COMMISSION REGULATION (EEC) No 2131/86

of 7 July 1986

amending Regulations (EEC) No 1727/70, (EEC) No 1728/70, (EEC) No 2603/71, (EEC) No 2468/72, (EEC) No 638/74 and (EEC) No 410/76 as regards their application to Community-produced varieties of tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco [1] as last amended by Regulation (EEC) No 1576/86 [2], and in particular the first subparagraph of Article 3 (3), Article 5 (6), Article 6 (10) and Article 7 (4) thereof,

Having regard to Council Regulation (EEC) No 3247/81 of 9 November 1981 on the financing of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, of certain intervention measures, particularly those involving the buying in, storage anf sale of agricultural products by intervention agencies [3], as last amended by Regulation (EEC) No 2632/85 [4], and in particular Article 3 (1) thereof,

Whereas Council Regulation (EEC) No 1577/86 of 23 May 1986 fixing for the 1986 harvest the norm and intervention prices and the premiums granted to purchasers of leaf tobacco, the derived intervention prices for baled tobacco and the reference qualities [5], introduced the list of tobacco varieties grown in Spain and Portugal and the definition of their reference qualities; whereas, accordingly, changes should be made to the Regulations referring to the different varieties and reference qualities of tobacco, namely:

— Commission Regulation (EEC) No 1727/70 of 25 August 1970 on intervention procedure for raw tobacco [6] as last amended by Regulation (EEC) No 2165/83 [7];

— Commission Regulation (EEC) No 1728/70 of 25 August 1970 fixing the scales of price increases and reductions for raw tobacco [8], as last amended by Regulation (EEC) No 2165/83;

— Commission Regulation (EEC) No 2603/71 of 6 December 1971 on detailed rules for the conclusion of contracts for first processing and market preparation of tobacco held by intervention agencies [9], as last amended by Regulation (EEC) No 3213/83 [10];

— Commission Regulation (EEC) No 2468/72 of 24 November 1972 determining collection, processing and storage centres for intervention on the market in raw tobacco [11], as last amended by Regulation (EEC) No 3330/84 [12];

— Commission Regulation (EEC) No 638/74 of 20 March 1974 fixing the maximum tolerance for quantity losses resulting from the storage of raw tobacco by intervention agencies [13], as amended by Regulation (EEC) No 2728/81 [14];

— Commission Regulation (EEC) No 410/76 of 23 February 1976 fixing the maximum permissible weight losses in connection with the supervision of the first processing and market preparation of tobacco [15], as last amended by Regulation (EEC) No 2442/85 [16];

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1727/70 is hereby amended as follows:

1. Annex I is amended in accordance with Annex I to this Regulation.

2. Annex II is amended in accordance with Annex II to this Regulation.

3. Annex IV is amended in accordance with Annex III to this Regulation.

4. Annex V is amended in accordance with Annex IV to this Regulation.

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[1] OJ No L 94, 28. 4. 1970, p. 1.
[2] OJ No L 139, 24. 5. 1986, p. 1.
[3] OJ No L 327, 14. 11. 1981, p. 1.
[4] OJ No L 251, 20. 9. 1985, p. 1.
[5] OJ No L 139, 24. 5. 1986, p. 3.
[6] OJ No L 191, 27. 8. 1970, p. 5.
[7] OJ No L 206, 30. 7. 1983, p. 65.
[8] OJ No L 191, 27. 8. 1970, p. 18.
[9] OJ No L 269, 8. 12. 1971, p. 11.
[10] OJ No L 318, 16. 11. 1983, p. 6.
[11] OJ No L 267, 28. 11. 1972, p. 1.
[12] OJ No L 311, 29. 11. 1984, p. 12.
[13] OJ No L 77, 22. 3. 1974, p. 30.
[14] OJ No L 272, 26. 9. 1981, p. 1.
[15] OJ No L 50, 26. 2. 1976, p. 11.
[16] OJ No L 232, 30. 8. 1985, p. 12.

