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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1491/86**of 16 May 1986****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1355/86 ⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 15 May 1986 ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 17 May 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 65, 7. 3. 1986, p. 31.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 16 May 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	8,11	176,96
10.01 B II	Durum wheat	31,61	224,23 ⁽¹⁾ ⁽²⁾
10.02	Rye	46,32	163,05 ⁽⁶⁾
10.03	Barley	41,18	166,05
10.04	Oats	80,34	162,65
10.05 B	Maize, other than hybrid maize for sowing	—	152,63 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	41,18	53,17 ⁽⁴⁾
10.07 C	Grain sorghum	—	160,89 ⁽⁴⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	26,89	263,28
11.01 B	Rye flour	80,38	242,90
11.02 A I a)	Durum wheat groats and meal	62,83	361,39
11.02 A I b)	Common wheat groats and meal	26,24	281,54

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 486/85 the levies are not applied to imports into the French overseas departments of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

COMMISSION REGULATION (EEC) No 1492/86

of 16 May 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1355/86⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas these exchange rates being those recorded on 15 May 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 May 1986.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1985, p. 11.

ANNEX I

to the Commission Regulation of 16 May 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from Portugal

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 5	1st period 6	2nd period 7	3rd period 8
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

ANNEX II

to the Commission Regulation of 16 May 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8
10.01 B I	Common wheat, and meslin	0	2,33	2,39	5,13
10.01 B II	Durum wheat	0	4,27	4,27	8,97
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C	Grain sorghum	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	3,26	3,35	7,20

B. Malt

(ECU/tonne)

CCT heading No	Description	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	4,15	4,25	9,13	9,13
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	3,10	3,18	6,82	6,82
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1493/86
of 16 May 1986
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9,5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 3.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾;

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

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

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas Commission Regulation (EEC) No 896/84⁽³⁾, as amended by Regulation (EEC) No 2881/84⁽⁴⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for different refunds according to the date of manufacture of the products;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 17 May 1986.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁴⁾ OJ No L 272, 13. 10. 1984, p. 16.

to the Commission Regulation of 16 May 1986 fixing the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % ⁽¹⁾ :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 05	7,15
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 15	10,34
	(3) Of a fat content, by weight, exceeding 3 %	0110 20	13,34
	b) Other :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 25	7,15
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 35	10,34
	(3) Of a fat content, by weight, exceeding 3 %	0110 40	13,34
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0130 10	7,15
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0130 22	10,34
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	13,34
	2. Exceeding 4 %	0140 00	15,34
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0150 10	7,15
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0150 21	10,34
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	13,34
	2. Exceeding 4 %	0160 00	15,34

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight⁽¹⁾ : ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	19,34 29,13 43,12 51,11 79,09 87,09 99,08 145,04 169,02
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar⁽²⁾ : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 %	0620 00 0720 00 0720 20 0720 30 0720 40 0820 20 0820 30	102,00 102,00 115,33 123,00 133,60 134,82 136,24

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	138,26
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	150,35
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	154,53
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	169,26
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	179,48
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	189,93
	b) Other, of a fat weight content :		
	1. Not exceeding 1,5 %	1020 00	85,86
	2. Exceeding 1,5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	85,86
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	115,33
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	123,00
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	133,60
	3. Exceeding 27 % but not exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 28 %	1220 20	134,82
	(bb) Of a fat content, by weight, exceeding 28 %	1220 30	136,24
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	138,26
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	150,35
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	154,53
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	169,26
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	179,48
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	189,93

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules : a) In immediate packings of a net content of 2,5 kg or less and of a fat content by weight not exceeding 11 % : 1. Of a fat content, by weight, not exceeding 8,9 % and of a non-fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7,4 % (33) Exceeding 7,4 % 2. Other, of a non fat lactic dry matter content : (aa) Of less than 15 %, by weight (bb) Of 15 % or more, by weight b) Other, of a fat content, by weight : 1. Not exceeding 45 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 8,9 % (33) Exceeding 8,9 %, by weight, but not exceeding 11 % (44) Exceeding 11 %, by weight, but not exceeding 21 % (55) Exceeding 21 %, by weight, but not exceeding 39 % (66) Exceeding 39 % (bb) Of 15 % or more and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 %, by weight, but not exceeding 7,4 % (33) Exceeding 7,4 %, by weight, but not exceeding 8,9 % (44) Exceeding 8,9 % 2. Exceeding 45 %	1420 12 1420 22 1420 50 1420 60 1420 70 1520 10 1520 20 1620 70 1630 00 1630 10 1630 20 1630 30 1630 40 1630 50 1630 60 1630 70 1630 80 1720 00	— 13,34 22,30 28,29 34,40 25,13 41,81 — 13,34 25,13 31,13 51,11 87,09 22,30 28,29 34,40 41,81 99,08

