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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3661/86

of 26 November 1986

imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China and definitively collecting the provisional anti-dumping duty imposed on imports of potassium permanganate originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

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

Whereas :

A. Provisional measures

- (1) The Commission, by Regulation (EEC) No 2495/86⁽²⁾, imposed a provisional anti-dumping duty on imports of potassium permanganate originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China.

B. Subsequent procedure

- (2) Following the imposition of the provisional anti-dumping duty, the exporters from Czechoslovakia, the German Democratic Republic and one Chinese exporter, Sinochem, and certain importers requested, and were granted, an opportunity to be heard by the Commission. In addition, certain exporters and importers made written submissions making known their views on the provisional findings and duties.

C. Normal value

- (3) The Council confirms the conclusions of the Commission, set out in recitals 7, 8 and 9 of

Commission Regulation (EEC) No 2495/86, that normal value should be determined on the basis of domestic prices in the United States.

D. Export prices

- (4) Export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

E. Comparison

- (5) In comparing normal value with export prices the Commission took account, where appropriate, of differences affecting price comparability and in particular of differences in the payment and delivery terms. All comparisons were made at ex-works level.

F. Dumping

- (6) No new evidence on dumping has been received since the imposition of the provisional duty. The findings on dumping, as set out in recitals 12, 13 and 14 of Regulation (EEC) No 2495/86, are therefore confirmed.

G. Injury

- (7) No fresh evidence regarding injury to the Community industry has been submitted. The conclusions on injury reached in recitals 15 to 21 of Regulation (EEC) No 2495/86 are therefore confirmed.

H. Community interest

- (8) Community processing industries neither requested a hearing nor made any written submission after making known their views on the provisional findings and duties. The Commission has, therefore, confirmed the conclusions on Community

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 217, 5. 8. 1986, p. 12.

interest reached in recitals 22, 23 and 24 of Regulation (EEC) No 2495/86. On this basis, the Council has come to the conclusion that it is in the Community's interest that action be taken.

I. Undertakings

- (9) The exporters that made themselves known in the course of the investigation were informed of the main findings of the investigation and commented on them. Undertakings were subsequently offered by Chemapol Foreign Trade Co. Ltd, Czechoslovakia, Chemie Export/Import, German Democratic Republic and China National Chemicals Import and Export Corporation (Sinochem), People's Republic of China, concerning their exports of potassium permanganate to the Community.
- (10) The undertakings offered were considered acceptable by the Commission. The Commission terminated the investigation in respect of these exporters.

J. Definitive duty

- (11) In the light of the above determination, a definitive anti-dumping duty should be imposed against imports of potassium permanganate originating in the People's Republic of China and shipped by exporters other than China National Chemicals Import and Export Corporation (Sinochem) at the same level as the amount of the provisional anti-dumping duty.

The duty will not apply to exports made by China National Chemicals Import and Export Corporation (Sinochem) whose undertaking has been considered acceptable by the Commission.

K. Collection of provisional duty

- (12) For the reasons set out in recitals 15 to 21 of Regulation (EEC) No 2495/86 it has been established definitively that the dumped imports of potassium permanganate originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China, have caused material injury to the Community industry concerned.

Article 12 (2) (a) of Regulation (EEC) No 2176/86 provides that the Council shall decide, irrespective of whether a definitive anti-dumping or countervailing duty is to be imposed, what proportion of the provisional duty is to be definitively collected.

A provisional duty is intended to bring about an increase in the prices of the goods to the first independent buyer in the Community. An importer who chooses not to raise its prices therefore risks having to pay the duty, and it is reasonable to take steps to ensure that it will raise its prices since its choice has caused the injury to Community industry to continue.

Therefore, the amounts secured by way of provisional anti-dumping duty should be definitively collected in their entirety,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on potassium permanganate falling within Common Customs Tariff subheading ex 28.47 C and corresponding to NIMEXE code 28.47-60, originating in the People's Republic of China.

2. This duty shall not apply to potassium permanganate exported by China National Chemicals Import and Export Corporation (Sinochem).

3. The amount of the duty shall be equal to either the amount by which the price, per kilogram net, free-at-Community-frontier, not cleared through customs, is less than 2,30 ECU or 28 % of that price, whichever is the higher.

The said free-at-Community-frontier price, not cleared through customs, shall be net if the actual terms and conditions of sales provide that payment shall be made within 30 days of the date of dispatch; it shall be lowered by 1 % for each month by which payment is actually deferred.

4. The provisions in force concerning customs duties shall apply.

Article 2

The amounts secured by way of provisional anti-dumping duty on imports of potassium permanganate, originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China, pursuant to Regulation (EEC) No 2495/86 shall be collected definitively.

Article 3

This Regulation shall enter into force on the day following 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, 26 November 1986.

For the Council

The President

P. WALKER

COUNCIL REGULATION (EEC) No 3662/86
of 26 November 1986
extending the provisional anti-dumping duty on imports of housed bearing units
originating in Japan

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, by Regulation (EEC) No 2516/86⁽²⁾, the Commission imposed a provisional anti-dumping duty on imports of housed bearing units originating in Japan;

Whereas the Commission has received a request from one of the exporters concerned, who represents a significant percentage of the trade involved, asking for the provisional duty imposed to be extended for a further period of two months;

Whereas the Commission considers that an extension of the duty is necessary to enable it to make a definitive assessment of the facts,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty on imports of housed bearing units originating in Japan imposed by Regulation (EEC) No 2516/86 is hereby extended for a period not exceeding two months.

Article 2

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

Without prejudice to Article 11 of Regulation (EEC) No 2176/84 or any other decision which the Council might take, this Regulation shall apply until the entry into force of a Council act adopting definitive measures, but not later than the end of a period of two months starting on 8 December 1986.

