

Official Journal

of the European Communities

ISSN 0378-6978

L 53

Volume 29

1. March 1986

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 451/86
of 25 February 1986**

**fixing, for the 1985/86 marketing year, the intervention prices applicable in Spain to
cereals and rice**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the first paragraph of Article 68 of the Act of Accession provides that the prices to be applied in Spain before the first move towards price alignment are to be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain under the previous national system for a representative period to be determined; whereas under Articles 111 and 117 of the Act this provision applies for cereals and rice to the intervention prices; whereas, in accordance with the joint declarations attached to the Act, the prices for the 1985/86 marketing year should be used;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are to apply with effect from

1 March 1986; whereas it is therefore appropriate to include in them the monthly increases determined pursuant to Article 6 of Regulation (EEC) No 2727/75 on the common organization of the market in cereals ⁽¹⁾ as last amended by Regulation (EEC) No 3768/85 ⁽²⁾ and pursuant to Article 7 of Regulation (EEC) No 1418/76 on the common organization of the market in rice, ⁽³⁾ as last amended by Regulation (EEC) No 3768/85,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 March 1986 until the end of the 1985/86 marketing years for the products concerned, the intervention prices applicable in Spain to cereals and rice shall be those set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

ANNEX

	Intervention price (1)	Monthly increase in March 1986	Price in March 1986
COMMON WHEAT, MAIZE			
Single intervention price	171,44	17,99	189,43
DURUM WHEAT			
Intervention price	204,48	22,64	227,12
BARLEY, SORGHUM			
Single intervention price	162,32	17,99	180,31
RYE			
Intervention price	167,06	17,99	185,05
RICE			
Intervention price for paddy rice	238,00	19,80	257,80

(1) Intervention price at beginning of 1985/1986 marketing year.

COUNCIL REGULATION (EEC) No 452/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the prices of sugar and sugar beet applicable in Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the first paragraph of Article 68 and the first paragraph of Article 236 of the Act of Accession provide that the prices to be respectively applied in Spain and Portugal before the first move towards price alignment are to be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain and Portugal under the previous national system for a representative period to be determined; whereas, pursuant to Article 108 and 302 of the Act, this provision applies in the sugar sector to the intervention price for white sugar and the basic price for beet; whereas, in accordance with the joint declarations attached to the Act, the prices for the 1985/86 marketing year should be used;

Whereas the joint declaration concerning the prices of agricultural products in Portugal provides that the agricultural prices should be those recorded in the acts of the Conference;

Whereas, as regards the fixing of the minimum prices for A and B beet, they must be obtained from the Spanish and Portuguese basic prices by deducting respectively the basic production levy and the B levy applicable to sugar for the 1985/86 marketing year;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986.

Spain and Portugal in the sugar sector shall be as follows:

for Spain:

(a) the intervention price for white sugar shall be 62,78 ECU per 100 kg;

(b) the prices for beet shall be as follows:

— 47,98 ECU per tonne for the basic price,

— 47,16 ECU per tonne for the minimum price for A beet,

— 31,83 ECU per tonne for the minimum price for B beet;

for Portugal:

(a) the intervention price for white sugar shall be 49,24 ECU per 100 kg;

(b) the prices for beet shall be as follows:

— 43,72 ECU per tonne for the basic price.

— 42,90 ECU per tonne for the minimum price for A beet,

— 27,57 ECU per tonne for the minimum price for B beet.

2. The prices for beet set out in paragraph 1 shall be understood to refer to the delivery stage, collection centre, and shall apply to standard quality beet as defined in Article 3 of Regulation (EEC) No 1483/85 ⁽¹⁾.

Article 2

HAS ADOPTED THIS REGULATION:

This Regulation shall enter into force on 1 March 1986.

Article 1

1. For the period from 1 March 1986 until the end of the 1985/86 marketing year, the prices applicable in

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 3.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 453/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the intervention prices for olive oil in Spain and Portugal and the production aid applicable in Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under the first paragraph of Article 68 and the first paragraph of Article 236 of the Act of Accession, the prices to be applied before the first move towards price alignment in Spain and Portugal respectively must be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed, for a representative period to be determined, under the previous national systems in Spain and Portugal; whereas, under Article 92 (1) and 290 (1) of the Act, that provision applies to the intervention price in the case of olive oil; whereas, in accordance with the joint declarations annexed to the Act, the prices for 1985/86 should be used;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986; whereas they should therefore include the monthly increases for March specified in Regulation (EEC) No 1503/85 ⁽¹⁾ and applicable for the month of March; whereas the said prices should, for the remainder of the 1985/86 marketing year, be increased each month as laid down in that Regulation;

Whereas, under Article 79 and 95 of the Act, the aid for the production of olive oil applicable in Spain from 1 March 1986 must be fixed on the basis of the aid granted under the previous national arrangements;

whereas aid of this type was not granted in Portugal under the previous national arrangements.

HAS ADOPTED THIS REGULATION:

Article 1

1. The intervention price and the aid for the production of olive oil applicable in Spain from 1 March 1986 to the end of the 1985/86 marketing year shall be as follows:

(a) intervention price:

- 129,71 ECU per 100 kg (at the beginning of the marketing year),
- 135,08 ECU per 100 kg (including the monthly increases);

(b) production aid:

- 8,31 ECU per 100 kg.

2. The intervention price for olive oil applicable in Portugal from 1 March 1986 to the end of the 1985/86 marketing year shall be as follows:

- 198,18 ECU per 100 kg (at the beginning of the marketing year),
- 203,55 ECU per 100 kg (including the monthly increases).

3. The prices specified in paragraphs 1 and 2 are for semi-fine virgin olive oil with a free fatty acid content expressed as oleic acid of 3,3 grams per 100 grams.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 29.

COUNCIL REGULATION (EEC) No 454/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the target price and the intervention price for
colza, rape and sunflower seed applicable in Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under the first paragraph of Article 68 and the first paragraph of Article 236 of the Act of Accession, the prices to be applied in Spain before the first move towards price alignment must be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain or Portugal under the previous national systems for a representative period to be determined: whereas, under Articles 93 and 291 of the Act, that provision is applicable to colza, rape and sunflower seed in the case of Spain and to sunflower seed in the case of Portugal; whereas, in accordance with the joint declarations annexed to the Act, the prices for the 1985/86 marketing year should be used;

Whereas, in accordance with Article 291 of the Act, the target price for colza and rape seed applicable in Portugal on 1 March 1986 must be fixed on the basis of the variation between the prices of competitive products in rotation cropping; whereas, in accordance with the joint declaration annexed to the Act, the 1985/86 marketing year should be chosen as the representative period; whereas the target price applicable to Portugal may not exceed the common price;

Whereas the intervention price should, in accordance with the rules of the common organization of the market, be derived from the target price;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation must be applicable from 1 March 1986; whereas they should therefore include the monthly increases for March which are specified in Regulations (EEC) No 1103/84 ⁽¹⁾ and No 1490/85 ⁽²⁾; whereas for the remainder of the 1985/86 marketing

year the said prices must be increased as laid down in those Regulations.

HAS ADOPTED THIS REGULATION:

Article 1

The target and intervention prices applicable in Spain from 1 March 1986 to the end of the 1985/86 marketing year shall be as follows:

1. *colza and rape seed:*

- target price: 40,28 ECU per 100 kg (at the beginning of the marketing year)
43,92 ECU per 100 kg (including the monthly increases)
- intervention price: 39,66 ECU per 100 kg (including the monthly increases)

2. *sunflower seed:*

- target price: 40,11 ECU per 100 kg (at the beginning of the marketing year)
43,80 ECU per 100 kg (including the monthly increases)
- intervention price: 38,92 ECU per 100 kg (including the monthly increases)

Article 2

The target and intervention prices applicable in Portugal from 1 March 1986 until the end of the 1985/86 marketing year shall be as follows:

1. *colza and rape seed:*

- target price: 46,41 ECU per 100 kg (at the beginning of the marketing year)
50,05 ECU per 100 kg (including the monthly increases)
- intervention price: 45,79 ECU per 100 kg (including the monthly increases)

2. *sunflower seed:*

- target price: 57,35 ECU per 100 kg (at the beginning of the marketing year)
61,04 ECU per 100 kg (including the monthly increases)

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 10.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 14.

- intervention price: 56,16 ECU per 100 kg
(including the monthly increases)

40 % respectively in the case of colza and rape seed;

Article 3

The prices specified in Articles 1 and 2 relate to seeds in bulk which are of sound, genuine and merchantable quality:

- (b) with an impurity content of 2 % and, in the seeds themselves, moisture and oil contents of 10 % and 42 % respectively in the case of sunflower seed.

Article 4

- (a) with an impurity content of 2 % and, in the seeds themselves, moisture and oil contents of 9 % and

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 455/86**of 25 February 1986****fixing the guide price and the minimum price for soya beans applicable in Spain and Portugal in 1985/86**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under the first paragraph of Article 68 of the Act of Accession, the prices to be applied in Spain before the first move towards price alignment must be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain under the previous national system for a representative period to be determined; whereas in accordance with Article 93 of the Act, that provision shall apply with respect to soya beans to the guide price; whereas, in accordance with the joint declarations annexed to the Act, the 1985/86 marketing year should be chosen as the representative period;

Whereas, under Article 291 of the Act, the guide price for soya beans applicable in Portugal on 1 March 1986 must be fixed on the basis of the variation existing between the prices of competitive products in rotation cropping in Portugal and in the Community as constituted on 31 December 1985 over a reference period; whereas, in accordance with the joint declaration annexed to the Act, the prices for 1985/86 should be used; whereas the guide price applicable in Portugal may not exceed the common price;

Whereas a minimum price should be fixed and whereas it should be derived from the guide price in accordance with the rules of the common organization of the market;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 March 1986 to the end of the 1985/86 marketing year the guide prices for soya beans applicable in Spain and Portugal shall be as follows:

- (a) Spain: 40,65 ECU per 100 kg,
- (b) Portugal: 57,58 ECU per 100 kg.

2. For the period from 1 March 1986 to the end of the 1985/86 marketing year the minimum prices applicable in Spain and Portugal shall be as follows:

- (a) Spain: 33,74 ECU per 100 kg,
- (b) Portugal: 50,67 ECU per 100 kg.

3. The prices specified in paragraphs 1 and 2 relate to beans:

- in bulk, of sound, genuine and merchantable quality
and
- with an impurity content of 2 % and, in the beans themselves, moisture and oil contents of 14 % and 18 % respectively.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council
The President
G. BRAKS

COUNCIL REGULATION (EEC) No 456/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the guide prices for linseed applicable in Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, under Articles 93 and 291 of the Act, the guide prices for linseed applicable in Spain and Portugal on 1 March 1986 must be fixed on the basis of the variation between the prices of competitive products in rotation cropping in Spain or Portugal, as the case may be, and in the Community as constituted on 31 December 1985 over a reference period; whereas, in accordance with the joint declarations annexed to the Act, the prices for the 1985/86 marketing year should be used; whereas the guide price applicable in Portugal may not exceed the common price;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986.

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 March 1986 to the end of the 1985/86 marketing year the guide price for linseed shall be as follows:

- (a) Spain: 45,85 ECU per 100 kg,
- (b) Portugal: 55,41 ECU per 100 kg.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 457/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the guide prices applicable to dried fodder in Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 120 (1) and 306 (1) of the Act of Accession lay down that the guide price referred to in Article 4 of Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder ⁽¹⁾ as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, applicable in Spain and Portugal respectively as of 1 March 1986 is to be fixed on the basis of the variations which exist between the prices of competitive products in rotation cropping in Spain or Portugal, as the case may be, on the one hand and in the Community as constituted at 31 December 1985 on the other, over a reference period; whereas, in accordance with the joint declarations attached to the Act, the prices for the 1985/86 marketing year should be used; whereas the guide price applicable in Portugal may not exceed the common price;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 March 1986 to the end of the 1985/86 marketing year, the guide prices applicable in Spain and Portugal are hereby fixed at the following levels:

- (a) in Spain: 148,04 ECU per tonne,
- (b) in Portugal: 178,92 ECU per tonne.

