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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 855/84**of 31 March 1984**

**on the calculation and the dismantlement of the monetary compensatory amounts
applying to certain agricultural products**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community, and in particular
Articles 42 and 43 thereof,

Having regard to Council Regulation No 129 on the
value of the unit of account and the exchange rates to
be applied for the purposes of the common agri-
cultural policy ⁽¹⁾, as last amended by Regulation
(EEC) No 2543/73 ⁽²⁾, and in particular Article 3
thereof,

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

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

Having regard to the opinion of the Economic and
Social Committee ⁽⁵⁾,

Having regard to the opinion of the Monetary
Committee,

Whereas currency instability has necessitated the use
in the agricultural sector of special currency
conversion rates designed to ensure the stability of
the prices of agricultural products; whereas the
application of these representative rates entails
differing prices in the various Member States;
whereas these price differences must, for the purposes
of trade, be compensated for by the application of
monetary compensatory amounts; whereas this system
has led to difficulties;

Whereas experience has shown that it is difficult to
reintegrate the agricultural sector into the general

economy by the alignment of the representative rates
on the central rates, particularly for those Member
States applying positive monetary compensatory
amounts, the dismantlement of which must entail
lower prices when expressed in national currency;

Whereas, for this reason, the price differences
resulting from representative rates tend to be self-
perpetuating; whereas, in order to re-establish the
unity of the market, these differences will have to be
reduced for the future; whereas rules must therefore
be adopted concerning the dismantlement of the
monetary compensatory amounts introduced by
Council Regulation (EEC) No 974/71 of 12 May
1971 on certain measures of conjunctural policy to be
taken in agriculture following the temporary
widening of the margins of fluctuations for the
currencies of certain Member States ⁽⁶⁾, as last
amended by Regulation (EEC) No 2025/83 ⁽⁷⁾;

Whereas these rules must cover both the methods of
calculation of the monetary compensatory amounts
and the representative rates; whereas the resulting
changes have effects also in respect of the gradual
elimination of the differential amounts introduced by
Council Regulation (EEC) No 1569/72 of 20 July
1972 laying down special measures for colza, rape
and sunflower seed ⁽⁸⁾, as last amended by Regulation
(EEC) No 2027/83 ⁽⁹⁾;

Whereas the creation of new positive monetary
compensatory amounts must therefore be avoided by
changing the present system of calculation of these
amounts so as to take as the basis in future the
strongest Community currency complying with the
2,25 % fluctuation margin within the European
monetary system; whereas this method of calculation

⁽¹⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽²⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 79.

⁽⁴⁾ Opinion delivered on 15 March 1984 (not yet published
in the Official Journal).

⁽⁵⁾ Opinion delivered on 29 February 1984 (not yet
published in the Official Journal).

⁽⁶⁾ OJ No L 106, 12. 5. 1971, p. 1.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 11.

⁽⁸⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁹⁾ OJ No L 199, 22. 7. 1983, p. 14.

can be changed by applying to the central rates of the currencies complying with the 2,25 % margin a coefficient expressing the revaluation of that central rate, which, on the occasion of a realignment, is revalued most against the ECU; whereas a corresponding increase in the negative monetary compensatory amounts will result;

Whereas, by its very principle, the new method of calculation will lead to the creation of more negative monetary compensatory amounts; whereas it should therefore be introduced only provisionally for a limited period, at the end of which an assessment should be made on the basis, in particular, of experience; whereas, should the Council not have adopted before the beginning of the 1987/88 milk marketing year decisions designed either to extend the current system or to create another, the system applicable since the introduction of the ECU into the common agricultural policy will be reintroduced with effect at the beginning of the 1987/88 marketing year for each of the relevant products;

Whereas it would seem appropriate to use the change in the system of calculation for the existing positive monetary compensatory amounts as well, by reducing the highest of them by three percentage points; whereas for this purpose the central rates of the currencies complying with the 2,25 % fluctuation margin must be made subject to a coefficient of 1,033651; whereas the negative monetary compensatory amounts created by this operation should be dismantled immediately and this change should be put into effect normally, at the beginning of the marketing years for the products concerned;

Whereas, on this occasion, the prices for agricultural products existing in the relevant Member States should be brought closer to the level of the common prices by changing the representative rates of the French franc, the Greek drachma and the Italian lira; whereas the representative rates of the currencies of the Federal Republic of Germany and the Netherlands should be revalued in accordance with the same objective;

Whereas adaptation of these rates must take account of its effects, in particular on prices, and of the economic situation in the Member States concerned; whereas, particularly for this reason, it should be stipulated that the application of the new rates will generally be made operative within a reasonable time, linked in principle to the beginning of the marketing year or to a price change, this not to be taken to mean that there can be no immediate entry into force for all sectors in certain cases;

Whereas, to avoid differing treatment of interdependent products, it should be stipulated that the new rates will apply in the cereals sector and in that for eggs and poultry, ovalbumin and lactalbumin from the same date;

Whereas it should be specified, in order to clarify the situation, that the representative rates adopted previously remain in force, except where this Regulation provides otherwise;

Whereas the representative rates now in force were fixed by Regulation (EEC) No 1223/83 ⁽¹⁾, as last amended by Regulation (EEC) No 1877/83 ⁽²⁾; whereas, to avoid confusion, all the representative rates should be republished;

Whereas adaptation of the representative rates in the Federal Republic of Germany and the Netherlands entails a reduction in prices expressed in national currencies and consequently lower farm incomes; whereas, by way of compensation, the possibility of granting national aids to the financing of which the Community will contribute on a temporary and degressive basis should be provided for;

Whereas, for the calculation of the monetary compensatory amounts, Regulation (EEC) No 974/71 distinguishes between basic products covered by intervention and other products for which the amounts are derived from those applicable to the basic products; whereas pigmeat has so far ranked as a basic product, since it can be bought in; whereas this product has in fact seldom been bought in; whereas, therefore, for the purpose of the calculation of the monetary compensatory amounts for this sector, pigmeat should henceforth rank as a product derived from cereals;

Whereas the levels of the monetary compensatory amounts are influenced by the 'neutral margin' system, referred to in Article 2 (1a) of Regulation (EEC) No 974/71; whereas this system entails certain restrictions designed to avoid excessively wide monetary gaps not covered by the monetary compensatory amounts; whereas these rules have not given entire satisfaction; whereas they should be changed to restrict their impact;

Whereas rules of principle governing the dismantlement of the positive monetary compensatory amounts which may remain in the Federal Republic of Germany and the Netherlands after the aforesaid dismantlement measures have been put into effect should be established forthwith;

Whereas, as far as the United Kingdom is concerned, the status of the pound sterling does not make it possible to programme any dismantlement of positive compensatory amounts which may arise other than that provided for under the change in the method of calculating monetary compensation amounts; whereas

⁽¹⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽²⁾ OJ No L 186, 9. 7. 1983, p. 24.

a dismantlement in excess of this one will therefore be provided for, if necessary, when the farm prices of the Community are fixed annually;

Whereas, with regard to the negative monetary compensatory amounts applicable in the wine sector, Article 2 (4) of Regulation (EEC) No 974/71 provides for a system of deduction of the lowest amount; whereas experience has shown that in certain circumstances this rule can lead to frequent, unforeseeable and economically inappropriate changes; whereas, consequently, it should be discontinued; whereas the features of the market organization in this sector permit, however, a larger increase in the neutral margin,

HAS ADOPTED THIS REGULATION:

TITLE I

Changes in the calculation of the monetary compensatory amounts

Article 1

Regulation (EEC) No 974/71 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

1. For the products covered by intervention arrangements, hereinafter referred to as "basic products", the monetary compensatory amounts shall be equal to the amounts obtained by applying to the prices the monetary gap as defined in paragraph 2.

For the other products referred to in Article 1, hereinafter referred to as "derived products", the monetary compensatory amounts shall be equal to the incidence, on the price of the product concerned, of the application of the monetary compensatory amount to the prices of the basic product on which they depend.

With effect as from 1 January 1985, pigmeat shall for the purposes of this Regulation rank as a product derived from cereals. This rule shall remain valid for such time as the arrangements referred to in Article 2b apply.

2. The monetary gap shall be equal to the real monetary gap minus the neutral margin as defined in paragraph 3.

The real monetary gap shall be equal:

(a) in respect of those Member States whose currencies are maintained as between themselves within a spread at any given moment of a maximum of 2,25 %, to the percentage difference between:

— the conversion rate used under the common agricultural policy, and

— the conversion rate resulting from the central rate;

(b) in respect of Member States other than those referred to in point (a), the average of the percentage differences between:

— the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in point (a), and

— the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in point (a), as recorded over a period to be determined.

3. The neutral margin for the purposes of the calculation of the monetary compensatory amounts shall be:

— 1,50 percentage points for the Member States applying monetary compensatory amounts charged on exports and paid on imports,

— one percentage point for the Member States applying monetary compensatory amounts charged on imports and paid on exports.

However:

(a) a percentage of:

— zero shall be applied for as long as, after deduction of the neutral margin, the result is equal to or less than 0,50 but exceeds zero,

— one shall be applied for as long as, after deduction of the neutral margin, the result obtained is equal to or less than one but exceeds 0,50;

(b) according to the procedure provided for at Article 6, the neutral margin may, for the monetary compensatory amounts applicable to wine, be fixed at a higher level, which may not however exceed five percentage points.

4. Should the market price for adult bovine animals remain below the intervention price during a relatively long period, the monetary compensatory amounts applicable in the beef and veal sector may be altered accordingly, following the procedure laid down at Article 6.'

2. The following Article 2b is inserted after Article 2a:

'Article 2b

1. Notwithstanding the provisions of Article 2 (2), the monetary gap shall be calculated according to the system laid down at paragraph 2 during the period, for each of the products concerned, from the beginning of the 1984/85

marketing year to the end of the 1986/87 marketing year.

However:

- with regard to the eggs and poultry sectors, their marketing years shall be deemed to be identical with that for the cereals sector, not including durum wheat,
- with regard to the pigmeat sector, the system shall apply from 1 November 1984 to 31 October 1987.

2. The monetary gap shall be equal to the real monetary gap minus the neutral margin.

The real monetary gap shall be equal:

(a) in respect of those Member States whose currencies are maintained as between themselves within a spread at any given moment of a maximum of 2,25 %, to the percentage difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate deriving from the central rate to which a coefficient of 1,033651 has been applied;

(b) in respect of Member States other than those referred to in point (a), the average of the percentage differences between:

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in point (a), to which a coefficient of 1,033651 has been applied, and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in point (a), as recorded over a period to be determined.

The coefficient referred to in the first indent shall be adjusted, on the occasion of each realignment under the European monetary system, on the basis of the revaluation of the central rate of that currency, among those maintaining as between themselves a maximum spread at any given moment of a maximum of 2,25 %, revalued most against the ECU. The adjustment shall be made according to the procedure laid down at Article 6.

3. Before 31 December 1986, the Commission shall lay before the Council a report on the application of the system referred to at paragraph

2. Where appropriate, it shall make proposals on the basis of the economic and monetary situation of the Community, the development of farm incomes and experience gained.

Should the Council not have taken decisions, before the beginning of the 1987/88 milk marketing year, in the light of the report referred to in the first subparagraph, either to extend the current system or to create another one, the system applicable before the 1984/85 marketing year shall once again apply.