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

Done at Brussels, 26 November 1986.

For the Council

The President

P. WALKER

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 221, 4. 8. 1986, p. 16.

COMMISSION REGULATION (EEC) No 3663/86

of 1 December 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 1579/86 ⁽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 2010/86 ⁽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 28 November 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 2010/86 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:

21 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 2 December 1986.

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

Done at Brussels, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 1 December 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	12,27	185,14
10.01 B II	Durum wheat	38,07	241,70 ⁽¹⁾ ⁽²⁾
10.02	Rye	48,82	158,37 ⁽³⁾
10.03	Barley	18,91	178,55
10.04	Oats	81,44	145,79
10.05 B	Maize, other than hybrid maize for sowing	—	167,32 ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾
10.07 A	Buckwheat	—	2,03
10.07 B	Millet	18,91	122,69 ⁽⁶⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	3,93	169,95 ⁽⁶⁾ ⁽⁷⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed ; other cereals	—	29,61 ⁽⁸⁾
11.01 A	Wheat or meslin flour	31,52	274,31
11.01 B	Rye flour	82,69	236,79
11.02 A I a)	Durum wheat groats and meal	72,42	388,05
11.02 A I b)	Common wheat groats and meal	32,56	294,77

- ⁽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).
- ⁽⁸⁾ The levy referred to in Article 1 of Council Regulation (EEC) No 2913/86 shall be fixed on the basis of an invitation to tender in accordance with Commission Regulation (EEC) No 3140/86.

COMMISSION REGULATION (EEC) No 3664/86

of 1 December 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 1579/86⁽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 2011/86⁽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 28 November 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 Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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 originating in Portugal shall be zero.
2. 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 originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 December 1986.

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

Done at Brussels, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 1 December 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	<i>(ECU/tonne)</i>			
		Current 12	1st period 1	2nd period 2	3rd period 3
10.01 B I	Common wheat, and meslin	0	9,48	9,48	9,54
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	1,73
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	103,42	103,42	103,42
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	13,27	13,27	13,36

B. Malt

CCT heading No	Description	<i>(ECU/tonne)</i>				
		Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	16,87	16,87	16,98	16,98
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	12,61	12,61	12,69	12,69
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	3,08	3,08
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	2,30	2,30
11.07 B	Roasted malt	0	0	0	2,68	2,68

COMMISSION REGULATION (EEC) No 3665/86
of 1 December 1986

derogating from Regulation (EEC) No 3061/84 as regards the final date for submitting applications for production aid for olive oil for the 1985/86 marketing year

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

Having regard to Council Regulation (EEC) No 2261/84 of 17 July 1984 laying down general rules on the granting of aid for the production of olive oil and of aid to olive oil producer organizations⁽¹⁾, and in particular Article 19 thereof,

Whereas, in accordance with Article 5 (4) of Commission Regulation (EEC) No 3061/84⁽²⁾, producer organizations or, as the case may be, associations thereof, are to submit the aid applications of associated olive growers not later than 31 October of each marketing year; whereas, for 1985/86, the producer organizations and associations thereof are not able to perform all the necessary verifications and checks on olive growers' aid applications in time, on account of the extra time allowed for olive growers to submit their crop declarations for the marketing year in question, pursuant to Commission Regulation (EEC) No 143/86⁽³⁾, as amended by Regulation (EEC) No 1714/86⁽⁴⁾; whereas the date by which aid applications

must be submitted producer organizations or associations thereof should accordingly be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1985/86 marketing year, notwithstanding Article 5 (4) of Regulation (EEC) No 3061/84, producer organizations or, as the case may be, associations thereof shall submit the aid applications not later than 31 March 1987.

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, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 208, 3. 8. 1984, p. 3.

⁽²⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽³⁾ OJ No L 19, 25. 1. 1986, p. 13.

⁽⁴⁾ OJ No L 149, 3. 6. 1986, p. 18.

COMMISSION REGULATION (EEC) No 3666/86
of 1 December 1986
replacing Annex I to Council Regulation (EEC) No 1785/81 on the common
organization of the markets in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 934/86⁽²⁾, and in particular Article 19 (7) thereof,

Whereas Article 19 (1) of Regulation (EEC) No 1785/81 provides in particular that, to the extent necessary to enable sugar to be exported in the form of goods listed in Annex I thereto, the difference between the quotations on the world market for sugar and prices for the latter within the Community may be covered by an export refund; whereas the abovementioned Annex I lists chemical products as well as processed foodstuffs;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, extends to new chemical products the possibility of granting production refunds for sugar used in the manufacture thereof;

Whereas the use of sugar in the manufacture of chemical products represents a significant outlet; whereas, in order

to facilitate the use thereof, and in order to put the processors in question on a better footing to compete with those who secure their sugar supplies on the world market, those new chemical products should be made eligible for export refunds in respect of the sugar used in manufacturing them; whereas they should therefore be included in Annex I to Regulation (EEC) No 1785/81;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 1785/81 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 January 1987.