2. The prices set out in the foregoing paragraph refer to a product:

- with a moisture content of 11 %,
- with a total crude protein content of 18 % of the dry matter.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

COUNCIL REGULATION (EEC) No 458/86

of 25 February 1986

fixing, for the 1985/86 marketing year, the activating threshold price, the guide price and the minimum price for peas, field beans and sweet lupins applicable in Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 121 (1) of the Act of Accession lays down that Article 68 is to apply to the activating threshold price for peas, field beans and sweet lupins used in the manufacture of animal feed; whereas the guide price for peas and field beans applicable in Spain as of 1 March 1986 is to be fixed on the basis of the variation which exists between the prices of competitive products in rotation cropping in Spain and in the Community as constituted at 31 December 1985 over a reference period to be determined;

Whereas Article 307 (1) of the Act lays down that the activating threshold price for peas, field beans and sweet lupins used in the manufacture of animal feed and the guide price for other peas and field beans applicable in Portugal as of 1 March 1986 are to be fixed on the basis of the variation which exists between the prices of competitive products in rotation cropping in Portugal and in the Community as constituted at 31 December 1985 over a reference period to be determined; whereas, in accordance with the joint declarations attached to the Act, the prices for the 1985/86 marketing year should be used;

Whereas the variation found between the common price and that of Spain both for the activating threshold price and for the guide price for peas and field beans is less than 3 %; whereas Article 69 of the Act permits in such a case the immediate application of the common price; whereas recourse should be had to such a possibility;

Whereas the same also holds true for the activating threshold price and the guide price for peas and field beans for Portugal; whereas recourse should be had to the possibility opened by Article 237 of the Act to immediately apply the common price;

Whereas, for the sake of administrative efficiency, a minimum price should also be fixed, which should be

derived from the guide price in accordance with the rules of the common organization of the market;

Whereas, under Article 394 of the Act, the prices fixed by this Regulation are applicable as of 1 March 1986; whereas the monthly increases fixed by Regulation (EEC) No 1487/85 ⁽¹⁾ and applicable for the month of March should therefore be taken into account; whereas, for the remainder of the 1985/86 marketing year, the prices will be subject to the monthly increases provided for in that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 March 1986 to the end of the 1985/86 marketing year, the activating threshold prices applicable in Spain and Portugal are hereby fixed at the following levels:

(ECU/100 kg)		
	Peas and field beans	Sweet lupins
Spain	50,64 ⁽¹⁾ 53,04 ⁽²⁾	44,15 ⁽¹⁾
Portugal	50,64 ⁽¹⁾ 53,04 ⁽²⁾	48,25 ⁽¹⁾

⁽¹⁾ At the beginning of the marketing year.

⁽²⁾ Including the monthly increases.

2. The prices set out in paragraph 1 refer to soya cake with:

- a total crude protein content of 44 %, and
- a moisture content of 11 %.

Article 2

1. For the period from 1 March 1986 to the end of the 1985/86 marketing year the guide prices applicable in

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 10.

Spain and Portugal are hereby fixed at the following levels:

<i>(ECU/100 kg)</i>	
	Peas and field beans
Spain	32,48 ⁽¹⁾ 33,56 ⁽²⁾
Portugal	32,48 ⁽¹⁾ 33,56 ⁽²⁾

⁽¹⁾ At the beginning of the marketing year.

⁽²⁾ Including the monthly increases.

2. The prices set out in paragraph 1 refer to products in bulk of sound, genuine and merchantable quality with 3 % impurities and, in the product itself, 14 % moisture content.

Article 3

1. For the period from 1 March 1986 to the end of the 1985/86 marketing year, the minimum buying-in prices are hereby fixed at the following levels:

<i>(ECU/100 kg)</i>			
	Peas	Field beans	Sweet lupins
Spain	29,43 ⁽¹⁾	28,43 ⁽¹⁾	29,23 ⁽¹⁾
Portugal	29,43 ⁽¹⁾	28,43 ⁽¹⁾	31,79 ⁽¹⁾

⁽¹⁾ Monthly increases included.

2. The prices set out in the foregoing paragraph refer to products as defined in Article 2 (2).

Article 4

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 459/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the guide price for unginned cotton applicable in Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Protocol 4 on cotton annexed to the Act of Accession of Greece, as amended by Protocol No 14 annexed to the Act of Accession of Spain and Portugal, and in particular paragraph 13 thereof,

Having regard to the proposal from the Commission,

Whereas the first paragraph of Article 68 of the Act of Accession provides that the prices to be applied in Spain before the first move towards price alignment, are to be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain under the previous national system for a representative period to be determined; whereas, pursuant to Protocol No 14 annexed to the Act, this provision applies in respect of unginned cotton to the guide price; whereas, in accordance with the joint declarations annexed to the Act, the prices for the 1985/86 marketing year should be used;

Whereas the variation found between the common guide price and that of Spain is less than 3 %; whereas

Article 69 of the Act permits, in such a case, the application of the common price; whereas use should be made of this possibility;

Whereas, pursuant to Article 394 of the Act, the price fixed by this Regulation is applicable from 1 March 1986.

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period from 1 March 1986 to the end of the 1985/86 marketing year the guide price applicable in Spain hereby fixed at ECU per 100 kilograms.
2. The price referred to in paragraph 1 shall be for cotton
 - containing 14 % moisture and 3 % non-organic foreign matter,
 - with the characteristics necessary to yield, after ginning, 54 % seed and 32 % fibres of Grade No 5 as defined in Greece, of 28 millimetres in length.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 460/86**of 25 February 1986****laying down general rules for applying the Act of Accession of Spain and Portugal as regards the processing of oranges and lemons**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 119 (1) and 305 (1) of the Act of Accession lay down that the minimum price provided for in Article 2 (2) of Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of certain varieties of oranges ⁽¹⁾ as last amended by Regulation (EEC) No 987/84 ⁽²⁾ and in Article 2 (3) of Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons ⁽³⁾ as last amended by Regulation (EEC) No 1318/85 ⁽⁴⁾ applicable in Spain and Portugal is, until the first move towards price alignment, to be established on the basis of the prices paid in Spain and Portugal to producers of citrus fruits intended for processing, recorded over a representative period to be determined;

Whereas Article 119 (4) of the Act of Accession lays down that the quantities eligible for aid for processing are to be limited for the first four marketing years following accession; whereas provision should be made

for the possibility of laying down detailed rules for the application of that provision,

HAS ADOPTED THIS REGULATION:

Article 1

The minimum price referred to in Articles 119 (1) and 305 (1) of the Act of Accession shall be established on the basis of the prices paid:

- to Spanish producers during the 1981/82, 1982/83 and 1983/84 marketing years,
- to Portuguese producers during the 1981/82 and 1982/83 marketing years for oranges and during the 1981/82 marketing year for lemons.

Article 2

Detailed rules for the application of Article 119 (4) of the Act of Accession shall be adopted, if the need arises, in accordance with the procedure laid down in Article 33 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽⁵⁾ as last amended by Regulation (EEC) No 3768/85 ⁽⁶⁾.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽²⁾ OJ No L 103, 16. 4. 1984, p. 10.

⁽³⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 37.

⁽⁵⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁶⁾ OJ No L 362, 31. 12. 1985, p. 8.

COUNCIL REGULATION (EEC) No 461/86**of 25 February 1986****laying down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, in particular Articles 89 (1) and 234 (2),

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

Having regard to the proposal from the Commission,

Whereas Articles 118 (1) first indent and 304 (1) first indent of the Act of Accession lay down that the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 shall be established on the basis of the price fixed in Spain and Portugal, respectively under the previous national arrangements for the products intended for processing;

Whereas such prices have been fixed:

- in Portugal for fresh tomatoes, except for the San Marzano variety,
- in Spain for fresh tomatoes, except for tomatoes intended for processing into non-whole peeled tomatoes;

Whereas the San Marzano variety are not used for processing in Portugal;

Whereas Articles 118 (1) second indent and 304 (1) second indent of the Act of Accession lay down that in cases where no prices are fixed under previous national arrangements, the minimum prices referred to in Article 4 of Regulation (EEC) No 426/86 shall be established on the basis of prices paid in Spain and Portugal to producers for the product intended for processing, as recorded during a representative period to be determined;

Whereas the representative period should cover a span assuring a smooth passage from the existing arrangements in Spain and Portugal to those provided for in the Act of Accession;

Whereas the Act of Accession has exhaustively provided for the measures to be applied in Spain and Portugal during the transitional period; whereas as a consequence thereof processing of products for which no minimum price is established before the first move towards alignment, should not lead to the granting of production aid;

Whereas Articles 69 and 237 of the Act of Accession provide that in the event that on accession the variation between the price level for a product in Spain or Portugal and the common price is minimal, the common price may be applied in Spain and Portugal for the product; whereas the application of that possibility would simplify the management of the production aid system and the application would not create economic disturbances;

Whereas Article 118 (3) (b) and (6) of the Act of Accession limits during the first four marketing years the granting of production aid in Spain for tomato based products and for peaches in syrup; whereas Article 304 (3) (b) of the Act of Accession limits during the first five marketing years the granting of production aid in Portugal for tomato based products; whereas it is necessary to fix detailed rules for the application of these limitations;

Whereas similar rules are already applied to other products benefiting from production aid; whereas the necessary rules should be adopted in accordance with the same procedure as that used for the adoption of the rules already in application;

HAS ADOPTED THIS REGULATION:

Article 1

1. The representative periods as referred to in Article 118 (1) second indent and 304 (1) second indent of the Act of Accession shall cover the following periods:

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

Products	Marketing years	
	Spain	Portugal
Peaches	1982/83 1983/84 and 1984/85	1981/82 1982/83 and 1983/84
Williams pears	1982/83 and 1983/84	1981/82 1982/83 and 1983/84
Dried 'd'Ente' plums	1982/83 1983/84 and 1984/85	No production
Bigarreaux cherries and other sweet cherries	1982/83 1983/84 and 1984/85	1981/82 1982/83 and 1983/84
Dried figs	1982/83 1983/84 and 1984/85	1983/84
Tomatoes intended for processing into non-whole peeled tomatoes, preserved or frozen	1985/86	

2. In cases where processing is carried out in Spain or Portugal during the first transitional period of products of the type which could benefit from production aid at the moment of the Accession but for which no minimum price for the raw material is established before the first move towards alignment of prices referred to in Article 70 of the Act of Accession, such products shall not benefit from any production aid.

3. Where for a given product the difference between the minimum price referred to in Articles 118 (1) and 304 (1) of the Act of Accession of Spain and the common price is less than or equal to 3 % of the common price, the common price shall, by way of derogation from the provisions in Article 118 (2), first indent, and 304 (2), first indent of that Act, be applied on accession.

Article 2

Detailed rules for the application of the provisions limiting the granting of production aid as provided for in Articles 118 (3) (b), and (6) and 304 (3) (b) of the Act of Accession, in particular rules on:

- allocation of specific quantities to processors, and
- the compilation and communication of information necessary for implementing the provisions

shall be adopted in accordance with the procedure laid down in Article 22 of Regulation (EEC) No 426/86.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council
The President
 G. BRAKS

COUNCIL REGULATION (EEC) No 462/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the guide prices applicable in Spain for wine**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the first paragraph of Article 68 of the Act of Accession lays down that the prices to be applied in Spain before the first alignment are to be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain under the previous national system for a representative period to be determined; whereas, pursuant to Article 122 of the Act, this provision applies to the guide prices for wine; whereas, in accordance with the joint declarations annexed to the Act, the prices for the 1985/86 marketing year should be used;

Whereas, pursuant to Article 122 of the Act, the guide price applicable in Spain for white table wine of type A I is to be fixed at a level such that the relationship between the regulatory compulsory distillation price applied in Spain under the previous national arrangements during the 1985/86 marketing year and the said guide price is 50 %; whereas the guide price applicable in Spain for red table wine of types R I and R II is to be derived from the guide price for white table wine of type A I by applying the same relationship as that existing in the Community of Ten between the guide prices of table wines of types A I and R I;

Whereas it is appropriate, in order to fix the guide prices applicable in Spain for table wines of types R III, A II and A III, to use the same relationship as that existing in the Community of Ten between the guide prices of table wines of types R I and R III, A I and A II, and A I and A III respectively;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 March 1986 to the end of the 1985/86 marketing year the guide prices for table wine applicable in Spain shall be as follows:

Type of wine	Guide price
R I	1,89 ECU/% vol/hl
R II	1,89 ECU/% vol/hl
R III	29,48 ECU
A I	1,75 ECU/% vol/hl
A II	39,20 ECU/hl
A III	44,77 ECU/hl

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 463/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the intervention prices for butter and skimmed-milk powder applicable in Spain 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 the Act of Accession of Spain and Portugal ⁽¹⁾, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the first paragraph of Article 68 of the Act of Accession lays down that the prices to be applied in Spain before the first alignment are to be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain under the previous national system for a representative period to be determined; whereas, pursuant to Article 98 of the Act, this provision applies in respect of milk and milk products to the intervention prices for butter and skimmed-milk powder; whereas, in accordance with the joint declarations annexed to the Act, the prices for the 1985/86 marketing year should be used;

Whereas, pursuant to Article 394 of the Act, the prices fixed by this Regulation are applicable from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 March 1986 to the end of the 1985/86 marketing year the intervention prices applicable in Spain in respect of milk and milk products shall be as follows:

- (a) 352,54 ECU per 100 kg for butter,
- (b) 243,80 ECU per 100 kg for skimmed-milk powder.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council
The President
G. BRAKS

⁽¹⁾ OJ No L 302, 15. 11. 1985, p. 1.