Article 2

Regulation (EEC) No 1728/70 is hereby amended as follows :

1. Annex I is amended in accordance with Annex V to this Regulation.
2. Annex II is amended in accordance with Annex VI to this Regulation.

Article 3

The Annex to Regulation (EEC) No 2603/71 is amended in accordance with Annex VII to this Regulation.

Article 4

The Annex to Regulation (EEC) No 2468/72 is amended in accordance with Annex VIII to this Regulation.

Article 5

The Annex to Regulation (EEC) No 638/74 is replaced by Annex IX to this Regulation.

Article 6

The Annex to Regulation (EEC) No 410/76 is amended in accordance with Annex X to this Regulation.

Article 7

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

It shall apply for the first time in respect of tobacco from the 1986 harvest.

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

Done at Brussels, 7 July 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

The following headings are added to Annex I to Regulation (EEC) No 1727/70.

'LEAF TOBACCO

27. SANTAFE

Class 1 : leaf ripe, sound, well cured, with stems (midribs) completely dried, brown in colour, with some damage (1).

Class 2 : leaf possibly showing slight defects as regards ripeness, curing, damage and the other characteristics given for Class 1.

Class 3 : leaf showing marked defects as regards ripeness, curing, damage and the other characteristics given for Class 1.

28. FERMENTED BURLEY

Class 1 : leaf ripe, sound, well cured, with stems (midribs) completely dried, good combustibility, nut-brown to cinnamon-coloured, with some damage (1).

Class 2 : leaf possibly showing slight defects as regards ripeness, curing, damage and the other characteristics given for Class 1.

Class 3 : leaf showing marked defects as regards ripeness, curing, damage and the other characteristics given for Class 1.

29. HAVANNA ESP

Class 1 : leaf ripe, sound, fine texture, with stems (midribs) and veins not very prominent, well cured, with stems (midribs) completely dried, brown, light brown or greenish in colour, with some damage (1).

Class 2 : leaf possibly showing slight defects as regards ripeness, curing, damage and the other characteristics given for Class 1.

Class 3 : leaf showing marked defects as regards ripeness, curing, damage and the other characteristics given for Class 1.

30. ROUND SCAFATI

Class 1 : leaf of reasonable size, well ripened, of uniform colour, sound, undamaged, fine texture, strong and elastic, with fine stems (midribs) and veins, in good condition, of good combustibility, typical flavour and aroma, suitable for wrapping cigars. About 25 % broken leaf acceptable (1).

Class 2 : leaf of reasonable size, well ripened, of sufficiently uniform colour, sound, fine open-grained texture, with fine stems (midribs) and veins, in good condition, of good combustibility, typical flavour and aroma, suitable for wrapping cigars. About 30 % broken leaf acceptable.

Class 3 : leaf ripe, sound, fine texture with stems (midribs) and veins not too prominent, well cured, with stems (midribs) completely dried, brown, light brown or greenish in colour, with some damage, not suitable for wrapping cigars but suitable for use as filler.

Class 4 : leaf showing slight defects as regards ripeness, curing, damage and the other characteristics given for Class 2, not suitable for wrapping cigars but suitable for use as filler.

31. VIRGINIA ESP

Class 1 : leaf sufficiently ripe, well cured, open texture, with stems (midribs) and veins not very prominent, sound, lemon yellow or orange in colour (1).

Class 2 : leaf of variable firmness, texture ranging from very thin to coarse, sufficiently ripe, with some curing and colour defects, slightly mottled, bronze or green, with some defects as regards the other characteristics given for Class 1 and with some damage.

Class 3 : leaf of variable firmness, close texture, with marked curing defects, very mottled, greyish and brown in colour, possibly with considerable damage and other serious defects as regards the characteristics given for Class 1, but of the minimum quality required for intervention.

(1) Reference quality.

32. BURLEY ESP

Class 1 : leaf sufficiently ripe, well cured, open texture, with stems (midribs) and veins not very prominent, sound, of various shades of cinnamon colour (1).

