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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1216/86 of 22 April 1986 opening, allocating and providing for the administration of a Community tariff quota for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus (1986) 1**
- ★ **Council Regulation (EEC) No 1217/86 of 22 April 1986 opening, allocating and providing for the administration of a Community tariff quota for fresh table grapes, falling within subheading ex 08.04 A I of the Common Customs Tariff and originating in Cyprus (1986) 4**
- Commission Regulation (EEC) No 1218/86 of 25 April 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal 7
- Commission Regulation (EEC) No 1219/86 of 25 April 1986 fixing the premiums to be added to the import levies on cereals, flour and malt 9
- ★ **Commission Regulation (EEC) No 1220/86 of 24 April 1986 concerning the stopping of fishing for salmon by vessels flying the flag of Denmark . . . 12**
- ★ **Commission Regulation (EEC) No 1221/86 of 25 April 1986 re-establishing the levying of customs duties on other fish-hooks, line fishing, rods and tackle and certain hunting articles, falling within subheading 97.07 B, originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3599/85 apply 13**
- Commission Regulation (EEC) No 1222/86 of 25 April 1986 on the continuation of the standing invitation to tender for the sale of unprocessed currants from the 1984 harvest intended for specific uses 14
- ★ **Commission Regulation (EEC) No 1223/86 of 25 April 1986 correcting Regulation (EEC) No 765/86 laying down detailed rules for the sale of butter from intervention for export to certain destinations 15**

Contents (continued)

Commission Regulation (EEC) No 1224/86 of 25 April 1986 introducing a countervailing charge on tomatoes originating in Spain (except the Canary Islands)	16
* Council Regulation (EEC) No 1225/86 of 25 April 1986 extending the 1985/86 marketing year for beef and veal for the second time	18
* Council Regulation (EEC) No 1226/86 of 25 April 1986 extending the 1985/86 milk year for the second time	19
* Council Regulation (EEC) No 1227/86 of 25 April 1986 fixing the flat-rate production aid and the guide price for certain dried fodder products for the period 1 April to 11 May 1986	20
* Council Regulation (EEC) No 1228/86 of 25 April 1986 fixing the basic price and the buying-in price for cauliflowers for the period from 1 May to 11 May 1986	22

II *Acts whose publication is not obligatory*

Council

86/138/EEC :

* Council Decision of 22 April 1986 concerning a demonstration project with a view to introducing a Community system of information on accidents involving consumer products	23
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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 1216/86**

of 22 April 1986

opening, allocating and providing for the administration of a Community tariff quota for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus (1986)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with Cyprus beyond 31 December 1983 ⁽¹⁾, as amended by Regulation (EEC) No 3682/85 ⁽²⁾, provides for the opening of a Community tariff quota of 60 000 tonnes of new potatoes, originating in Cyprus and falling within subheading 07.01 A II b) of the Common Customs Tariff, at a rate of customs duty equal to 45 % of the customs duty in the Common Customs Tariff, for the period 16 May to 30 June 1985; whereas it is necessary to open this Community tariff quota for the period in question;

Whereas, in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Council adopted Regulation (EEC) No 449/86 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries ⁽³⁾; whereas this Regulation therefore applies to the Community of Ten;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated

by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, during the last three years for which statistics are available, the corresponding imports by each of the Member States represent the following percentages of the imports into the Community from Cyprus of the products concerned:

Member States	1982	1983	1984
Benelux	4,8	6,2	6,2
Denmark	—	—	—
Germany	4,4	1,9	4,0
Greece	—	—	—
France	—	—	—
Ireland	—	0,2	0,8
Italy	—	—	—
United Kingdom	90,8	91,7	89,0

Whereas, in view of these factors of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages:

Benelux	5,0
Denmark	0,1
Germany	3,3
Greece	0,1
France	0,1
Ireland	0,3
Italy	0,1
United Kingdom	91,0

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 90 % of the quota volume;

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 351, 28. 12. 1985, p. 9.

⁽³⁾ OJ No L 50, 28. 2. 1986, p. 40.