COUNCIL REGULATION (EEC) No 464/86**of 25 February 1986****fixing, for the 1985/86 marketing year, the intervention price applicable in Spain for beef**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the first paragraph of Article 68 of the Act of Accession lays down that the prices to be applied in Spain before the first alignment are to be fixed, in accordance with the rules provided for in the common organization of the market, at a level corresponding to that of prices fixed in Spain under the previous national system for a representative period to be determined; whereas, pursuant to Article 100 of the Act, this provision applies to the intervention price for beef; whereas, in accordance with the joint declarations annexed to the Act, the prices for the 1985/86 marketing year, should be used;

Whereas, pursuant to Article 394 of the Act, the price fixed by this Regulation is applicable from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Article 1

For the period from 1 March 1986 to the end of the 1985/86 marketing year, the intervention price for beef applicable in Spain shall be 294,46 ECU per 100 kg for carcasses of the category referred to in Article 3 (1), first indent of Regulation (EEC) No 1208/81 ⁽¹⁾ and classified as class R 3 in accordance with the said Regulation.

Article 2

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 123, 7. 5. 1981, p. 3.

COUNCIL REGULATION (EEC) No 465/86**of 25 February 1986****fixing the amounts of the aid for seed applicable in Spain and Portugal for the 1985/86, 1986/87 and 1987/88 marketing years**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 106 and 300 of the Act of Accession lay down that Articles 79 and 246 respectively are to apply to the aid for seed;

Whereas Articles 79 and 246 of the Act lay down the conditions for the application of Community aid in Spain and Portugal;

Whereas the application of these criteria means that the amount of the aid for seed in Spain and Portugal should be fixed at the level set out in the Annex for the 1985/86, 1986/87 and 1987/88 marketing years; whereas, however, pursuant to these same criteria, no grant of aid for seed in Portugal for the 1985/86 marketing year should be provided for;

Whereas, pursuant to Article 394 of the Act, the aids fixed by this Regulation are applicable from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the aid for seed applicable in Spain for the 1985/86, 1986/87 and 1987/88 marketing years shall be those set out in Annex I.

Article 2

The amounts of the aid for seed applicable in Portugal for the 1986/87 and 1987/88 marketing years shall be those set out in Annex II.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

ANNEX I

1985/86, 1986/87 and 1987/88 marketing years

(ECU/100 kg)

Common Customs Tariff heading No	Description	Amount of the aid		
		1985/86	1986/87	1987/88
10.01 A	1. CERES Triticum spelta L.	0	1,6	3,2
10.06 A	Oryza sativa L.	14,6	14,6	14,6
ex 12.01 A	2. OLEAGINEAE Linum usitatissimum L. (textile flax)	0	3,1	6,2
	Linum usitatissimum L. (linseed)	0	2,5	4,9
	Cannabis sativa L. (monoecious)	0	2,2	4,4
ex 12.03 C	3. GRAMINEAE Agrostis canina L.	0	8,7	17,4
	Agrostis gigantea Roth.	0	8,7	17,4
	Agrostis stolonifera L.	0	8,7	17,4
	Agrostis tenuis Sibth.	0	8,7	17,4
	Arrhenatherum elatius (L.) Beauv. ex. J. et C. Presl.	51,3	51,3	51,3
	Dactylis glomerata L.	41,6	41,6	41,6
	Festuca arundinacea Schreb.	0	6,4	12,8
	Festuca ovina L.	0	4,7	9,4
	Festuca pratensis Huds.	32,7	32,7	32,7
	Festuca rubra L.	0	4	8
	Lolium multiflorum Lam.	16,1	16,1	16,1
	Lolium perenne L.			
	— of high persistence, late or medium late	26,7	26,7	26,7
	— new varieties and others	20,8	20,8	20,8
	— of low persistence, medium late, medium early or early	14,6	14,6	14,6
	Lolium x hybridum Hausskn.	16,1	16,1	16,1
	Phleum Bertolonii (DC)	0	5,8	11,7
	Phleum pratense L.	66,9	66,9	66,9
	Poa memorialis L.	0	4,2	8,5
	Poa pratensis L.	29,7	29,7	29,7
	Poa trivialis L.	0	4,2	8,5
ex 07.05 A I	4. LEGUMINOSAE Pisum sativum L. (partim) (field peas)	0	0	0
ex 07.05 A III	Vicia faba L. (partim) (field beans)	0	0	0
ex 12.03 C	Medicago lupulina L.	0	3,5	7
	Medicago sativa L. (ecotypes)	16,2	16,2	16,2
	Medicago sativa L. (varieties)	26,7	26,7	26,7
	Trifolium alexandrinum L.	35	35	35
	Trifolium hybridum L.	0	5	10
	Trifolium incarnatum L.	0	5	10
	Trifolium pratense L.	38,6	38,6	38,6
	Trifolium repens L.	54,1	54,1	54,1
	Trifolium repens L. var. giganteum	54,1	54,1	54,1
	Trifolium resupinatum L.	0	5	10
	Vicia sativa L.	23,8	23,8	23,8

ANNEX II

1986/87 and 1987/88 marketing years

(ECU/100 kg)

Common Customs Tariff heading No	Description	Amount of the aid	
		1986/87	1987/88
10.01 A	1. CERES Triticum spelta L.	1,6	3,2
10.06 A	Oryza sativa L.	2,1	4,2
ex 12.01 A	2. OLEAGINEAE Linum usitatissimum L. (textile flax)	3,1	6,2
	Linum usitatissimum L. (linseed)	2,5	4,9
	Cannabis sativa L. (monoecious)	2,2	4,4
ex 12.03 C	3. GRAMINEAE Agrostis canina L.	8,7	17,4
	Agrostis gigantea Roth.	8,7	17,4
	Agrostis stolonifera L.	8,7	17,4
	Agrostis tenuis Sibth.	8,7	17,4
	Arrhenatherum elatius (L.) Beauv. ex. J. et C. Presl.	7,3	14,6
	Dactylis glomerata L.	5,6	11,9
	Festuca arundinacea Schreb.	6,4	12,8
	Festuca ovina L.	4,7	9,4
	Festuca pratensis Huds.	4,7	9,4
	Festuca rubra L.	4	8
	Lolium multiflorum Lam.	2,3	4,6
	Lolium perenne L.		
	— of high persistence, late or medium late	3,8	7,6
	— new varieties and others	3	6
	— of low persistence medium late, medium early or early	2,1	4,2
	Lolium x hybridum Hausskn.	2,3	4,6
	Phleum Bertolonii (DC)	5,8	11,7
	Phleum pratense L.	9,6	19,2
	Poa memorialis L.	4,2	8,5
	Poa pratensis L.	4,2	8,5
	Poa trivialis L.	4,2	8,5
ex 07.05 A I	4. LEGUMINOSAE Pisum sativum L. (partim) (field peas)	0	0
ex 07.05 A III	Vicia faba L. (partim) (field beans)	0	0
ex 12.03 C	Medicago lupulina L.	3,5	7
	Medicago sativa L. (ecotypes)	2,3	4,6
	Medicago sativa L. (varieties)	3,8	7,6
	Trifolium alexandrinum L.	5	10
	Trifolium hybridum L.	5	10
	Trifolium incarnatum L.	5	10
	Trifolium pratense L.	5,5	11
	Trifolium repens L.	7,7	15,4
	Trifolium repens L. var. giganteum	7,7	15,4
	Trifolium resupinatum L.	5	10
	Vicia sativa L.	3,4	6,8

COUNCIL REGULATION (EEC) No 466/86**of 25 February 1986****determining the general rules for the system of accession compensatory amounts for milk and milk products on account of the accession of Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Article 68 and 70 of the Act of Accession provide, for Spain, for the fixing of prices at a level which may be different to that of the common prices; whereas, pursuant to Article 72 of the Act, such differences in price level are to be compensated for by a system of compensatory amounts;

Whereas the compensatory amounts are intended to avoid disturbances in trade resulting from differences in prices; whereas, as a consequence, the application of compensatory amounts is not required where there is no fear of such disturbances;

Whereas, pursuant to Article 98 (2) of the Act, the compensatory amounts for milk products other than butter and skimmed-milk powder are to be fixed using coefficients to be determined; whereas, for the determination of such coefficients, account should be taken in particular of the difference between the prices recorded on the Spanish market and the prices recorded in the Community of Ten;

Whereas, where it becomes necessary, provision should be made for the possible introduction of a system for the advance fixing of compensatory amounts;

Whereas Article 73 of the Act provides that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market where the refund on exports is less than the compensatory amount or if no refund is applicable; whereas such measures may in particular provide for the levying of an amount not exceeding the accession compensatory amount;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion

should apply for such time as is necessary in order to achieve the desired end,

HAS ADOPTED THIS REGULATION:

Article 1

Within the meaning of this Regulation:

- 'Community of Ten' shall mean the Community as at present constituted before the accession of the Kingdom of Spain and of the Portuguese Republic,
- 'accession compensatory amounts' shall mean compensatory amounts applicable in trade between the Community of Ten and Spain and between the latter and third countries.

Article 2

The accession compensatory amounts applicable for each year:

- (a) for butter and skimmed-milk powder, shall be equal to the difference between the intervention price fixed for Spain and the intervention price applicable in the Community of Ten;
- (b) for the other products listed in Article 1 of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾ as last amended by Regulation (EEC) No 3768/85 ⁽²⁾ shall be fixed using one or more of the following factors:
 - the difference between the prices recorded on the Spanish market and the prices recorded in the Community of Ten,
 - the quantities of raw materials used in the manufacture of the products concerned,
 - specific manufacturing costs.

Article 3

In trade between the Community of Ten and Spain, the accession compensatory amounts shall be levied or

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

granted by the Member State concerned whose price level used for the determination of the accession compensatory amounts is the highest.

Article 4

1. The accession compensatory amount applicable shall be that in force at the time of acceptance of the declaration of import or export.

2. However, where necessary, the introduction of a system for the advance fixing of the accession compensatory amount may be decided in accordance with the procedure set out in Article 6.

Article 5

If, for a product, an accession compensatory amount is fixed which must be deducted from the export refund to third countries, and if the refund is less than that compensatory amount or is not fixed, an amount equal to the difference between the compensatory amount and the refund or, as the case may be, to the compensatory amount shall be levied in the new Member State on exports to third countries of the product in question.

In addition, where refunds vary according to destination, if the refund applicable on export to one or more

third countries is less than the accession compensatory amount or is not fixed, provision may be made on export from Spain for the measures required to ensure payment of any amount as referred to in the preceding subparagraph.

Article 6

1. The following shall be determined in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68:

- (a) the detailed rules for the application of this Regulation and in particular for fixing the accession compensatory amounts;
- (b) the procedure for granting and levying accession compensatory amounts in order to prevent any deflection of trade or distortion of competition.

2. Measures to prevent any deflection of trade or distortion of competition may continue to apply for as long as is deemed necessary, after the accession compensatory amounts have been discontinued.

