene capacity counteracts the efforts which have been and are being made by other producers in the EC to regain competitiveness, weakens the EC synthetics sector as a whole and, thus, is contrary to the Community interest, which is to reduce capacity.

In its comments under the procedure, the German Government points to the relationship between polyamide and polypropylene yarns which are sold in the EC and considers that the distortion of competition resulting from the aid would be next to nothing. However, as documented above, a State aid in favour of establishing a production unit for polypropylene has equally negative effects as one for polyamide so that the sales relationship between those products is not relevant to this case.

The German Government also claims that the beneficiary, while not having been able to switch from one product to the other immediately after the State aided installation of the new machine, nevertheless made great efforts to pursue its policy of changeover to polypropylene and only produced 1 700 tonnes of polyamide in 1984. In this respect it has to be pointed out that for the first nine months of 1984 the share of polyamide in total production output dropped to 37 % as compared to 72 % in 1983. Taking the whole of 1984 for which the German Government supplied the relevant figures in its comments under the procedure, this share went up again to 42 %. Thus, it can hardly be argued that the company continued in its efforts to replace polyamide.

Finally, it has to be pointed out that the beneficiary situated in Bergkamen is a subsidiary of a considerably larger parent company, engaged in synthetic fibre, yarn and textile production, the financial position of which was bolstered by the aid in question, so that the negative impact which the aid had on trade is more significant than is claimed and than is visible from an isolated evaluation of the beneficiary in Bergkamen.

In view of the above and with regard to the exemption provided for in subparagraph 3 (c) of Article 92 of the Treaty in favour of 'aid to facilitate the development of certain economic activities', it must be observed that the aid, by artificially lowering the costs of the undertaking in question, weakened the competitive position of other producers in the EC and therefore had the effect of further reducing capacity utilization and depressing prices, to the detriment of and possible withdrawal from the market of producers which have hitherto survived owing to restructuring, productivity and quality improvements undertaken from their own resources. Thus, the aid which favoured the undertaking in question, the market position of which is no longer solely determined by its own efficiency, merits and powers, cannot be considered as 'facilitating the

development' or contributing to a development which from the Community point of view would be adequate to counteract the trade distorting effects of the aid.

With regard to the exemptions provided for in paragraph 3 (a) and (c) of Article 92 of the Treaty relating to aids intended to promote or facilitate the development of certain areas, it must be observed that the standard of living in the Bergkamen area is not abnormally low nor is there serious under-employment within the meaning of the exemption specified in point (a). In addition, the sectoral effects of regional aids to the industry in question in this case need to be controlled even for the most underdeveloped areas — to which Bergkamen does not even belong — which is why the Commission must undertake its analysis of the economic and social situation in the framework of the Community interest which in this sector is to reduce capacities. In the situation that the industry concerned is presently in and in which it is likely to remain in the foreseeable future, the investment which has been grant-aided did not restructure the production plant and, thus, is not likely to make it financially and economically more viable and would not secure the jobs currently provided. Therefore, the aid did not promote the economic development of the Bergkamen area within the meaning of Article 92 (3) (c), as it did not bring to the area any lasting increase in income or reduction in unemployment, but is liable to distort competition in intra-Community trade without making the necessary compensatory contribution to regional development.

As regards the exemption provided for in paragraph 3 (b) of Article 92 of the Treaty, it is evident that the aid in question was not intended to promote the execution of an important project of common European interest, or to remedy a serious disturbance in the German economy. The aid in question was not adequate to remedy the kind of situation described in Article 92 (3) (b).

The aid was granted in 1983 without prior notification to the Commission.

In view of all the foregoing considerations, the aid in question is illegal because the German Government did not fulfil its obligations under Article 93 (3) of the EEC Treaty and, moreover, it does not meet the conditions which must be fulfilled in order for one of the exceptions of Article 92 (2) and (3) of the Treaty to apply,

HAS ADOPTED THIS DECISION:

*Article 1*

The aid amounting to DM 2,945 million, granted in 1983 under the Law relating to investment subsidies and the joint Federal Government/Länder regional aid programme in favour of a producer of polyamide and polypropylene yarn situated in Bergkamen, of which the Federal Republic of Germany belatedly informed the Commission by letter of 15 February 1984 and telex of 23 November 1984, is illegal. Moreover, it is incompatible with the common market within the meaning of Article 92 of the EEC Treaty. The said aid shall therefore be recovered from the recipient.