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the corresponding reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volume has been used up and to inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 16 May to 30 June 1986, the Common Customs Tariff duty for new potatoes falling within subheading 07.01 A II b) of the Common Customs Tariff and originating in Cyprus shall be suspended at 9,4 % within the limits of a Community tariff quota of 60 000 tonnes.

The protocol on the definition of the concept of 'originating products' and on methods of administrative cooperation⁽¹⁾, annexed to the Additional Protocol to the Agreement between the European Economic Community and Cyprus, shall be applicable.

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two instalments.

⁽¹⁾ OJ No L 339, 28. 12. 1977, p. 19.

2. A first instalment amounting to 55 000 tonnes shall be allocated among the Member States; the respective shares, which subject to Article 5 shall be valid until 30 June 1986, shall be as follows:

	<i>(tonnes)</i>
Benelux	2 750
Denmark	50
Germany	1 810
Greece	50
France	50
Ireland	160
Italy	50
United Kingdom	50 080

3. The second instalment of 5 000 tonnes shall constitute the reserve.

Article 3

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

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

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

This process shall continue until the reserve is used up.

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

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 30 June 1986.

Article 5

The Member States shall return to the reserve, not later than 15 June 1986, such unused portion of their initial share as, on 10 June 1986, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 June 1986, of the total quantities of the products in question imported up to 10 June 1986 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

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

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article

3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the tariff quota.

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

3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 16 May 1986.

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

Done at Luxembourg, 22 April 1986.

For the Council

The President

H. van den BROEK

COUNCIL REGULATION (EEC) No 1217/86

of 22 April 1986

opening, allocating and providing for the administration of a Community tariff quota for fresh table grapes, falling within subheading ex 08.04 A I of the Common Customs Tariff and originating in Cyprus (1986)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Council Regulation (EEC) No 3700/83 of 22 December 1983 laying down the arrangements applicable to trade with the Republic of Cyprus beyond 31 December 1983 ⁽¹⁾, as amended by Regulation (EEC) No 3682/85 ⁽²⁾, provides for the opening of a Community tariff quota of 7 500 tonnes of fresh table grapes, falling within subheadings ex 08.04 A I a) and b) of the Common Customs Tariff and originating in Cyprus, at rates of customs duty equal to 40 % of the customs duty in the Common Customs Tariff, for the period 8 June to 31 July 1986; whereas the Community tariff quota in question should therefore be opened for this period;

Whereas, in accordance with Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Council adopted Regulation (EEC) No 449/86 determining the arrangements to be applied by the Kingdom of Spain and the Portuguese Republic to trade with certain third countries ⁽³⁾; whereas this Regulation therefore applies to the Community of Ten;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rate laid down for that quota to all imports of the products concerned into all Member States until the quota has been used up; whereas, having regard to the above principles, the Community nature of the quota can be respected by allocating the Community tariff quota among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota period in question;

Whereas, however, neither Community nor national statistics showing the breakdown for the products in question are available and no reliable estimates of future imports can be made; whereas, in these circumstances, the quota volumes should be allocated in initial shares, to

take into account demand for these products on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, the quota amount should be divided into two instalments, the first being shared among the Member States and the second constituting a reserve to cover at a later date the requirements of the Member States which have used up their initial quota shares; whereas, in order to give importers in each Member State a certain degree of security, the first instalment of the Community quota should under the circumstances be fixed at 86 % of the quota volume;

Whereas the Member States' initial shares may be used up at different times; whereas, in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota share should draw an additional share from the reserve; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas the method of administration requires close cooperation between the Member States and the Commission, and the latter must be in a position to monitor the extent to which the quota volumes have been used up and to inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

From 8 June to 31 July 1986, the Common Customs Tariff duties for the products listed below, originating in Cyprus, shall be partially suspended at the levels shown below, within the limits of a Community tariff quota of 7 500 tonnes:

⁽¹⁾ OJ No L 369, 30. 12. 1983, p. 1.

⁽²⁾ OJ No L 351, 28. 12. 1985, p. 9.

⁽³⁾ OJ No L 50, 28. 2. 1986, p. 40.