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

Done at Brussels, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 1. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

ANNEX

ANNEX I

CCT heading No	Description
13.03	Vegetable saps and extracts ; pectic substances, and pectates, agar-agar and other mucilages and thickeners, derived from vegetable products : C. Agar-agar and other mucilages and thickeners, derived from vegetable products : ex III. Other : — Carrageenan
15.11	Glycerol and glycerol lyes : B. Other, including synthetic glycerol
17.04	Sugar confectionery, not containing cocoa : B. Chewing gum C. White chocolate D. Other
18.06	Chocolate and other food preparations containing cocoa
19.02	Malt extract ; preparations of flour, meal, starch or malt extract, of a kind used as infant food or for dietetic or culinary purposes, containing less than 50 % by weight of cocoa : B. Other
19.05	Prepared foods obtained by the swelling or roasting of cereals or cereal products (puffed rice, corn flakes and similar products)
19.08	Pastry, biscuits, cakes and other fine bakers' wares, whether or not containing cocoa in any proportion
ex 21.02	Extracts, essences or concentrates, of coffee, tea or maté and preparations with a basis of those extracts, essences or concentrates
21.04	Sauces ; mixed condiments and mixed seasonings
21.06	Natural yeasts (active or inactive) ; prepared baking powders : A. Active natural yeasts : II. Bakers' yeast : a) Dried b) Other B. Inactive natural yeasts : I. In tablet, cube or similar form, or in immediate packings of a net capacity of 1 kg or less II. Other
ex 21.07	Food preparations not elsewhere specified or included with the exception of flavoured or coloured sugar syrups, falling within subheading 21.07 F
22.02	Lemonade, flavoured spa waters and flavoured aerated waters, and other non-alcoholic beverages, not including fruit and vegetable juices falling within heading No 20.07
22.06	Vermouth, and other wines of fresh grapes flavoured with aromatic extracts
22.09	Spirits (other than those of heading No 22.08) ; liqueurs and other spirituous beverages ; compound alcoholic preparations (known as 'concentrated extracts') for the manufacture of beverages : C. Spirituous beverages : V. Other

CCT heading No	Description
Chapter 29	Organic chemicals
Chapter 30	Pharmaceutical products
34.02	Organic surface-active agents; surface-active preparations and washing preparations, whether or not containing soap
Chapter 35 (excluding headings 35.01 and 35.05)	Albuminoidal substances; glues; enzymes
Chapter 38 (excluding subheading 38.12 A)	Miscellaneous chemical products
Chapter 39	Artificial resins and plastic materials, cellulose esters and ethers, and articles thereof

COMMISSION REGULATION (EEC) No 3667/86

of 1 December 1986

amending Regulation (EEC) No 1596/86 fixing the prices to be used for calculating the value of agricultural products in intervention storage in Spain and Portugal at 1 March 1986 in the accounts referred to in Article 4 of Council Regulation (EEC) No 1883/78

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 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section (1), as last amended by Regulation (EEC) No 1334/86 (2) and in particular Article 9 thereof,

Whereas Council Regulation (EEC) No 3247/81 (3) provides that accounts are to be drawn up for each product for which an intervention price has been fixed and that the value of products bought in during the year corresponds to the intervention prices fixed in the various regulations on the common organization of the markets;

Whereas Commission Regulation (EEC) No 1596/86 (4) fixed the prices to be used for calculating the value of agricultural products in intervention storage in Spain and Portugal;

Whereas it has been discovered that the stocks of beef carried forward by Spain include 1 954 tonnes of beef

bought from French intervention storage at low prices before Spanish accession to the European Community; whereas the price to be used for calculating the value of this quantity shall be its buying price of Pta 182 608 per tonne;

Whereas the measure provided for in this Regulation is in accordance with the opinion of the EAGGF Committee,

HAS ADOPTED THIS REGULATION :

Article 1

The Annex to Commission Regulation (EEC) No 1596/86 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 March 1986.

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

Done at Brussels, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

(1) OJ No L 216, 5. 8. 1978, p. 1.

(2) OJ No L 119, 8. 5. 1986, p. 18.

(3) OJ No L 327, 14. 11. 1981, p. 1.

(4) OJ No L 140, 27. 5. 1986, p. 14.

ANNEX

ANNEX

List of intervention prices to be used for calculating the value of agricultural products in intervention storage in Spain and Portugal at 1 March 1986 in the accounts referred to in Article 4 of Regulation (EEC) No 1883/78

Product	<i>(per tonne)</i>	
	Spain (Pesetas) ⁽¹⁾	Portugal (Escudos) ⁽¹⁾
Common wheat ⁽²⁾	27 350	—
Barley ⁽²⁾	26 034	—
Rye ⁽²⁾	26 718	—
Durum wheat ⁽²⁾	32 792	—
Olive oil ⁽³⁾	195 031	306 048
Beef carcasses ⁽⁴⁾	340 118	—

(¹) The conversion rates used are those given in the Annex to Council Regulation (EEC) No 505/86 of 25 February 1986 (OJ No L 51, 28. 2. 1986, p. 1.)

(²) Intervention price fixed in Council Regulation (EEC) No 451/66 of 25 February 1986 (OJ No L 53, 1. 3. 1986, p. 1).

(³) Intervention price fixed in Council Regulation (EEC) No 453/86 of 25 February 1986 (OJ No L 53, 1. 3. 1986, p. 5).

(⁴) Intervention price fixed in Council Regulation (EEC) No 464/86 of 25 February 1986 (OJ No L 53, 1. 3. 1986, p. 19), taking account of Article 7 of Regulation (EEC) No 1883/78.

However, the price of 182 608 pesetas per tonne shall be used in respect of the quantity of 1 953,791 tonnes of French origin.

COMMISSION REGULATION (EEC) No 3668/86**of 1 December 1986****amending for the second time Regulation (EEC) No 1152/86 on promotional and publicity measures in respect of concentrated butter for direct consumption**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1338/86⁽²⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 1152/86⁽³⁾, as last amended by Regulation (EEC) No 2385/86⁽⁴⁾, provides for promotional and publicity measures in respect of concentrated butter for direct consumption authorized to be sold at a reduced price pursuant to Commission Regulation (EEC) No 3143/85⁽⁵⁾, as last amended by Regulation (EEC) No 3157/86⁽⁶⁾; whereas Article 5 (3) of Regulation (EEC) No 1152/86 provides that the competent agency must, before 1 October 1986, forward to the Commission a copy of the contract signed by itself and by the party concerned; whereas the difficulties encountered in certain Member States in applying

Regulation (EEC) No 3143/85 are such that the period during which the abovementioned contract may be forwarded to the Commission should be extended by two and a half months;

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

In Article 5 (3) of Regulation (EEC) No 1152/86, '1 October 1986' is replaced by '16 December 1986'.