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : aa) Not exceeding 1,5 % bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 % 2. Other, of a fat content, by weight : aa) Not exceeding 1,5 % bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 %	2220 00 2320 10 2320 20 2320 30 2320 40 2420 10 2420 20 2520 00 2620 10 2620 20 2620 30 2620 40 2720 10 2720 20	1,0200 (*) per kg 1,0200 (*) per kg 1,1533 (*) per kg 1,2300 (*) per kg 1,3360 (*) per kg 1,3482 (*) per kg 1,3624 (*) per kg 0,8586 (*) per kg 0,8586 (*) per kg 1,1533 (*) per kg 1,2300 (*) per kg 1,3360 (*) per kg 1,3482 (*) per kg 1,3624 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In immediate packings of a net capacity of 2,5 kg or less and of a fat content by weight not exceeding 9,5 % : (1) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 % by weight (bb) Of 15 % or more (2) Of a fat content, by weight, exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6,9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9,5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2810 11 2810 12 2810 15 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	— (*) per kg 0,1334 (*) per kg 25,73 (*) 43,53 (*) 25,73 (*) 43,53 (*) 0,2713 (*) per kg 0,5111 (*) per kg 0,8709 (*) per kg 0,9908 (*) per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % : (a) In immediate packings of a net capacity of 2,5 kg or less (b) Other (II) Of a fat content, by weight, of 78 % or more but less than 80 % : (a) In immediate packings of a net capacity of 2,5 kg or less (b) Other	3110 04 3110 05 3110 17 3110 18	151,22 ⁽¹⁰⁾ 137,19 ⁽¹⁰⁾ 190,24 ⁽¹⁰⁾ 172,60 ⁽¹⁰⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(III) Of a fat content, by weight, of 80 % or more, but less than 82 % :		
	(a) In immediate packings of a net capacity of 2,5 kg or less	3110 23	195,12 ⁽¹⁰⁾
	(b) Other	3110 24	177,02 ⁽¹⁰⁾
	(IV) Of a fat content, by weight, of 82 % or more :		
	(a) In immediate packings of a net capacity of 2,5 kg or less	3110 33	200,00 ⁽¹⁰⁾
	(b) Other	3110 34	181,45 ⁽¹⁰⁾
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99,5 % :		
	(a) In immediate packings of a net capacity of 2,5 kg or less	3210 11	200,00 ⁽¹⁰⁾
	(b) Other	3210 12	181,45 ⁽¹⁰⁾
	(II) Exceeding 99,5 % :		
	(a) In immediate packings of a net capacity of 2,5 kg or less	3210 21	258,68 ⁽¹⁰⁾ ⁽¹¹⁾
	(b) Other	3210 22	240,80 ⁽¹⁰⁾ ⁽¹¹⁾
04.04	Cheese and curd ⁽⁶⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	(I) Pieces packed in vacuum or in inert gas, of a net weight of less than 7,5 kg	3800 40	
	For exports to :		
	— Zone E		21,38
	— Canada		16,04
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		143,04
	(II) Other	3800 60	
	For exports to :		
	— Zone E		21,38
	— Canada		16,04
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		143,04
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort for exports to :	4000 00	
	— Austria		—
	— Zone E		20,00
	— Canada		15,00
	— Norway and Finland		—
	— Australia		25,78
	— Other destinations		115,99
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex a) Not exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 27 % or more but less than 33 %	4410 05	
	for exports to :		
	— Austria		—
	— Zone E		4,55
	— Canada		3,41
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		20,24

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Of 33 % or more but less than 38 %	4410 10	
	for exports to :		
	— Austria		—
	— Zone E		9,54
	— Canada		7,16
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 20	
	for exports to :		
	— Austria		—
	— Zone E		9,54
	— Canada		7,16
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(bb) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		—
	— Zone E		14,00
	— Canada		10,50
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		63,98
	(4) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 40	
	for exports to :		
	— Austria		—
	— Zone E		9,54
	— Canada		7,16
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(bb) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		—
	— Zone E		14,00
	— Canada		10,50
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		63,98
	(cc) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		—
	— Zone E		20,34
	— Canada		15,26
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		94,00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex b) Exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		—
	— Zone E		9,54
	— Canada		7,16
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		43,96
	(2) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		—
	— Zone E		14,00
	— Canada		10,50
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		63,98
	(3) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		—
	— Zone E		20,34
	— Canada		15,26
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		94,00
	(4) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 55 %	4510 40	
	for exports to :		
	— Austria		—
	— Zone E		20,34
	— Canada		15,26
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		94,00
	(bb) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		—
	— Zone E		24,13
	— Canada		18,10
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		111,52
	II. Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		—
	— Zone E		24,13
	— Canada		18,10
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		111,52

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter : ex a) Not exceeding 47 % : (1) Grana Padano, Parmigiano Reggiano for exports to : — Zone E 130,00 — Canada 97,50 — Norway and Finland — — Switzerland 90,00 — Other destinations 182,82 (2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk for exports to : — Zone E 180,00 — Canada 135,00 — Norway and Finland — — Switzerland 105,03 — Other destinations 209,94 (3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to : — Zone E 70,00 — Canada 52,50 — Norway and Finland — — Switzerland 60,00 — Other destinations 134,36 b) Exceeding 47 % but not exceeding 72 % : ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria — — Zone E 20,00 — Canada — — Norway and Finland — — Australia 90,52 — Switzerland — — Japan 178,00 — Other destinations 148,76 ex 2. Other, of a fat content, by weight, in the dry matter (7) : (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — — Zone E 19,82 — Canada 14,87 — Norway and Finland 13,50 — Switzerland — — Other destinations 78,89	4710 11 4710 17 4710 22 4850 00 5120 12	

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		—
	— Zone E		21,62
	— Canada		15,95
	— Norway and Finland		20,00
	— Switzerland		—
	— Other destinations		97,19
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		—
	— Zone E		24,26
	— Canada		18,20
	— Norway and Finland		24,00
	— Switzerland		—
	— Other destinations		110,44
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano :		
	(aaa) Provolone	5120 32	
	for exports to :		
	— Zone E		120,00
	— Canada		82,50
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		149,30
	(bbb) Others	5120 36	
	for exports to :		
	— Zone E		7,70
	— Canada		5,78
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		122,16
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		—
	— Zone E		7,70
	— Canada		5,78
	— Norway and Finland		—
	— Australia		77,39
	— Switzerland		—
	— Japan		150,00
	— Other destinations		122,16

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		—
	— Zone E		6,65
	— Canada		4,99
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		105,58
	(44) Cantal, Cheshire, Wensleydale, Lanca- shire, Double Gloucester, Blarney	5120 58	
	for exports to :		
	— Austria		—
	— Zone E		20,00
	— Canada		15,00
	— Norway and Finland		—
	— Australia		77,43
	— Switzerland		—
	— Other destinations		122,93
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more		
	(aaa) Manufactured exclusively from sheep milk	5120 60	
	for exports to :		
	— Zone E		10,21
	— Canada		7,66
	— Norway and Finland		—
	— Other destinations		37,78
	(bbb) Other	5120 65	
	for exports to :		
	— Zone E		10,21
	— Canada		7,66
	— Norway and Finland		—
	— Other destinations		37,78
	(66) Feta (³)	5120 82	
	for exports to :		
	— Zone E		10,57
	— Canada		7,93
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		92,07
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		—
	— Zone E		20,00
	— Canada		—
	— Norway and Finland		—
	— Australia		77,43
	— Switzerland		—
	— Japan		150,00
	— Other destinations		122,93