CCT heading No	Description	Revised duty
08.04	Grapes fresh or dried : A. Fresh : I. Table grapes : a) From 1 November to 14 July : ex 2. Other : — From 8 June to 14 July ex b) From 15 July to 31 October : — From 15 July to 31 July	 7,2 % 8,8 %

Article 2

1. The Community tariff quota referred to in Article 1 shall be divided into two tranches.

2. The first tranche, amounting to 6 476 tonnes, shall be allocated among the Member States; the shares which, subject to Article 5, shall be valid until 31 July 1986, shall be as follows :

Benelux	150 tonnes
Denmark	10 tonnes
Germany	300 tonnes
Greece	2 tonnes
France	2 tonnes
Ireland	10 tonnes
Italy	2 tonnes
United Kingdom	6 000 tonnes

3. The second tranche, amounting to 1 024 tonnes, shall constitute the reserve.

Article 3

1. If 90 % or more of a Member State's initial share as specified in Article 2 (2), or 90 % of that share minus the portion returned to the corresponding reserve where Article 5 has been applied, has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall forthwith, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, then, to the extent permitted by the amount of the reserve, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with

the conditions laid down in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

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

Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 31 July 1986.

Article 5

The Member States shall return to the reserve, not later than 15 July 1986, such unused portion of their initial share as, on 10 July 1986, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 July 1986, of the total quantity of the products in question imported up to 10 July 1986 and charged against the tariff quota and of any quantity of the initial shares returned to the reserve.

Article 6

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

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

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

Article 7

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated share of the tariff quota.
2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.
3. The Member States shall charge the imports of the products concerned against their shares as and when the products are entered with customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

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

Article 9

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

Article 10

This Regulation shall enter into force on 8 June 1986.

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

Done at Luxembourg, 22 April 1986.

For the Council

The President

H. van den BROEK

COMMISSION REGULATION (EEC) No 1218/86

of 25 April 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3793/85⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 720/86⁽⁴⁾ and subsequent amending Regulations ;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 24 April 1986 ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 26 April 1986.

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

Done at Brussels, 25 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 65, 7. 3. 1986, p. 31.

ANNEX

to the Commission Regulation of 25 April 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Levies (ECU/tonne)	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	4,69	174,63
10.01 B II	Durum wheat	27,70	224,58 ⁽¹⁾ ⁽²⁾
10.02	Rye	43,07	163,79 ⁽⁶⁾
10.03	Barley	37,91	166,19
10.04	Oats	77,20	157,83
10.05 B	Maize, other than hybrid maize for sowing	—	156,22 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	2,76
10.07 B	Millet	37,91	50,44 ⁽⁴⁾
10.07 C	Grain sorghum	—	162,96 ⁽⁴⁾
10.07 D I	Triticale	(7)	(7)
10.07 D II	Canary seed; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	21,82	259,74
11.01 B	Rye flour	75,55	244,56
11.02 A I a)	Durum wheat groats and meal	56,69	361,85
11.02 A I b)	Common wheat groats and meal	21,08	278,03

- (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 1219/86

of 25 April 1986

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3793/85 ⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2160/85 ⁽⁴⁾ and subsequent amending Regulations ;

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

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

the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 24 April 1986 ;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 26 April 1986.

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

Done at Brussels, 25 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 19.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 11.

ANNEX I

to the Commission Regulation of 25 April 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from Portugal

A. Cereals and flour

CCT heading No	Description	<i>(ECU/tonne)</i>			
		Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

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

ANNEX II

to the Commission Regulation of 25 April 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	2,39
10.01 B II	Durum wheat	0	0	0	2,39
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	3,35

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	4,25	4,25
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	3,18	3,18
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 1220/86
of 24 April 1986
concerning the stopping of fishing for salmon by vessels flying the flag of
Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2057/82 of 29 June 1982 establishing certain control measures for fishing activities by vessels of the Member States⁽¹⁾, as amended by Regulation (EEC) No 3723/85⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 3725/85 of 20 December 1985, allocating quotas between Member States for vessels fishing in Swedish waters⁽³⁾, provides for salmon quotas for 1986;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of salmon in the waters of ICES

division IIIId (Swedish waters) by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1986;

HAS ADOPTED THIS REGULATION :

Article 1

Catches of salmon in the waters of ICES division IIIId (Swedish waters) by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1986.