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, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 6.
⁽²⁾ OJ No L 119, 8. 5. 1986, p. 27.
⁽³⁾ OJ No L 105, 22. 4. 1986, p. 15.
⁽⁴⁾ OJ No L 206, 30. 7. 1986, p. 23.
⁽⁵⁾ OJ No L 298, 12. 11. 1985, p. 9.
⁽⁶⁾ OJ No L 294, 17. 10. 1986, p. 8.

COMMISSION REGULATION (EEC) No 3669/86

of 1 December 1986

amending Regulation (EEC) No 685/69 on detailed rules of application for intervention on the market in butter and cream

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 1335/86 ⁽²⁾, and in particular Article 6 ⁽⁷⁾ thereof,Whereas Article 3 of Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 3790/85 ⁽⁴⁾, lays down that the intervention price is to apply to butter delivered to a cold storage depot not further from the place where it was stored than a distance to be determined; whereas, if the cold storage depot to which the butter is delivered is situated at a distance greater than that maximum distance, the additional transport charges, to be determined at a flat rate, are to be borne by the intervention agency;Whereas Commission Regulation (EEC) No 685/69 ⁽⁵⁾, as last amended by Regulation (EEC) No 1836/86 ⁽⁶⁾, fixed

the maximum distance in question at 100 kilometres; whereas experience has shown that this maximum distance is inadequate to enable the intervention agencies to manage access to public storage depots under the best possible conditions; whereas this distance should be increased to 350 kilometres;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 8 to Regulation (EEC) No 685/69, '100 km' is hereby replaced by '350 km'.

*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, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 5.⁽⁵⁾ OJ No L 90, 15. 4. 1969, p. 12.⁽⁶⁾ OJ No L 158, 13. 6. 1986, p. 57.

COMMISSION REGULATION (EEC) No 3670/86

of 1 December 1986

reintroducing the levying of the customs duties applicable to gauze and articles of gauze falling under subheading ex 30.04 of the Common Customs Tariff originating in China benefiting from the tariff preferences provided for by Council Regulation (EEC) No 3599/85

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, in pursuance of Article 1 of that Regulation, duties on the products listed in Annex II originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 12;

Whereas, as provided for in Article 12, where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be reintroduced, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, 190 % of the highest maximum amount valid for 1980;

Whereas, in the case of gauze and articles of gauze falling under subheading ex 30.04 of the Common Customs Tariff, the reference base is fixed at 2 728 000 ECU; whereas, on 27 November 1986, imports of the products

into the Community originating in China reached the reference base in question after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference causes economic difficulties in the Community; whereas, therefore, customs duties in respect of the product in question must be reintroduced against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 December 1986, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3599/85, shall be reintroduced on imports into the Community of the following products originating in China:

CCT heading No	Description
ex 30.04 (NIMEXE code 30.04-31)	Gauze and articles of gauze

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, 1 December 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 3671/86

of 1 December 1986

reintroducing the levying of the customs duties applicable to colouring matter of animal origin falling under subheading 32.04 B of the Common Customs Tariff, originating in Peru benefiting from the tariff preferences provided for by Council Regulation (EEC) No 3599/85

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 in pursuance of Article 1 of that Regulation, duties on the products listed in Annex II originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 12;

Whereas, as provided for in Article 12, where the increase of preferential imports of these products, originating in one or more beneficiary countries, causes, or threatens to cause, economic difficulties in the Community or in a region of the Community, the levying of customs duties may be reintroduced, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule 190 % of the highest maximum amount valid for 1980;

Whereas, in the case of colouring matter of animal origin, falling under subheading 32.04 B, of the Common Customs Tariff, the reference base is listed at 13 000

ECU; whereas, on 27 November 1986, imports of these products into the Community originating in Peru reached the reference base in question after being charged thereagainst; whereas the exchange of information organized by the Commission has demonstrated that continuance of the reference causes economic difficulties in the Community; whereas, therefore, customs duties in respect of the products in question must be reintroduced against Peru,

HAS ADOPTED THIS REGULATION:

Article 1

As from 5 December 1986, the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3599/85, shall be reintroduced on imports into the Community of the following products originating in Peru:

CCT heading No	Description
32.04 B (NIMEXE code 32.04-30)	Colouring matter of animal origin

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, 1 December 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 3672/86

of 1 December 1986

concerning the stopping of fishing for cod by vessels flying the flag of the Netherlands

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 last amended by Regulation (EEC) No 3723/85⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Council Regulation (EEC) No 3721/85 of 20 December 1985, fixing, for certain fish stocks and groups of fish stocks, provisional total allowable catches for 1986 and certain conditions under which they may be fished⁽³⁾, as last amended by Regulation (EEC) No 3221/86⁽⁴⁾, provides for cod 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 cod in the waters of ICES division II a (EC-zone), IV by vessels flying the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1986; whereas the

Netherlands have prohibited fishing for this stock as from 25 November 1986; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division II a (EC-zone), IV by vessels flying the flag of the Netherlands or registered in the Netherlands are deemed to have exhausted the quota allocated to the Netherlands for 1986.

Fishing for cod in the waters of ICES division II a (EC-zone), IV by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 25 November 1986.

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

Done at Brussels, 1 December 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. 5.