Class 2 : leaf of variable firmness, sound, with slight defects as regards curing, damage, colour uniformity and the other characteristics given for Class 1.

Class 3 : leaf coarse, close texture, with considerable defects as regards curing, damage, colour and the other characteristics given for Class 1, but of the minimum quality required for intervention.

33. VIRGINIA PORT

Class 1 : leaf ripe, of open and elastic texture, oily, lemon yellow to orange in colour, shiny, length exceeding 40 cm, leaves from the first and last positions on the stalk not included (1).

Class 2 : leaf of varying firmness but sufficiently ripe, lemon yellow to orange in colour, not shiny and possibly showing traces of green, grey or brown with some damage.

Class 3 : leaf not completely ripe or else over-ripe, close texture with some curing and colour defects and some damage, but of the minimum quality required for intervention.

34. BURLEY PORT

Class 1 : leaf ripe, open and elastic texture, shiny brown in colour, length exceeding 40 cm, leaves from the first and last positions on the stalk not included (1).

Class 2 : leaf of varying firmness but sufficiently ripe, possibly with slight curing defects and some damage.

Class 3 : leaf coarse, with curing defects and damage, but of the minimum quality required for intervention.

(1) Reference quality.'

ANNEX II

The following headings are added to Annex II to Regulation (EEC) No 1727/70.

'BALED TOBACCO

27. SANTAFE

Class 1 : leaf ripe, sound, well fermented, brown or dark brown in colour, with some damage (1).

Class 2 : leaf showing slight defects as regards ripeness, fermentation, damage and the other characteristics given for Class 1.

Class 3 : leaf showing considerable defects as regards ripeness, fermentation, damage and the other characteristics given for Class 1.

28. FERMENTED BURLEY

Class 1 : leaf ripe, sound, well fermented, brown in colour, with some damage (1).

Class 2 : leaf showing slight defects as regards ripeness, fermentation, damage and the other characteristics given for Class 1.

Class 3 : leaf showing considerable defects as regards ripeness, fermentation, damage and the other characteristics given for Class 1.

29. HAVANNA ESP

Class 1 : leaf ripe, sound, fine texture, with stems (midribs) and veins not very prominent, well fermented, brown, light brown or greenish in colour, with some damage (1).

Class 2 : leaf showing slight defects as regard ripeness, fermentation, damage and the other characteristics given for Class 1.

Class 3 : leaf showing marked defects as regard ripeness, fermentation, damage and the other characteristics given for Class 1.

30. ROUND SCAFATI

Class 1 : leaf of reasonable size, well ripened, of uniform colour, sound, with little damage, fine texture, strong and elastic, with fine stems (midribs) and veins, in good condition, of good combustibility, typical flavour and aroma, well fermented, suitable for wrapping cigars. About 25 % broken leaf acceptable (1).

Class 2 : leaf of reasonable size, well ripened, of sufficiently uniform colour, sound, fine open-grained texture, with fine stems (midribs) and veins, in good condition, of good combustibility, typical flavour and aroma, well fermented, suitable for wrapping cigars. About 30 % broken leaf acceptable.

Class 3 : leaf ripe, sound fine texture, with stems (midribs) and veins not too prominent, well fermented, brown, light brown or greenish in colour, with some damage, not suitable for wrapping cigars but suitable for use as filler.

Class 4 : leaf showing slight defects as regards ripeness, fermentation, damage and the other characteristics given for Class 2, not suitable for wrapping cigars but suitable for use as filler.

31. VIRGINIA ESP

Class 1 : leaf sufficiently ripe, open texture, with stems (midribs) and veins not very prominent, sound, of various shades of yellow from lemon to orange (1).

Class 2 : leaf sufficiently ripe, of variable firmness, texture varying from very thin to coarse, with slight colour defects, slightly mottled, bronze or greenish, with some damage.