Article 7

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council
The President
G. BRAKS

COUNCIL REGULATION (EEC) No 467/86**of 25 February 1986****laying down general rules for the system of accession compensatory amounts for cereals
on account of the accession of Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal (hereinafter referred to as the 'Act'), and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, for Spain, Articles 68 and 70 of the Act provide that prices may be fixed at a level different from that of common prices; whereas, by virtue of Article 72 of the Act, such differences in price levels shall be compensated for by a system of compensatory amounts;

Whereas the compensatory amounts are intended to prevent disturbances to trade resulting from price differences; whereas compensatory amounts will therefore not have to be applied where such disturbances are unlikely to occur;

Whereas Articles 68, 70 and 72 of the Act apply to the intervention prices for cereals;

Whereas the production refund referred to in Article 11 of Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by the Act, will, for the processors concerned, entail input prices which are lower than the prices established by the common organization of the market; whereas the calculation of certain accession compensatory amounts should allow for this;

Whereas, pursuant to Article 111 (2) of the Act, the compensatory amount valid for barley should be made applicable to buckwheat, millet and canary seed; whereas the amount valid for rye should likewise be made applicable to triticale; which, pursuant to Article 13 of Regulation (EEC) No 2727/75, is subject to the same import duty as rye;

Whereas, in the case of products processed from cereals, the accession compensatory amounts must be

calculated in accordance with Article 111 (3) of the Act of Accession; whereas the coefficients should be determined in accordance with the procedure laid down in Article 26 of Regulation (EEC) No 2727/75;

Whereas, should it prove necessary, provision should be made for the possibility of introducing a system for the advance fixing of the accession compensatory amounts;

Whereas, in order to ensure more efficient management of the market and to facilitate trade, rules should be laid down to prevent excessively frequent variations in the accession compensatory amounts where Article 72 (5) of the Act is applied;

Whereas Article 73 of the Act lays down that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market if the refund on exports to third countries is less than the compensatory amount or if no refund is applicable; whereas such measures may entail the levying of an amount of not less than the accession compensatory amount;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- the Community of Ten shall be understood to mean the Community as at present constituted prior to the accession of the Kingdom of Spain and, the Portuguese Republic,
- accession compensatory amounts shall be understood to mean compensatory amounts applicable in trade between:
 - the Community of Ten and Spain,
 - Spain and third countries.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

Article 2

1. For each marketing year the accession compensatory amount shall be:

- for those cereals for which it is fixed, an intervention price equal to the difference between the intervention price applicable in the Community of Ten and the intervention price fixed for Spain,
- for buckwheat, millet and canary seed, equal to that applicable for barley,
- for oats, derived from the compensatory amount applicable to barley, taking into account the relationship existing between the threshold prices for oats and barley.

The compensatory amount applicable to triticale shall be that laid down for rye.

2. For the products referred to in Article 1 (c) of Regulation (EEC) No 2727/75, the accession compensatory amounts shall be derived from those applicable to the cereals to which they are related, with the help of coefficients to be determined on the basis of the impact on the price of the product concerned of the application of the compensatory amount to the price of the corresponding basic product.

Article 3

In trade between the Community of Ten and Spain, the accession compensatory amounts shall be charged or granted by the Member State concerned in which the price level used for the determination of the accession compensatory amounts is highest.

Article 4

1. The accession compensatory amount applicable shall be that in force on the date of acceptance of the import or export declaration.

2. However, where necessary, a decision may be taken in accordance with the procedure laid down in Article 7 to introduce a system for the advance fixing of the accession compensatory amount.

Article 5

1. When, for one of the products referred to in Article 1 (a) and (b) of Regulation (EEC) No 2727/75, the levy charged on import by the Community of Ten is less than the accession compensatory amount fixed for

this product, the Commission shall determine, on the basis of the scale set out in Annex, the amount applicable as an accession compensatory amount in trade between the Community of Ten and Spain and between Spain and third countries.

2. However, where the levy lies within the bracket of values including that of the compensatory amount fixed, the latter shall remain applicable.

3. For the products referred to in Article 1 (c) of Regulation (EEC) No 2727/75, the amount applicable as an accession compensatory amount shall be determined by the Commission on the basis of the variations in the amount determined under paragraph 1 for the basic products concerned.

Article 6

If, for a given product, an accession compensatory amount is fixed which has to be deducted from the refund on exports to third countries, and the refund is less than the accession compensatory amount or is not fixed, provision may be made for the charging upon exportation from Spain to a third country of the product in question of an amount not more than the difference between the accession compensatory amount and the refund or, depending on the case, the accession compensatory amount.

Furthermore, where refunds are differentiated according to destination, if the refund applicable to an export to one or more third countries is less than the accession compensatory amount or is not fixed, provision may be made for measures to ensure that the amount referred to in the foregoing subparagraph is charged upon export from Spain.

Article 7

1. The following shall be determined according to the procedure laid down in Article 26 of Regulation (EEC) No 2727/75:

- (a) detailed rules for the granting and levying of accession compensatory amounts, particularly with a view to preventing deflection of trade and distortion of competition;
- (b) the coefficient provided for in Article 2 (2);
- (c) detailed rules for the application of this Regulation and in particular:

- the fixing of accession compensatory amounts,
- cases where Article 7 may be applied.

deemed necessary, after the abolition of the accession compensatory amounts.

Article 8

2. Measures to prevent deflection of trade and distortion of competition may be applied, for the period

The Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

ANNEX

(ECU/tonnes)

Amount of Community levy	Amount applicable as accession compensatory amount
from 124 to 120,01	122
from 120 to 116,01	118
from 116 to 112,01	114
from 112 to 108,01	110
from 108 to 104,01	106
from 104 to 100,01	102
from 100 to 96,01	98
from 96 to 92,01	94
from 92 to 88,01	90
from 88 to 84,01	86
from 84 to 80,01	82
from 80 to 76,01	78
from 76 to 72,01	74
from 72 to 68,01	70
from 68 to 64,01	66
from 64 to 60,01	62
from 60 to 56,01	58
from 56 to 52,01	54
from 52 to 48,01	50
from 48 to 44,01	46
from 44 to 40,01	42
from 40 to 36,01	38
from 36 to 32,01	34
from 32 to 28,01	30
from 28 to 24,01	26
from 24 to 20,01	22
from 20 to 16,01	18
from 16 to 12,01	14
from 12 to 8,01	10
from 8 to 4,01	6
from 4 to 0,01	2
from 0	0

COUNCIL REGULATION (EEC) No 468/86**of 25 February 1986****laying down general rules for the system of accession compensatory amounts for rice on account of the accession of Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, hereinafter referred to as the 'Act', and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 68 and 70 of the Act lay down that, for Spain, prices may be fixed at different levels from the common prices; whereas, by virtue of Article 72 of the Act, such differences in price levels must be compensated for by a system of compensatory amounts;

Whereas the compensatory amounts are designed to prevent disturbances to trade resulting from the differences in prices; whereas compensatory amounts will therefore not have to be applied in cases where such disturbances are unlikely to occur;

Whereas Articles 68, 70 and 72 of the Act apply to the intervention price for rice;

Whereas the production refund referred to in Article 9 of Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by the Act, will result in supply prices for the industries concerned which are lower than the prices established by the common organization of the markets; whereas the calculation of certain accession compensatory amounts should take account of this fact;

Whereas, pursuant to Article 117 (2), (3) and (4), of the Act, compensatory amounts for husked rice, wholly milled rice and semi-milled rice are determined on the basis of the rates referred to in Article 1 of Commission Regulation (EEC) No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of the rice processing ⁽²⁾, as last amended by Regulation (EEC) No 1548/84 ⁽³⁾;

Whereas, pursuant to Article 117 (6) of the Act the compensatory amount for broken rice is fixed at a level which takes account of the difference between the supply price in Spain and the threshold price;

Whereas, for products processed from rice, the accession compensatory amounts must be calculated in accordance with Article 117 (5) of the Act; whereas the coefficients referred to in the said Article should be determined in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 1418/76;

Whereas, in case it should be necessary, provision should be made for the introduction of a system for the advance fixing of the accession compensatory amount;

Whereas, in order to ensure more efficient management of the market and to facilitate trade operations, rules should be laid down in order to prevent excessively frequent variations in the accession compensatory amounts where Article 72 (5) of the Act is applied;

Whereas Article 73 of the Act lays down that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market if the export refund is less than the compensatory amount or if no refund is applicable; whereas such measures may in particular provide for the levying of an amount which shall not be more than the accession compensatory amount;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

— the 'Community of Ten' shall be understood to mean the Community as constituted before the

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 204, 24. 8. 1967, p. 1.

⁽³⁾ OJ No L 148, 5. 6. 1984, p. 16.

accession of the Kingdom of Spain and the Portuguese Republic,

and

— 'accession compensatory amount' shall be understood to mean the compensatory amounts applicable in trade between:

- the Community of Ten and Spain,
- Spain and third countries.

Article 2

1. For each marketing year the accession compensatory amount shall be:

- for paddy rice, equal to the difference between the intervention price applicable in the Community of Ten and the intervention price fixed for Spain; this difference may be corrected in order to ensure comparability of the products taken into consideration,
- for husked rice, that applicable to paddy rice converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC,
- for wholly milled rice, that applicable to husked rice converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC,
- for semi-milled rice, that applicable to wholly milled rice converted by means of the conversion rate referred to in Article 1 of Regulation No 467/67/EEC,
- for broken rice, equal to the difference between the price of broken rice recorded on the Spanish market over a period to be determined and the threshold price fixed for this product in the Community.

2. For the products referred to in Article 1 (c) of Regulation (EEC) No 1418/76, the accession compensatory amounts shall be derived from those applicable to broken rice with the aid of coefficients to be determined in the light of the incidence on the price of the product concerned of the application of the compensatory amount to the price of broken rice.

Article 3

For products falling within subheading 10.06 B III intended for the production of beer and 11.08 A II of the Common Customs Tariff, the accession compensatory amounts shall be derived from those applicable to the basic product minus the production refund fixed pursuant to Article 9 of Regulation (EEC) No 1418/76.

Article 4

In trade between the Community of Ten and Spain, the accession compensatory amounts shall be levied or granted by the Member State concerned in which the price level used to determine accession compensatory amounts is highest.

Article 5

1. The accession compensatory amount to be applied shall be that in force at the time of acceptance of the import or export declaration.

2. However, where necessary, a decision may be taken, in accordance with the procedure provided for in Article 8, to establish a system for the advance fixing of the accession compensatory amount.

Article 6

1. Where, for one of the products referred to in Article 1 (a) and (b) of Regulation (EEC) No 1418/76, the levy charged on imports by the Community of Ten is less than the accession compensatory amount fixed for the product in question, the Commission shall determine, on the basis of the scale set out in the Annex, the amount applicable as an accession compensatory amount in trade between the Community of Ten and Spain and between Spain and third countries.

2. However, where the levy lies within a range of values including that of the compensatory amount fixed, the latter shall remain applicable.

3. For the products referred to in Article 1 (c) of Regulation (EEC) No 1418/76, the amount applicable as an accession compensatory amount shall be determined by the Commission in the light of the variations in the amount determined for the basic product pursuant to paragraph 1.

Article 7

Where, for a given product, an accession compensatory amount is fixed which has to be deducted from the refund on exports to third countries and where the said refund is less than the accession compensatory amount or is not fixed, provision may be made for the levying, upon export from Spain to a third country of the product in question, of an amount of not more than the difference between the accession compensatory amount and the refund or, depending on the case, the accession compensatory amount itself.

Furthermore, where refunds are differentiated according to destination, if the refund applicable to an export to one or more third countries is less than the accession

compensatory amount or is not fixed, provision may be made for the adoption of measures such as will ensure the charging, upon export from Spain, of the amount referred to in the foregoing subparagraph.

Article 8

1. The following shall be determined according to the procedure laid down in Article 27 of Regulation (EEC) No 1418/76:

(a) detailed rules for the granting and charging of accession compensatory amounts so as to prevent deflection of trade and distortion of competition;

(b) the coefficients provided for in Article 2 (2);

(c) the detailed rules for the application of this Regulation and in particular:

- the fixing of accession compensatory amounts,
- cases where Article 7 is applied,
- the period over which the prices of broken rice are recorded in Spain for the purposes of the application of Article 2 (1).

2. Measures designed to prevent deflection of trade and distortion of competition may be applied for such time as is considered necessary after the abolition of the accession compensatory amounts.