3. Article 3 is replaced by the following:

'Article 3

If the gap referred to in Article 2 (2) diverges by at least one percentage point from the percentage referred to on the previous occasion, the monetary compensatory amounts shall be altered by the Commission on the basis of the change in the gap.'

TITLE II

Alteration of the representative rates and compensatory measures

Article 2

1. The Annexes to Regulation (EEC) No 1223/83 are hereby replaced by the Annexes to this Regulation.

2. The provisions fixing the representative rates adopted previously shall remain valid except where they conflict with the provisions of this Regulation.

Article 3

1. Any special aid granted to German agricultural producers under the conditions referred to below shall be deemed to be compatible with the common market.

2. The Federal Republic of Germany shall be authorized to grant separately the special aid by payment mentioned in the invoicing and/or the VAT declaration using the VAT as an instrument.

The aid may not exceed 3 % of the ex-VAT price paid by the purchaser for the agricultural product.

Article 4

1. The Community shall contribute to the financing of the aid referred to in Article 3 on a degressive basis at a rate of 120 million ECU in 1985 and 100 million ECU in 1986.

2. In 1987 the Council, acting by a qualified majority, on a proposal from the Commission, shall take a decision concerning Community participation in the light of the development of the level of national compensation in the Federal Republic of Germany.

Article 5

1. The positive monetary compensatory amounts for the Federal Republic of Germany and the Netherlands remaining after 1 January 1985 shall be abolished by the beginning of the 1987/88 marketing year at the latest for each product by means of a modification of the representative rates.

2. Bearing in mind the status of the pound sterling, the dismantlement of any positive monetary compensatory amounts for the United Kingdom remaining after the introduction of the system provided for in Article 2b of Regulation (EEC) No 974/71 shall be undertaken, if necessary, by modifying the representative rate when the annual decisions concerning the farm prices for the Community are taken.

Article 6

The Kingdom of the Netherlands shall be authorized to adopt national measures similar to those for the Federal Republic of Germany. If the Kingdom of the

Netherlands uses that authorization, the Council, acting by a qualified majority, on a proposal from the Commission, shall adopt Community measures similar to those decided for the Federal Republic of Germany.

Article 7

Transitional measures necessary for:

- easing the passage from one system for calculating monetary amounts to the other,
- avoiding disturbances following the revaluation of the representative rates of the German mark and the Dutch guilder as at 1 January 1985,

may be adopted according to the procedure provided for in Article 6 of Regulation (EEC) No 974/71.

Article 8

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

However, Article 2 (3), second subparagraph, point (a) of Regulation (EEC) No 974/71, as amended by this Regulation, shall enter into force at the same time as the system provided for in Article 2b of Regulation (EEC) No 974/71 takes effect.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

*ANNEX I***BELGIUM/LUXEMBOURG**

1 ECU = 46,4118 Belgian francs/Luxembourg francs.

This rate shall apply from:

- 2 April 1984 for the milk and milk products sector,
- 2 April 1984 for the beef and veal sector,
- 2 April 1984 for the sheepmeat and goatmeat sector,
- 1 July 1984 for the sugar and isoglucose sector and for durum wheat and durum wheat groats and meal,
- 1 August 1984 for the cereals sector, with the exception of durum wheat and durum wheat groats and meal, and for the eggs and poultrymeat, ovalbumin and lactalbumin sectors,
- 1 November 1984 for the pigmeat sector,
- 1 January 1985 for the fishery products sector,
- 1 July 1986 for the seeds sector,
- the beginning of the 1984/85 marketing year for other products for which there is a marketing year which has not yet started by 2 April 1984,
- 2 April 1984 in all other cases.

*ANNEX II***DENMARK**

1 ECU = 8,41499 Danish kroner.

This rate shall apply from:

- 2 April 1984 for the milk and milk products sector,
 - 2 April 1984 for the beef and veal sector,
 - 2 April 1984 for the sheepmeat and goatmeat sector,
 - 1 July 1984 for the sugar and isoglucose sector and for durum wheat and durum wheat groats and meal,
 - 1 August 1984 for the cereals sector, with the exception of durum wheat and durum wheat groats and meal, and for the eggs and poultrymeat, ovalbumin and lactalbumin sectors,
 - 1 November 1984 for the pigmeat sector,
 - 1 January 1985 for the fishery products sector,
 - 1 July 1986 for the seeds sector,
 - the beginning of the 1984/85 marketing year for other products for which there is a marketing year which has not yet started by 2 April 1984,
 - 2 April 1984 in all other cases.
-

*ANNEX III***FEDERAL REPUBLIC OF GERMANY**

1. 1 ECU = 2,38516 German marks.

This rate shall apply from 1 January 1985.

2. However:

- (a) with regard to the milk and milk products sector the following rate shall apply from 1 January 1985:

1 ECU = 2,41047 German marks;

- (b) with regard to the cereals sector the following rate shall apply from 1 January 1985:

1 ECU = 2,39792 German marks.

3. The representative rate applicable for the seeds sector from 1 July 1985 shall remain that indicated in paragraph 1 above.

*ANNEX IV***FRANCE**

1. 1 ECU = 6,93793 French francs.

This rate shall apply from 2 April 1984 for the milk and milk products sector.

2. 1 ECU = 7,10590 French francs.

This rate shall apply from:

- 1 September 1984 for the wine sector,
- 1 November 1984 for the pigmeat sector.

3. 1 ECU = 6,86866 French francs.

This rate shall apply from:

- 2 April 1984 for the beef and veal sector,
 - 2 April 1984 for the sheepmeat and goatmeat sector,
 - 1 July 1984 for the sugar and isoglucose sector and for durum wheat and durum wheat groats and meal,
 - 1 August 1984 for the cereals sector, with the exception of durum wheat and durum wheat groats and meal, and for the eggs and poultrymeat, ovalbumin and lactalbumin sectors,
 - 1 January 1985 for the fishery products sector,
 - 1 July 1986 for the seeds sector,
 - the beginning of the 1984/85 marketing year for other products for which there is a marketing year which has not yet started by 2 April 1984,
 - 2 April 1984 in all other cases.
-

*ANNEX V***GREECE**

1 ECU = 90,5281 Greek drachmas.

This rate shall apply from:

- 2 April 1984 for the milk and milk products sector,
- 2 April 1984 for the beef and veal sector,
- 2 April 1984 for the sheepmeat and goatmeat sector,
- 1 July 1984 for the sugar and isoglucose, and cereals sectors,
- 1 August 1984 for the eggs and poultrymeat, ovalbumin and lactalbumin sectors,
- 1 November 1984 for the pigmeat sector,
- 1 January 1985 for the tobacco and fishery products sector,
- 1 July 1986 for the seeds sector,
- the beginning of the 1984/85 marketing year for other products for which there is a marketing year which has not yet started by 2 April 1984,
- 2 April 1984 in all other cases.

*ANNEX VI***IRELAND**

1 ECU = 0,750110 Irish pound.

This rate shall apply from:

- 2 April 1984 for the milk and milk products sector,
 - 2 April 1984 for the beef and veal sector,
 - 2 April 1984 for the sheepmeat and goatmeat sector,
 - 1 July 1984 for the sugar and isoglucose sector and for durum wheat and durum wheat groats and meal,
 - 1 August 1984 for the cereals sector, with the exception of durum wheat and durum wheat groats and meal, and for the eggs and poultrymeat, ovalbumin and lactalbumin sectors,
 - 1 November 1984 for the pigmeat sector,
 - 1 January 1985 for the fishery products sector,
 - 1 July 1986 for the seeds sector,
 - the beginning of the 1984/85 marketing year for other products for which there is a marketing year which has not yet started by 2 April 1984,
 - 2 April 1984 in all other cases.
-

*ANNEX VII***ITALY**

1 ECU = 1 432,00 Italian lire.

This rate shall apply from:

- 2 April 1984 for the milk and milk products sector,
- 2 April 1984 for the beef and veal sector,
- 2 April 1984 for the sheepmeat and goatmeat sector,
- 1 July 1984 for the sugar and isoglucose sector and for durum wheat and durum wheat groats and meal,
- 1 August 1984 for the cereals sector, with the exception of durum wheat and durum wheat groats and meal, and for the eggs and poultrymeat, ovalbumin and lactalbumin sectors,
- 1 November 1984 for the pigmeat sector,
- 1 January 1985 for the fishery products sector,
- 1 July 1986 for the seeds sector,
- the beginning of the 1984/85 marketing year for other products for which there is a marketing year which has not yet started by 2 April 1984,
- 2 April 1984 in all other cases.

*ANNEX VIII***NETHERLANDS**

1. 1 ECU = 2,68749 Dutch guilders.

This rate shall apply from 1 January 1985.

2. However:

- (a) with regard to the milk and milk products sector the following rate shall apply from 1 January 1985:
1 ECU = 2,71620 Dutch guilders;
- (b) with regard to the cereals sector the following rate shall apply from 1 January 1985:
1 ECU = 2,70178 Dutch guilders.

3. The representative rate applicable for the seeds sector from 1 July 1985 shall remain that indicated in paragraph 1 above.

*ANNEX IX***UNITED KINGDOM**

1 ECU = 0,618655 pound sterling.

COUNCIL REGULATION (EEC) No 856/84**of 31 March 1984****amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas the market in milk products in the Community is suffering from structural surpluses as a result of an imbalance between supply and demand for the products covered by Regulation (EEC) No 804/68 ⁽⁴⁾, as last amended by Regulation (EEC) No 1600/83 ⁽⁵⁾;

Whereas, to correct this imbalance, Regulation (EEC) No 1079/77 ⁽⁶⁾, as last amended by Regulation (EEC) No 861/84 ⁽⁷⁾, introduced a uniform co-responsibility levy on all milk delivered to dairies and on certain dairy products sold direct from the farm;

Whereas, despite application of this co-responsibility levy, quantities of milk delivered are increasing at a rate such that disposal of surpluses is imposing financial burdens and market difficulties which are jeopardizing the very future of the common agricultural policy;

Whereas a careful examination of the different possible ways of re-establishing balance in the milk sector shows that, despite the administrative difficulties which its implementation may involve, the most effective method, and the one having the least

drastic effect on the incomes of producers, is the introduction for an initial period of five years of an additional levy on quantities of milk delivered beyond a guarantee threshold;

Whereas the sum of the reference quantities must not exceed a guaranteed total quantity laid down for the Community as a whole; whereas, in the light of the level of internal consumption and current export possibilities, this guaranteed total quantity should be fixed at 97,2 million tonnes of milk or milk equivalent, corresponding to the guarantee threshold laid down by the Council in 1983; whereas this quantity should be distributed among the Member States on the basis of deliveries on their territory during the 1981 calendar year, in order to ensure proper management and control of the system;

Whereas, in order to allow for transition to the new system, the guaranteed total quantity should be increased to 98,2 million tonnes for the first year of application of the additional levy;

Whereas, when that guaranteed total quantity is incorporated, account must also be taken of the structural characteristics of certain States;

Whereas in Ireland the dairy industry contributes directly or indirectly to about 9 % of the gross national product, a proportion materially higher than the Community average; whereas the development of alternative agricultural production in place of dairy production would in Ireland encounter obstacles which would be difficult to overcome; whereas in these circumstances the guaranteed quantity for Ireland should be fixed by reference to 1983 deliveries;

Whereas in Italy in 1981 the collection of milk production was the lowest of the last ten years; whereas the average yield per cow in Italy is lower than the Community average; whereas the apparent increase in deliveries between 1981 and 1983 corresponds in large part to a structural change consisting of a reduction in direct deliveries offset by an increase in deliveries to dairies; whereas, accordingly, reference should be made to the quantity delivered in 1983 for Italy as well;

Whereas moreover, in order to allow for the special situation of Member States in which the

⁽¹⁾ OJ No C 314, 19. 11. 1983, p. 5.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 29 February 1984 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁵⁾ OJ No L 163, 22. 6. 1983, p. 56.