Class 3 : leaf of variable firmness, close texture with marked defects, very mottled, greyish and brown colour, possibly with considerable damage.

(1) Reference quality.

32. BURLEY ESP

Class 1 : leaf sufficiently ripe, open texture, with stems (midribs) and veins not very prominent, sound, of various shades of cinnamon colour (1).

Class 2 : leaf of variable firmness, with slight defects as regards damage, colour uniformity and the other characteristics given for Class 1.

Class 3 : leaf coarse, close texture, with marked defects as regards damage, colour and the other characteristics given for Class 1 but suitable for storage.

33. VIRGINIA PORT

Class 1 : leaf ripe, open and elastic texture, oily, in good condition, lemon yellow to orange in colour, shiny, length exceeding 40 cm, leaves from the first and last positions on the stalk not included (1).

Class 2 : leaf of varying firmness but sufficiently ripe, lemon yellow to orange in colour, not shiny, possibly showing slight green, grey or brown colouring and some damage.

Class 3 : leaf not completely ripe or else over-ripe, close texture, with curing and colour defects and some damage, but of the minimum quality required for intervention.

34. BURLEY PORT

Class 1 : leaf ripe, open and elastic texture, shiny brown in colour, in good condition, length exceeding 40 cm, leaves from the first and last positions on the stalk not included (1).

Class 2 : leaf of varying firmness, but sufficiently ripe, possibly with slight curing defects and damage.

Class 3 : leaf coarse with some curing defects and damage but of the minimum quality required for intervention.

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(1) Reference quality.'

ANNEX III

The following headings are added to Annex IV to Regulation (EEC) No 1727/70 :

Serial Number	Variety	Moisture	
		Leaf tobacco	Baled tobacco
'27	Santafé	18 %	14 %
28	Fermented Burley	18 %	14 %
29	Havanna ESP	18 %	14 %
30	Round Scafati	18 %	14 %
31	Virginia ESP	16 %	14 %
32	Burley ESP	18 %	14 %
33	Virginia PORT	17 %	12,5 %
34	Burley PORT	20 %	13 %'

ANNEX IV

The following headings are added to Annex V to Regulation (EEC) No 1727/70 :

Serial Number	Variety	Conversion rate
'27	Santafé	1,220
28	Fermented Burley	1,220
29	Havanna ESP	1,240
30	Round Scafati	1,240
31	Virginia ESP	1,150
32	Burley ESP	1,180
33	Virginia PORT	1,125
34	Burley PORT	1,180'

ANNEX V

The following headings are added to Annex I to Regulation (EEC) No 1728/70 :

Serial Number	Varieties	Classes, qualities or categories and index numbers in relation to reference quality			
		Class 1	Class 2	Class 3	Class 4
'27	Santafé	100 (1)	61	44	
28	Fermented Burley	100 (1)	65	44	
29	Havanna ESP	100 (1)	67	45	
30	Round Scafati	100 (1)	77	34	23
31	Virginia ESP	100 (1)	65	44	
32	Burley ESP	100 (1)	65	44	
33	Virginia PORT	100 (1)	70	50	
34	Burley PORT	100 (1)	70	50	

(1) Reference quality.'

ANNEX VI

The following headings are added to Annex II to Regulation (EEC) No 1728/70 :

Serial Number	Variety	Classes, qualities or categories and index numbers in relation to reference quality			
		Class 1	Class 2	Class 3	Class 4
'27	Santafé	100 (1)	61	44	
28	Fermented Burley	100 (1)	65	44	
29	Havanna ESP	100 (1)	67	45	
30	Round Scafati	100 (1)	77	34	23
31	Virginia ESP	100 (1)	65	44	
32	Burley ESP	100 (1)	65	44	
33	Virginia PORT	100 (1)	70	50	
34	Burley PORT	100 (1)	70	50	

(1) Reference quality.'