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Kefalotyri, Kefalograviera and Kasseri manufactured exclusively from sheep's and/or goats' milk	5120 84	
	for exports to :		
	— Zone E		120,00
	— Canada		82,50
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		149,30
	(99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to :		
	— Austria		—
	— Zone E		20,00
	— Canada		15,00
	— Norway and Finland		—
	— Australia		77,43
	— Switzerland		—
	— Japan		150,00
	— Other destinations		122,93
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to :		
	— Austria		—
	— Zone E		7,70
	— Canada		5,78
	— Norway and Finland		27,50
	— Australia		77,39
	— Switzerland		—
	— Japan		150,00
	— Other destinations		122,16
	ex c) Exceeding 72 % (excluding cheeses produced from whey) (7) :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to :		
	— Austria		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		22,07
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(11) Of 60 % or more but less than 69 %	5121 20	
	For exports to :		
	— Austria		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		29,68
	(22) Of 69 % or more	5121 30	
	For exports to :		
	— Austria		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		36,24
	(cc) Other	5121 40	—
	2. Other :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 51	
	For exports to :		
	— Austria		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		22,07
	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 69 %	5121 60	
	For exports to :		
	— Austria		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		7,50
	— Switzerland and Liechtenstein		—
	— Other destinations		29,68
	(22) Of 69 % or more	5121 70	
	For exports to :		
	— Austria		—
	— Zone E		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		36,24
	(cc) Other	5121 80	—

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex II. Other (excluding cheeses produced from whey): ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight: (1) Of 60 % or more but less than 80 % For exports to: — Zone E 20,00 — Canada 15,00 — Norway and Finland — — Other destinations 73,61 (2) Of 80 % or more but less than 85 % For exports to: — Zone E 26,67 — Canada 20,00 — Norway and Finland — — Other destinations 98,15 (3) Of 85 % or more but less than 95 % For exports to: — Zone E 28,33 — Canada 21,25 — Norway and Finland — — Other destinations 104,28 (4) Of 95 % or more For exports to: — Zone E 31,67 — Canada 23,75 — Norway and Finland — — Other destinations 116,55	5310 05 5310 11 5310 22 5310 31	
23.07	Sweetened forage; other preparations of a kind used in animal feeding: ex B. Other, containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ("): I. Containing starch, or glucose or glucose syrup, or maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II: a) Containing no starch or containing 10 % or less, by weight, of starch: (3) Containing 50 % or more but less than 75 %, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of ("): (aa) Less than 30 % (bb) 30 % or more but less than 40 % (cc) 40 % or more but less than 50 % (dd) 50 % or more but less than 60 % (ee) 60 % or more but less than 70 % (ff) 70 % or more	5700 13 5700 23 5700 33 5700 42 5700 52 5700 62	6,60 8,80 11,00 13,20 15,40

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(4) Containing 75 % or more, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of ^(*) :		
	(aa) Less than 30 %	5800 13	—
	(bb) 30 % or more but less than 40 %	5800 23	6,60
	(cc) 40 % or more but less than 50 %	5800 32	8,80
	(dd) 50 % or more but less than 60 %	5800 42	11,00
	(ee) 60 % or more but less than 70 %	5800 52	13,20
	(ff) 70 % or more but less than 75 %	5800 62	15,40
	(gg) 75 % or more but less than 80 %	5800 72	16,50
	(hh) 80 % or more	5800 82	17,60
	ex II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, and containing 50 % or more milk products, by weight, and with a milk content in powder or granules (excluding whey), by weight, of ^(*) :		
	(a) 30 % or more but less than 40 %	5900 01	30,60
	(b) 40 % or more but less than 50 %	5900 05	40,80
	(c) 50 % or more but less than 60 %	5900 12	51,00
	(d) 60 % or more but less than 70 %	5900 22	61,20
	(e) 70 % or more but less than 80 %	5900 32	71,40
	(f) 80 % or more but less than 88 %	5900 42	81,60
	(g) 88 % or more	5900 52	89,76

⁽¹⁾ When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

⁽²⁾ The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates, shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

— the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kg of finished product, and, in particular,

— the lactose content of the added whey.

⁽³⁾ When the product contains casein and/or caseinates that were added before or at the time of processing, no refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added.

- (*) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculating the fat content, by weight.

The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added casein and/or added caseinates, contained in 100 kg of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (†) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :

- (a) the amount per 100 kg shown ; however, where whey and/or lactose and/or casein and/or caseinates been added to the product, the amount per 100 kg shown shall be :
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kg of product, and then
 - divided by the weight of the lactic part contained in 100 kg of product ;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (‡) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund and the monetary compensatory amount, in the exporting Member State, is less than 140 ECU per 100 kilograms. This limitation to 140 ECU per 100 kilograms does not apply to cheeses falling within subheading 04.04 E I ex c) of the Common Customs Tariff.

- (§) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.

- (¶) When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the skimmed-milk powder content, by weight,
 - the content by weight of the added whey and/or added lactose and/or added casein and/or added caseinates, and
 - the lactose content of the added whey
- per 100 kg of finished product.

- (§) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.

- (¹⁰) Until 22 December 1985, inclusive, this amount is applicable only in the cases indicated in Article 10 (3) to (5) of Regulation (EEC) No 2729/81.

However :

- in the case of exports under either Regulation (EEC) No 2268/84 or Regulation (EEC) No 2278/84 the rate of refund is reduced by 25 ECU per 100 kilograms net,
- in the case of exports under Regulation (EEC) No 2956/84 the rate of refund shall be that applying on 18 June 1985.

- (¹¹) The rate of refund referred to in footnote (¹⁰) shall also apply to ghee exported under Regulation (EEC) No 2278/84.

N.B.: Zones A, B, C and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 2283/81.

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION REGULATION (EEC) No 1494/86**of 16 May 1986****amending Regulation (EEC) No 685/69 on detailed rules of application for intervention of the market in butter and cream**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 6 (7) thereof,Whereas Article 6 (2) of Commission Regulation (EEC) No 685/69 ⁽³⁾, as last amended by Regulation (EEC) No 2576/85 ⁽⁴⁾, fixes the interest rate used to calculate finance costs and Article 24 (3) the various storage-cost components; whereas the interest rates laid down in those Articles should be adjusted in the light of the trend of real interest rates recorded in the Member States;

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

Article 1

Regulation (EEC) No 685/69 is hereby amended as follows:

1. In Article 6 (2) (c), '10,5 %' is replaced by '9,5 %'.
2. In Article 24 (3) (c), '10,5 %' and '7,5 %' are replaced by '9,5 %' and '6,5 %' respectively.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*

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

Done at Brussels, 16 May 1986

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.⁽³⁾ OJ No L 90, 14. 4. 1969, p. 12.⁽⁴⁾ OJ No L 246, 13. 9. 1985, p. 19.