⁽⁴⁾ OJ No L 300, 24. 10. 1986, p. 2.

COMMISSION DECISION No 3673/86/ECSC

of 1 December 1986

fixing the rates of abatement for the first quarter of 1987 in accordance with Decision No 3485/85/ECSC on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 3485/85/ECSC of 27 November 1985 on the extension of the system of monitoring and production quotas for certain products of undertakings in the steel industry⁽¹⁾, and in particular Article 8 (1) thereof,

Whereas the rates of abatement in respect of certain products must be fixed for the first quarter of 1987 on the basis of studies carried out with undertakings and associations of undertakings,

HAS ADOPTED THIS DECISION:

Article 1

The rates of abatement for the establishment of production quotas for the first quarter of 1987 shall be as follows:

category Ia	57
category Ib	52
category II	45
category III	57
category IV	39
category VI	44.

The rates of abatement for the establishment of the part of the production quotas which may be delivered in the common market shall be as follows:

category Ia	58
category Ib	53
category II	56
category III	60
category IV	38
category VI	42.

Article 2

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

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

Done at Brussels, 1 December 1986.

For the Commission

Karl-Heinz NARJES

Vice-President

⁽¹⁾ OJ No L 340, 18. 12. 1985, p. 5.

COMMISSION REGULATION (EEC) No 3674/86

of 1 December 1986

extending the provisional measures applicable to imports into Spain of urea
originating in certain third countries

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

Having regard to Council Regulation (EEC) No 288/82 of
5 February 1982, on common rules for imports ⁽¹⁾, and in
particular Article 15 (1) thereof,

After consultations within the Advisory Committee set up
by the said Regulation,

Whereas, Commission Regulation (EEC) No 2565/86 ⁽²⁾,
as modified by Commission Regulation (EEC) No
3339/86 ⁽³⁾, imposed provisional measures applicable to
imports into Spain of urea originating in certain third
countries; whereas the measures foreseen by this Regula-
tion are only applicable up to 30 November 1986;

Whereas the reasons prevailing at the time of adoption of
this Regulation continue to exist;

Whereas, whilst waiting for the conclusion of the consul-
tations in progress, it is proposed to extend the provis-
ional measures, implemented by Regulation (EEC) No
2565/86, up to 31 December 1986;

Whereas, with regard to being consistent, it is proposed to
increase the volume of approved imports, up to this date,
from 20 000 to 25 000 tonnes,

HAS ADOPTED THIS REGULATION:

Article 1

In the first Article of Regulation (EEC) No 2565/86 the
date '30 November 1986' and the amount '20 000 tonnes'
are replaced by the date '31 December 1986' and the
amount '25 000 tonnes', respectively.

Article 2

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

It shall apply with effect from 1 December 1986.

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

Done at Brussels, 1 December 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 229, 15. 8. 1986, p. 8.

⁽³⁾ OJ No L 306, 1. 11. 1986, p. 47.

COMMISSION REGULATION (EEC) No 3675/86
of 1 December 1986
introducing a countervailing charge on apples originating in Poland

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 1351/86⁽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 2034/86 of 30 June 1986 fixing for the 1986/87 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of November 1986 at 44,41 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 Commission 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, for apples originating in Poland 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 apples;

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 Council 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 17,20 ECU per 100 kilograms net is applied to apples (subheading 08.06 A II of the Common Customs Tariff) originating in Poland.

Article 2

This Regulation shall enter into force on 3 December 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 173, 1. 7. 1986, p. 52.

⁽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.

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

Done at Brussels, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3676/86

of 1 December 1986

introducing a countervailing charge on tomatoes originating in Poland

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 1351/86⁽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 period from 1 October to 20 December 1986 at 45,53 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 Article 1 (2) (b) of Regulation (EEC) No 985/86;

Whereas, for tomatoes originating in Poland 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,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 8,38 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Poland.

Article 2

This Regulation shall enter into force on 3 December 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽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.

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

Done at Brussels, 1 December 1986.

For the Commission

Frans ANDRIESEN

Vice-President

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 November 1986

amending Annex I to Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat

(86/587/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/433/EEC⁽¹⁾ of 26 June 1964 on health problems affecting intra-Community trade in fresh meat, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission,

Whereas, in order to take into account recent advances in slaughter technology, it is opportune to lay down rules of hygiene under which the stomach can be emptied in the slaughterrooms, without any risk of contamination of fresh meat;

Whereas it is appropriate to consolidate the rules for post mortem health inspection for the different species of slaughter animals,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex I to Directive 64/433/EEC is hereby amended as follows:

(1) the following shall be added to Chapter I, point 13 c) first indent:

'Separate rooms will not, however, be necessary if these operations involving stomachs are carried out by means of closed-circuit mechanical equipment having an appropriate system of ventilation and satisfying the following requirements:

- (i) the equipment must be installed and arranged in such a manner that operations for separating intestines from the stomach and for the emptying and cleaning of stomachs are carried out hygienically. It must be located in a special place which is clearly separated from any exposed fresh meat by a partition stretching from the floor to a height of at least three metres and surrounding the area where these operations are carried out;
- (ii) the design and operation of the machine must effectively prevent any contamination of the fresh meat;
- (iii) an air extractor must be installed and must function in such a fashion as to eliminate odours and any risk of aerosol contamination;
- (iv) the machine must be equipped with a device permitting closed-circuit evacuation of the residual water and the content of stomachs to the drainage system;
- (v) the circuit followed by stomachs to and from the machine must be both clearly separated and at a distance from the circuit followed by other fresh meat. Immediately after they have been emptied and cleaned, the stomachs must be removed in a hygienic manner;
- (vi) stomach must not be handled by staff handling other fresh meat. Staff handling stomachs must not have access to other fresh meat.'