Article 9

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

ANNEX

(ECU/tonnes)

Community levy	Amount applicable as accession compensatory amount
from 132 to 128,01	130
from 128 to 124,01	126
from 124 to 120,01	122
from 120 to 116,01	118
from 116 to 112,01	114
from 112 to 108,01	110
from 108 to 104,01	106
from 104 to 100,01	102
from 100 to 96,01	98
from 96 to 92,01	94
from 92 to 88,01	90
from 88 to 84,01	86
from 84 to 80,01	82
from 80 to 76,01	78
from 76 to 72,01	74
from 72 to 68,01	70
from 68 to 64,01	66
from 64 to 60,01	62
from 60 to 56,01	58
from 56 to 52,01	54
from 52 to 48,01	50
from 48 to 44,01	46
from 44 to 40,01	42
from 40 to 36,01	38
from 36 to 32,01	34
from 32 to 28,01	30
from 28 to 24,01	26
from 24 to 20,01	22
from 20 to 16,01	18
from 16 to 12,01	14
from 12 to 8,01	10
from 8 to 4,01	6
from 4 to 0,01	2
from 0	0

COUNCIL REGULATION (EEC) No 469/86**of 25 February 1986****laying down general rules for the system of accession compensatory amounts in the sugar sector**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 68, 70, 236 and 238 of the Act of Accession provide, for Spain and Portugal, for the fixing of prices at a level which may be different from that of the common prices; whereas, under Articles 72 and 240 of the Act, such differences in price levels are to be offset by a system of compensatory amounts;

Whereas the compensatory amounts are intended in particular to prevent disturbance of trade as a result of price differences; whereas, consequently, the application of compensatory amounts is only required where such disturbance is to be feared;

Whereas in the sugar sector, Articles 68, 70, 72, 236, 238 and 240 of the Act of Accession relate to the intervention prices for white sugar and to the basic price for beet; whereas, in accordance with the prices recorded in the acts of the Conference, the common prices for comparison in the sugar sector are, in the case of Spain, the non-derived common prices, and in the case of Portugal, the derived common prices as applied in Ireland and in the United Kingdom in accordance with Articles 3 and 5 of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 (2);

Whereas the second subparagraphs of Articles 108 and 302 (1) of the Act provide that the compensatory amount is to be corrected, to the extent necessary for the smooth functioning of the common organization of the market, by the incidence of the compensation levy for storage costs;

Whereas features of sugar production in the new Member States show that this need to correct the compensatory amounts exists only with regard to trade between Portugal, not including the autonomous region of the Azores, and the other regions of the Community, and between Portugal and third countries; whereas provision should accordingly be made for an adjustment of the accession compensatory amounts for such trade;

Whereas Articles 109 and 302 (2) of the Act provide for the fixing of accession compensatory amounts for certain products in the sugar sector with a view to preventing any risk of disturbance in trade; whereas, in view of the conditions of production of those various products, such a risk of disturbance can be ruled out for isoglucose only; whereas provision should consequently be made for the fixing of accession compensatory amounts for the other products;

Whereas Articles 73 and 241 of the Act of Accession provide that appropriate measures may be taken with a view to ensuring the proper functioning of the common organization of the market where export refunds or, as the case may be, export or import levies are less than the compensatory amount, or if no refund or no levy is applicable; whereas such measures may in particular provide for the application of an amount at least equal to the accession compensatory amount; whereas provision should be made, however, for the possibility of adjusting under certain circumstances the amount granted to the quantity of raw cane sugar referred to in Article 303 (1) of the Act and to any quantities imported from third countries to Portugal on account of insufficient availability of Community raw sugar, and in particular of raw sugar originating in the French overseas departments, when the supply of Portuguese refineries risks being called into question by a rise in the price of sugar on the world market;

Whereas, should it prove necessary, provision shall be made for the possibility of introducing a system for fixing accession monetary amounts in advance;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 3.

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- (a) 'Community of Ten' shall mean the Community as constituted before the accession of the Kingdom of Spain and the Portuguese Republic;
- (b) 'accession compensatory amount' shall mean a compensatory amount applicable in trade between:
 - the Community of Ten and the new Member States,
 - the new Member States,
 - the new Member States and third countries,
 - Portugal, not including the autonomous region of the Azores, and the autonomous region of the Azores.

Article 2

1. Without prejudice to the provisions of paragraph 2, for white sugar and fresh beet, the accession compensatory amount in question shall, for each marketing year, be:

- (a) in the case of Spain,
 - equal to the difference between the intervention price for white sugar as provided for in Article 3 (1) (a) of Regulation (EEC) No 1785/81, applicable in the non-deficit areas of the Community of Ten and the intervention price for white sugar fixed for Spain,
 - equal to the difference between the basic price for beet applicable in the Community of Ten and that fixed for Spain;
- (b) in the case of Portugal,
 - equal to the difference between the derived intervention price for white sugar fixed for Ireland and the United Kingdom and the intervention price for white sugar fixed for Portugal,
 - equal to the difference between the basic price fixed for beet, increased by the incidence of the regionalization of the prices provided for Ireland and the United Kingdom on the one hand, and the basic price for beet fixed for Portugal on the other hand.

2. However,

- (a) in trade between Portugal, not including the autonomous region of the Azores, and

- the other Member States of the Community,
- third countries,

the accession compensatory amount applicable for white sugar shall be increased, pursuant to the second subparagraph of Article 302 (1) of the Act of Accession, by all or part of the storage levy.

For the period from 1 March to 30 June 1986, the increase shall be equal to 4,25 ECU per 100 kg of white sugar.

For the marketing years from 1 July 1986, the successive increases shall be equal to six-sevenths, five-sevenths, four-sevenths, three-sevenths, two-sevenths and one-seventh of the storage levy applicable for each of the marketing years concerned;

- (b) in trade between Portugal, not including the autonomous region of the Azores, and the autonomous region of the Azores, the increases provided for in the second and third subparagraphs of (a) shall be applied as an accession compensatory amount.

3. For trade between the new Member States, the accession compensatory amount shall be equal to the sum of or, as the case may be, difference between the accession compensatory amount applicable in trade between the Community of Ten and Spain and the accession compensatory amount applicable in trade between the Community of Ten and Portugal.

Article 3

1. Accession compensatory amounts shall be fixed as necessary to prevent any risk of disturbance in trade:

- (a) for the products listed in Article 1 (1) (b) of Regulation (EEC) No 1785/81 other than fresh beet;
- (b) for the products falling within Common Customs Tariff subheading 17.01 B;
- (c) for the relevant products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81.

2. Accession compensatory amounts shall be determined:

- (a) for the products referred to in paragraph 1 (a), on the basis of the compensatory amount applicable to fresh beet;
- (b) for the products referred to in paragraph 1 (b) and (c), on the basis of the compensatory amount applicable to white sugar.

Article 4

In intra-Community trade, accession compensatory amounts shall be levied or granted by the Member State concerned whose price level used for the determination of the accession compensatory amounts is the highest.

Article 5

1. The accession compensatory amount applicable shall be that in force on the date on which the customs services accept the import or export declaration, as the case may be.

2. However, should it prove necessary, a decision may be made in accordance with the procedure laid down in Article 7 to introduce a system for fixing the accession compensatory amount in advance.

Article 6

1. In trade between a new Member State and a third country, if the accession compensatory amount is to be deducted from the export refund or, as the case may be, from the import levy, provision may be made:

- (a) where the refund or the levy is less than the compensatory amount, to apply an amount that does not exceed the difference between the accession compensatory amount and the refund or the levy;
- (b) where no refund or levy is fixed, to apply an amount equal to the accession compensatory amount. However, with regard to the import into Portugal of the quantity of raw cane sugar referred to in Article 303 of the Act of Accession, and of any quantities imported from third countries into Portugal on account of insufficient availability of

Community raw sugar and in particular of raw sugar originating in the French overseas departments, that amount may be adjusted to the extent necessary to ensure the supply of Portuguese refineries under price conditions analogous to those obtaining for preferential sugar.

2. If, where export refunds vary according to the destination, the refund is less than the accession compensatory amount or is not fixed, provision may be made to take, on export from a new Member State, measures likely to ensure any levying of the amount referred to in paragraph 1.

3. Where export levies are applied, a decision may be made in trade between the new Member States and third countries that Articles 72 (3) (b) and 240 (3) (b) of the Act of Accession and paragraph 1 of this Article shall also apply.

Article 7

1. Detailed rules for the application of this Regulation, and in particular for the fixing, granting and levying of accession compensatory amounts, shall be adopted in accordance with the procedure laid down in Article 41 of Regulation (EEC) No 1785/81.

2. The measures adopted in accordance with the procedure referred to in paragraph 1 which are intended to prevent deflection of trade and distortion of competition may apply, as long as deemed necessary, after the accession compensatory amounts have been discontinued.

Article 8

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 470/86**of 25 February 1986****laying down the general rules governing the system of accession compensatory amounts relating to beef and veal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 72 (5) and 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 68 and 70 of the Act of Accession make provision, in respect of Spain, for prices to be fixed at a level which may be different from that of the common prices; whereas, pursuant to Article 72 of the Act, such differences in price levels will be offset by a system of compensatory amounts;

Whereas compensatory amounts are intended to avoid disturbances in trade resulting from price differences; whereas the application of compensatory amounts is consequently not required where there is no reason to fear such disturbances;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end;

Whereas Articles 70 and 72 of the Act apply to the intervention purchasing price for beef and veal applicable in Spain and valid for carcasses meeting Community quality standards;

Whereas the accession compensatory amounts for other products should be calculated in accordance with Article 101 of the Act; whereas the procedures for calculating the coefficients referred to in that Article should be defined,

HAS ADOPTED THIS REGULATION:

Article 1

Within the meaning of this Regulation:

— 'Community of Ten' shall mean the Community as

constituted before the accession of Spain and Portugal,

— 'accession compensatory amount' shall mean compensatory amounts applicable in trade between the Community of Ten and Spain and between the latter and other countries.

Article 2

The accession compensatory amounts for carcasses in the categories as referred to in the first indent of Article 3 (1) of Council Regulation (EEC) No 1208/81 of 28 April 1981 determining the Community scale for the classification of carcasses of adult bovine animals⁽¹⁾, and classified as quality R 3 in accordance with that Regulation, shall be equal for each marketing year to the difference between the common intervention price in the Community of Ten for those products and the price fixed in Spain for the corresponding products, taking the guarantee price into account. However, that difference shall be corrected so as to take into account the incidence of national aid referred to in point VIII of the Annex to Regulation (EEC) No 3773/85⁽²⁾.

Article 3

The accession compensatory amounts for products other than carcasses as referred to in Article 2 shall be determined in accordance with the procedure referred to in Article 7 (1) using coefficients expressing the ratio between the value within the Community of Ten between those products on the one hand and the carcasses as referred to in Article 2 on the other.

Article 4

In intra-Community trade, the accession compensatory amounts shall be collected or granted by whichever of the two Member States concerned whose level of prices used for the determination of the accession compensatory amounts is the higher.

⁽¹⁾ OJ No L 123, 7. 5. 1981, p. 3.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 32.

Article 5

1. The accession compensatory amount applicable shall be that in force at the time of acceptance of the import or export declaration.

2. However, where it proves necessary, a system for advance fixing of the compensatory amount may be adopted in accordance with the procedure referred to in Article 7 (1).

Article 6

If an accession compensatory amount is fixed for a product and must be deducted from the refund on export to third countries and if the refund is less than the accession compensatory amount or is not fixed, provision may be made, for the collection on export of the product in question from Spain to Portugal or to a third country, of an amount at least equal to the difference between the accession compensatory amount and the refund, or, as the case may be, to the accession compensatory amount.

Furthermore, if the refund for exports to one or more third countries or to Portugal is less than the accession compensatory amount or is not fixed, provision may be made for such measures as may be necessary to ensure the possible collection, on exportation from Spain, of the amount referred to in the preceding subparagraph.

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

Done at Brussels, 25 February 1986.

Article 7

1. The following shall be adopted in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68 ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾:

(a) the procedures for granting and levying accession compensatory amounts, in particular so as to prevent any deflections of trade or distortions of competition;

(b) detailed rules for the application of this Regulation, in particular as regards:

- the fixing of accession compensatory amounts,
- the cases where Article 6 is to be applied.

2. The measures intended to prevent any deflections of trade or distortions of competition may apply, for as long as deemed necessary, after the abolition of the accession compensatory amounts.

Article 8

This Regulation shall enter into force on 1 March 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

COUNCIL REGULATION (EEC) No 471/86**of 25 February 1986****laying down general rules for the system of accession compensatory amounts for eggs on account of the accession of Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 72 of the Act of Accession, differences in the price levels for agricultural products between the Community as constituted at 31 December 1985 and Spain are to be offset by a system of compensatory amounts; whereas for eggs such compensatory amounts are to be calculated in accordance with Article 115 of the Act;

Whereas the compensatory amount applicable per kilogram of eggs in shell must be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of eggs in shell; whereas that quantity of feed-grain was fixed in Annex I to Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs ⁽¹⁾ as last amended by Regulation (EEC) No 2300/77 ⁽²⁾;

Whereas the compensatory amount applicable per egg for hatching is to be calculated according to the same criteria;

Whereas the compensatory amounts applicable to feed-grain were fixed in accordance with Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for the cereals sector ⁽³⁾;

Whereas compensatory amounts are intended to prevent disturbance in trade as a result of price differences; whereas there is accordingly no necessity to apply compensatory amounts where there is no fear of such disturbance;

Whereas, for the other products covered by Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽⁴⁾ as last amended by Regulation (EEC) No 3768/85 ⁽⁵⁾, the compensatory amount must be derived from the compensatory amount applicable to eggs in shell, with the help of coefficients to be determined;

Whereas, pursuant to Article 6 of Regulation (EEC) No 467/86, the levying or granting of compensatory amounts applicable to cereals may be restricted to deal with the eventuality referred to in Article 72 (5) of the Act; whereas account must be taken of such a restriction for products in the eggs sector, in so far as they are products derived from cereals, to ensure the smooth functioning of the common organization of the market;

Whereas rules should be laid for the levying and granting of compensatory amounts in order to prevent any deflection of trade;

Whereas, in cases where it proves necessary, provision should be made for the possibility of introducing a system for fixing accession compensatory amounts in advance,

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment, and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

— 'Community of Ten' shall mean the Community as constituted before the accession of the Kingdom of Spain and the Portuguese Republic,

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽²⁾ OJ No L 271, 22. 10. 1977, p. 6.