⁽⁶⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽⁷⁾ See page 21 of this Official Journal.

implementation of the levy system raises difficulties which may affect their supply or production structures, a Community reserve should be set up in addition to the guaranteed quantities for those States;

Whereas the measures taken to cope with the increase in milk deliveries should not prevent the structural changes which are required;

Whereas, in view of the diversity of milk production structures in the different regions of the Community, the administrative problems arising and considerations of regional development policy, the possibility must be provided for of a choice between a formula of a reference quantity per producer and a reference quantity per purchaser;

Whereas, where the levy is to be paid by the purchaser, provision should be made for ensuring that the purchaser passes on the burden in the price paid to those producers who have increased their deliveries, in proportion to their contribution to the purchaser's reference quantity being exceeded;

Whereas the purpose of the levy provided for by this Regulation is to regulate and stabilize the market in milk and milk products; whereas revenue from the said levy should therefore be used to finance expenditure in the milk and milk products sector as a whole;

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 804/68 is hereby amended as follows:

1. The following Article 5c is inserted:

Article 5c

1. During five consecutive periods of 12 months beginning on 1 April 1984, an additional levy payable by producers or purchasers of cows' milk shall be introduced. The objective of the said levy shall be to curb the increase in milk production while at the same time permitting the structural developments and adjustments required, having regard to the diversity of the situations among individual Member States, regions and collection areas in the Community. However, the first period shall start on 2 April 1984.

The levy system shall be implemented in each region of the territory of the Member States in accordance with one of the following formulas:

Formula A

— A levy shall be payable by every milk producer on the quantities of milk and/or milk equivalent which he has delivered to a purchaser and which for the 12 months concerned exceed a reference quantity to be determined.

Formula B

- A levy shall be payable by every purchaser of milk or other milk products on the quantities of milk or milk equivalent which have been delivered to him by a producer and which, during the 12 months concerned, exceed a reference quantity to be determined.
- The purchaser liable to the levy shall pass on the burden in the price paid to those producers who have increased their deliveries, in proportion to their contribution to the purchaser's reference quantity being exceeded.

2. The levy shall also be payable by every milk producer on the quantities of milk and/or milk equivalent he has sold for direct consumption and which, during the 12 months concerned, exceed a reference quantity to be determined.

3. Subject to paragraph 4, the sum of the reference quantities referred to in paragraph 1 may not exceed a guaranteed total quantity equal to the sum of quantities of milk delivered to undertakings treating or processing milk or other milk products in each Member State during the 1981 calendar year, plus 1 %.

The guaranteed total quantity, in thousand tonnes, shall be as follows:

Belgium	3 106
Denmark	4 882
Germany	23 248
France	25 325
Greece	467
Ireland	5 280
Italy	8 323
Luxembourg	265
Netherlands	11 929
United Kingdom	15 538

However, for the period 2 April 1984 to 31 March 1985 the guaranteed total, in thousand tonnes, shall be as follows:

Belgium	3 138
Denmark	4 932
Germany	23 487
France	25 585
Greece	472
Ireland	5 280
Italy	8 323
Luxembourg	268
Netherlands	12 052
United Kingdom	15 698

4. A quantity called the "Community reserve" shall be constituted with a view to supplementing, at the beginning of each period of 12 months, the guaranteed quantities of the Member States in which implementation of the levy system raises

particular difficulties liable to affect their supply or production structures. The rules for the allocation of the reserve shall be laid down in accordance with the procedure referred to in paragraph 7.

For the period running from 2 April 1984 to 31 March 1985, the Community reserve shall be fixed at 335 000 tonnes. For the subsequent annual periods the volume of this reserve shall be reviewed to take account of the development of the market and of the quantities which will be available, according to the procedure provided for in paragraph 6.

5. The levies referred to in this Article shall be regarded as intervention measures designed to regulate agricultural markets and shall be allocated to the financing of expenditure in the milk and milk products sector.

6. The Council, acting on a proposal from the Commission in accordance with the voting

procedure laid down in Article 43 (2) of the Treaty, shall lay down the general rules for the application of this Article, and in particular those relating to the determination of the reference quantities and the amount of the levies referred to in paragraphs 1 and 2.

7. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 30.

8. At the end of the third period of application of 12 months, the Commission shall report to the Council on the operation of the levy system referred to in this Article.'

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, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 857/84**of 31 March 1984****adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector**

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 856/84 ⁽²⁾, and in particular Article 5c thereof,

Having regard to the proposal from the Commission,

Whereas Article 5c of Regulation (EEC) No 804/68 instituted a levy payable by every producer or purchaser of milk or other milk products on quantities exceeding an annual reference quantity; whereas the amount of this levy should normally cover the cost of disposal of the milk exceeding the reference quantity; whereas, however, when the levy is charged to the purchaser, its application does not necessarily cover all the quantities of milk delivered by each producer and exceeding a quantity corresponding to that adopted in order to establish the purchaser's reference quantity; whereas, in order to obtain equivalence of results, a higher levy should be fixed when it is payable by the purchaser;

Whereas the reference quantity should be fixed on the basis of the quantity which corresponds to the 1981 calendar year already adopted for the determination of the guarantee threshold referred to in Article 5b of Regulation (EEC) No 804/68, plus 1 %; whereas, however, for reasons to do with their production or collecting conditions, Member States should be enabled to adopt as a basis the quantity corresponding to the 1982 calendar year or to the 1983 calendar year, weighted by a percentage enabling the same results to be achieved.

Whereas the Member States should be enabled to adapt the reference quantities to take into account the special situations of certain producers and to establish for this purpose, as necessary, a reserve within the abovementioned guaranteed quantity;

Whereas, with a view to making it easier to apply the arrangements for the supplementary levy in Greece, bearing in mind the fact that its total milk production represents less than 1 % of Community production and that the total number of purchasers in Greece is very high, all the purchasers in this Member State should be considered as one single purchaser;

Whereas, with regard to producers' direct sales to consumption, account should be taken of the tendency for such sales to decline and the quantity corresponding to the 1981 calendar year, increased by 1 %, should be taken as reference quantity;

Whereas the scheme must, as a matter of overwhelming public interest, enter into force on 2 April 1984; whereas, to this end, transitional measures must be adopted so that the levy due from 2 April onwards can be collected reasonably promptly,

HAS ADOPTED THIS REGULATION:

Article 1

1. The levy referred to in Article 5c of Regulation (EEC) No 804/68 is hereby fixed at:

- 75 % of the target price for milk, where formula A is applied,
- 100 % of the target price for milk, where formula B is applied,
- 75 % of the target price for milk, where there is direct sale to consumption.

2. 'Region' within the meaning of Article 5c (1) of Regulation (EEC) No 804/68 is defined as meaning all or part of the territory of a Member State having geographical unity and in which the natural conditions, the structures of production and the average yields of the herds are comparable.

The implementation in this region of formula A or B shall comply with one or more of the following criteria:

- administrative viability,
- the need to facilitate structural change and adaptation,
- regional development requirements, one consideration being the need to avoid desertification of certain areas.

The Member States shall send annually to the Commission before 1 January, but for the first time before 1 May 1984, a list of regions with indication of the formula chosen for each of these.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

Article 2

1. The reference quantity referred to in Article 5c (1) of the abovementioned Regulation shall be equal to the quantity of milk or milk equivalent delivered by the producer during the 1981 calendar year (formula A), or to the quantity of milk or milk equivalent purchased by a purchaser during the 1981 calendar year (formula B), plus 1 %.

2. However, Member States may provide that on their territory the reference quantity referred to in paragraph 1 shall be equal to the quantity of milk or milk equivalent delivered or purchased during the 1982 calendar year or the 1983 calendar year, weighted by a percentage established so as not to exceed the guaranteed quantity defined in Article 5c of Regulation (EEC) No 804/68. This percentage may be varied on the basis of the level of deliveries of certain categories of persons liable for the levy, of the trend in deliveries in certain regions between 1981 and 1983 or of the trend in deliveries of certain categories of persons liable during this same period, under conditions to be determined according to procedures provided for in Article 30 of Regulation (EEC) No 804/68.

3. The percentages referred to in paragraphs 1 and 2 can be adapted by the Member States to ensure the application of Articles 3 and 4.

Article 3

For the determination of the reference quantities referred to in Article 2 and in connection with the application of formulas A and B, certain special situations shall be taken into account as follows:

1. Producers who have adopted milk production development plans under Directive 72/159/EEC ⁽¹⁾ lodged before 1 March 1984 may obtain, according to the Member State's decision:
 - if the plan is still being implemented, a special reference quantity taking account of the milk and milk product quantities provided for in the development plan,
 - if the plan has been implemented after 1 January 1981, a special reference quantity taking into account the milk and milk product quantities which they delivered in the year during which the plan was completed.

Investments carried out without a development plan can also be taken into account if the Member State has sufficient information.

2. Member States may grant a specific reference quantity to young farmers setting up after 31 December 1980.

3. Producers whose milk production during the reference year referred to under Article 2 has been affected by exceptional events occurring before or during that year shall obtain, on request, reference to another calendar reference year within the 1981 to 1983 period.

The following situations may justify application of the first subparagraph:

- a serious natural disaster affecting the producer's farm to a substantial extent,
- the accidental destruction of the producer's fodder resources or buildings used for dairy livestock,
- an epizootic affecting all or part of the milk herd.

Member States shall inform the Commission of cases of application of the first subparagraph. Additions to the list of situations referred to in the second subparagraph may be made according to the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

Article 4

1. In order to complete the restructuring of milk production at national or regional level or at the level of the collecting areas, the Member States may, in connection with the application of formulas A and B:

- (a) grant to producers undertaking to discontinue milk production definitively compensation paid in one or more annual payments;
- (b) grant an additional reference quantity to producers realizing a milk production development plan approved after the entry into force of this Regulation under Directive 72/159/EEC, on condition that this plan meets the criteria referred to in Article 1 (2) of Regulation (EEC) No 1946/81 ⁽²⁾;
- (c) grant producers undertaking farming as their main occupation an additional reference quantity, whether their herd fulfils the conditions set out in paragraph (b) or not.

2. The reference quantities freed shall, as necessary, be added to the reserve referred to in Article 5.

⁽¹⁾ OJ No L 96, 23. 4. 1972, p. 1.

⁽²⁾ OJ No L 197, 20. 7. 1981, p. 32.

Article 5

For the purpose of applying Articles 3 and 4, additional reference quantities may be granted only within the guaranteed quantity limit referred to in Article 5c of Regulation (EEC) No 804/68. These additional quantities shall be drawn from a reserve constituted by the Member State within the abovementioned guaranteed quantity.