(2) in Chapter V point 25:

- (a) the first sentence shall be replaced by the following:

'25. Animals must undergo ante-mortem inspection on the day of their arrival at the slaughterhouse or before the beginning of daily slaughtering.'

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 362, 31. 11. 1985, p. 8.

(b) the two following paragraphs shall be added :

'The operator of the slaughterhouse or his agent must facilitate operations for performing ante-mortem health inspections and in particular any handling which is considered necessary.

Each animal which must be slaughtered shall bear an identifying mark allowing the competent authority to determine its origin ;'

(3) in Chapter VI :

(a) the end of the first sentence of point 31 shall be replaced by the following :

'31. ... except for pigs, without prejudice to the derogation provided for in point 40 D a) second sentence.'

(b) point 32 :

— the end of the third sentence shall be supplemented by the following :

'... and any other part of the animal required for inspection or possibly required for the execution of checks laid down in Directive 86/469/EEC (¹).

(¹) OJ No L 275, 26. 9. 1986, p. 36.'

— the following sentence shall be inserted after the fourth sentence :

'However, provided it shows no pathological symptom or lesion, the penis may be discarded immediately.'

(4) in Chapter VII, point 40 shall be replaced by the following :

'40. The official veterinarian must proceed in particular in the following way :

A. Bovine animals over six weeks old

(a) visual inspection of the head and the throat ; the submaxillary, retro-pharyngeal and parotid lymph nodes (*lnn. retropharyngiales, mandibulares* and *parotidei*) must be incised and examined. The external masseters, in which two incisions must be made parallel to the mandible, and the internal masseters (internal pterygoid muscles), which must be incised along one plane, must be examined ;

The tongue, having been freed to permit a detailed visual inspection of the mouth and the fauces, must be visually inspected and palpated. The tonsils must be removed ;

(b) inspection of the trachea ; visual examination and palpation of the lungs and the oesophagus ; the bronchial and mediastinal lymph nodes (*lnn. bifurcationes,*

eparteriales and *mediastinales*) must be incised and examined. The trachea and the main branches of the bronchi must be opened lengthwise and the lungs must be incised in their posterior third, perpendicular to their main axes ; these incisions are not necessary where the lungs are excluded from human consumption ;

(c) visual inspection of the pericardium and the heart, the latter being incised lengthwise so as to open the ventricles and to cut through the interventricular septum ;

(d) visual inspection of the diaphragm ;

(e) visual inspection and palpation of the liver and the hepatic and pancreatic lymph nodes (*lnn. portales*) ; incision of the gastric surface of the liver and at the base of the caudate lobe to examine the bile ducts ; inspection and palpation of the pancreatic lymph nodes ;

(f) visual inspection of the gastro-intestinal tract, the mesentery, the gastric and mesenteric lymph nodes (*lnn. gastrici, mesenterici, craniales* and *caudales*) ; palpation of the gastric and mesenteric lymph nodes, and, if necessary, incision of those lymph nodes ;

(g) visual inspection and, if necessary, palpation of the spleen ;

(h) visual inspection of the kidneys and incision, if necessary, of the kidneys and the renal lymph nodes (*lnn. renales*) ;

(i) visual inspection of the pleura and the peritoneum ;

(j) visual inspection of the genital organs ;

(k) visual inspection, and, if necessary, palpation and incision of the udder and its lymph nodes (*lnn. supramammarii*). In cows the udder must be opened by a long, deep incision as far as the lactiferous sinuses (*Sinus galactophores*), unless it is excluded from human consumption.

Where incision of the above lymph nodes is obligatory, they must be systematically subjected to multiple incisions and a visual inspection.

B. Bovine animals under six weeks old

(a) visual inspection of the head and the throat. The retro pharyngeal lymph nodes (*lnn. retropharyngiales*) must be incised and examined. The mouth and the fauces must be inspected and the tongue must be palpated. The tonsils must be removed ;

- (b) visual inspection of the lungs, the trachea and the oesophagus; palpation of the lungs; the bronchial and mediastinal lymph nodes (*lnn. bifurcationes, eparteriales* and *mediastinales*) must be incised and examined.

The trachea and the main branches of the bronchi must be opened lengthwise and the lungs must be incised in their posterior third, perpendicular to their main axes; these incisions are not necessary where the lungs are excluded from human consumption;

- (c) visual inspection of the pericardium and the heart, the latter being incised lengthwise so as to open the ventricles and to cut through the interventricular septum;
- (d) visual inspection of the diaphragm;
- (e) visual inspection of the liver and the hepatic and pancreatic lymph nodes (*lnn. portales*); palpation and, if necessary, incision of the liver and its lymph nodes;
- (f) visual inspection of the gastro-intestinal tract, the mesentery, the gastric and mesenteric lymph nodes (*lnn. gastrici, mesenterici, craniales* and *caudales*); palpation of the gastric and mesenteric lymph nodes and, if necessary, incision of those lymph nodes;
- (g) visual inspection and, if necessary, palpation of the spleen;
- (h) visual inspection of the kidneys; incision, if necessary, of the kidneys and the renal lymph nodes (*lnn. renales*);
- (i) visual inspection of the pleura and the peritoneum;
- (j) visual inspection and palpation of the umbilical region and the joints; in case of doubt, the umbilical region must be incised and the joints opened. The synovial fluid must be examined.