⁽³⁾ See p. 25 of this Official Journal.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽⁵⁾ OJ No L 362, 31. 12. 1985, p. 8.

- 'accession compensatory amount' shall mean a compensatory amount applicable in trade between the Community of Ten and Spain, and the latter and third countries.

Article 2

Accession compensatory amounts for eggs in shell shall be equal to the accession compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of eggs in shell or of one egg for hatching.

Article 3

The accession compensatory amounts for the products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75 shall be derived from the accession compensatory amount applicable to eggs in shell other than eggs for hatching, with the help of coefficients expressing the ratio referred to in Article 5 (2) of the above-mentioned Regulation.

Article 4

If Article 6 of Regulation (EEC) No 467/86 is applied for one or more days in the first 75 days of the quarter preceding 1 August, 1 November, 1 February or 1 May, the accession compensatory amount applicable during the following quarter for the products referred to in Articles 2 and 3 shall be determined on a quarterly basis according to the average of the amounts determined in the first 75 days of the preceding quarter for cereals up to the quantity of feed-grain referred to in Article 1 of Regulation (EEC) No 2773/75.

However, if the amount varies by less than 5 % compared with the amount determined for the preceding quarter, the latter amount shall remain unchanged.

Article 5

1. In trade between the Community of Ten and Spain, the accession compensatory amounts shall be levied or granted by the Member State concerned whose level of prices for the quantity of feed-grain laid down in Annex I to Regulation (EEC) No 2773/75 is the highest.

2. In trade between Spain and third countries, the accession compensatory amounts shall be deducted from levies and refunds.

Article 6

1. The accession compensatory amount applicable shall be that in force at the time of the acceptance of the import or export declaration.

2. However, should it prove necessary, a decision may be made in accordance with the procedure referred to in Article 8, to introduce a system of advance fixing of the accession monetary amount.

Article 7

If, for a product, an accession compensatory amount is fixed which must be deducted from the refund on exports to third countries and if the refund is less than that accession compensatory amount or is not fixed, provision may be made for the levying, on the export from Spain to a third country of the product in question, of an amount (not exceeding) the difference between the accession compensatory amount and the refund, or, as the case may be, the accession compensatory amount,

Furthermore, where refunds vary according to destination if the refund applicable to exports to one or more third countries is less than the accession compensatory amount or is not fixed, provision may be made on export from Spain for the measures likely to ensure any levying of the amount referred to in the preceding subparagraph.

Article 8

1. The following shall be adopted in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 2771/75:

(a) rules for granting and levying accession compensatory amounts, in particular in order to prevent any deflection of trade or distortion of competition;

(b) detailed rules for the application of this Regulation, and in particular:

- for fixing accession compensatory amounts,
- for cases in which Article 7 applies.

2. The accession compensatory amounts referred to in Article 5 shall be fixed by the Commission.

3. The measures to prevent any deflection of trade or

distortion of competition may apply, for as long as deemed necessary, after the accession compensatory amounts have been eliminated.

Article 9

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 472/86**of 25 February 1986****laying down general rules for the system of accession compensatory amounts for poultrymeat on account of the accession of Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 72 of the Act of Accession, differences in price levels for agricultural products between the Community as constituted at 31 December 1985 and Spain are to be offset by a system of compensatory amounts; whereas for poultrymeat such compensatory amounts are to be calculated in accordance with Article 116 of the Act;

Whereas the compensatory amount applicable per kilogram of slaughtered poultry must be calculated on the basis of the compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of slaughtered poultry; whereas that quantity of feed-grain was fixed in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1985 laying down rules for calculating the levy and the sluice-gate price for poultrymeat ⁽¹⁾, as last amended by Regulation (EEC) No 750/81 ⁽²⁾;

Whereas the compensatory amount applicable per chick is to be calculated according to the same criteria;

Whereas the compensatory amounts applicable to feed-grain were fixed in accordance with Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for the cereals sector ⁽³⁾;

Whereas compensatory amounts are intended to prevent disturbance in trade as a result of price differences; whereas there is accordingly no necessity to apply compensatory amounts where there is no fear of such disturbance;

Whereas, for the other products covered by Council Regulation (EEC) No 2777/75 of 29 October 1975 on

the common organization of the market in poultrymeat ⁽⁴⁾, as last amended by Regulation (EEC) No 3768/85 ⁽⁵⁾, the compensatory amount must be derived from the compensatory amount applicable to slaughtered poultry, with the help of coefficients to be determined;

Whereas, pursuant to Article 6 of Regulation (EEC) No 467/86, the levying or granting of compensatory amounts applicable to cereals may be restricted to deal with the eventuality referred to in Article 72 (5) of the Act; whereas account must be taken of such a restriction for products in the poultrymeat sector, in so far as they are products derived from cereals, in order to ensure the smooth functioning of the common organization of the market;

Whereas, should it prove necessary, provision should be made for the possibility of introducing a system for fixing accession monetary amounts in advance;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end;

Whereas rules should be laid down for the levying and granting of compensatory amounts in order to prevent any deflection of trade,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- 'Community of Ten' shall mean the Community as constituted before the accession of the Kingdom of Spain and the Portuguese Republic,
- 'accession compensatory amount' shall mean a compensatory amount applicable in trade between the Community of Ten and Spain, and between the latter and third countries.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽²⁾ OJ No L 80, 26. 3. 1981, p. 1.

⁽³⁾ See p. 25 of this Official Journal.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽⁵⁾ OJ No L 362, 31. 12. 1985, p. 8.

Article 2

Accession compensatory amounts for slaughtered poultry and chicks shall be equal to the accession compensatory amounts applicable to the quantity of feed-grain necessary for the production in the Community of one kilogram of poultrymeat or of one chick.

Article 3

The accession compensatory amounts for the products listed in Article 1 (2) (d) of Regulation (EEC) No 2777/75 shall be derived from the accession compensatory amount applicable to slaughtered poultry, with the help of coefficients expressing the ratio referred to in Article 5 (1) of the abovementioned Regulation.

Article 4

If Article 6 of Regulation (EEC) No 467/86 is applied for one or more days in the first 75 days of the quarter preceding 1 August, 1 November, 1 February or 1 May, the amount applicable as the accession compensatory amount during the following quarter for the products referred to in Articles 2 and 3 shall be determined on a quarterly basis according to the average of the amounts determined in the first 75 days of the preceding quarter for cereals making up the quantity of feed-grain referred to in Article 1 of Regulation (EEC) No 2778/75.

However, if the amount varies by less than 5 % compared with the amount determined for the preceding quarter, the latter amount shall remain unchanged.

Article 5

1. In trade between the Community of Ten and Spain, accession compensatory amounts shall be levied or granted by the Member State concerned whose level of prices for the quantity of feed-grain laid down in Annex I to Regulation (EEC) No 2778/75 is the highest.

2. In trade between Spain and third countries, the accession compensatory amounts shall be deducted from levies and refunds.

Article 6

1. The accession compensatory amount applicable shall be that in force at the time of the acceptance of the import or export declaration.

2. However, where it proves necessary, a decision may be made in accordance with the procedure referred to in Article 8, to introduce a system for fixing accession compensatory amounts in advance.

Article 7

If, for a product, an accession compensatory amount is fixed which must be deducted from the refund on exports to third countries, and if the refund is less than that accession compensatory amount or is not fixed, provision may be made for the levying, on the export from Spain to a third country of the product concerned, of an amount not exceeding the difference between the accession compensatory amount and the refund, or, as the case may be, the accession compensatory amount.

Furthermore, where refunds vary according to destination, if the refund applicable to exports to one or more third countries is less than the accession compensatory amount or is not fixed, provision may be made on export from Spain for the measures likely to ensure any levying of the amount referred to in the preceding subparagraph.

Article 8

1. The following shall be adopted in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 2777/75:

(a) rules for granting and levying accession compensatory amounts, in particular in order to prevent any deflection of trade or distortion of competition;

(b) detailed rules for the application of this Regulation, and in particular:

- for fixing accession compensatory amounts,
- for cases in which Article 7 applies.

2. The accession compensatory amounts referred to in Article 4 shall be fixed by the Commission.

3. The measures to prevent any deflection of trade or distortion of competition may apply, for the period considered necessary, after the accession compensatory amounts have been discontinued.

Article 9

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

COUNCIL REGULATION (EEC) No 473/86**of 25 February 1986****laying down the general rules for the system of accession compensatory amounts for olive oil**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 72 (5), 89 (1), 234 (2) and 240 (5) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 68, 70, 236 and 238 of the Act of Accession provide for the fixing of prices for Spain and Portugal at a level which may be different from the common price levels; whereas, pursuant to Articles 72 and 240 of the Act, those differences in price are to be offset by a system of compensatory amounts;

Whereas, in the olive oil sector, Articles 68, 72, 236 and 240 of the Act apply to the intervention price;

Whereas, pursuant to Article 11 of Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, at last amended by Regulation (EEC) No 3768/85 ⁽²⁾, a consumption aid is granted for oil produced and marketed within the Community; whereas, pursuant to Articles 92 (4) and 290 (4) of the Act, the accession compensatory amount referred to above is to be corrected, as appropriate, by the effect of the difference between the Community consumption aid applicable in the Community of Ten and that applicable in Spain and Portugal;

Whereas the applicable compensatory amount for products containing olive oil must take account of the oil content of such products, and whereas in the case of refined oils account should be taken of the amount of crude oil required for their manufacture;

Whereas, should it prove necessary, provision should be made for the possibility of introducing a system for fixing accession compensatory amounts in advance;

Whereas a certain amount of deflection of trade and distortion of competition may, in particular, occur in

the final period of moves towards price alignment and when common prices are applied throughout the Community; whereas it is therefore justified that measures intended to avoid such deflection and distortion should apply for such time as is necessary in order to achieve the desired end,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- (a) 'Community of Ten' shall mean the Community as constituted before the accession of the Kingdom of Spain and the Portuguese Republic;
- (b) 'accession compensatory amounts' shall mean the compensatory amounts applicable in trade between:
 - the Community of Ten and the new Member States,
 - the new Member States in respect of each other,
 - the new Member States and third countries.

Article 2

1. The accession compensatory amount applicable in trade between the Community of Ten and a new Member State for olive oil falling within subheading 15.07 A of the Common Customs Tariff, with the exception of the oils referred to in paragraphs 2 and 3 of this Article, shall be equal to the difference between the intervention price fixed for the Community of Ten and the intervention price fixed for the new Member State.

2. The accession compensatory amount applicable in trade between the Community of Ten and a new Member State for olive oil falling within subheadings 15.07 A I a) and 15.07 A II, which is prepared for market in accordance with the conditions laid down for the granting of consumption aid, shall be the amount resulting from the application of paragraph 1 corrected by the difference between the consumption aid applicable in the Community of Ten and that applicable in the new Member State.

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

If the difference between the consumption aid applicable in the Community of Ten and in the new Member State exceeds the amount referred to in paragraph 1, the resultant difference shall be applied.

3. The accession compensatory amount applicable in trade between the Community of Ten and a new Member State for olive oil originating in third countries and falling within subheading 15.07 A of the Common Customs Tariff shall be equal to that provided for in paragraph 2.

4. In trade between the new Member States, the accession compensatory amount shall be equal to the difference between the accession compensatory amount applicable in trade between the Community of Ten and Spain, and the accession compensatory amount applicable in trade between the Community of Ten and Portugal.

5. The compensatory amount applicable in trade between a new Member State and third countries for olive oil falling within subheading 15.07 A of the Common Customs Tariff shall be equal to the amount provided for in paragraph 2.

However, for the export of olive oil originating in the Community other than that referred to in the first subparagraph of paragraph 2, the compensatory amount applicable shall be equal to the amount provided for in paragraph 1.

6. For olive oil falling within tariff subheading 15.07 A II, it may be decided to weight the accession compensatory amount with a coefficient taking into account the quantity of olive oil falling within tariff subheading 15.07 A I required for its production.

Article 3

The accession compensatory amounts applicable to products containing oil referred to in Article 17 of Regulation No 136/66/EEC shall be calculated from the accession compensatory amount applicable, pursuant to Article 2 (1), on the basis of the oil content of the products in question.