Article 6

1. Each producer of milk and milk products referred to in Article 5c (2) of Regulation (EEC) No 804/68 shall be assigned a reference quantity corresponding to the direct sales made by the producer during the 1981 calendar year, increased by 1 %.

2. The total of the reference quantities granted under paragraph 1 may not exceed the quantities fixed in the Annex to this Regulation.

3. The provisions of Articles 3, 4 and 7 shall apply to the producer referred to in this Article, under rules to be determined following the procedure provided for in Article 30 of Regulation 804/68.

Article 7

1. Where an undertaking is sold, leased or transferred by inheritance, all or part of the corresponding reference quantity shall be transferred to the purchaser, tenant or heir according to procedures to be determined.

2. Under formula B, where a purchaser replaces, wholly or in part, one or more purchasers, his annual reference quantity shall be established:

- for the end of the current 12-month period, by taking into account all or part of the reference quantities on a pro rata basis of the time still to run;
- for the following period of 12 months, by adopting all or part of the reference quantities of the purchaser or purchasers whom he replaces.

3. Member States may provide that a part of the quantities be added to the reserve referred to in Article 5.

Article 8

Except as provided for in Article 7 (1):

1. where formula B is applied, Member States may take the necessary steps making it possible for the purchasers of milk and milk products to manage the reference quantities allocated to them including the allocation and re-allocation of the quantities mentioned in Article 10;

2. the arrangements may include the setting up of inter-professional bodies to consider cases of dispute.

Article 9

1. Where formulas A and B are applied, the levy shall be collected:

- (a) by means of quarterly payments on account calculated on the basis of the quantities of milk or milk equivalent which, for each person liable, exceed, for the relevant quarter, the cumulative reference quantity calculated at the end of the corresponding quarter of the reference calendar year chosen by the Member State;
- (b) by a final account for each person liable, calculated after the end of the 12-month period concerned, on the basis of the actual excess during this same period beyond his annual reference quantity.

2. Where formula A is applied, the levy shall be collected from each producer by the purchaser.

3. Producers of milk and/or milk products selling directly to consumption shall pay the levy to the agency appointed by the Member State, according to procedures to be determined.

Article 10

Where formula B is applied:

1. A purchaser liable for the levy shall recover it through the price paid to the producers for the quarter concerned by reference to the cumulated quantity of milk or milk equivalent which each of them has, for the same quarter, delivered in excess of a quarterly quantity corresponding to that taken for the purposes of establishing the purchasers' reference quantity.
2. After the end of the 12-month period concerned, the purchaser shall, where appropriate, on the basis of the final account referred to in Article 9 (1) (b), make the necessary adjustments on the basis of the milk or milk equivalent quantity by which each of the producers has, for the relevant period, exceeded an annual quantity corresponding to that taken for the purposes of establishing the purchaser's reference quantity.

For the application of this Article, in Greece all purchasers taken as a whole shall be considered as one purchaser.

Article 11

For the purposes of application of Articles 9 and 10, the Commission shall:

- (a) determine the amount of the levy, in accordance with Article 1;

- (b) establish, according to the procedure laid down in Article 30 of Regulation (EEC) No 804/68, the equivalences to be used for the implementation of this Regulation, and in particular, for the calculation of the levy applicable to milk products other than milk.
- (c) determine, according to the procedure provided for in Article 50 of Regulation (EEC) No 804/68, the characteristics of the milk and, in particular, the fat content thereof, considered to be representative in order to establish the quantities of milk delivered or purchased.
- (e) purchaser: an undertaking or grouping which purchases milk or other milk products:
 - to treat or process them, or
 - to sell them to one or more undertakings treating or processing milk or other milk products;
- (f) undertaking treating or processing milk or other milk products: an undertaking or grouping, the dairies activities of which are restricted to collection, packaging, storage and chilling or to one of these operations;
- (g) delivery: any delivery of milk or other milk products where the transport operation is carried out by a producer, a purchaser, an undertaking processing or treating these products or a third party;
- (h) milk or milk equivalent sold directly to consumption: milk or milk products processed into milk equivalent, sold without going through an undertaking treating or processing milk.

Article 12

For the purposes of this Regulation the following meanings shall apply:

- (a) milk: the product of the milking of one or more cows;
- (b) other milk products: cream, butter and cheese;
- (c) producer: a natural or legal person or group of natural or legal persons farming a holding located within the geographical territory of the Community:
 - selling milk or other milk products directly to the consumer, and/or
 - supplying the purchaser;
- (d) holding: all the production units operated by the producer and located within the geographical territory of the Community;

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

Done at Brussels, 31 March 1984.

Article 13

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

However, for the purposes of applying Articles 9 and 10, transitional provisions shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

For the Council

The President

M. ROCARD

ANNEX

Quantities referred to in Article 6 (2) (milk producers selling direct to the consumer)

	('000 tonnes)
Belgium	505
Denmark	1
Germany	305
Greece	116
France	1 183
Ireland	16
Italy	1 591
Luxembourg	1
Netherlands	145
United Kingdom	187

COUNCIL REGULATION (EEC) No 858/84

of 31 March 1984

fixing for the 1984/85 milk year the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses

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 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 856/84 ⁽²⁾, and in particular Articles 3 (4), 5 (1) and 5b (1) thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when fixing the common agricultural prices, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community wishes to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to secure a fair standard of living for the agricultural community and to ensure that supplies are available and that they reach the consumers at reasonable prices;

Whereas the target price for milk should bear a balanced relationship to the prices for other agricultural products, and in particular to the prices for beef and veal, and be consistent with the desired general pattern of cattle farming; whereas it is also necessary, in fixing that price, to take account of the Community's efforts to establish a long-term balance between supply and demand on the milk market, allowing for external trade in milk and milk products;

Whereas the intervention prices for butter and for skimmed-milk powder are intended to contribute to the achievement of the target price for milk; whereas it is necessary to determine price levels in the light of the overall supply and demand situation on the Community market in milk and the opportunities for disposal of butter and skimmed-milk powder on the Community and world markets;

Whereas the intervention prices for Grana Padano and Parmigiano Reggiano cheeses must be fixed in accordance with the criteria laid down in Article 5 (2) of Regulation (EEC) No 804/68;

Whereas, under Article 5b of Regulation (EEC) No 804/68, the Council, when fixing the target price for milk and the intervention prices, fixes a guarantee threshold for milk; whereas, however, the initial objective in fixing a guarantee threshold should be achieved *inter alia* by introducing a system of quotas, together with an additional levy on deliveries of milk or milk products which exceed certain reference quantities,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 milk year, the target price for milk and the intervention prices for milk products shall be as follows:

	ECU/100 kg
(a) target price for milk	27,43
(b) intervention price:	
— butter	319,70
— skimmed-milk powder	165,88
— Grana Padano cheese:	
— of an age of between 30 to 60 days	381,75
— of an age of at least six months	472,75
— Parmigiano Reggiano cheese of an age of at least six months	521,61

Article 2

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 61.

⁽⁴⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 29 February 1984 (not yet published in the Official Journal).

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 859/84**of 31 March 1984****amending Regulation (EEC) No 2915/79 with regard to reduced levies for certain cheeses**

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 856/84 ⁽²⁾, and in
particular Article 14 (6) thereof,

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

Whereas Council Regulation (EEC) No 2915/79 of
18 December 1979 determining the groups of
products and the special provisions for calculating
levies on milk and milk products and amending Regu-
lation (EEC) No 950/68 on the Common Customs
Tariff ⁽⁴⁾, as last amended by Regulation (EEC) No
1206/83 ⁽⁵⁾, fixes in Article 11 (1) the amounts to be
deducted from the threshold price in calculating the
levies on imported Tilsit and Kashkaval cheese and
cheeses made from sheep and buffalo milk, provided
that their prices on import are not less than the said
amounts;

Whereas, in order to take account of the pattern of
trade with third countries, it is advisable to maintain
at the present level the import levies on the said
cheeses; whereas the amounts referred to in Article
11 (1) of Regulation (EEC) No 2915/79 should
therefore be adjusted to take account of the threshold
prices for the 1984/85 milk year,

HAS ADOPTED THIS REGULATION:

Article 1

Article 11 (1) of Regulation (EEC) No 2915/79 is
hereby replaced by the following:

'1. Without prejudice to paragraphs 2, 3 and 4,
the levy on 100 kilograms of the products
belonging to group 11 shall be equal to the
threshold price, less:

- 243,52 ECU per 100 kilograms in respect of
the product described under (i) in Annex II,
- 243,52 ECU per 100 kilograms plus a
component equal to 24,18 ECU in respect of
the product described under (k) in Annex II.
- 255,61 ECU per 100 kilograms in respect of
the products described under (l) and (m) in
Annex II,

provided the import price is not less than the
amount deducted from the threshold price. The
import price for the product described under (m)
in Annex II must not, however, be less than
237,48 ECU per 100 kilograms.

Moreover, it must be established that the products
correspond to the description in Annex II.'

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, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 63.

⁽⁴⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 3.

COUNCIL REGULATION (EEC) No 860/84

of 31 March 1984

fixing for the 1984/85 milk year the threshold prices for certain milk products

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 856/84 ⁽²⁾, and in particular Article 4 thereof,

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

Whereas threshold prices should be fixed so that, taking account of the protection required for the Community processing industry, the prices of imported milk products correspond to the level of the target price for milk; whereas, consequently, the threshold price should be fixed on the basis of the target price for milk, taking into account the relationship which should be established between the value of milkfat and that of skimmed milk, as well as the standardized costs and yields for each of the milk products in question; whereas a fixed amount should be included to ensure adequate protection of the Community processing industry,

HAD ADOPTED THIS REGULATION:

Article 1

1. The threshold prices for the 1984/85 milk year shall be as follows:

Pilot product of the group of products	ECU/100 kg
1	55,99
2	186,42
3	273,05
4	101,65
5	133,66
6	358,09
7	390,39
8	322,16
9	598,93
10	350,57
11	321,22
12	93,07

2. The pilot products referred to in paragraph 1 are those specified in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽⁴⁾, as last amended by Regulation (EEC) No 859/84 ⁽⁵⁾.

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, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 62.

⁽⁴⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁵⁾ See page 19 of this Official Journal.

COUNCIL REGULATION (EEC) No 861/84**of 31 March 1984****amending Regulation (EEC) No 1079/77 in respect of the co-responsibility levy on milk and milk products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas Regulation (EEC) No 1079/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 1209/83 ⁽⁵⁾, introduced a co-responsibility levy to apply until the end of the 1984/85 milk year and covering, in principle, all milk supplied to dairies and certain sales of milk products at the farm;

Whereas this levy was designed to establish a better balance on the milk market by creating a more direct

link between production and outlets for milk products while taking account of the importance of the interests of the public; whereas the information and forecasts currently available indicate that the aforesaid aims will probably not be reached at the end of the period provided for; whereas the rate of the levy for the 1984/85 milk year should therefore be fixed at 3 % of the target price for milk,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 6 is hereby added to Article 2 of Regulation (EEC) No 1079/77:

'6. For the 1984/85 milk year, the levy shall be 3 % of the target price for milk.'

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, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No C 62, 5. 3. 1984, p. 65.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 29 February 1984 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 6.