C. Swine

- (a) visual inspection of the head and the throat; the submaxillary (*lnn. mandibulares*) lymph nodes must be examined and incised. The mouth, the fauces and the tongue must be visually inspected. The tonsils must be removed;
- (b) visual inspection of the lungs, trachea and oesophagus; palpation of the lungs and of

the bronchial and mediastinal lymph nodes (*lnn. bifurcationes, eparteriales* and *mediastinales*). The trachea and the main branches of the bronchi must be incised in their posterior third, perpendicular to their main axes; however, these incisions are not necessary where the lungs are excluded from human consumption;

- (c) visual inspection of the pericardium and the heart, the latter being incised lengthwise so as to open the ventricles and to cut through the inter-ventricular septum;
- (d) visual inspection of the diaphragm;
- (e) visual inspection of the liver and the hepatic and pancreatic lymph nodes (*lnn. portales*); palpation of the liver and its lymph nodes;
- (f) visual inspection of the gastro-intestinal tract, the mesentery, the gastric and mesenteric lymph nodes (*lnn. gastrici, mesenterici, caniales* and *caudales*); palpation of the gastric and mesenteric lymph nodes and, if necessary, incision of those lymph nodes;
- (g) visual inspection and palpation of the spleen;
- (h) visual inspection of the kidneys, if necessary, of the kidneys and the lymph nodes (*lnn. renales*);
- (i) visual inspection of the pleura and the peritoneum;
- (j) visual inspection of the genital organs;
- (k) visual inspection of the udder and its lymph nodes (*lnn. supramammarii*); incision of the supramammary lymph nodes in sows;
- (l) visual inspection and palpation of the umbilical region and joints of young animals; in the case of doubt, the umbilical region must be incised and the joints opened.

D. Sheep and goats

- (a) visual inspection of the head after flaying and, in case of doubt, examination of the throat, the mouth, the tongue and the retro-pharyngeal and parotid lymph nodes. Without prejudice to animal health conditions, these examinations are not necessary if the competent authority is able to guarantee that the head — including the tongue and the brains — is excluded from human consumption;

- (b) visual inspection of the lungs, the trachea and the oesophagus; palpation of the lungs and the bronchial and mediastinal lymph nodes (*lnn. bifurcationes, eparteriales* and *mediastinales*); in case of doubt, these organs and lymph nodes must be incised and examined;
- (c) visual inspection of the pericardium and the heart; in case of doubt the heart must be incised and examined;
- (d) visual inspection of the diaphragm;
- (e) visual inspection of the liver and the hepatic and pancreatic lymph nodes (*lnn. portales*); palpation of the liver and its lymph nodes; incision of the gastric surface of the liver to examine the bile ducts;
- (f) visual inspection of the gastro-intestinal tract, the mesentery and the gastric and mesenteric lymph nodes (*lnn. gastrici, mesenterici, craniales* and *caudales*);
- (g) visual inspection and palpation of the spleen;
- (h) visual inspection of the kidneys; incision, if necessary, of the kidneys and the renal lymph nodes (*lnn. renales*);
- (i) visual inspection of the pleura and the peritoneum;
- (j) visual inspection of the genital organs;
- (k) visual inspection of the udder and its lymph nodes;
- (l) visual inspection and palpation of the umbilical region and joints of young animals; in case of doubt, the umbilical region must be incised and the joints opened.

E. Domestic solipedes

- (a) visual inspection of the head, and after freeing the tongue, the throat; the submaxillary retro-pharyngeal and parotid lymph nodes (*lnn. retrobaryngiales, mandibulares* and *parotidei*) must be palpated and, if necessary, incised. The tongue, having been freed to permit a detailed inspection of the mouth and the fauces, must be visually examined and palpated. The tonsils must be inspected;
- (b) visual inspection of the lungs, the trachea and the oesophagus; palpation of the lungs; the bronchial and mediastinal lymph nodes (*lnn. bifurcationes, eparteriales* and *mediastinales*) must be palpated and, if necessary, incised. The trachea and the main branches of the

bronchi must be opened lengthwise and the lungs incised in their posterior third, perpendicular to their main axes; however, these incisions are not necessary where the lungs are excluded from human consumption;

- (c) visual inspection of the pericardium and the heart, the latter being incised lengthwise so as to open the ventricles and to cut through the interventricular septum;
- (d) visual inspection of the diaphragm;
- (e) visual inspection of the liver and the hepatic and pancreatic lymph nodes (*lnn. portales*); palpation of the liver and its lymph nodes; if necessary, incision of the liver and the hepatic and pancreatic lymph nodes;
- (f) visual inspection of the gastro-intestinal tract, the mesentery and the gastric and mesenteric lymph nodes (*lnn. gastrici, mesenterici, craniales* and *caudales*); incision, if necessary, of the gastric and mesenteric lymph nodes;
- (g) visual inspection and palpation of the spleen;
- (h) visual inspection of the kidneys, palpation of the kidneys and incision, if necessary, of the kidneys and the renal lymph nodes (*lnn. renales*);
- (i) visual inspection of the pleura and the peritonium;
- (j) visual inspection of the genital organs of stallions and mares;
- (k) visual inspection of the udder and its lymph nodes (*lnn. supramammarii*) and, if necessary, incision of the supramammary lymph nodes;
- (l) visual inspection and palpation of the umbilical region and joints of young animals; in case of doubt, the umbilical region must be incised and the joints opened;
- (m) all grey or white horses must be inspected for melanosis and melanomata as regards the muscles and lymph nodes (*lnn. lymphonodi subrhomboidei*) of the shoulders beneath the scapular cartilage by loosening the attachment of one shoulder. The kidneys must be exposed and examined by incision through the entire kidney.

F. In case of doubt, the official veterinarian may perform the further cuts and inspections of the relevant parts of the animals necessary in order to reach a final decision.;

(5) in Chapter VII, point 41 :

(a) Point A shall be replaced by the following :

'A. An investigation for cystercosis in swine : this investigation must include examination of the directly visible muscular surfaces, in particular the thigh muscles, the pillars of the diaphragm, the intercostal muscles, the heart, the tongue and the larynx and, if necessary, the abdominal wall and the psoas muscles freed from fatty tissue.'