Fishing for salmon in the waters of ICES division IIIId (Swedish waters) by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transhipment and the landing of such stock captured by the above mentioned vessels after the date of entry into force of this Regulation.

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, 24 April 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 361, 31. 12. 1985, p. 42.

⁽³⁾ OJ No L 361, 31. 12. 1985, p. 47.

**COMMISSION REGULATION (EEC) No 1221/86
of 25 April 1986**

re-establishing the levying of customs duties on other fish-hooks, line fishing, rods and tackle and certain hunting articles, falling within subheading 97.07 B, originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3599/85 apply

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

Having regard to Council Regulation (EEC) No 3599/85 of 17 December 1985 applying generalized tariff preferences for 1986 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Articles 1 and 10 of that Regulation, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling fixed in column 9 of Annex I;

Whereas, as provided for in Article 11 of that Regulation as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of other fish-hooks, line fishing rods and tackle and certain hunting articles, falling within subheading 97.07 B, originating in South Korea, the individual ceiling was fixed at 7 000 000 ECU; whereas, on 22 April 1986, imports of these products into the Community originating in South Korea reached the ceiling in question after being charged thereagainst;

whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 29 April 1986, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3599/85, shall be re-established on imports into the Community of the following products originating in South Korea:

CCT heading No	Description
97.07 B (NIMEXE code 97.07-91, 99)	Fish-hooks, line fishing rods and tackle; fish landing nets and butterfly nets; decoy 'birds', lark mirrors and similar hunting or shooting requisites; B. Other

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, 25 April 1986.

For the Commission
COCKFIELD
Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 1222/86
of 25 April 1986

on the continuation of the standing invitation to tender for the sale of unprocessed currants from the 1984 harvest intended for specific uses

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, and in particular Article 8 (8) thereof,

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

Whereas Commission Regulation (EEC) No 352/86 ⁽³⁾ provided for the opening of a standing invitation to tender for the sale of 2 000 tonnes of currants from the 1984 harvest; whereas roughly 800 tonnes of currants still remain in stock; whereas since other outlets are not possible this quantity should be included in the standing invitation to tender;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management for Products processed from fruit and vegetables,

HAS ADOPTED THIS REGULATION :

Article 1

The standing invitation to tender for the sale of currants from the 1984 harvest referred to in Regulation (EEC) No 352/86 shall continue until all currants from that harvest have been sold.

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, 25 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽³⁾ OJ No L 42, 19. 2. 1986, p. 10.

COMMISSION REGULATION (EEC) No 1223/86

of 25 April 1986

correcting Regulation (EEC) No 765/86 laying down detailed rules for the sale of butter from intervention for export to certain destinations

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 765/86 ⁽³⁾ introduced arrangements for selling butter from intervention stock for export to certain destinations whereas, as a result of an error, the French text of Article 9 does not correspond to that submitted to the Management Committee for Milk and Milk Products for a vote; whereas that Regulation should therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 5 is hereby inserted after paragraph 4 of Article 9 in the French text of Regulation (EEC) No 765/86:

'5. L'adjudicataire, avant l'enlèvement du beurre, constitue auprès de l'organisme d'intervention, pour chaque quantité qu'il enlève, la garantie visée à l'article 7 paragraphe 2, conformément à l'article 13 paragraphe 1 du règlement (CEE) n° 1687/76.'

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 15 March 1986.

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

Done at Brussels, 25 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 72, 15. 3. 1986, p. 11.