COMMISSION REGULATION (EEC) No 1495/86

of 16 May 1986

amending, for the fourth time, Regulation (EEC) No 2858/85 on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 2858/85⁽³⁾, as last amended by Regulation (EEC) No 3698/85⁽⁴⁾, provides for the sale of pigmeat held by the Belgian intervention agency, pursuant to Regulations (EEC) No 772/85⁽⁵⁾, (EEC) No 978/85⁽⁶⁾ and (EEC) No 1477/85⁽⁷⁾, by tender and at fixed prices following each tender;

Whereas the establishment of a procedure for sale at prices fixed at a standard rate in advance could facilitate the sale of this meat for human consumption at satisfactory prices; whereas the provisions of Regulation (EEC) No 2858/85 providing for sale by tender for human consumption should therefore be suspended, and the said Regulation amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2858/85 is hereby amended as follows:

1. The heading 'sale by invitation to tender' in Title I is replaced by the heading 'sale by tender and at prices fixed at a standard rate in advance'.
2. The following Article 2b is inserted:

Article 2b

1. The Belgian intervention agency shall periodically draw up a notice of sale for human consumption at prices fixed at a standard rate in advance stating in particular:

- (a) the description of the products and the relevant prices;

- (b) the name and address of the cold stores in which the products are stored;
- (c) for each product, the quantities put up for sale, broken down by:
 - cold store,
 - type of health mark used;
- (d) the time limit and place for submission of purchase applications;
- (e) the formalities regarding provision of the security and the obligation regarding storage, treatment and disposal;
- (f) a statement that purchase applications may be submitted by telex.

2. The duration of the sale together with the quantities of products and specific prices pertaining thereto shall be determined in accordance with the procedure laid down in Article 24 of Regulation (EEC) No 2759/75.

3. The Belgian intervention agency shall publish such notice of sale in the *Moniteur Belge* and wherever else considered appropriate.

4. The provisions of Articles 9, 10 and 11, Title III and Title IV shall apply.

5. The Belgian intervention agency shall notify to the Commission, by the 15th of each month, the quantities of meat sold pursuant to this Article during the previous month, broken down by:

- product,
- cold store,
- type of health mark used,
- week of initial storage.

3. The heading 'sale at fixed price' in Title II is hereby replaced by the heading 'special conditions regarding sales at fixed prices'.

Article 2

The application of Article 2 of Regulation (EEC) No 2858/85 is hereby suspended.

Article 3

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

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ OJ No L 351, 28. 12. 1985, p. 51.

⁽⁵⁾ OJ No L 86, 27. 3. 1985, p. 20.

⁽⁶⁾ OJ No L 105, 17. 4. 1985, p. 6.

⁽⁷⁾ OJ No L 145, 4. 6. 1985, p. 17.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1496/86

of 16 May 1986

on the sale of pigmeat at prices fixed at a standard rate in advance pursuant to
Article 2b (b) of Regulation (EEC) No 2858/85

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

Having regard to Council Regulation (EEC) No 2759/75,
of 29 October 1975 on the common organization of the
market in pigmeat⁽¹⁾, as last amended by Regulation
(EEC) No 3768/85⁽²⁾, and in particular Article 20 thereof,

Whereas Article 2b of Commission Regulation (EEC) No
2858/85 of 11 October 1985 on the sale of pigmeat held
by the Belgian intervention agency pursuant to Regula-
tions (EEC) No 772/85, (EEC) No 978/85 and (EEC) No
1477/85⁽³⁾, as last amended by Regulation (EEC) No
1495/86⁽⁴⁾, provides for periodic sales of products
intended for human consumption at prices fixed at a
standard rate in advance; whereas the duration of the
sales together with the quantities of products and specific
prices pertaining thereto shall be determined in accor-
dance with the procedure laid down in Article 24 of
Regulation (EEC) No 2759/75; whereas the quantities of
products and the prices for the first sale should be fixed
taking account of the quantities available, the current state
of the market for pigmeat and the prospects for disposal
of the meat;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Pursuant to Article 2b (1) of Regulation (EEC) No 2858/85 the Belgian intervention agency shall put up for sale approximately 13 000 tonnes of pigmeat as from 19 May 1986.
2. The quantities and prices of the said pigmeat, by product, appear in the Annex.
3. The sale shall take place in accordance with the provisions of Regulation (EEC) No 2858/85 and of this Regulation.

Article 2

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

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ See page 26 of this Official Journal.

*ANNEX***Sale of pigmeat at prices fixed at a standard rate in advance**

Description of product	Quantity (tonnes)	Price (ECU/tonne)	
		(¹)	(²)
Hams, frozen (ex 02.01 A III a) 2)	6 100	850	920
Shoulders or fore-ends, frozen (ex 02.01 A III a) 3)	3 400	520	560
Loins, frozen (ex 02.01 A III a) 4)	3 200	740	800
Boneless meat, frozen (ex 02.01 A III a) 6 aa))	300	970	1 050

(¹) = National Health Mark.

(²) = Community Health Mark.

COMMISSION REGULATION (EEC) No 1497/86

of 16 May 1986

publishing the results of the tender of 29 April 1986 pursuant to Article 2 of Regulation (EEC) No 2858/85 for the sale of pigmeat

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 2858/85 of 11 October 1985 on the sale of pigmeat held by the Belgian intervention agency pursuant to Regulations (EEC) No 772/85, (EEC) No 978/85 and (EEC) No 1477/85⁽³⁾, as last amended by Regulation (EEC) No 1495/86⁽⁴⁾, has determined the procedure for the sale of the said pigmeat by monthly tender;

Whereas Article 8 (2) of Regulation (EEC) No 2858/85 further provides that the results of each tender are to be published in the *Official Journal of the European Communities*; whereas it is necessary to publish the results of the tender of 29 April 1986;

Whereas Article 2b of Regulation (EEC) No 2858/85 provides for the sale of pigmeat at prices fixed at a standard rate in advance; whereas the first such sale is to be held pursuant to Regulation (EEC) No 1496/86⁽⁵⁾; whereas therefore, by way of derogation from Article 8 (1)

of Regulation (EEC) No 2858/85 a sale at fixed prices following the tender of 29 April 1986 should not be held.