(b) Point B shall be deleted.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with

this Directive not later than 30 April 1987 and shall forthwith inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 18 November 1986.

For the Council

The President

M. JOPLING

COUNCIL DECISION

of 24 November 1986

fixing the number of officials whose service may be terminated in 1987

(86/588/EEC, Euratom, ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to Council Regulation (ECSC, EEC, Euratom) No 3518/85 of 12 December 1985 introducing special measures to terminate the service of officials of the European Communities as a result of the accession of Spain and Portugal⁽¹⁾, and in particular the first subparagraph of Article 2 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, for each institution, the number of officials eligible for termination of service measures during 1987 should be fixed in accordance with the abovementioned Regulation,

Sole Article

The number of officials eligible for termination of service measures in 1987 shall be:

- 50 for the European Parliament
- 24 for the Council,
- 150 for the Commission (under the 'operating' budget),
- 15 for the Commission (under the 'research' budget),
- 4 for the Court of Justice,
- 4 for the Economic and Social Committee,
- 3 for the Court of Auditors.

Done at Brussels, 24 November 1986.

For the Council

The President

G. HOWE

⁽¹⁾ OJ No L 335, 13. 12. 1985, p. 56.

COMMISSION

COMMISSION DECISION

of 26 November 1986

accepting undertakings given in connection with the anti-dumping proceeding concerning imports of potassium permanganate originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China and terminating the investigation

(86/589/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. Provisional Action

- (1) The Commission, by Regulation (EEC) No 2495/86⁽²⁾ imposed a provisional anti-dumping duty on imports of potassium permanganate originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China.

B. Subsequent Procedure

- (2) Following the imposition of the provisional anti-dumping duty, the exporters from Czechoslovakia, the German Democratic Republic and one Chinese exporter, Sinochem, and certain importers requested, and were granted, an opportunity to be heard by the Commission. In addition, certain exporters and importers made written submissions making known their views on the provisional findings and duties.

C. Dumping

- (3) No new evidence on dumping has been received since the imposition of the provisional duty and the Commission therefore considers its findings on

dumping as set out in Regulation (EEC) No 2495/86 to be definitive.

Consequently, the preliminary determinations on dumping are confirmed.

D. Injury

- (4) No fresh evidence regarding injury to the Community industry has been submitted. The Commission has, therefore, confirmed the conclusions on injury reached in Regulation (EEC) No 2495/86.

E. Community Interest

- (5) Community processing industries neither requested a hearing nor made any written submission after making known their views on the provisional findings and duties. The conclusions, therefore, on Community interest as set out in Regulation (EEC) No 2495/86 remain unchanged.

- (6) The exporters that made themselves known in the course of the investigation were informed of the main findings of the investigation and commented on them. Undertakings were subsequently offered by Chemapol Foreign Trade Co. Ltd, Czechoslovakia, Chemie Export/Import, German Democratic Republic and China National Chemicals Import and Export Corporation (Sinochem), People's Republic of China, concerning their exports of potassium permanganate to the Community.

- (7) The effect of the said undertakings will be to increase import prices to the Community to the level which the Commission, having taken into account, on the one hand, the selling price necessary to provide an adequate return to Community producers and, on the other hand, the purchase price of the Community importers and their costs

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 217, 5. 8. 1986, p. 12.

and profit margin considered necessary to eliminate injury. These increases in no case exceed the dumping margins found in the investigation. Moreover it appears that correct operation of the undertakings can be effectively monitored.

- (8) In assessing the level of the undercutting price, the Commission took account of the fact that on 30 June 1986, the temporary suspension of the autonomous Common Customs Tariff duties on potassium permanganate originating in Czechoslovakia and the German Democratic Republic expired. As of 1 July 1986 imports of the product in question originating in the abovementioned countries is subject to import duties.
- (9) In these circumstances, the undertakings offered are considered acceptable and the anti-dumping investigation concerning the abovementioned exporters may, therefore, be terminated without imposition of a definitive anti-dumping duty. No objection to this course of action was raised in the Advisory Committee.

F. Other exporters — Collection of provisional duties

- (10) By Council Regulation (EEC) No 3661/86⁽¹⁾ a definitive anti-dumping duty was imposed on imports of potassium permanganate originating in the People's Republic of China exported by other firms than China National Chemicals Import and Export Corporation (Sinochem), and the amounts secured

by way of provisional duty are definitively collected.

HAS DECIDED AS FOLLOWS:

Article 1

The undertakings given by Chemapol Foreign Trade Co. Ltd, Czechoslovakia, Chemie Export/Import, German Democratic Republic and China National Chemicals Import and Export Corporation (Sinochem), People's Republic of China in connection with the anti-dumping investigation concerning their exports of potassium permanganate falling within Common Customs Tariff subheading ex 28.47 C and corresponding to NIMEXE code 28.47-60 originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China are hereby accepted.

Article 2

The anti-dumping investigation referred to in Article 1 is hereby terminated in respect of the exporters named in that Article.

Done at Brussels, 26 November 1986.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ See page 1 of this Official Journal.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 1355/86 of 24 March 1986 amending Regulation (EEC) No 2358/71, (EEC) No 2727/75 and (EEC) No 950/68 in respect of seed

(Official Journal of the European Communities No L 118 of 7 May 1986)

Page 2, Article 2:

for: 'ex 10.07 C II',

read: '10.07 C II'.

COUNCIL OF THE EUROPEAN COMMUNITIES

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REPORT ON SOCIAL DEVELOPMENTS

YEAR 1985

Brussels — Luxembourg / April 1986

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