COMMISSION REGULATION (EEC) No 1224/86

of 25 April 1986

introducing a countervailing charge on tomatoes originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 985/86 of 4 April 1986 fixing for the 1986 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of April 1986 at 197,27 ECU per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation

(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) (a) of Regulation (EEC) No 985/86;

Whereas, for tomatoes originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85⁽⁶⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁷⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 2 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the first year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 69,82 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 29 April 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 90, 5. 4. 1986, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 25 April 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COUNCIL REGULATION (EEC) No 1225/86**of 25 April 1986****extending the 1985/86 marketing year for beef and veal for the second time**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 4 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 915/86 ⁽³⁾ extended the 1985/86 marketing year for beef and veal until 27 April 1986;

Whereas it has become necessary to reconsider all the matters bearing on the fixing of prices for the coming year, which will involve delay in the fixing of these

prices; whereas it is accordingly necessary to extend the 1985/86 marketing year for beef and veal until 11 May 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The 1985/1986 marketing year for beef and veal shall end on 11 May 1986 and the 1986/87 marketing year shall commence on 12 May 1986.

Article 2

This Regulation shall enter into force on 28 April 1986.

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

Done at Luxembourg, 25 April 1986.

*For the Council**The President*

G. BRAKS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 26.⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.⁽³⁾ OJ No L 84, 27. 3. 1986, p. 2.

COUNCIL REGULATION (EEC) No 1226/86
of 25 April 1986
extending the 1985/86 milk year for the second time

THE COUNCIL 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 3768/85 ⁽²⁾, and in particular Article 2 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 914/86 ⁽³⁾ extended the 1985/1986 milk year until 27 April 1986;

Whereas it has proved necessary to reconsider all the problems relating to the fixing of prices for the next

marketing year, which will involve delay in the fixing of these prices; whereas it is therefore necessary to extend the 1985/1986 milk year until 11 May 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The 1985/86 milk year shall end on 11 May 1986 and the 1986/87 milk year shall begin on 12 May 1986.

Article 2

This Regulation shall enter into force on 28 April 1986.

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

Done at Luxembourg, 25 April 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 84, 27. 3. 1986, p. 1.

COUNCIL REGULATION (EEC) No 1227/86

of 25 April 1986

fixing the flat-rate production aid and the guide price for certain dried fodder products for the period 1 April to 11 May 1986

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Articles 3 (3), 4 (1) and (3) and 5 (2) thereof,

Having regard to the proposal from the Commission⁽³⁾,

Having regard to the opinion of the European Parliament⁽⁴⁾,

Whereas Article 3 of Regulation (EEC) No 1117/78 stipulates that the level of the fixed production aid for dried fodder must be such as to bring about an improvement in the Community's protein supplies;

Whereas, under Article 4 of the same Regulation, a guide price must be set for certain dried fodder products at a level that is fair to producers; whereas this price must be set for a standard quality representative of the average quality of dried fodder produced in the Community;

Whereas, under Article 5 (2) of Regulation (EEC) No 1117/78, the supplementary aid provided for in paragraph 1 of that Article must be equal to a percentage of the difference between the guide price and the average world market price for the products in question; whereas, in view of the characteristics of the market in question, the percentage should be set at 100 % for the products referred to in the first indent of Article 1 (b) and (c) of Regulation (EEC) No 1117/78 and at 50 % for the products referred to in the second indent of Article 1 (b) of that Regulation;

Whereas it has proved necessary to reconsider all the problems relating to the fixing of prices for the 1986/87 marketing year, which will involve delay in the fixing of these prices; whereas it is therefore necessary to fix the

production aid and the guide price for those dried fodder products, for which the marketing year expires on 31 March 1986, for the period 1 April to 11 May 1986,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 April to 11 May 1986 the flat-rate production aid provided for in Article 3 of Regulation (EEC) No 1117/78 for the products referred to in Article 1 (b) and (c) of the said Regulation shall be:

- 1,21 ECU per tonne in the case of Spain and Portugal;
- 8,49 ECU per tonne in the case of the other Member States.

Article 2

From 1 April to 11 May 1986 the guide price for the products referred to in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 shall be:

- 152,45 ECU per tonne in the case of Spain;
- 178,92 ECU per tonne in the case of the other Member States.

These prices refer to a product with:

- a moisture content of 11 %,
- a total gross protein content of 18 % of the dry weight.