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

HAS ADOPTED THIS REGULATION:

Article 1

The results of the tender of 29 April 1986 held in accordance with Article 2 of Regulation (EEC) No 2858/85 appear in the Annex hereto.

Article 2

By way of derogation from the provisions of Article 8 (1) of Regulation (EEC) No 2858/85, a sale at fixed prices shall not be held following the tender of 29 April 1986.

Article 3

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

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 274, 15. 10. 1985, p. 22.

⁽⁴⁾ See page 26 of this Official Journal.

⁽⁵⁾ See page 28 of this Official Journal.

ANNEX

Results of 29 April 1986 invitation to tender in accordance with Articles 2 (2) and 3 (1) of Regulation (EEC) No 2858/85

COMMUNITY HEALTH MARK

Description of products	Quantities accepted (tonnes)	Minimum price (ECU/tonne)
Hams, frozen (ex 02.01 A III a) 2)	14,534	850
Shoulders or fore-ends, frozen (ex 02.01 A III a) 3)	243,000	510
Loins, frozen (ex 02.01 A III a) 4)	46,575	750
Middles, frozen (ex 02.01 A III a) 6)	30,000	250
Boneless meat, frozen (ex 02.01 A III a) 6 aa))	14,904	950

COMMISSION REGULATION (EEC) No 1498/86

of 16 May 1986

amending Regulation (EEC) No 2946/85 increasing to 385 000 tonnes the quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1355/86⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 3826/85⁽⁴⁾,

Whereas Commission Regulation (EEC) No 2946/85⁽⁵⁾, as last amended by Regulation (EEC) No 983/86⁽⁶⁾ opened a standing invitation to tender for the export of 300 000 tonnes of bread-making wheat held by the Danish intervention agency; whereas, in a communication of 13 May 1986, Denmark informed the Commission of the intention of its intervention agency to increase by 85 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened should be increased to 385 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 2946/85 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 2946/85 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 385 000 tonnes of bread-making wheat to be exported to all third countries.
2. The regions in which the 385 000 tonnes of bread-making wheat are stored are listed in Annex I hereto.'

Article 2

Annex I to Regulation (EEC) No 2946/85 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 371, 31. 12. 1985, p. 1.

⁽⁵⁾ OJ No L 283, 24. 10. 1985, p. 19.

⁽⁶⁾ OJ No L 90, 5. 4. 1986, p. 21.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Fyn	22 000
Lolland/Falster	168 000
Sjælland	115 600
Jylland	79 400'

COMMISSION REGULATION (EEC) No 1499/86

of 16 May 1986

amending Regulation (EEC) No 3217/85 increasing to 600 000 tonnes the quantity of barley held by the United Kingdom intervention agency for which a standing invitation to tender for export has been opened

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1355/85 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 3826/85 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 3217/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 983/86 ⁽⁶⁾ opened a standing invitation to tender for the export of 500 000 tonnes of barley held by the United Kingdom intervention agency; whereas, in a communication of 9 May 1986, the United Kingdom informed the Commission of the intention of its intervention agency to increase by 100 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the United Kingdom intervention agency for which a standing invitation to tender for export has been opened should be increased to 600 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 3217/85 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 3217/85 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 600 000 tonnes of barley to be exported to all third countries.
2. The regions in which the 600 000 tonnes of barley are stored are listed in Annex I hereto.

Article 2

Annex I to Regulation (EEC) No 3217/85 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 371, 31. 12. 1985, p. 1.

⁽⁵⁾ OJ No L 303, 16. 11. 1985, p. 38.

⁽⁶⁾ OJ No L 90, 5. 4. 1986, p. 21.

*ANNEX**'ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
North	142 779
Midlands/East	258 515
South	198 706'

COMMISSION REGULATION (EEC) No 1500/86

of 16 May 1986

fixing the rates of the refunds applicable from 17 May 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 17 (5) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1982/85 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 665/86 ⁽⁸⁾, Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁹⁾, and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹⁰⁾, as last amended by Regulation (EEC) No 698/86 ⁽¹¹⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 66, 8. 3. 1986, p. 38.

⁽⁹⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽¹⁰⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽¹¹⁾ OJ No L 64, 6. 3. 1986, p. 12.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable from 17 May 1986 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No

804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 17 May 1986.

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

Done at Brussels, 16 May 1986.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 16 May 1986 fixing the rates of the refunds applicable from 17 May 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	Rate of refund (ECU/100 kg)
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CCT heading No 35.01 b) On exportation of other goods	— 102,00
ex 04.02 A II	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	133,60
ex 04.02 A III	Concentrated milk, with a fat content by weight of 7,5 % and a content by weight in dry matter equal to 25 % (PG 4)	34,40
ex 04.03	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 442/84 and (EEC) No 1932/81 b) On exportation of goods of CCT subheadings 21.07 G VII to IX c) On exportation of other goods	— 212,00 200,00

COMMISSION REGULATION (EEC) No 1501/86

of 16 May 1986

introducing a countervailing charge on tomatoes originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 985/86 of 4 April 1986 fixing for the 1986 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of May 1986 at 136,75 ECU per 100 kilograms net;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 17,84 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Morocco.

Article 2

This Regulation shall enter into force on 20 May 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 90, 5. 4. 1986, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1502/86

of 16 May 1986

introducing a countervailing charge on tomatoes originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 985/86 of 4 April 1986 fixing for the 1986 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I for the month of May 1986 at 136,75 ECU per 100 kilograms net;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 64,82 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Romania

Article 2

This Regulation shall enter into force on 20 May 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 90, 5. 4. 1986, p. 25.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1503/86

of 16 May 1986

altering the import levies on products processed from cereals and rice

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1355/86⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 3768/85⁽⁴⁾ and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾ and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1264/86⁽⁶⁾, as last amended by Regulation (EEC) No 1398/86⁽⁷⁾;

Whereas Council Regulation (EEC) No 1027/84⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 16 May 1986;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1027/84, as fixed in the Annex to the amended Regulation (EEC) No 1264/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 May 1986.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 107, 24. 4. 1986, p. 45.