ANNEX VII

The following is added to the Annex to Regulation (EEC) No 2603/71 :

Serial Number	Varieties	Amount in ECU/kg of leaf tobacco
'27	Santafé	0,545
28	Fermented Burley	0,545
29	Havanna ESP	0,545
30	Round Scafati	4,000
31	Virginia ESP	0,796
32	Burley ESP	0,741
33	Virginia PORT	0,796
34	Burley PORT	0,741'

ANNEX VIII

The following centres are added to the Annex to Regulation (EEC) No 2468/72 :

'SPAIN

(a) Collection centres :	Plasencia (Cáceres)	Mérida (Badajóz)
	Coria (Cáceres)	La Rinconada (Sevilla)
	Jaraiz (Cáceres)	Granada
	Talayuela (Cáceres)	Albal (Valencia)
	Navalmoral (Cáceres)	Rotglá (Valencia)
	Jarandilla (Cáceres)	Pamplona (Navarra)
	Candeleda (Avila)	Carracedelo (León)
	Talavera (Toledo)	Salcedo (Pontevedra)
	Don Benito (Badajóz)	Gijón (Asturias)
(b) Processing and storage centres :	Plasencia (Cáceres)	La Riconada (Sevilla)
	Coria (Cáceres)	Granada
	Jaraiz (Cáceres)	Albal (Valencia)
	Talayuela (Cáceres)	Pamplona (Navarra)
	Navalmoral (Cáceres)	Mérida (Badajóz)
	Jarandilla (Cáceres)	Rotglá (Valencia)
	Candeleda (Avila)	Carrecedelo (Léon)
	Talavera (Toledo)	Salcedo (Pontevedra)
	Don Benito (Badajóz)	Gijón (Asturias)

PORTUGAL

(a) Collection centre :	Anadia	Águas Belinhas
	Tentúgal	Monte de Barca
	Guia	Lavre
	Pombal	Campo Maior
	Batalha	Bemposta
	Miranda do Corvo	Grandola
	Alvaiázere	Rio Frio
	Fundão	Mirandela
	Idanha	Braga
	Ponte de Sor	Coruche
	Avis	São Miguel (Açores)
	Mora	Terceira (Açores)
	Monte Couço	
(b) Processing and storage centre :	Coruche	Terceira (Açores).'
	São Miguel (Açores)	

ANNEX IX

'ANNEX

TOLERANCE LIMITS AS A PERCENTAGE OF NET WEIGHT

1. **Tobacco purchased as leaf tobacco by the intervention agency**

Varieties	During the year of purchase
Dark, air-cured (1, 4, 5, 6, 11, 12, 27, 28, 29)	8 %
Fire-cured (10)	8 %
Special tobacco (16, 30)	8 %
Light, air-cured (2, 8, 9, 25, 32, 34)	5 %
Flue-cured (3, 7, 26, 31, 33)	5 %
Sun-cured (13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24)	8 %

2. **Tobacco purchased as baled tobacco by the intervention agency**

Varieties	During the year of purchase	During subsequent years
Dark, air-cured (1, 4, 5, 6, 11, 12, 27, 28, 29)	1,5 %	0,7 %
Fire-cured (10)	1,5 %	0,7 %
Special tobaccos (16, 30)	1,5 %	0,7 %
Light, air-cured (2, 8, 9, 25, 32, 34)	1,0 %	0,6 %
Flue-cured (3, 7, 26, 31, 33)	1,0 %	0,8 %
Sun-cured (13, 14, 15)	1,0 %	0,6 %
(17, 18, 19, 20, 21, 22, 23, 24)	2,0 %	1,0 %'

ANNEX X

The following headings are added to the Annex to Regulation (EEC) No 410/76 :

Serial Number	Varieties	Maximum weight losses as a percentage of the net weight of leaf tobacco
'27	Santafé	21
28	Fermented Burley	21
29	Havanna ESP	23
30	Round Scafati	22
31	Virginia ESP	16
32	Burley ESP	18
33	Virginia PORT	14
34	Burley PORT	17'