Article 3

From 1 April to 11 May 1986 the percentages to be used to calculate the supplementary aid referred to in Article 5 of Regulation (EEC) No 1117/78 shall be:

- 100 % for the products referred to in the first indent of Article 1 (b) and (c) of the said Regulation.
- 50 % for the products referred to in the second indent of Article 1 (b) of the said Regulation.

Article 4

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

It shall apply from 1 April 1986.

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No C 91, 17. 4. 1986, p. 6.

⁽⁴⁾ Opinion delivered on 17 April 1986 (not yet published in the *Official Journal*).

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

Done at Luxembourg, 25 April 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 1228/86
of 25 April 1986

**fixing the basic price and the buying-in price for cauliflowers for the period
from 1 May to 11 May 1986**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 16 (1) thereof,

Having regard to the proposal from the Commission,

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

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72 a basic price and a buying-in price must be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas the products in question, harvested in a given production year, are marketed, as regards cauliflowers, from May to April of the following year;

Whereas, therefore, in order to ensure the continuity of cauliflower prices, the basic price and the buying-in price

for this product must be fixed for the period from 1 May to 11 May 1986,

HAS ADOPTED THIS REGULATION:

Article 1

1. The basic price and the buying-in price for cauliflowers, in ECU per 100 kilograms net, shall be fixed as follows for the period from 1 May to 11 May 1986.

— basic price : 21,45,

— buying-in price : 9,34.

2. The prices quoted in paragraph 1 relate to packed cauliflowers 'with leaves' of Quality Class I.

Article 2

The prices quoted in Article 1 (1) do not include the cost of the packaging in which the product is presented.

Article 3

This Regulation shall enter into force on 1 May 1986.

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

Done at Luxembourg, 25 April 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ Opinion delivered on 17 April 1986 (not yet published in the Official Journal).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 22 April 1986

concerning a demonstration project with a view to introducing a Community system of information on accidents involving consumer products

(86/138/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas the preliminary programme of the European Community for a consumer protection and information policy annexed to the Council resolution of 14 April 1975 ⁽⁴⁾, stresses that products offered to consumers must be such that, under normal or foreseeable conditions of use, they present no risk to their health or safety; whereas, in the event of their presenting such risks, there should be special rules or appropriate procedures for informing the consumer thereof, improving the conditions of use and the features of the products or withdrawing them from the market;

Whereas pursuant to Council Decision 81/623/EEC of 23 July 1981 on the implementation of a pilot experiment relating to a Community system of information on acci-

dents involving products outside the spheres of occupational activities and road traffic ⁽⁵⁾ the Commission and the Member States have carried out a pilot experiment over a period of 30 months which has shown the feasibility of collecting information primarily from hospital casualty departments and secondarily from other sources;

Whereas it is therefore appropriate for the Community to set up a demonstration project for a limited period with a view to the possible institution of a Community system to collect information on the various aspects of the safety of products where they are involved in accidents and particularly on the respective roles of the products the victim and their surroundings at the time of the accident and that this information is of major importance for the protection of the consumer;

Whereas the results of the demonstration project will enable the Commission to put forward any suitable proposal aimed at ensuring the continuity of Community activities started in this area by the pilot experiment;

Whereas it is appropriate to provide for an obligation on the Member States to collect and forward information to the Commission;

Whereas on the basis of this information it will be possible to carry out or coordinate detailed studies concerning the most frequent and/or serious accidents with a view to promoting improvements in product features, their standards, their proper use by consumers and consumer information and education aimed at preventing accidents;

⁽¹⁾ OJ No C 117, 11. 5. 1985, p. 4.

⁽²⁾ OJ No C 68, 24. 3. 1986.

⁽³⁾ OJ No C 188, 29. 7. 1985, p. 9.

⁽⁴⁾ OJ No C 92, 25. 4. 1975, p. 1.

⁽⁵⁾ OJ No L 229, 13. 8. 1981, p. 1.