Article 4

In intra-Community trade involving at least one new Member State:

- (a) the accession compensatory amount referred to in Article 2 (1) shall be charged or granted by whichever of the two Member States concerned whose intervention price is the higher;

- (b) the accession compensatory amount referred to in Article 2 (2) shall be charged or granted by whichever of the two Member States concerned whose intervention price, less the consumption aid, is the higher.

Article 5

The accession compensatory amount applicable shall be the amount which is in force at the time of the acceptance of the import or export declaration.

However, should it prove necessary, a decision may be made, in accordance with the procedure referred to in Article 7 to introduce a system for fixing accession monetary amounts in advance.

Article 6

If an accession compensatory amount which must be deducted from the export refund to third countries is fixed for a product, and if the refund is less than that accession compensatory amount or is not fixed, provision may be made for the charging, on export of the product concerned from a new Member State to a third country, of an amount not exceeding the difference between the accession compensatory amount and the refund, or, as the case may be, the accession compensatory amount.

Furthermore, if the refund for exports to one or more third countries is less than the accession compensatory amount or is not fixed, provision may be made on export for the measures likely to ensure the smooth functioning of the common organization of the olive oil market and the maintenance of trade flows.

Article 7

1. The following shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC:

- (a) detailed rules for the granting and charging of accession compensatory amounts in order in particular to prevent any deflections of trade or distortions of competition;

- (b) detailed rules for the application of this Regulation, and in particular the cases in which Article 6 shall apply.

2. Measures to prevent any deflections of trade or distortions of competition may apply, for as long as

deemed necessary, after the abolition of the accession compensatory amounts.

Article 8

3. The accession compensatory amounts shall be fixed by the Commission.

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council
The President
G. BRAKS

COUNCIL REGULATION (EEC) No 474/86**of 25 February 1986****making special arrangements for the granting of the olive oil production aid in Spain
during the period 1 March to 31 October 1986**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas the Community aid for the production of olive oil is to be introduced in Spain from 1 March 1986; whereas however there are insurmountable obstacles to implementation of the Community aid arrangements during the current marketing year; whereas special arrangements to run until the end of it should therefore be made;

Whereas the national arrangements before accession, as determined by Royal Decree No 1846/1984 of 10 October 1984 ⁽¹⁾, the term of validity of which was extended to cover the 1985/86 marketing year by Royal Decree No 2099/1985 of 23 October 1985 ⁽²⁾, provides for the granting of aid on a basis that corresponds to the Community provisions but with different rules of implementation; whereas, in order to prevent differences in the treatment of persons entitled to the aid, the rules of implementation in force before accession should be applied until the end of the marketing year;

Whereas the expenditure qualifying for Community financing is that on oil produced from 1 March 1986

onwards; whereas, in the interests of sound administration, a fixed sum should be set in advance for this amount on the basis of the amount of production that can be anticipated.

HAS ADOPTED THIS REGULATION:

Article 1

The rules of implementation for the olive oil production aid that were determined by Royal Decree No 1846/1984 and are in force in Spain for the 1985/86 marketing year shall remain applicable for the period 1 March to 31 October 1986.

Article 2

Aid paid by the Kingdom of Spain to producers of olive oil in respect of the 1985/86 marketing year shall be eligible for Community financing up to a limit of 7,5 million ECU.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ *Boletín Oficial del Estado*, No 250, 18. 10. 1984.

⁽²⁾ *Boletín Oficial del Estado*, No 8, 9. 1. 1986.

COUNCIL REGULATION (EEC) No 475/86**of 25 February 1986****laying down general rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 94 of the Act of Accession, a system for controlling the quantities of certain products in the oils and fats sector which are released for consumption in Spain must be applied until 31 December 1990 in order to maintain those quantities at a level based on average consumption in 1983 and 1984 and adjusted in the light of foreseeable trends in supply requirements; whereas each year, therefore, the quantities of those products which may be released for consumption in Spain should be fixed and a supply balance drawn up;

Whereas a system of quantitative restrictions on imports, as referred to in Article 94 of the Act, should be introduced in the case of products or groups of products for which there is a supply shortage; whereas, however, the said restrictions should not apply to imported products which are not intended for the domestic market and should, in the context of the overall quantity to be imported from third countries, allow the preference, for which some of those countries are eligible, to be applied;

Whereas Article 94 of the Act specifies that in the case of soya, the control system should apply to oil but not to beans; whereas the criteria should therefore be laid down for allocating among operators the quantity of oil to be released for consumption on the Spanish market; whereas the said criteria should take into account the situation obtaining prior to accession and the quantities sold for export each year;

Whereas Spanish operators will, as a result of accession, lose some of their advantages with regard to exports; whereas this sudden loss may cause certain difficulties, but these operators will still be required, under the control system, to export much of their production; whereas provision should therefore be made for allowing degressive national aid to be granted, if necessary;

Whereas, in order to ensure that the Spanish market is supplied in the event of exceptional circumstances, provision should be made for the possibility of limiting exports in accordance with Article 94 (3) of the Act; whereas an export-monitoring system should, however, be applied when market conditions are normal;

Whereas the price-control system referred to in Article 94 (1) of the Act should provide for suitable mechanisms, viz. fixing price limits or offsetting the difference between Spanish prices and imports;

Whereas in the event of the Spanish production of sunflower seed exceeding domestic consumption, the seeds exported from Spain and crushed in the Community as constituted on 31 December 1985, benefit from the adjustment in the aid referred to in Article 95 (3) of the Act; whereas this situation could give rise to a deflection of trade;

Whereas Article 89 of the Act provides for the possibility of adopting adequate measures to avoid, in particular, deflection of trade between Spain and the other Member States; whereas to this end a compensatory aid should be granted to Spanish operators so as to allow them to crush sunflower seeds and to export the oil therefrom under the same conditions of competition as the other Community operators,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the conditions laid down in this Regulation, the Kingdom of Spain shall apply the control system referred to in Article 94 of the Act of Accession until 31 December 1990.

Article 2

The control system shall concern the following products:

CCT heading No	Description
ex 12.01 B	Oil seeds and oleaginous fruit, whole or broken, other than for sowing, excluding soya beans
12.02	Flours or meals of oil seeds or oleaginous fruit, non-defatted (excluding mustard flour)
15.04	Fats and oils, of fish and marine mammals, whether or not refined
15.07 B, C and D	Fixed vegetable oils, fluid or solid, refined or purified, excluding olive oil
15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared
15.13	Margarine, imitation lard and other prepared edible fats

Article 3

The quantities of vegetable oil and of oil of fish and marine mammals released on the Spanish domestic market for direct consumption, for consumption in the form of margarine or for use in the manufacture of other products shall be determined, in respect of each calendar year, in accordance with the criteria laid down in Article 94 (1) of the Act of Accession, and specifying the quantities intended for human consumption (direct or otherwise) and those intended for other uses. The said quantities may be revised during any given year.

Article 4

1. A forecast supply balance for the Spanish market shall, before a date to be determined, be drawn up in respect of each calendar year in the light of:

- (a) the quantity of oil intended for human consumption, as referred to in Article 3;
- (b) the quantity of oil produced from seeds harvested in Spain;
- (c) the quantity of soya oil produced from imported beans and released for consumption on the Spanish market;
- (d) the quantity of oil required for non-food use, and the quantities produced.

However, the first forecast supply balance shall be drawn up in respect of the period from 1 March to 31 December 1986.

2. The forecast supply balance may take into account traditional levels of imports and exports, if any.

3. The difference between the production referred to in paragraph 1 (b) and (c) and the supply requirements referred to in paragraph 1 (a) and that relating to the products referred to in paragraph (d), shall be expressed as an overall figure.

However, a separate balance may be drawn up for certain products or for certain uses.

4. If the balance for a product or group of products is negative, the maximum annual quantity which may be imported in accordance with Articles 6 and 7 shall be that corresponding to that balance.

5. The forecast supply balance shall be revised at regular intervals. The maximum annual quantity referred to in paragraph 4 may be split up.

6. In the case of preferential third countries, if the protocols referred to in Article 179 of the Act of Accession or, if there are no such protocols, the autonomous measures adopted pursuant to Article 180 of the said Act, provide for quantitative restrictions, the quantities resulting from the application of the provisions referred to above shall, in accordance with the arrangements for all third countries under this Regulation, be determined before those for other third countries.

Article 5

For the purposes of this Regulation, 'imports and exports' shall be taken to mean Spain's trade with the Member States of the Community as constituted on 31 December 1985, with Portugal and with third countries.

Article 6

The Kingdom of Spain shall make the release, for free circulation in its territory, of the products listed in Article 2 subject to the presentation of an import document.

Article 7

1. The Kingdom of Spain shall issue the import document to any party concerned who submits an application to that effect, irrespective of the applicant's place of business in the Community.

2. Applications for import document shall be accompanied by security in respect of the undertaking to

import the products in question during the period of validity of the document. The security shall be forfeit in whole or in part if the products are not imported during that period or are imported in part only.

3. Import documents shall not be issued in respect of a quantity greater than that stated in the application. Without prejudice to the implementation of Article 9, when the total quantity of oil produced using the quantities stated in the applications for import documents reaches the limit specified in Article 4 (4), the Kingdom of Spain shall suspend the issuing of the documents.

4. Should speculative movements cause disturbances to or impair the smooth functioning of the Spanish market, appropriate measures shall be taken to remedy this.

Article 8

For the purposes of Articles 7, 13 and 14, account shall be taken of the oil content of the different products listed in Article 2. The oil content shall be fixed at a standard rate.

Article 9

1. By way of derogation from Article 7 (3), any operator who undertakes to export within a certain time limit a quantity of the product referred to in Article 2 shall benefit, under conditions to be set, from the possibility of importing an equivalent quantity of the product. Such undertaking shall be accompanied by a security.

2. By way of derogation from Article 13 (4), any operator who undertakes to export within a certain time limit a quantity of the product referred to in Article 2 shall benefit, under conditions to be set, from the possibility of importing an equivalent quantity of the product. Such undertaking shall be accompanied by a security.

3. However, with regard to sunflower, the compensations referred to in paragraphs 1 and 2 may not be made with other products and the export of seed may not be compensated for by the import of oil.

Article 10

1. In the case of imports of soya beans the undertaking referred to in Article 94 (2) of the Act of Accession

shall be accompanied by security in respect of the export, during a period to be determined, of any oil produced in excess of the quantity referred to in Article 3.

2. The quantities referred to in Article 4 (1) (c) shall be allocated on the basis of the quantities allocated to each operator under the national scheme in force prior to accession and shall take account of the quantities exported by the operator in question.

Article 11

1. Where necessary the Kingdom of Spain may, until 31 December 1990, grant national aid to oil mills in order to allow soya oil produced in excess of the quantity referred to in Article 4 (1) (c) to be exported, provided the quantity exported does not exceed traditional levels.

2. From 1 March to 31 December 1986 the aid granted per tonne exported shall not exceed the amount which corresponds to the advantages for which each tonne of the product was eligible in 1985.

3. For each of the succeeding years the amount per tonne of the aid granted shall not exceed 90, 80, 70 and 60 % of the aid referred to in paragraph 2.

4. The amounts referred to in paragraphs 2 and 3 shall be fixed in accordance with the procedure laid down in Article 16.

Article 12

The Kingdom of Spain shall not allow products listed in Article 2 to leave its territory unless an export document is submitted.

Article 13

1. The Kingdom of Spain shall issue an export document to any person concerned who submits an application to that effect, irrespective of that person's place of business in the Community.

2. Each application for an export document must be accompanied by a security in respect of the undertaking to export the products concerned during the period of validity of the document. The security shall be forfeit in whole or in part if the products are not exported during that period or are exported in part only.

3. The quantity in respect of which the export document is issued shall not exceed that stated in the application.

4. Where necessary, in order to attain the objectives set out in Article 94 of the Act of Accession, a decision may be taken in accordance with Article 38 of Regulation No 136/66/EEC to limit for a certain period the quantity of oil for which export documents may be issued, in which case, without prejudice to the provisions of Article 9, the Kingdom of Spain shall, when the oil obtained from the quantities of the products stated in the applications reaches the limit referred to above, suspend the issuing of documents until the end of the period in question.

5. The quantities of oil stated in the documents which are issued shall be taken into account when the supply balance is reviewed in accordance with Article 4 (5).