COUNCIL REGULATION (EEC) No 862/84

of 31 March 1984

amending Regulation (EEC) No 1269/79 as regards the conditions for the marketing of reduced-price butter for direct consumption during the 1984/85 milk year

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 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 856/84 ⁽²⁾, and in particular Article 12 (2) thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas the system established by Council Regulation (EEC) No 1269/79 of 25 June 1979 on the marketing of reduced-price butter for direct consumption ⁽⁶⁾, as last amended by Regulation (EEC) No 1208/83 ⁽⁷⁾, applies only until the end of the 1983/84 milk year on the conditions laid down in the second paragraph of Article 6 of the said Regulation;

Whereas, in the light of the situation of the butter market, it is appropriate to pursue measures which

reduce the price of butter to the final private consumer; whereas it is therefore appropriate to authorize the Member States to continue to apply, on a permanent or temporary basis, scheme A referred to in Regulation (EEC) No 1269/79 also during the 1984/85 milk year and to extend the special arrangements hitherto applicable to the United Kingdom; whereas, in order to take account of the tight budget of the Community and the low cost-efficiency ratio of this aid and of the decrease in the intervention price for butter, the level of Community financing for the 1984/85 marketing year should be reduced,

HAS ADOPTED THIS REGULATION:

Article 1

The second paragraph of Article 6 of Regulation (EEC) No 1269/79 is hereby amended as follows:

1. 'During the 1983/84 milk year' is replaced by 'During the 1984/85 milk year'.
2. In points (a) and (b), '51 ECU' is replaced by '12,75 ECU'.

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, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 18.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 64.

⁽⁴⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 29 February 1984 (not yet published in the Official Journal).

⁽⁶⁾ OJ No L 161, 29. 6. 1979, p. 8.

⁽⁷⁾ OJ No L 132, 21. 5. 1983, p. 5.

COUNCIL REGULATION (EEC) No 863/84

of 31 March 1984

amending Regulation (EEC) No 1723/81 as regards the possibility of granting aids for the use of butter in the manufacture of certain foodstuffs

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 856/84 ⁽²⁾, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 1723/81 of 24 June 1981 establishing general rules relating to measures designed to maintain the level of use of butter by certain categories of consumer and industry ⁽³⁾ provides that aids could be granted for the use of butter in the manufacture of pastry products and ice-cream;

Whereas it would be appropriate, in order to deal with the accumulation of large surpluses of milk products, to extend the benefit of the aid provided for in Regulation (EEC) No 1723/81 to the use of butter in the manufacture of other foodstuffs,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1723/81 is hereby amended as follows:

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

Done at Brussels, 31 March 1984.

1. Article 1 is replaced by the following:

'Article 1

1. A decision may be taken that aid shall be granted to enable butter to be purchased at reduced prices by:

- (a) non-profit-making institutions and organizations;
- (b) military forces and units of comparable status in the Member States;
- (c) manufacturers of pastry products and ice-cream;
- (d) manufacturers of other foodstuffs to be determined.

2. For the purposes of this Regulation "butter" shall also mean concentrated butter.'

2. Article 3 is replaced by the following:

'Article 3

Detailed rules for the implementation of this Regulation shall cover, in particular, the amount of the aid, supervision measures designed to ensure compliance with the stated use and, where appropriate, the sales price, characteristics and packaging of the butter together with the determination of the products referred to in Article 1 (1) (d).'

Article 2

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

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No L 172, 30. 6. 1981, p. 14.

COUNCIL REGULATION (EEC) No 864/84**of 31 March 1984****amending Regulation (EEC) No 3667/83 relating to the continuing of the import of New Zealand butter into the United Kingdom on special terms**

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the 1972 Act of Accession, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 3667/83 ⁽¹⁾, as amended by Regulation (EEC) No 551/84 ⁽²⁾, gave the United Kingdom temporary authorization to import a quantity of New Zealand butter on special terms during the months of January, February and March 1984;

Whereas the Council has not been able to agree in good time on new import arrangements for a longer term; whereas, in order to prevent an interruption of the imports, a further temporary authorization should be granted for the months of April and May 1984;

Whereas, since the intervention price for butter is fixed from 2 April 1984 at 319,70 ECU per 100 kilograms, in accordance with the provisions of Article 3 of Regulation (EEC) No 3667/83, the rate of the special levy should be adjusted in line with the change in the level of the intervention price,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3667/83 is hereby amended as follows:

1. In the first subparagraph of Article 2 (1) '31 March 1984' is replaced by '31 May 1984' and, in the second subparagraph thereof '20 750 tonnes' is replaced by '34 583 tonnes';
2. Article 2 (3) is replaced by the following:
'3. Before 1 June 1984 the Council shall, on a proposal from the Commission, review the functioning of these arrangements with a view to a decision on arrangements for the import of New Zealand butter after 31 May 1984.'

Article 2

The special levy of 87,28 ECU per 100 kilograms provided for in Article 3 (1) of Regulation (EEC) No 3667/83 is hereby replaced by 77,98 ECU per 100 kilograms.

Article 3

This Regulation shall enter into force on 1 April 1984.

However, Article 2 shall be applicable from 2 April 1984.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 366, 28. 12. 1983, p. 16.

⁽²⁾ OJ No L 61, 2. 3. 1984, p. 10.

COUNCIL REGULATION (EEC) No 865/84**of 31 March 1984****laying down general rules on the granting of aid for concentrated skimmed milk for use as animal feed**

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 856/84 ⁽²⁾, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under Article 12 (1) of Regulation (EEC) No 804/68, when surpluses build up or threaten to build up, measures other than those provided for in Articles 6 to 11 of that Regulation may be taken to facilitate the disposal of milk;

Whereas a major feature of the present situation on the market in milk products is the substantial rise in the quantity of milk collected and consequently the marked increase in milk-product surpluses; whereas, this being the situation, it should also be made possible for aid to be granted for concentrated skimmed milk intended for use as feed for animals other than calves;

Whereas, in order to ensure that the purpose of this aid scheme, namely that the greatest possible quantity of concentrated skimmed milk be used as animal feed, is attained, payment of the aid should be made conditional on observance of a maximum price when the concentrated skimmed milk is sold by the undertaking that has denatured it;

Whereas, given the purpose of the aid scheme, measures should be taken to ensure that the said product is not deflected from its intended use;

Whereas control requirements indicate that the aid should be paid to the undertaking that denatures the product and that payment should be made conditional on production of evidence that the product has been denatured;

Whereas, for technical administrative reasons, each Member State should designate an intervention agency authorized to implement the provisions of the aid scheme,

HAS ADOPTED THIS REGULATION:

Article 1

It may be decided that aid be granted for the use of concentrated skimmed milk as feed for animals other than calves.

Article 2

1. The aid shall be paid to the firm denaturing the product which is sold, at a maximum price fixed in accordance with Article 4, to farms using it as feed for the animals indicated in Article 1.

2. The product for which aid is paid may not be used other than for feeding the animals indicated in Article 1.

3. Where the denatured product is exported, an amount equal to the aid shall be levied.

Article 3

1. The aid for concentrated skimmed milk shall be fixed in line with the aid for skimmed milk used as feed for animals other than calves.

2. The aid shall be fixed each year for the following milk year immediately after the fixing of the intervention prices for the new year, within a range to be determined by the Council acting on a proposal from the Commission according to the decision procedure specified in Article 43 of the Treaty.

The aid shall not be changed during the milk year except as required by a marked change in the aid, referred to in paragraph 1, for skimmed milk used as feed for animals other than calves.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

Article 4

The maximum price mentioned in Article 2 (1) shall be fixed in consideration of the following factors:

- (a) the prices of the product mentioned in Article 1;
- (b) the aid granted for this product;
- (c) the prices of comparable feeds for animals.

Article 5

1. The aid shall be paid by the intervention agency of the Member State in whose territory the undertaking which has denatured the product is located.

2. The aid shall be paid only when evidence has been produced that the product has been denatured and has been sold to farms using it as feed for the animals indicated in Article 1.

Article 6

The detailed implementing rules for this Regulation shall cover product characteristics, aid rates, maximum selling prices, supervisory measures to ensure that the product is used for its proper purpose and, if necessary, supplementary conditions for the payment of the aid.

Article 7

1. Each Member State shall designate an intervention agency authorized to implement the measures provided for in this Regulation.

2. Member States shall take the necessary measures to ensure application of this Regulation. They may for this purpose make provision for supervisory measures applicable to all undertakings using or marketing the product specified in Article 1.

Article 8

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

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 866/84**of 31 March 1984****laying down special measures concerning the exclusion of milk products from inward processing arrangements and from certain usual forms of handling**

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 856/84 ⁽²⁾, and in
particular Articles 12 (2) and 18 (1) thereof,

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

Whereas, pursuant to Article 18 (1) of Regulation
(EEC) No 804/68, the use of inward processing
arrangements may, to the extent necessary for the
proper working of the common organization of the
market in milk and milk products, in special cases be
prohibited, in whole or in part, in respect of the
products referred to in Article 1 of that Regulation
which are intended for the manufacture of products
referred to in that Article or of the goods referred to
in the Annex to that Regulation; whereas Directive
69/73/EEC ⁽⁴⁾, as last amended by the 1979 Act of
Accession, provides for the harmonization of
provisions laid down by law, regulation or
administrative action in respect of inward processing;

Whereas the use of milk products imported from
non-member countries under inward processing
arrangements may jeopardize the normal disposal of
products of Community origin and the proper
working of the common organization of the market
in milk and milk products; whereas inward processing
arrangements should therefore be prohibited in the
case of those products;

Whereas, for the same reasons, provision should be
made for the possibility of prohibiting also certain
usual forms of handling, within the meaning of
Council Directive 71/235/EEC of 21 June 1971 on
harmonization of the provisions laid down by law,
regulation or administrative action relating to the
usual forms of handling which may be carried out in

customs warehouses and in free zones ⁽⁵⁾, in the
geographical territory of the Community, of milk
products from third countries in respect of which a
levy applicable on importation into the Community
has not been charged;

Whereas at this stage the duration of these measures
should be limited to a period of two years,

HAS ADOPTED THIS REGULATION:

Article 1

1. The use of inward processing arrangements shall
be prohibited in respect of the products specified in
Article 1 of Regulation (EEC) No 804/68 when they
are intended for the manufacture of the products
referred to in that Article or of goods listed in the
Annex to that Regulation.

2. Recourse to certain of the usual forms of
handling specified in Article 1 of Directive
71/235/EEC may, in accordance with the procedure
laid down in Article 30 of Regulation (EEC) No
804/68, be prohibited in the case of the products
specified in Article 1 of the said Regulation which are
the subject of a customs warehousing procedure or
are in a free zone.

Article 2

Article 1 (1) shall not apply to imports made under
inward processing arrangements during a period of
60 days from the date of entry into force of this
Regulation, pursuant to authorizations valid at that
date.

Member States shall provide the Commission with a
list of the authorizations which have been issued.

Article 3

This Regulation shall be applicable for a period of
two years. Before the end of the 1984/85 milk year,
the Commission shall present to the Council a report
on the situation of the Community marked in the
milk sector, together with, should the need arise,
appropriate proposals.

Article 4

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 65.

⁽⁴⁾ OJ No L 58, 8. 3. 1969, p. 1.