Whereas information received under the programme of action proposed by the Commission on toxicology for health protection⁽¹⁾ could be integrated into the system established by the demonstration project;

Whereas in this context it is essential to maintain the necessary contacts with the various parties able not only to provide information on product safety but also to play a decisive role in accident prevention, whether public authorities, manufactures, traders or product users;

Whereas an Advisory Committee should be set up to advise the Commission in the carrying out of its management tasks and the activities relating thereto;

Whereas it is fitting to designate in each Member State the authority responsible for ensuring the smooth functioning of the demonstration project and the necessary coordination at Community level;

Whereas it is necessary under the demonstration to ensure observance of:

- the basic rights and principles set out in the Joint Declaration of 5 April 1977,
- the basic rights and principles laid down in the Council of Europe Convention of 28 January 1981 for the protection of individuals with regard to automatic processing of personal data,
- the confidentiality of data relating to the firms concerned;

Whereas the Commission, on the basis of acquired experience, should submit a report and make proposals to the Council so that the latter, acting in accordance with the conditions laid down by the Treaty, may decide on the financial provisions necessary for the last two years of the project;

Whereas a demonstration project appears necessary in order to achieve one of the objectives of the Community in the field of consumer protection and the provision of information to consumers; whereas the Treaty has not provided the necessary powers other than those of Article 235,

HAS ADOPTED THIS DECISION:

Article 1

1. As a follow-up to the pilot experiment adopted by Decision 81/623/EEC, a demonstration project, hereinafter referred to as 'the project' is hereby set up for a period of five years from 1 December 1985, with a view to the possible introduction of a Community system of information on accidents involving consumer products.

2. The project's objectives are to collect data on accidents involving consumer products with a view to promo-

ting accident prevention, improving the safety of consumer products and informing and educating consumers so that they make better use of products.

3. This Decision shall apply to the accidents referred to in paragraph 2, except:

- (a) industrial accidents;
- (b) road, rail, sea and air traffic accidents.

4. The specifications of the project as described in Annex I.

Article 2

Member States shall forward to the Commission the information referred to in Annex I, if possible as soon as this Decision takes effect and not later than 1 January 1987.

Article 3

The maximum amount estimated as necessary for the Community's participation in the execution of the project during its first three years is 7 million ECU.

An indicative breakdown of this amount is contained in Annex II.

The Council, acting in accordance with the conditions laid down in the Treaty, shall decide on the financial allocation necessary for the last two years of the project, on the basis of a Commission report on the experience acquired during the first two years of the project.

Article 4

1. The Commission shall be responsible for the management of the project and the activities relating thereto, including the utilization of the information compiled pursuant to Article 1. These activities may include, in particular, carrying out detailed studies concerning the most serious and/or most frequent accidents.

2. In carrying out the tasks referred to in paragraph 1, the Commission shall consult the Committee referred to in Article 7.

Article 5

Each Member State shall designate and inform the Commission of the name(s) and address(es) of the authority or authorities responsible for collecting and transmitting information pursuant to Article 2.

Article 6

The Commission and the Member States shall ensure that, during the process of collecting and forwarding information, any identifying details are removed so that the identity of victims remains confidential.

⁽¹⁾ OJ No C 156, 16. 6. 1984, p. 6.

Article 7

1. An Advisory Committee, hereinafter called 'the Committee', shall be set up at the Commission. It shall consist of two representatives per Member State and have a representative of the Commission as Chairman. The representatives of the Member States may be accompanied by experts.

2. The Committee shall be consulted either on the initiative of the Chairman or at the request of a representative of a Member State on any matter relating to the setting up and management of the project and also the interpretation of the data and the utilization of the information, including the results of the pilot experiment, and the use made of the appropriations earmarked for the funding of the project.

3. The Commission shall provide the secretariat for the Committee.

Article 8

On the basis of the results obtained during the project, the Commission shall, after consulting the Committee, present a final report and submit proposals on the follow-up to the project in time to enable the Council to take a decision on them, where appropriate, for the continuity of the activities in question to be ensured.

Article 9

This Decision is addressed to the Member States.

Done at Luxembourg, 22 April 1985.