⁽⁷⁾ OJ No L 125, 13. 5. 1986, p. 13.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 16 May 1986 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 E I ⁽²⁾	281,04	275,00
11.01 E II ⁽²⁾	158,86	155,84
11.01 G ⁽²⁾	167,20	164,18
11.02 A V a) 1 ⁽²⁾	246,11	240,07
11.02 A V a) 2 ⁽²⁾	281,04	275,00
11.02 A V b) ⁽²⁾	158,86	155,84
11.02 A VII ⁽²⁾	167,20	164,18
11.02 B II c) ⁽²⁾	247,47	244,45
11.02 B II d) ⁽²⁾	260,56	257,54
11.02 C V ⁽²⁾	247,47	244,45
11.02 C VI ⁽²⁾	260,56	257,54
11.02 D V ⁽²⁾	158,86	155,84
11.02 D VI ⁽²⁾	167,20	164,18
11.02 E II c) ⁽²⁾	281,04	275,00
11.02 E II d) 2 ⁽²⁾	295,77	289,73
11.02 F V ⁽²⁾	281,04	275,00
11.02 F VII ⁽²⁾	167,20	164,18
11.02 G II	120,63	114,59
11.04 C II a)	235,28	211,10 ⁽⁵⁾
11.04 C II b)	266,53	242,35 ⁽⁵⁾
11.08 A I	235,28	214,73
11.08 A IV	235,28	214,73
11.08 A V	235,28	107,36 ⁽⁵⁾
17.02 B II a) ⁽³⁾	376,80	280,08
17.02 B II b) ⁽³⁾	281,22	214,73
17.02 F II a)	390,13	293,41
17.02 F II b)	270,55	204,06
21.07 F II	281,22	214,73
23.03 A I	448,08	266,74

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

⁽³⁾ Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I is subject to the same levy as products falling within subheading 17.02 B II.

⁽⁵⁾ In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:

- arrowroot falling within subheading ex 07.06 A,
- flours and meal of arrowroot falling within subheading 11.04 C,
- arrowroot starch falling within subheading ex 11.08 A V.

COMMISSION REGULATION (EEC) No 1504/86

of 16 May 1986

fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 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⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1809/85 ⁽³⁾, as last amended by Regulation (EEC) No 1490/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1809/85 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 May 1986.

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 169, 29. 6. 1985, p. 77.

⁽⁴⁾ OJ No L 130, 16. 5. 1986, p. 35.

ANNEX

to the Commission Regulation of 16 May 1986 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form :	
	A. White sugar : flavoured or coloured sugar	46,82
	B. Raw sugar	39,66 ⁽¹⁾

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

COMMISSION REGULATION (EEC) No 1505/86

of 16 May 1986

laying down certain detailed rules for the application of Council Regulation (EEC) No 1388/86 on the suspension of the import of certain agricultural products originating in certain third countries

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

Having regard to Council Regulation (EEC) No 1388/86 of 12 May 1986 on the suspension of the import of certain agricultural products originating in certain third countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Regulation (EEC) No 1388/86 foresees the suspension of the importation of certain products which have been contaminated by the nuclear fall-out following the accident on 26 April 1986 at the Chernobyl nuclear centre; whereas the terms of Article 4 of the abovementioned Regulation lay down the modalities of application, including particularly the addition to or the deletion from the list of products concerned as well as the conditions which may be applied to the importations, which may be adopted;

Whereas for certain products the risk of contamination can be excluded because of their normal period of harvesting; whereas it appears necessary to specify which products are covered by the suspension of importation and to replace, for the sake of clarity, the list shown at the Annex to Regulation (EEC) No 1388/86; whereas it

appears necessary, as well, to specify certain modalities relating to the importation of the products concerned;

Whereas the measures provided for in this Regulation are in accordance with the opinion of all the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 1 of Regulation (EEC) No 1388/86, 'importation' means the placing in temporary storage or under any customs regime.

Article 2

The Annex to Regulation (EEC) No 1388/86 is hereby replaced by the Annex to this Regulation.

Article 3

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

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

Done at Brussels, 16 May 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 127, 13. 5. 1986, p. 1.

ANNEX

CCT heading No	Description
01.01	Live horses, asses, mules and hinnies
01.04	Live sheep and goats
01.05	Live poultry, that is to say, fowls, ducks, geese, turkeys and guinea fowls
01.06	Other live animals : A. Domestic rabbits C. Other
ex Chapter 2	Meat and edible meat offals (excluding that covered by Directive 72/462/EEC)
03.01	Fish, fresh (live or dead), chilled or frozen : A. Freshwater fish : ex C. Roes
03.03	Crustaceans and molluscs : A. Crustaceans : ex III : Freshwater crayfish B. Molluscs : III. Snails, other than sea snails
04.01	Milk and cream, fresh, not concentrated or sweetened
ex 07.01	Vegetables, fresh or chilled, excluding seed potatoes, potatoes other than new potatoes and olives
07.02	Vegetables (whether or not cooked), preserved by freezing : B. Other
ex 08.01	B. Bananas, fresh
ex 08.02	Citrus fruit, fresh
08.04	A. Grapes, fresh
08.07	Stonefruit, fresh : A. Apricots B. Peaches, including nectarines C. Cherries
08.08	Berries, fresh : A. Strawberries F. Other : II. Other
08.09	Other fruit, fresh
08.10	Fruit (whether or not cooked), preserved by freezing, not containing added sugars : ex A. Strawberries ex D. Other : apricots, cherries

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 6 May 1986

concerning the accession of the European Economic Community to the Agreement on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of diagnosis or treatment

(86/181/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the proposal from the Commission,

Whereas Articles 1 and 2 of the Agreement on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of diagnosis and treatment, drawn up on the initiative of the Council of Europe, provide that each Contracting Party shall grant all possible facilities for the duty-free importation on a temporary basis of such equipment made available to it by another Contracting Party;

Whereas any derogation from the Common Customs Tariff, whether autonomous or conventional, falls within the competence of the Community;

Whereas the entry into force of an Additional Protocol enabling the Community to become a Contracting Party to the abovementioned Agreement allows the Community to exercise its power in this matter; whereas the derogations established by that Agreement are already provided for by Community temporary importation rules;

Whereas the Community ought therefore to become a Contracting Party to the Agreement in question,

HAS DECIDED AS FOLLOWS:

Article 1

The Accession of the Community to the Agreement on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of diagnosis or treatment is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 6 May 1986.