⁽⁵⁾ OJ No L 143, 29. 6. 1971, p. 28.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 867/84**of 31 March 1984****amending Regulation (EEC) No 986/68 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed**

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 856/84 ⁽²⁾, and in
particular Article 10 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 2a (3) of Regulation (EEC) No
986/68 ⁽³⁾, as last amended by Regulation (EEC) No
1187/82 ⁽⁴⁾, lays down a margin within which the aid
for skimmed-milk powder may be fixed; whereas, in
view of the criteria set out in the first paragraph of
that Article, the limits of this margin should be
adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 2a (3) of Regulation
(EEC) No 986/68 is hereby replaced by the
following:

'3. Aid for skimmed-milk powder shall be a
minimum of 54 and a maximum of 85 ECU per
100 kilograms.'

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, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ See page 10 of this Official Journal.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 140, 20. 5. 1982, p. 6.

COUNCIL REGULATION (EEC) No 868/84

of 31 March 1984

fixing for the 1984/85 marketing year the guide price and the intervention price for adult bovine animals

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the 1979 Act of Accession, and in particular Articles 3 (3) and 6 (4) thereof,

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

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

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

Whereas, when the guide price for adult bovine animals is fixed, account should be taken both of the objectives of the common agricultural policy and of the contribution which the Community wishes to make to the harmonious development of world trade; whereas the common agricultural policy aims *inter alia* to ensure a fair standard of living for the agricultural community, to guarantee the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas the guide price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 805/68;

Whereas, in view of the current economic situation on the beef and veal market, the intervention price for adult bovine animals for the 1984/85 marketing year should be fixed at a lower level, in relation to the guide price, than that adopted for the preceding marketing year;

Whereas Regulations (EEC) No 1358/80 ⁽⁵⁾ and (EEC) No 1208/81 ⁽⁶⁾ respectively provided for and

laid down a Community scale for the classification of carcasses of adult bovine animals for recording market prices and applying intervention measures; whereas, by Regulation (EEC) No 871/84 ⁽⁷⁾, a decision was taken to apply the said Community scale to the intervention measures for a three-year period, on an experimental basis, whereas the gradual application of the scale will lead to the fixing of a single price for each quality or group of qualities of meat, eligible for intervention, only at the beginning of the 1987/88 marketing year; whereas, therefore, during the transition period, buying in should be activated and suspended for the qualities of meat eligible for intervention on the basis of the recording, on the market of each Member State, of the prices of such qualities, as carried out according to the Community scale;

Whereas, bearing in mind the objectives pursued by the intervention arrangements and the financial responsibilities incumbent on the Community, provision should be made for the possibility of limiting intervention purchases to a quality or group of qualities of meat in certain Member States, depending on the production and market features of these Member States,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 marketing year, the guide price for adult bovine animals shall be 205,02 ECU per 100 kilograms liveweight.

Article 2

For the 1984/85 marketing year, by derogation from the second subparagraph of Article 6 (1) of Regulation (EEC) No 805/68:

(a) the intervention price referred to in the said subparagraph shall be fixed at 184,52 ECU per 100 kilograms liveweight;

(b) the level of the price fixed in the first sentence of Article 6 (3) of the said Regulation shall be 184,52 ECU per 100 kilograms liveweight.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No C 62, 5. 3. 1984, p. 66.

⁽³⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽⁴⁾ Opinion delivered on 29 March 1984 (not yet published in the Official Journal).

⁽⁵⁾ OJ No L 140, 20. 5. 1980, p. 4.

⁽⁶⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽⁷⁾ See page 35 of this Official Journal.

Article 3

For the 1984/85 marketing year:

1. By derogation from Article 6 (1) and (3) of Regulation (EEC) No 805/68, purchases by intervention agencies of one or more qualities or groups of qualities, to be determined, of fresh or chilled meat falling within subheadings 02.01 A II a) 1, 2 and 3 of the Common Customs Tariff shall be decided upon when the average price of these qualities or groups of qualities recorded on the market of a Member State, or of a region of a Member State, on the basis of the Community scale for the classification of carcasses of adult bovine animals established by Regulation (EEC) No 1208/81 is, for a period of two consecutive weeks, equal to or less than the intervention price fixed at the beginning of the marketing year for such qualities or groups of qualities.
2. The purchases referred to in point 1 may be suspended when the average price for certain qualities or groups of qualities of meat, recorded on the market of a Member State, or of a region of a Member State, on the basis of the scale referred to in point (1) is, for a period of three

consecutive weeks, above the intervention purchase price fixed at the beginning of the marketing year for these qualities or groups of qualities.

3. The Commission, in accordance with the procedure provided for in point (4), may, in one or more Member States, limit the list of qualities or groups of qualities of meat eligible for intervention.
4. The Commission, in accordance with the procedure provided for in Article 27 of Regulation (EEC) No 805/68, shall:
 - (a) establish the intervention purchase prices;
 - (b) take decisions on intervention purchases, and on the suspension thereof;
 - (c) adopt procedures for applying this Article.

Article 4

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

It shall apply from the beginning of the 1984/85 marketing year.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 869/84**of 31 March 1984****on the application of the Community scale for the classification of carcasses of adult bovine animals in connection with intervention measures in the beef and veal sector and amending Regulation (EEC) No 1202/82**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

(EEC) No 1202/82, should be extended until the end of the 1986/87 marketing year,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by the 1979 Act of Accession,

As from 9 April 1984, the intervention measures referred to in Article 5 of Regulation (EEC) No 805/68 shall be implemented on the basis of the Community scale for the classification of carcasses of adult bovine animals, established under Regulation (EEC) No 1208/81, for an experimental period of three years' duration.

Having regard to the proposal from the Commission,

Article 2

Whereas Regulation (EEC) No 1208/81 ⁽²⁾ established a Community scale for the classification of carcasses of adult bovine animals; whereas Article 6 of that Regulation provided for the gradual application of the said scale within the framework of the organization of the market in beef and veal; whereas the said scale was initially implemented by recording market prices as provided for in Regulation (EEC) No 1202/82 ⁽³⁾, as last amended by Regulation (EEC) No 1214/83 ⁽⁴⁾; whereas the situation is now such that the said scale can be applied in connection with intervention measures on an experimental basis for a period of three years;

The buying-in prices shall be fixed by the Commission in accordance with the procedure laid down in Article 3, so as to arrive, after a period of price rapprochement consisting of three equal stages, at the start of the 1986/87 marketing year, at the fixing of a single buying-in price, throughout the Community, for each quality of fresh or chilled meat eligible for intervention.

Article 3

In accordance with the procedure laid down in Article 27 of Regulation (EEC) 805/68, the Commission shall adopt the necessary measures for applying this Regulation.

Article 4

Whereas the application of the Community scale in connection with intervention measures must be put into effect gradually in three stages of equal duration over a transitional period; whereas this experimental phase involving the rapprochement of buying-in prices in the Member States shall lead, at the start of the 1986/87 marketing year, to the fixing of a single buying-in price in the entire Community for each quality of meat eligible for intervention;

The Commission shall submit to the Council, before the end of the 1984/85 marketing year, a report on the application of intervention measures on the basis of the Community scale for the classification of carcasses of adult bovine animals.

Article 5

Whereas application of the parallel recording of prices, as at present provided for by Regulation

In Article 1 of Regulation (EEC) No 1202/82, '1983/84 marketing year' is hereby replaced by '1986/87 marketing year'.

Article 6

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽³⁾ OJ No L 140, 20. 5. 1982, p. 35.

⁽⁴⁾ OJ No L 132, 21. 5. 1983, p. 14.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 870/84**of 31 March 1984****amending Regulation (EEC) No 1199/82 on the granting of an additional premium for maintaining suckler cows in Ireland and Northern Ireland**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas provision was made in Regulation (EEC) No 1199/82 ⁽⁴⁾, as amended by Regulation (EEC) No 1216/83 ⁽⁵⁾, for the granting of an additional premium for maintaining suckler cows in Ireland and Northern Ireland, in so far as the Member States concerned did not grant nationally the additional premium referred to in Article 3 (2) of Regulation (EEC) No 1357/80 of 5 June 1980 introducing a system of premiums for maintaining suckler cows ⁽⁶⁾, as last amended by Regulation (EEC) No 1198/82 ⁽⁷⁾;

Whereas the situation of farmers in those regions of the Community has not improved appreciably during the 1983/84 marketing year and an identical measure should accordingly be adopted for the 1984/85 marketing year;

Whereas Article 1 of Regulation (EEC) No 1199/82 should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

In the second paragraph of Article 1 of Regulation (EEC) No 1199/82, '1983/84 marketing year' is hereby replaced by '1984/85 marketing year'.

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 2 April 1984.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No C 62, 5. 3. 1984, p. 67.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 29 March 1984 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 140, 20. 5. 1982, p. 30.

⁽⁵⁾ OJ No L 132, 21. 5. 1983, p. 16.

⁽⁶⁾ OJ No L 140, 5. 6. 1980, p. 1.

⁽⁷⁾ OJ No L 140, 20. 5. 1982, p. 28.

COUNCIL REGULATION (EEC) No 871/84

of 31 March 1984

amending for the fourth time Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat and amending Regulation (EEC) No 950/68 on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas Article 34 of Regulation (EEC) No 1837/80 ⁽⁴⁾, as last amended by Regulation (EEC) No 1195/82 ⁽⁵⁾, provided that the Commission was to submit to the Council, before 1 October 1983, a report on the functioning of the common organization of the market in the sheepmeat and goatmeat sector; whereas examination of the report submitted by the Commission has indicated that the rules governing this sector should be amended;

Whereas the four-year period referred to in Article 3 (4) (b) of Regulation (EEC) No 1837/80, which was provided for at the beginning of the common organization of the market so that production and marketing structures in the various Member States could be gradually adjusted, expires at the end of the 1983/84 marketing year; whereas the fixing of a single reference price at a different level from the basic price is not justified; whereas no distinction should henceforth be made between the reference price and the basic price;

Whereas a partial regrouping of the regions referred to in Article 3 (1) of the said Regulation would bring together regions where lamb production and consumption structures are very comparable;

Whereas provision should be made for the possibility for Member States to make a payment on account in favour of producers of the less-favoured farming areas within the meaning of Directive 75/268/EEC ⁽⁶⁾; whereas, to this end, provision should be made for an estimated loss in revenue at the beginning of the marketing year;

Whereas, apart from the fact that for the reasons mentioned above no reference price will be fixed as from the marketing year beginning in 1984, it would seem appropriate to simplify the method of calculating the premium for sheepmeat producers; whereas the loss of income suffered by producers in a given region should be calculated from the difference, if any, between the Community basic price and the arithmetic mean of the market prices recorded in the region concerned; whereas a coefficient representing the normal average annual level of lamb production in the region in question should be applied to the said loss of income;

Whereas, to ensure more effective management and support of the market, provision should be made for the regionalization of private storage measures so that they are implemented in accordance with rules similar to those for intervention buying; whereas provision should also be made so that the amount of the aid granted may be regionally differentiated;

Whereas, in view of the considerable expansion of intra-Community trade in certain sheepmeat preparations, the amount equivalent to the variable premium granted, as referred to in Article 9 (3) of Regulation (EEC) No 1837/80, should be charged on the said preparations when they leave the region concerned and the definitions of the said preparation should be laid down,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1837/80 is hereby amended as follows:

1. Article 1 (c) is replaced by the following:

‘(c) 16.02 B III b) 2 aa) 11:

Other prepared or preserved meat or meat offal containing meat or offal of sheep or goats, other than those containing meat or offal of domestic swine or bovine animals,

⁽¹⁾ OJ No C 62, 5. 3. 1984, p. 68.