For the Council

The President

H. van den BROEK

ANNEX I

SPECIFICATIONS OF THE DEMONSTRATION PROJECT

1. The project shall apply to accidents referred to in Article 1 of the Decision which are followed by medical treatment and which occur in private, i.e. in the home or its immediate surroundings, such as gardens, yards and garages, or during leisure, sports or school activities. Member States may, however, limit the information they communicate to accidents occurring in the home or its immediate surroundings.

2. The basic information shall be obtained from the casualty departments of hospitals selected by the Member States in agreement with the Commission. Interviews with and/or visits to victims may also be carried out, where that is useful for the purpose of obtaining more detailed information on certain accidents.

In duly justified circumstances, the Commission may accept information from alternative sources of an equivalent value.

Member States may also forward additional information obtained from poison-antidote centres, family doctors, national authorities responsible for registering death certificates, fire brigades operating other than at places of work, insurance bodies and companies, consumer associations, manufacturers and associations thereof, research bodies or scientific associations and any other suitable sources of information.

The inclusion of such additional information will be developed gradually as the project progresses.

In so far as the Commission administers other information programmes under other Community acts, the project will use data from them, where appropriate.

3. The basic data collected must be as reliable as possible and give as representative a picture as possible of the situation at national and at Community level.

It shall include information on :

- the place where the accident occurred,
- the date of the accident,
- the place of treatment,
- the activity of the victim at the time of the accident,
- the type of accident,
- the type of product involved in the accident,
- the age of the victim,
- the sex of the victim,
- the type of injury,
- the parts of the body injured,
- the duration of treatment,
- a brief description of the accident and its causes (including, where possible, the main features and identifying details of the product involved).

This information shall be classified in accordance with a system harmonized at Community level.

4. According to studies carried out and experience with operational systems and bearing in mind the results of the pilot experiment, the participation of a minimum of some 60 hospitals is regarded as necessary to provide a representative sample at Community level.

For optimum operation of the system, some 90 hospitals, distributed as follows throughout the Member States of the Community according to population, should take part :

Member State	Population (million inhabitants)	Number of hospitals
Luxembourg	0,4	1
Ireland	3,4	4
Denmark	5,1	5
Greece	10	6
Belgium	10	6
Portugal	10	6
Netherlands	14	7
Spain	38	9
France	55	11
United Kingdom	56	11
Italy	57	11
Federal Republic of Germany	62	13
Total	321	90

Initial participation in the first year by at least two hospitals in each Member State (one in Luxembourg) is desirable to ensure that the demonstration project gets off to a good start.

5. Appropriate measures will be taken in the management of the project, in consultation with the Advisory Committee, to ensure a gradual improvement in the data collected and in the information centres as regards reliability, representativeness and utilization of the results.

6. To be significant, the size of the Community sample, estimated on the basis of the results of the pilot experiment and experience with operational systems, should be between 400 000 and 900 000 accident cases per year, distributed in proportion to the respective populations of the Member States.

ANNEX II

GUIDELINES ON BREAKDOWN OF FUNDS

The following guidelines will be used in the breakdown of the amount of 7 million ECU referred to in Article 3 of the Decision :

- (a) actual collection of basic data in the casualty departments of hospitals (including any measures to expand existing systems), actual collection of additional data (5,5 million ECU);
- (b) studies on technical matters, evaluation, operation, cost-benefit etc., cost of technical and administrative services at Community level and related activities (1,5 million ECU).

For the work referred to in (a), Community financial support will be allocated at a standard rate which will, for the first three years of the project, represent 80 % of the actual costs up to ceiling of 35 000 ECU per hospital.

To this will be added flat-rate Community financial support towards installation and starting-up costs amounting to 20 000 ECU per Member State during the first year of the introduction in that Member State of a system for collecting data from hospitals, and amounting to 5 000 ECU per hospital during the first year of that hospital's participation in the project.

THE EUROPEAN COMMUNITY — POLITICAL MAP

Member States, Regions and Administrative Units

The political map shows the 12 countries that make up the European Community since 1 January 1986: Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom. It shows their political sub-division into regions and administrative units (province, county, etc.) with their respective capitals or main towns.

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