For the Council

The President

P. H. van ZEIL

AGREEMENT

on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of Diagnosis or treatment

THE GOVERNMENTS SIGNATORY HERETO, being members of the Council of Europe,

CONSIDERING that a State may in exceptional circumstances find itself suddenly to be without sufficient stocks of medical, surgical and laboratory equipment to satisfy the most urgent requirements of the population ;

CONSIDERING that it is desirable to facilitate the crossing of frontiers for medical, surgical and laboratory equipment which one Member State may be able to make available to another ;

CONSIDERING, further, that the aim of the Council of Europe is to achieve a greater unity between its members and to facilitate their economic and social progress by various means including the conclusion of European agreements ;

RECOGNIZING that a practical way of achieving that aim would be the conclusion of an agreement providing for the free passage of medical, surgical and laboratory equipment on loan,

HAVE AGREED AS FOLLOWS :

Article 1

1. The Contracting Parties shall, provided that they have sufficient stocks for their own needs, make medical, surgical and laboratory equipment available on free loan to such other Contracting Parties as may, in exceptional circumstances, have urgent need of it ; such equipment shall, upon request, be sent to the Party concerned and shall subsequently be returned.

2. Each Contracting Party benefiting under the terms of the previous paragraph shall grant all possible facilities for the importation on a temporary basis of the equipment loaned.

Article 2

1. The period of temporary importation shall not exceed six months in the first instance but may, with the agreement of the exporting country, be extended for a further period subject to the same conditions.

2. The above facilities shall be granted only in respect of medical, surgical and laboratory equipment for use in hospitals and other medical institutions. They shall include the issue of any licences required for the temporary importation of such equipment and the suspension of import duties and import taxes (including all duties and taxes whatsoever chargeable by reason of importation) other than charges for actual expenses incurred by the authorities of the country of temporary importation.

Article 3

Notwithstanding the provisions of Articles 1 and 2 above, the competent authorities of the importing State may take such measures as may be necessary either to ensure the

re-exportation of any such equipment imported on a temporary basis, once the exceptional circumstances shall have ceased to exist or the time limit provided for under paragraph 1 of Article 2 above has elapsed, whichever is the earlier, or to ensure payment of any import duties and import taxes which become payable in the case of any failure to re-export the equipment.

Article 4

The provisions of this Agreement shall not prejudice more favourable provisions for the temporary importation of the equipment referred to in Article 1, contained in the laws or regulations of any Contracting Party or in any Convention, Treaty or Agreement in force between two or more Contracting Parties to the present Agreement.

Article 5

1. This Agreement shall be open to the signature of members of the Council of Europe, who may become Parties to it by :

- (a) signature without reservation in respect of ratification ;
or
- (b) signature with reservation in respect of ratification,
followed by ratification.

2. Instruments of ratification shall be deposited with the Secretary-General of the Council of Europe.

Article 6

1. This Agreement shall enter into force three months after the date on which three members of the Council shall, in accordance with Article 5, have signed the Agreement without reservation in respect of ratification or shall have ratified it.

2. In the case of any member of the Council who subsequently shall sign the Agreement without reservation in respect of ratification or who shall ratify it, the Agreement shall enter into force three months after the date of such signature or of the deposit of the instrument of ratification.

Article 7

The Committee of Ministers of the Council of Europe may invite any non-member State to accede to this Agreement. Such accession shall take effect three months after the date on which the instrument of accession was deposited with the Secretary-General of the Council of Europe.

Article 8

The Secretary-General of the Council of Europe shall notify members of the Council and acceding States :

- (a) of the date of entry into force of this Agreement and the names of any members who have signed without reservation in respect of ratification or who have ratified it ;
- (b) of the deposit of any instrument of accession in accordance with Article 7.

Article 9

- 1. This Agreement shall remain in force indefinitely.
- 2. Any Contracting Party may withdraw from the Agreement by giving one year's notice to that effect to the Secretary-General of the Council of Europe.

In witness whereof, the undersigned, being duly authorized thereto, have signed this Agreement.

Done at Strasbourg, this 28th day of April 1960 in English and French, both texts being equally authoritative, in a single copy which shall remain deposited in the archives of the Council of Europe. The Secretary-General shall send certified copies to each of the signatory and acceding Governments.

ADDITIONAL PROTOCOL

to the agreement on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of diagnosis or treatment

THE MEMBER STATES OF THE COUNCIL OF EUROPE, Contracting Parties to the Agreement of 28 April 1960 on the temporary importation, free of duty, of medical, surgical and laboratory equipment for use on free loan in hospitals and other medical institutions for purposes of diagnosis or treatment (hereinafter called 'the Agreement'),

HAVING REGARD to the provisions of Articles 1 and 2 of the Agreement, according to which such equipment shall, under certain conditions, benefit from a system of temporary importation free of duty,

CONSIDERING that so far as the Member States of the European Economic Community are concerned, the granting of such an exemption must in particular take account of the existence of the Common Customs Tariff established by these States and that any derogation from the Common Customs Tariff falls within the competence of the European Economic Community, which possesses the necessary powers in this respect by virtue of the Treaty which instituted it;

CONSIDERING therefore that for the purposes of the implementation of Articles 1 and 2 of the Agreement, it is necessary for the European Economic Community to be able to become a Contracting Party to the Agreement,

HAVE AGREED AS FOLLOWS :

Article 1

The European Economic Community may become a Contracting Party to the Agreement by signing it. In respect of the Community, the Agreement shall enter into force on the first day of the month following the date of such signature.

Article 2

1. This Additional Protocol shall be open for acceptance by the Contracting Parties to the Agreement. It shall enter into force on the first day of the month following the date on which the last of the Contracting Parties has deposited its instrument of acceptance with the Secretary-General of the Council of Europe.