⁽²⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 29 March 1984 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽⁵⁾ OJ No L 140, 20. 5. 1982, p. 22.

⁽⁶⁾ OJ No L 128, 19. 5. 1975, p. 8.

uncooked; mixtures of cooked meat or offal and uncooked meat or offal

(d) 16.02 B III b) 2 aa) 22:

Other prepared or preserved meat or meat offal containing meat or offal of sheep or goats, other than those containing meat or offal of domestic swine or bovine animals; other'.

2. Article 3 is replaced by the following:

'Article 3

1. In accordance with the procedure laid down in Article 43 (2) of the Treaty, a basic price shall be fixed annually, for the following marketing year, for fresh and chilled sheep carcasses.

2. When the basic price is fixed, account shall be taken in particular of:

- (a) the situation on the sheepmeat market during the current year;
- (b) the prospects for the production and consumption of sheepmeat;
- (c) sheepmeat production costs;
- (d) the market situation in the other livestock product sectors, particularly the beef and veal sector;
- (e) past experience.

3. The Council, acting by a qualified majority on a proposal from the Commission, shall fix seasonally adjusted basic prices to take account of normal seasonal variations on the Community sheepmeat market.

4. Save where a decision to the contrary is taken by the Council, acting by a qualified majority on a proposal from the Commission, the marketing year shall begin on the first Monday in April and shall end on the day preceding that day in the following year.

5. For the purposes of this Regulation, the following regions are hereby defined:

- region 1: Italy and Greece,
- region 2: France,
- region 3: Belgium, Denmark, Germany, Luxembourg, Netherlands,
- region 4: Ireland,
- region 5: Great Britain,
- region 6: Northern Ireland'.

3. Article 4 is replaced by the following:

'Article 4

1. A price for fresh or chilled sheep carcasses on the representative Community markets shall be established on the basis of the prices recorded on the representative market or markets of each

region or, in case of regions 1 and 3, of each Member State, for the various categories of fresh or chilled sheep carcasses, account being taken both of the relative importance of each category and of the relative size of the flock in each region or, in the case of regions 1 and 3, in each Member State.

2. Detailed rules for the application of this Article, including a definition of "carcase weight", shall be adopted in accordance with the procedure laid down in Article 26.'

4. Article 5 is replaced by the following:

'Article 5

1. To the extent necessary to offset the loss of income suffered by sheepmeat producers in one or more regions during a given marketing year, a premium shall be fixed immediately after the end of the marketing year in question.

2. The loss of income referred to in paragraph 1 shall represent, per 100 kilograms of carcase weight, any difference there may be between the basic price referred to in Article 3 (1) and the arithmetical mean of the market prices recorded for each region in accordance with Article 4.

3. The amount of the premium payable per ewe and per region shall be obtained by multiplying the loss of income referred to in paragraph 2 by a coefficient representing, for each region, the normal average annual production of lamb meat per ewe expressed per 100 kilograms of carcase weight.

4. If, however, for one or more regions within the meaning of Article 3 (5) a foreseeable loss in revenue is estimated during the marketing year, bearing in mind the foreseeable development in the market prices referred to in Article 4 and in the variable premium referred to in Article 9, the Member State or Member States concerned may, according to the procedure provided for in Article 26, make, in the region or regions in question, a payment on account in favour of producers of sheepmeat situated in the less-favoured farming areas as defined by applying Article 3 (3), (4) and (5) of Directive 75/268/EEC.

In accordance with paragraphs 1, 2 and 3, after the end of the marketing year in question the amount of the definitive premium shall be fixed and, should the need arise, a payment of the balance shall be made in the less-favoured farming areas referred to in the first paragraph.

5. However, when a premium is granted for region 2, at the request of those concerned, an amount equal to the premium payable per ewe in region 2 may be granted in region 1 when the beneficiaries have shown, to the satisfaction of the competent authority, that the lambs born from these ewes which they hold will not have been slaughtered before reaching the age of two months.

6. In the case of region 5, if the variable premium referred to in Article 9 has been applied, the weighted average of the variable premiums actually granted shall be deducted from the loss of income.

The weighted average, expressed per 100 kilograms of carcase weight, shall be obtained by dividing the total amount of the premiums actually granted by the production of the certified animals for which the variable premium may be paid when slaughter takes place or, as the case may be, when they are first put on the market.

7. To determine the arithmetic mean of the market prices referred to in paragraph 2, where the intervention measures referred to in Article 6 (1) (b) are applied within a region, and for the period during which buying-in actually takes place, the market price shall be replaced by the seasonally adjusted intervention price.

8. The premiums shall be paid to the beneficiary producer according to the number of ewes kept on the farm over a minimum period to be determined in accordance with the procedure laid down in Article 26.

9. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt general rules for the arrangements covered by this Article and, in particular, lay down definitions as to the beneficiary producer qualifying for the premium and the ewes eligible.

The Council, acting in accordance with the same procedure, may provide that the premium shall be granted only to producers keeping at least a certain number of ewes.

10. The Commission shall, acting in accordance with the procedure laid down in Article 26:

- fix, where appropriate, the premium payable per ewe and per region,
- adopt detailed rules for the application of this Article, including rules governing the submission of applications for the premium, supervisory arrangements and the payment of the premium.

11. The expenditure incurred under the arrangements provided for in this Article shall be deemed to form part of intervention for the purpose of regularizing agricultural markets.'

5. In Article 7, paragraph 1 and the first subparagraph of paragraph 2 are replaced by the following:

'1. Where the price established in accordance with Article 4 is lower than 90 % of the seasonally adjusted basic price referred to in Article 3 (3) and is likely to remain so, the intervention measures provided for in Article 6 (1) (a) may be adopted for the Community as a whole.

The measures referred to in the first subparagraph may be adopted for one or more regions of the Community where the price recorded on the representative market or markets of one or more regions is lower than 90 % of the seasonally adjusted basic price referred to in Article 3 (3) and is likely to remain so in the region or regions concerned; the intervention measures may be regionally differentiated.

2. Where, during the period 15 July to 15 December of each year, the price established in accordance with Article 4 is equal to or less than a seasonally adjusted intervention price corresponding to 85 % of the seasonally adjusted basic price and at the same time the price recorded on the representative markets of a given region is equal to or less than the seasonally adjusted intervention price or, as the case may be, the seasonally adjusted derived intervention price, the intervention measures provided for in Article 6 (1) (b) shall, at the request of one or more Member States, be implemented for the region in question. However, in the case of regions 1 and 3, such intervention measures may be implemented for the Member State or Member States belonging to those regions.'

6. Article 9 is replaced by the following:

'Article 9

1. In so far as the measures provided for in Article 6 (1) (b) are not applied in region 5, the United Kingdom may grant within that region a premium for the slaughter of sheep where the prices recorded on the representative markets in the region are below a "guide level" corresponding to 85 % of the basic price referred to in Article 3 (1).

The guide level referred to in the first subparagraph shall be seasonally adjusted in the same way as the basic price.

2. The amount of the premium referred to in paragraph 1 shall be equal to the difference between the seasonally adjusted guide level and the market price recorded in the region concerned.

3. Should the premium referred to in paragraph 1 be paid in region 5, the Commission shall take

the necessary measures to ensure that an amount equivalent to the premium actually granted is charged on all products as referred to in Article 1 (a) and (c) when they leave the region concerned.

4. The Commission, acting in accordance with the procedure laid down in Article 26, shall adopt detailed rules for the application of this Article. Such rules may provide, in particular, for the measures necessary to prevent any disturbance of trade in livestock, meat or prepared products resulting from the application of the premium referred to in paragraph 1.

5. Expenditure incurred under the arrangements provided for in this Article shall be deemed to form part of intervention for the purpose of regularizing agricultural markets.'

7. Article 10 (1) is replaced by the following:

'1. The Common Customs Tariff rates of duty shall apply to the products listed in Article 1 (b), (c) and (d).'

Article 2

1. The Commission shall submit to the Council before 1 October 1988 a second report on the functioning of the common organization of the market and, in particular, on the intervention and

premium systems, in order to enable the Council to re-examine these systems and, acting by a qualified majority on a proposal from the Commission before 1 April 1989, to take appropriate measures if required.

2. The Commission's report must take account of the following:

- the market trend and the trend in the incomes of sheepmeat producers in the Community and in each of the Member States,
- the trend in imports from non-member countries,
- the effect of this trend on the Community budget.

Article 3

The Annex headed 'Common Customs Tariff' to Regulation (EEC) No 950/68 shall be amended in accordance with the Annex to this Regulation.

Article 4

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 the beginning of the marketing year commencing in 1984.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

ANNEX

The Common Customs Tariff is hereby amended as follows:

1. Subheading 16.02 B III b) 2 aa) is replaced by the following:

Heading number	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
16.02	Other prepared or preserved meat or meat offal:		
	B. (unchanged)		
	III. (unchanged)		
	a) (unchanged)		
	b) (unchanged)		
	1. (unchanged)		
	2. (unchanged)		
	aa) (unchanged)		
	11. Uncooked; mixtures of cooked meat or offal and uncooked meat or offal	20	(a)
	22. Other	20	(a)
(a) See Annex.			

2. In the Annex the following subheading 16.02 is inserted:

Heading number	Description	Rate of conventional duty %
16.02	Other prepared or preserved meat or meat offal:	
	B. Other:	
	III. Other:	
	b) Other:	
	2. Other:	
	aa) Of sheep or goats:	
	11. Uncooked; mixtures of cooked meat or offal and uncooked meat or offal:	
	— of sheep	20
	— of goats	26
	22. Other:	
	— of sheep	20
	— of goats	26

COUNCIL REGULATION (EEC) No 872/84

of 31 March 1984

laying down general rules for the granting of premiums to sheepmeat producers and
repealing Regulation (EEC) No 2643/80

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community,

Having regard to Council Regulation (EEC) No
1837/80 of 27 June 1980 on the common organ-
ization of the market in sheepmeat and goatmeat ⁽¹⁾,
as last amended by Regulation (EEC) No 871/84 ⁽²⁾,
and in particular Article 5 (7) thereof,

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

Whereas Article 5 of Regulation (EEC) No 1837/80
provides for a premium to be granted to sheepmeat
producers to offset any loss in income they may
suffer; whereas the beneficiaries under this measure
should be specified;

Whereas the eligible ewes should be defined
according to criteria which are as close as possible to
those used for the purposes of Council Directive
82/177/EEC of 22 March 1982 on the statistical
surveys to be carried out by Member States on sheep
and goat stocks ⁽⁴⁾;

Whereas, for reasons of efficient management,
provision should be made to postpone payment of
premiums to the following marketing year in cases
where the unit amount is very small,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

1. 'Sheepmeat producer' shall mean:

- (a) an individual farmer, whether a natural or a
legal person, who keeps, for breeding, at least

10 ewes within the territory of a single
Member State, except in the case of Greece
where the minimum shall be five ewes;

- (b) a group of natural or legal persons sharing
means of agricultural production for the
purpose of jointly keeping, for breeding, at
least 10 ewes within the territory of a single
Member State.

2. 'Eligible ewe' shall mean:

a female sheep which has been put to the ram for
the first time or which has lambed at least once
and is kept on the holding at the date on which
the application for a premium is made, but
excluding cull ewes.