*Article 2*

The Federal Republic of Germany shall inform the Commission within two months of the date of notification of this Decision of the measures taken to comply therewith.

*Article 3*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 10 July 1985.

*For the Commission*

Peter SUTHERLAND

*Member of the Commission*



## COMMISSION DECISION

of 2 October 1985

on health protection measures in respect of Zimbabwe

(85/472/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries <sup>(1)</sup>, as last amended by Directive 83/91/EEC <sup>(2)</sup>, and in particular Article 15 thereof,

Whereas the Member States should be granted the option of authorizing imports into their territory, under certain conditions and from certain regions, of fresh meat from Zimbabwe, taking into account, in particular, the existing health situation in that country and the measures taken by that country's authorities to combat foot-and-mouth disease and to avoid its spreading into other, unaffected regions;

Whereas outbreaks of exotic foot-and-mouth disease have occurred from time to time in certain southern areas of Zimbabwe; whereas, however, other parts of the country have been free of the disease for a number of years;

Whereas strict measures, in particular the prohibition of movements of livestock from the southern regions of Zimbabwe to the disease-free region of Mashonaland, are applied, except in the case of livestock for immediate slaughter; whereas the southern regions are clearly demarcated from the disease-free region; whereas measures are applied throughout the country to monitor the movements of livestock and to detect any outbreak of the disease;

Whereas the central veterinary authorities of Zimbabwe have confirmed that Zimbabwe has remained free of foot-and-mouth disease since September 1984 and have undertaken to inform the Member States and the Commission of any new outbreak of foot-and-mouth disease therein within 24

hours, by telex or telegram, or of an alteration to their vaccination policy against it;

Whereas the competent authorities of Zimbabwe have given assurances that meat intended for the Community will be produced, handled and stored entirely separately from meat which does not fulfil the terms of this Decision;

Whereas this Decision will be reviewed in the light of the developing animal health situation in Zimbabwe and in particular of the appearance of foot-and-mouth disease, of the vaccination policy employed, of the designation of buffer zones and of the designation of regions from which animals, whose meat is intended for export to the Community, are acceptable;

Whereas the animal health requirements of Member States, pursuant to Article 16 of Directive 72/462/EEC relating to imports of meat from Zimbabwe, have not yet been laid down at Community level; whereas, pending the entry into force of such requirements, the Member States may continue to apply their national animal health rules on imports of fresh meat from Zimbabwe;

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

HAS ADOPTED THIS DECISION:

*Article 1*

The prohibition provided for in Article 14 (2) of Directive 72/462/EEC shall not apply to the veterinary region of Mashonaland in Zimbabwe in respect of boned carcass meat (excluding offal).

*Article 2*

If a Member State authorizes the importation into its own territory of fresh meat exclusively from boned carcasses of animals of the bovine species coming from the region referred to in Article 1 and slaughtered in that region, the following conditions shall apply:

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 59, 5. 3. 1983, p. 34.

- the meat shall satisfy the requirements of the specimen health certificate annexed hereto; the certificate shall accompany the meat during transport to the importing Member State,
- the meat shall not enter the importing Member State's territory for at least 21 days from the date of slaughter,
- the meat shall come from bovine animals coming from the region mentioned in Article 1.

*Article 3*

This Decision is addressed to the Member States.

Done at Brussels, 2 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

ANNEX

ANIMAL HEALTH CERTIFICATE

for fresh meat<sup>(1)</sup> from boned carcasses<sup>(2)</sup> of bovine animals from Zimbabwe

Reference number of the public health certificate .....

Ministry .....

Department .....

Reference .....

(Optional)

I. Identification of meat

Meat<sup>(3)</sup> of .....

(Animal species)

Nature of cuts<sup>(4)</sup> .....

Nature of packaging .....

Number of cuts or packages .....

Net weight .....

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse .....

.....

.....

Address and veterinary approval number of the approved cutting plant .....

.....

.....

III. Destination of meat

The meat will be sent from .....

(Place of loading)

to .....

(Country and place of destination)

by the following means of transport<sup>(5)</sup> .....

Name and address of consignor .....

.....

Name and address of consignee .....

.....

<sup>(1)</sup> 'Fresh meat' means all parts of domestic bovine animals fit for human consumption which have not undergone any preserving process ; however, chilled and frozen meat shall be considered to be fresh meat.