2. However, this Additional Protocol shall enter into force on the expiration of a period of two years from the date on which it has been opened for acceptance, unless one of the Contracting Parties has notified an objection to

the entry into force. If such an objection has been notified, paragraph 1 of this Article shall apply.

Article 3

From the date of its entry into force, this Additional Protocol shall form an integral part of the Agreement. From that date, no State may become a Contracting Party to the Agreement without at the same time becoming a Contracting Party to the Additional Protocol.

Article 4

The Secretary-General of the Council of Europe shall notify the Member States of the Council of Europe, any State having acceded to the Agreement and the European Economic Community of any acceptance or objections made under Article 2 and of the date of entry into force of this Additional Protocol in accordance with Article 2.

The Secretary-General shall also notify the European Economic Community of any act, notification or communication relating to the Agreement.

Done at Strasbourg, the 29th day of September 1982, in English and in French, and opened for acceptance the 1st day of January 1983. Both texts are equally authentic and shall be deposited in a single copy in the archives of the Council of Europe. The Secretary-General of the Council of Europe shall transmit certified copies to each Member State of the Council of Europe, to any State invited to accede to the Agreement and to the European Economic Community.

COUNCIL DECISION**of 6 May 1986**

on the conclusion of an Agreement in the form of an exchange of letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau for a period of three months from 15 March 1986

(86/182/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau ⁽¹⁾, as amended by the Agreement signed on 15 March 1983 ⁽²⁾, and in particular the second paragraph of Article 17 thereof,

Having regard to the proposal from the Commission,

Whereas the Community and the Republic of Guinea-Bissau have begun the negotiations, provided for in the second paragraph of Article 17 of the Agreement, in order to determine the arrangements that will apply from 15 March 1986, when the Protocol annexed to the Agreement expires;

Whereas, on 12 March 1986, the two parties agreed to extend the said Protocol for an interim period of three months from 15 March 1986, pending the final result of the said negotiations,

Article 1

The Agreement in the form of an exchange of letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels, 6 May 1986.

*For the Council**The President*

P. H. van ZEIL

⁽¹⁾ OJ No L 226, 29. 8. 1980, p. 33.

⁽²⁾ OJ No L 84, 30. 3. 1983, p. 1.

AGREEMENT

in the form of an exchange of letters concerning an extension of the Protocol annexed to the Agreement between the European Economic Community and the Government of the Republic of Guinea-Bissau on fishing off the coast of Guinea-Bissau

A. Letter from the Community

.....,

Sir,

I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Republic of Guinea-Bissau and the European Economic Community pending the conclusion of the negotiations on the amendments to be agreed to the protocol annexed to the agreement on fishing :

1. The arrangements applicable during the last three years shall be extended for a period of three months from 15 March 1986.

The compensation to be paid by the Community and its contribution to the financing of a Guinean scientific programme under the interim arrangements shall correspond *pro rata temporis* to that provided for in Articles 2 and 5 of the current Protocol.

The same *pro rata temporis* rule shall apply to the arrangements for training grants provided for under point C of the Annex to the Agreement.

2. Licences shall be granted during the interim period within the limits fixed in Article 1 of the current Protocol subject to payment of the fees which correspond *pro rata temporis* to those laid down in part A of the Annex to the Agreement.

3. The rights and obligations that derive from the Agreements on fishing concluded by the Government of the Republic of Guinea-Bissau, on the one hand, with the Government of the Portuguese Republic and, on the other hand, with the Government of the Kingdom of Spain, which the Community is responsible for managing as from 1 January 1986, shall not be affected by this interim extension.

I should be obliged if you would acknowledge receipt of this letter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

B. *Letter from the Government of the Republic of Guinea-Bissau*

.....,

Sir,

I have the honour to acknowledge receipt of your letter of today's date, which reads as follows :

'I have the honour to confirm that we have agreed on the following interim arrangements to ensure the continued application of the Agreement on fishing between the Government of the Republic of Guinea-Bissau and the European Economic Community pending the conclusion of the negotiations on the amendments to be agreed to the Protocol annexed to the Agreement on fishing :

1. The arrangements applicable during the last three years shall be extended for a period of three months from 15 March 1986.

The compensation to be paid by the Community and its contribution to the financing of a Guinean scientific programme under the interim arrangements shall correspond *pro rata temporis* to that provided for in Articles 2 and 5 of the current Protocol.

The same *pro rata temporis* rule shall apply to the arrangements for training grants provided for under point C of the Annex to the Agreement.

2. Licences shall be granted during the interim period within the limits fixed in Article 1 of the current Protocol subject to payment of the fees which correspond *pro rata temporis* to those laid down in part A of the Annex to the Agreement.

3. The rights and obligations that derive from the Agreements on fishing concluded by the Government of the Republic of Guinea-Bissau, on the one hand, with the Government of the Portuguese Republic and, on the other hand, with the Government of the Kingdom of Spain, which the Community is responsible for managing as from 1 January 1986, shall not be affected by this interim extension.

I should be obliged if you would acknowledge receipt of this letter.'

I have the honour to confirm that the content of your letter is acceptable to the Government of the Republic of Guinea-Bissau and that your letter and this letter constitute an Agreement in accordance with your proposal.

Please accept, Sir, the assurance of my highest consideration.

*For the Government of
the Republic of Guinea-Bissau*

COUNCIL DECISION
of 6 May 1986
appointing a Member of the Court of Auditors

(86/183/EEC, Euratom, ECSC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78e thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 206 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180 thereof,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 22 thereof,

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

Whereas, by his letter of 7 January 1986, addressed to the President of the Council, Mr Murphy, Member of the

Court of Auditors, tendered his resignation with effect from 18 May 1986;

Whereas an appointment should be made of a Member of the Court of Auditors for the remainder of the term of office of Mr. Murphy,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Ryan is hereby appointed Member of the Court of Auditors up to and including 17 October 1987.

Article 2

This Decision shall take effect on 18 May 1986.

Done at Brussels, 6 May 1986.

For the Council

The President

P.H. van ZEIL

⁽¹⁾ Opinion delivered on 18 April 1986 (not yet published in the Official Journal).

ACP—EEC COUNCIL OF MINISTERS

SECOND ACP—EEC CONVENTION OF LOMÉ

(signed on 31 October 1979)

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