Article 2

The ewe premiums referred to in Article 5 of Regu-
lation (EEC) No 1837/80 shall be paid only if they
exceed an amount to be determined in accordance
with the procedure laid down in Article 26 of that
Regulation; where a premium is less than this
amount, it shall be added to the ewe premium to be
paid in respect of the following marketing year in the
region or regions concerned.

Article 3

Where it is noted, after the end of a marketing year,
that the amount paid on account pursuant to the first
subparagraph of Article 5 (3) of Regulation (EEC)
No 1837/80 is higher than the amount of the
premium payable per ewe under the said marketing
year, an amount corresponding to this difference shall
be deducted from the amount of the premium payable
per ewe to be paid, under the following marketing
year, to producers of the less-favoured agricultural
regions concerned.

Article 4

Regulation (EEC) No 2643/80 is hereby repealed.

Article 5

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 the beginning of the marketing
year commencing in 1984.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ See page 35 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 73.

⁽⁴⁾ OJ No L 81, 27. 3. 1982, p. 35.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 873/84

of 31 March 1984

fixing for the 1984/85 marketing year the basic and intervention prices for sheepmeat

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 871/84 ⁽²⁾, and in particular Articles 3 (1) and 7 (6) thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the basic price for sheep carcasses is fixed, account should be taken both of the objectives of the common agricultural policy and of the contribution the Community wishes to make to the harmonious development of world trade; whereas the main objectives of the common agricultural policy are to ensure a fair standard of living for the agricultural community, to guarantee the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas the basic price must be fixed in accordance with the criteria laid down in Article 3 (2) of Regulation (EEC) No 1837/80; whereas it should be fixed for the 1984/85 marketing year at a lower level than that fixed for the preceding marketing year; whereas the intervention prices correspond to a percentage of the basic price,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 marketing year, in the sheepmeat sector:

1. The basic price is hereby fixed at 428,04 ECU per 100 kilograms carcass weight.
2. The intervention price is hereby fixed at 363,83 ECU per 100 kilograms carcass weight.
3. The derived intervention price applicable in region 4 is hereby fixed at 344,22 ECU per 100 kilograms carcass weight.

Article 2

The prices referred to in Article 1 shall be seasonally adjusted in accordance with the table set out in the Annex.

Article 3

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, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ See page 35 of this Official Journal.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 74.

⁽⁴⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 29 March 1984 (not yet published in the Official Journal).

ANNEX

(ECU/100 kg carcase weight)

Week beginning	Week No	Basic price	Intervention price	Derived intervention price
2 April 1984	1	487,03	413,98	394,37
9 April 1984	2	486,70	413,70	394,09
16 April 1984	3	486,00	413,10	393,49
23 April 1984	4	484,00	411,40	391,79
30 April 1984	5	482,00	409,70	390,09
7 May 1984	6	479,00	407,15	387,54
14 May 1984	7	477,00	405,45	385,84
21 May 1984	8	472,00	401,20	381,59
28 May 1984	9	467,00	396,95	377,34
4 June 1984	10	460,00	391,00	371,39
11 June 1984	11	448,00	380,80	361,19
18 June 1984	12	427,00	362,95	343,34
25 June 1984	13	403,00	342,55	322,94
2 July 1984	14	381,00	323,85	304,24
9 July 1984	15	376,68	320,18	300,57
16 July 1984	16	376,68	320,18	300,57
23 July 1984	17	376,68	320,18	300,57
30 July 1984	18	376,68	320,18	300,57
6 August 1984	19	376,68	320,18	300,57
13 August 1984	20	376,68	320,18	300,57
20 August 1984	21	376,68	320,18	300,57
27 August 1984	22	376,68	320,18	300,57
3 September 1984	23	376,68	320,18	300,57
10 September 1984	24	376,68	320,18	300,57
17 September 1984	25	376,68	320,18	300,57
24 September 1984	26	376,68	320,18	300,57
1 October 1984	27	376,90	320,37	300,76
8 October 1984	28	377,30	320,71	301,10
15 October 1984	29	379,00	322,15	302,54
22 October 1984	30	381,00	323,85	304,24
29 October 1984	31	384,00	326,40	306,79
5 November 1984	32	387,50	329,38	309,77
12 November 1984	33	392,00	333,20	313,59
19 November 1984	34	397,00	337,45	317,84
26 November 1984	35	402,00	341,70	322,09
3 December 1984	36	407,00	345,95	326,34
10 December 1984	37	415,00	352,75	333,14
17 December 1984	38	423,00	359,55	339,94
24 December 1984	39	430,00	365,50	345,89
31 December 1984	40	438,00	372,30	352,69
7 January 1985	41	446,00	379,10	359,49
14 January 1985	42	454,00	385,90	366,29
21 January 1985	43	460,00	391,00	371,39
28 January 1985	44	466,00	396,10	376,49
4 February 1985	45	472,50	401,63	382,02
11 February 1985	46	480,00	408,00	388,39
18 February 1985	47	483,00	410,55	390,94
25 February 1985	48	486,00	413,10	393,49
4 March 1985	49	489,00	415,65	396,04
11 March 1985	50	490,00	416,50	396,89
18 March 1985	51	491,00	417,35	397,74
25 March 1985	52	491,00	417,35	397,74

COUNCIL REGULATION (EEC) No 874/84

of 31 March 1984

fixing for the 1984/85 marketing year the flat-rate production aid and the guide price for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1220/83⁽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⁾,

Having regard to the opinion of the Economic and Social Committee⁽⁵⁾,

Whereas Article 3 of Regulation (EEC) No 1117/78 stipulates that the level of the flat-rate 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 said Regulation, a guide price must be set for certain dried fodder products at a level which 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 Article 1 (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,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 marketing year, the flat-rate production aid provided for in Article 3 of Regulation (EEC) No 1117/78 shall be 8,41 ECU per tonne for the products referred to in Article 1 (b) and (c) of that Regulation.

Article 2

For the 1984/85 marketing year, the guide price for the products referred to in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 shall be 177,15 ECU per tonne.

This price refers to a product with:

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

Article 3

For the 1984/85 marketing year, 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 Article 1 (c) of that Regulation, and
- 50 % for the products referred to in the second indent of Article 1 (b) of that Regulation.

Article 4

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 April 1984.

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 132, 21. 5. 1983, p. 29.

⁽³⁾ OJ No C 62, 5. 3. 1984, p. 23.

⁽⁴⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽⁵⁾ Opinion delivered on 29 March 1984 (not yet published in the Official Journal).

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

COUNCIL REGULATION (EEC) No 875/84**of 31 March 1984****fixing for the 1984/85 rearing year the amount of aid in respect of silkworms**

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
845/72 of 24 April 1972 laying down special
measures to encourage silkworm rearing ⁽¹⁾, and in
particular Article 2 (3) thereof,

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

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

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

Whereas Article 2 of Regulation (EEC) No 845/72
provides that the amount of aid for silkworms reared
within the Community must be fixed each year in
such a way as to help ensure a fair income for
silkworm rearers, taking into account the state of the
market in cocoons and raw silk, of foreseeable trends
on that market and of import policy;

Whereas Article 68 of the 1979 Act of Accession lays
down the criteria for fixing the amount of aid for
silkworms in Greece;

Whereas application of the abovementioned criteria
entails fixing the amount of aid at the level mentioned
below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1984/85 rearing year, the amount of aid in
respect of silkworms as referred to in Article 2 of
Regulation (EEC) No 845/72 shall be fixed per box
of silkworms eggs used:

- for Greece, at 95,80 ECU,
- for the other Member States, at 107,59 ECU.

Article 2

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

It shall apply from 1 April 1984.

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

Done at Brussels, 31 March 1984.

For the Council

The President

M. ROCARD

⁽¹⁾ OJ No L 100, 27. 4. 1972, p. 1.

⁽²⁾ OJ No C 62, 5. 3. 1984, p. 27.

⁽³⁾ Opinion delivered on 15 March 1984 (not yet published
in the Official Journal).

⁽⁴⁾ Opinion delivered on 29 March 1984 (not yet published
in the Official Journal).

COUNCIL REGULATION (EEC) No 876/84

of 31 March 1984

concerning the import system applicable to certain non-member countries in the sheepmeat and goatmeat sector in the last three quarters of 1984

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

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

Whereas Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽²⁾, as last amended by Regulation (EEC) No 871/84 ⁽³⁾, established a system of trade with non-member countries in this sector; whereas this system includes the collection of an import levy;

Whereas the Community has concluded voluntary restraint agreements with the great majority of the non-member countries exporting sheepmeat and goatmeat products; whereas, under Article 34 of Regulation (EEC) No 1837/80, the Council may, before 1 April 1984, make amendments to the various systems applying to the market in the products in question;

Whereas, pending the conclusion of agreements with other non-member countries which traditionally export to the Community and pending amendments

to the existing voluntary restraint agreements, Council Regulation (EEC) No 2977/83 ⁽⁴⁾ limited, during the first quarter of 1984, the collection of the levy and the issue of import licences in respect of certain products from those countries;

Whereas the negotiations currently under way with a view to a possible amendment to the voluntary restraint agreements are unlikely to be concluded by 1 April 1984; whereas none of the signatories to the present agreements has given notice of termination and those agreements accordingly remain in force;

Whereas it is desirable to extend until the end of 1984 the import system applicable to countries which have not concluded such agreements;

Whereas imports into the Member States should be allowed, account being taken of traditional trade patterns,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the last three quarters of 1984 the import levy applicable to the products listed below shall be limited to a maximum of 10 % *ad valorem* subject to the following quantitative limits expressed in tonnes of carcase equivalent per non-member country concerned and per category:

CCT heading No	Description	Non-member country concerned and quantity		
		Chile	Spain	Other non-member countries (a)
01.04	Live sheep and goats: B. Other (b)	0	0	75
02.01	Meat and edible offal of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: IV. Of sheep or goats: a) Fresh or chilled b) Frozen	0 1 115	375 0	75 75

(a) Excluding Argentina, Australia, Austria, Bulgaria, Czechoslovakia, Hungary, Iceland, New Zealand, Poland, Romania, Uruguay and Yugoslavia.

(b) The coefficient to be employed for converting net mass (live weight) into carcase mass (carcase weight equivalent) shall be 0,47 for products falling within subheading 01.04 B of the Common Customs Tariff.

⁽¹⁾ Opinion delivered on 15 March 1984 (not yet published in the Official Journal).

⁽²⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽³⁾ See page 35 of this Official Journal.

⁽⁴⁾ OJ No L 294, 26. 10. 1983, p. 1.

2. Member States may be authorized to issue import licences for the products referred to in paragraph 1 up to the limit of quantities corresponding to their traditional imports coming from the non-member countries concerned.

Article 2

For the products and non-member countries specified in Article 1, the import licences provided for in Article 16 of Regulation (EEC) No 1837/80 shall be issued for the last three quarters of 1984 subject to the quantitative limit laid down in Article 1. However, any quantities provided for in Regulation (EEC) No 2977/83 which have not been used up shall be added to the quantities which may be imported in the fourth quarter.

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

Done at Brussels, 31 March 1984.

Article 3

Detailed rules for the implementation of this Regulation shall be adopted in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 1837/80.

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 1984 until the date of application of voluntary restraint agreements with the non-member countries concerned and at the latest until 31 December 1984.

For the Council

The President

M. ROCARD