<sup>(2)</sup> 'Carcase' means the whole body of a slaughtered animal after bleeding, evisceration, removal of the limbs at the carpus and tarsus, removal of the head, tail and mammary gland and in addition, in the case of bovine animals, after skinning.

<sup>(3)</sup> Only fresh, boned carcass meat of bovine animals from which the major accessible lymphatic glands have been removed is authorized for importation.

<sup>(4)</sup> Fresh carcass meat is authorized for importation only if all bones have been removed.

<sup>(5)</sup> For railway wagons or lorries, the vehicle registration number should be stated, for aircraft the flight number and for vessels the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

1. The fresh, boned carcase meat described above :

(a) originates from cattle which :

- were born and reared in the Republic of Zimbabwe and which, in the preceding 12 months or since birth, have remained in the veterinary region of Mashonaland,
- bore, in accordance with the legal provisions, a mark indicating their region of origin,
- had not been vaccinated against foot-and-mouth disease within the past 12 months,
- on the way to the slaughterhouse and while awaiting slaughter therein did not come into contact with animals not satisfying the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of their meat to a Member State, and if they were conveyed by vehicle or container, the latter was cleaned and disinfected before loading,
- when subjected to an ante-mortem health inspection at the slaughterhouse during the 24 hours preceding slaughter, which included examination of the mouth and feet, showed no symptom of foot-and-mouth disease,
- were slaughtered during the entry into force of Commission Decision 85/472/EEC (date of slaughter .....);

(b) was obtained in a slaughterhouse in which no case of foot-and-mouth disease has been detected for at least three months ;

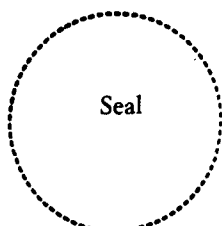
(c) has been kept strictly separate from meat not conforming to the requirements for export to a Member State laid down in the Decisions of the European Economic Community currently in force ;

(d) has had the major accessible lymphatic glands removed ;

(e) originates from carcasses which were matured at an ambient temperature of more than +2 °C for at least 24 hours after slaughter and before boning.

2. During the period between arrival of the cattle at the slaughterhouse and completion of the packing of the meat of the same cattle for export to a Member State, in boxes or cartons, no animal or meat not conforming to the requirements laid down in the Decisions of the European Economic Community currently in force as regards export of meat to a Member State was present in the slaughterhouse or cutting plant.

Done at ....., on .....



.....  
(Signature of official veterinarian)

\_\_\_\_\_

**COMMISSION DECISION**

of 2 October 1985

**supplementing, by the addition of Zimbabwe, the list of third countries from which Member States authorize imports of bovine animals, swine and fresh meat**

(85/473/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries<sup>(1)</sup>, as last amended by Directive 83/91/EEC<sup>(2)</sup>, and in particular Article 3 thereof,

Whereas, in order to decide in respect both of bovine animals and swine and of fresh meat whether a country or part of a country may be included in the list, particular account is taken of the criteria set out in Article 3 (2) of Directive 72/462/EEC;

Whereas Zimbabwe may be considered to satisfy these criteria for fresh meat of bovine animals; whereas it is necessary to supplement, by the addition of Zimbabwe and as regards the abovementioned category of fresh meat, the list referred to in Article 3 (1) of Directive 72/462/EEC adopted by the Council and contained in the Annex to its Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine and fresh meat<sup>(3)</sup>;

Whereas it will be necessary to specify the regions of Zimbabwe from which such imports may be autho-

rized; whereas other measures concerning animal health inspection remain to be taken;

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

HAS ADOPTED THIS DECISION:

*Article 1*

Without prejudice to Directive 72/462/EEC, and in particular any measures which may have to be taken under the procedure provided for in Article 29 of that Directive, the list of countries from which Member States authorize importation of bovine animals, swine and fresh meat contained in Decision 79/542/EEC is hereby supplemented by the addition of Zimbabwe as regards fresh meat of bovine animals.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 2 October 1985.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 302, 31. 12. 1972, p. 28.

<sup>(2)</sup> OJ No L 59, 5. 3. 1983, p. 34.

<sup>(3)</sup> OJ No L 146, 14. 6. 1979, p. 15.

COMMISSION OF THE EUROPEAN COMMUNITIES

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