Article 14

If in the case of sunflower, colza and rape seed oil, the supply balance drawn up in accordance with Article 4 is positive, compensatory aid covering the difference between the price of Spanish seeds and world prices, less the import duty charged in Spain on the quantity of cakes, corresponding to the use of the seeds in question shall be granted in respect of a quantity of sunflower, colza and rape seeds harvested in Spain and used for the production of oil intended for export, provided the said quantity does not exceed that corresponding to the supply balance. The amount of that aid shall be fixed by the Commission at regular intervals. Exports made pursuant to this Article may not benefit from the provisions of Article 9.

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

Done at Brussels, 25 February 1986.

Article 15

The control of the level of the consumer prices referred to in Article 94 (1)(b) of the Act of Accession may, where necessary, and particularly in the case of Article 4 for the products referred to in Article 2 include:

- the fixing of minimum or maximum prices at a marketing stage to be determined, and
- the introduction of a levy in respect of the difference between Spanish prices and the prices of imported products.

Article 16

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾.

Article 17

This Regulation shall enter into force on 1 March 1986.

For the Council

The President

G. BRAKS

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

COUNCIL REGULATION (EEC) No 476/86**of 25 February 1986****laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 292 of the Act of Accession, a mechanism for controlling the quantities of certain products in the oils and fats sector which are released for consumption in Portugal must be applied until 31 December 1990 in order to maintain those quantities at a level based on average consumption in 1980 and 1983 and adjusted in the light of foreseeable trends in supply requirements; whereas each year, therefore, the quantities of those products which may be released for consumption in Portugal should be fixed and a supply balance drawn up;

Whereas a system of quantitative restrictions on imports, as referred to in Article 292 of the Act, should be introduced in the case of products or groups of products for which there is a supply shortage; whereas, however, the said restrictions should not apply to imported products which are not intended for the domestic market and should, in the context of the overall quantity to be imported from third countries, allow the preference, for which some of those countries are eligible, to be applied;

Whereas, in order to ensure that the Portuguese market is supplied in the event of exceptional circumstances, provision should be made for the possibility of limiting exports in accordance with Article 292 (3) of the Act; whereas an export-monitoring system should, however, be applied when market conditions are normal;

Whereas, in order to ensure the price-control referred to in Article 292 (1) of the Act, suitable arrangements should be provided for; whereas such arrangements could take the form of fixing price limits or offsetting the difference between Portuguese prices and prices of imports;

Whereas the aid for seeds produced in Portugal and exported and crushed in the Community is adjusted in accordance with Article 293 (3) of the Act; whereas Portuguese operators should, via a compensatory aid

scheme, be allowed to crush those seeds and export the oil thereof under the same conditions of competition as other Community traders,

HAS ADOPTED THIS REGULATION:

Article 1

Subject to the conditions laid down in this Regulation, the Portuguese Republic shall apply the control mechanism referred to in Article 292 of the Act of Accession until 31 December 1990.

Article 2

1. The mechanism for controlling the quantities released for consumption on the Portuguese domestic market shall concern the following products:

CCT heading No	Description
12.01 B	Oilseeds and oleaginous fruit, whole or broken, other than for sowing
12.02	Flours or meals of oilseeds or oleaginous fruit, non-defatted (excluding mustard flour)
ex 15.07 B, C, D	Fixed vegetable oils, fluid or solid, refined or purified, excluding olive oil, intended for human consumption
ex 15.12	Animal or vegetable oils and fats, wholly or partly hydrogenated, or solidified or hardened by any other process, whether or not refined, but not further prepared, intended for human consumption

2. Portugal shall adopt suitable measures to ensure that products falling within subheadings 15.07 B, C and D and heading No 15.12 of the Common Customs Tariff, which are imported, for purposes other than human consumption, and are not covered by the control mechanism, are used for the purpose stated.

Article 3

The quantities of vegetable oil intended for human consumption and released on the Portuguese domestic market for direct consumption, for consumption in the

form of margarine or for use in the manufacture of other products shall be determined, in respect of each calendar year, in accordance with the criteria laid down in Article 292 (1) of the Act of Accession. They may be revised during any given year.

Article 4

1. A forecast supply balance for the Portuguese market shall, before a date to be determined, be drawn up in respect of each calendar year in the light of:

- (a) the quantity of oil intended for human consumption, as referred to in Article 3;
- (b) the quantity of oil produced from seeds produced in Portugal.

However, the first forecast supply balance shall be drawn up in respect of the period from 1 March to 31 December 1986.

2. The forecast supply balance may take into account traditional import and export levels, if any.

3. The difference between the production referred to in paragraph 1 (b) and the supply requirements referred to in paragraph 1 (a) shall be expressed as an overall figure.

However, a separate balance may be drawn up for certain products or for certain uses.

4. If the balance for a product or group of products is negative, the maximum annual quantity which may be imported in accordance with Articles 6 and 7 shall be corresponding to that balance.

5. The forecast supply balance shall be revised at regular intervals, and the maximum annual quantity referred to in paragraph 4 may be split up. This revision shall take into account any exports made.

6. In the case of preferential third countries, if the protocols referred to in Article 366 of the Act of Accession or, if there are no such protocols, the autonomous measures adopted pursuant to Article 367 of the said Act, provide for quantitative restrictions, the quantities resulting from the application of the provisions referred to above shall, in accordance with the arrangements for all third countries under this Regulation, be determined before those for other third countries.

Article 5

For the purposes of this Regulation, 'imports and exports' shall be taken to mean Portugal's trade both

with the Member States of the Community as constituted on 31 December 1985, with Spain and with third countries.

Article 6

The Portuguese Republic shall make the release, for free circulation in its territory, of the products listed in Article 2 subject to the presentation of an import document.

Article 7

1. The Portuguese Republic shall issue the import document to any party concerned who submits an application to that effect, irrespective of the applicant's place of business in the Community.

2. Applications for import documents must be accompanied by security in respect of the undertaking to enter the products in question for consumption during the period of validity of the document. The security shall be forfeit in whole or in part if the products are not imported during that period or are imported in part only.

3. Import documents shall not be issued in respect of a quantity greater than that stated in the application. Without prejudice to the provisions of Article 9, when the total quantity of oil produced using the quantities stated in the applications reaches the limit specified in Article 4 (4), the Portuguese Republic shall suspend the issuing of the documents.

4. Should speculative movements bring about disturbances or impair the smooth running of the Portuguese market, appropriate measures shall be taken to remedy the situation.

Article 8

For the purposes of Articles 7 (3) and 12 (3), account shall be taken of the oil content of the different products listed in Article 2. The oil content shall be fixed at a standard rate.

Article 9

1. By way of derogation from Article 7 (3), any operator who undertakes to export within a certain time limit a quantity of the product referred to in Article 2 shall benefit, under conditions to be set, from the possibility of importing an equivalent quantity of the product. Such undertaking shall be accompanied by a security.

2. By way of derogation from Article 11 (4), any operator who undertakes to export within a certain time limit a quantity of the product referred to in Article 2 shall benefit, under conditions to be set, from the possi-

bility of importing an equivalent quantity of the product. Such undertaking shall be accompanied by a security.

Article 10

The Portuguese Republic shall not allow products listed in Article 2 to leave its territory unless an export document is submitted.

Article 11

1. The Portuguese Republic shall issue an export document to any person concerned who submits an application to that effect, irrespective of that person's place of business in the Community.

2. Each application for an export document must be accompanied by security in respect of the undertaking to export the products concerned during the period of validity of the document. The security shall be forfeit in whole or in part if the products are not exported during that period or are exported in part only.

3. The quantity in respect of which the export document is issued shall not exceed that stated in the application.

4. Where necessary, in order to attain the objectives set out in Article 292 of the Act of Accession, a decision may be taken in accordance with the procedure referred to in Article 14 to limit for a certain period the quantity of oil for which export documents may be issued. In that case, without prejudice to the application of Article 9, Portugal shall, when the oil obtained from the quantities of the products stated in the applications reaches the limit referred to above, suspend the issuing of documents until the end of the period in question.

5. The quantities of oil stated in the documents which are issued shall be taken into account when the supply balance is reviewed in accordance with Article 4 (5).

Article 12

Compensatory aid covering the difference between the price of Portuguese seeds and world prices, less the import duty charged in Portugal on the quantity of cakes corresponding to the use of the seeds in question shall be granted in respect of a quantity of sunflower seeds harvested in Portugal and used for the production of oil intended for export. The amount of the aid shall be fixed by the Commission at regular intervals. Exports made under this Article may not benefit from the provisions of Article 9.

Article 13

The control of the level of the consumer prices referred to in Article 292 (1) (b) of the Act of Accession may, where necessary, and particularly in the case of Article 9, for the products referred to in Article 2, include:

- the fixing of minimum or maximum prices at a marketing stage to be determined, and
- the introduction of a levy in respect of the difference between Portuguese prices and those of imported products.

Article 14

The detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾ as last amended by Regulation (EEC) No 3768/85⁽²⁾.

Article 15

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council

The President

G. BRAKS

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

COUNCIL REGULATION (EEC) No 477/86
of 25 February 1986
adopting appropriate measures for trade in processed oil products with Spain or Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Article 93 (4) of the Act of Accession provides that, until 31 December 1990, in trade in processed oil products falling within Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, appropriate measures shall be adopted to take account of the difference in the prices of these oils in Spain and in the Community as constituted on 31 December 1985;

Whereas Article 291 (4) of the Act of Accession provides that, until 31 December 1990, in trade in processed vegetable oil products intended for human consumption, with the exception of olive oil products, appropriate measures shall be adopted to take account of the differences in the prices of these oils in Portugal and in the Community as constituted on 31 December 1985;

Whereas, under the arrangement for controlling the prices and quantities of certain oil and fat sector products pursuant to Articles 94 and 292 of the Act, prices in Spain, Portugal, and the Community as constituted on 31 December 1985 may differ considerably; whereas this may lead to distortions in trade in products containing a significant proportion of oil or fat; whereas provision should therefore be made for the possible

introduction of a compensatory amount with a view to correcting any such distortions,

HAS ADOPTED THIS REGULATION:

Article 1

1. Where a significant difference in prices threatens to distort trade, a compensatory amount may be applied to trade in certain processed oil products between, on the one hand, Spain or Portugal, and, on the other hand, the Community as constituted on 31 December 1985.

2. The compensatory amount shall be no greater than the impact of the difference in prices for the raw materials referred to in Articles 94 (1) (b) and 292 (1) (b).

Article 2

Detailed rules for the application of this Regulation, covering in particular:

- the products to which the compensatory amount is applicable by reason of the pattern of trade,
- the level, in respect of each product, of the compensatory amount, applicable to the trade in question,

shall be drawn up in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 3

This Regulation shall enter into force on 1 March 1986.

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

Done at Brussels, 25 February 1986.

For the Council
The President
G. BRAKS

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

COUNCIL REGULATION (EEC) No 478/86**of 25 February 1986****laying down the method of adjustment of the refund and the aid for colza, rape and sunflower seeds produced or processed in Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Articles 95 (3) and 293 (3) of the Act of Accession provide that aid for colza, rape and sunflower seeds produced in Spain or Portugal and processed in the Community as constituted on 31 December 1985 and the aid for those seeds produced in the Community as constituted on 31 December 1985 and processed in Spain or Portugal shall be adjusted to take account of the respective difference between the level of the prices of those seeds and that of seeds imported from third countries.

Whereas the refund for seeds produced in Spain or Portugal should, in accordance with Articles 87 and 255 of the Act of Accession, be adjusted to take account of the difference between the target price for these seeds and the common prices,

HAS ADOPTED THIS REGULATION:

Article 1

Aid for colza, rape and sunflower seeds produced in Spain or Portugal and processed in the Community as constituted on 31 December 1985 shall be adjusted so that it is equal to the difference between the Spanish or Portuguese target prices and the world market price for such seeds.

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

Done at Brussels, 25 February 1986

Aid for colza, rape and sunflower seeds produced in the Community as constituted on 31 December 1985 and processed in Spain or Portugal shall be adjusted so that it is equal to the difference between the common target prices, plus the customs duties to be applied by Spain or Portugal in their trade with the Community as constituted on 31 December 1985, and the world price for these seeds, plus the customs duties applied by Spain or Portugal to seeds imported from third countries.

Article 3

Where the refund referred to in Article 28 of Regulation No 136/66/EEC of the Council of 22 September 1966 on the establishment of a common organization of the market in oil and fats ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, is fixed, the amount of such refund shall be adjusted with respect to seeds produced in Spain or Portugal, by the difference between the target prices to be applied respectively, in Spain or Portugal and in the Community as constituted on 31 December 1985.

Article 4

Detailed rules for the application of this Regulation shall be drawn up, as necessary, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

Article 5

This Regulation shall enter into force on 1 March 1986.

For the Council

The President

G. BRAKS

⁽¹⁾ OJ No L 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.