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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2010/86 of 30 June 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2011/86 of 30 June 1986 fixing the premiums to be added to the import levies on cereals, flour and malt	4
Commission Regulation (EEC) No 2012/86 of 30 June 1986 fixing the import levies on syrups and certain other products in the sugar sector	8
Commission Regulation (EEC) No 2013/86 of 30 June 1986 fixing the export refunds on syrups and certain other sugar products exported in the natural state	10
Commission Regulation (EEC) No 2014/86 of 30 June 1986 fixing the export refunds on olive oil	13
Commission Regulation (EEC) No 2015/86 of 30 June 1986 fixing the export refunds on oil seeds	15
Commission Regulation (EEC) No 2016/86 of 30 June 1986 fixing the rates of the refunds applicable from 1 July 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty	18
Commission Regulation (EEC) No 2017/86 of 30 June 1986 fixing the rates of the refunds applicable from 1 July 1986 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty	20
Commission Regulation (EEC) No 2018/86 of 30 June 1986 fixing the rate of the additional aid for dried fodder	23
Commission Regulation (EEC) No 2019/86 of 30 June 1986 fixing the aid for cotton	26
Commission Regulation (EEC) No 2020/86 of 30 June 1986 fixing the aid for soya beans	27
Commission Regulation (EEC) No 2021/86 of 30 June 1986 fixing the amount of the subsidy on oil seeds	28

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(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

Commission Regulation (EEC) No 2022/86 of 27 June 1986 amending Regulation (EEC) No 2670/85 on the sale at prices fixed at a standard rate in advance of certain bone-in beef held by certain intervention agencies and intended for export	34
★ Commission Regulation (EEC) No 2023/86 of 30 June 1986 amending Regulation (EEC) No 578/86 introducing a charge on maize exported from Spain	35
★ Commission Regulation (EEC) No 2024/86 of 30 June 1986 fixing the reference prices for hybrid maize and hybrid sorghum for sowing for the 1986/87 marketing year	36
Commission Regulation (EEC) No 2025/86 of 30 June 1986 fixing countervailing charges on seeds	38
★ Commission Regulation (EEC) No 2026/86 of 30 June 1986 abolishing the accession compensatory amounts applicable to egg products on account of the accession of Spain	40
★ Commission Regulation (EEC) No 2027/86 of 30 June 1986 temporarily suspending certain provisions of Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice	41
★ Commission Regulation (EEC) No 2028/86 of 30 June 1986 on certain export licences with advance fixing of the refund	43
★ Commission Regulation (EEC) No 2029/86 of 30 June 1986 amending Regulation (EEC) No 1680/78 on the adjustment of the export refunds on malt under Article 16 (4) of Regulation (EEC) No 2727/75	44
★ Commission Regulation (EEC) No 2030/86 of 30 June 1986 fixing for the 1986/87 marketing year the minimum price to be paid to producers for unprocessed dried figs and the amount of production aid for dried figs	45
★ Commission Regulation (EEC) No 2031/86 of 30 June 1986 fixing for the 1986/87 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup	47
★ Commission Regulation (EEC) No 2032/86 of 30 June 1986 fixing, for the 1986/87 marketing year, the flat-rate amount provided for under the system of minimum stocks in the sugar sector	49
★ Commission Regulation (EEC) No 2033/86 of 30 June 1986 fixing for the 1986/87 marketing year the reference prices for pears	50
★ Commission Regulation (EEC) No 2034/86 of 30 June 1986 fixing for the 1986/87 marketing year the reference prices for apples	52
★ Commission Regulation (EEC) No 2035/86 of 30 June 1986 fixing for the marketing year 1986/87 the compensatory amounts applicable to processed tomato products and laying down special detailed rules for their application	54
★ Commission Regulation (EEC) No 2036/86 of 30 June 1986 adapting the accession compensatory amounts fixed in the sugar sector by Regulation (EEC) No 581/86	57
★ Commission Regulation (EEC) No 2037/86 of 30 June 1986 fixing the accession compensatory amounts applicable to cereals for the 1986/87 marketing year and the coefficients to be used for calculating the amounts applicable to certain processed products	60
★ Commission Regulation (EEC) No 2038/86 of 30 June 1986 amending Regulation (EEC) No 577/86 on the application of accession compensatory amounts to certain processed cereals products in view of the accession of Spain	62
★ Commission Regulation (EEC) No 2039/86 of 30 June 1986 amending Regulation (EEC) No 2835/77 laying down detailed rules with respect to aid for durum wheat	64

(Continued on inside back cover)

★ Commission Regulation (EEC) No 2040/86 of 30 June 1986 laying down detailed rules for the application of the co-responsibility levy in the cereals sector	65
★ Commission Regulation (EEC) No 2041/86 of 30 June 1986 re-establishing the levying of customs duties on rosin and resin acids, rosin spirit and rosin oils, falling within heading No 38.08 originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3599/85 apply	68
Commission Regulation (EEC) No 2042/86 of 30 June 1986 fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables	69
★ Commission Regulation (EEC) No 2043/86 of 30 June 1986 amending Council Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice	70
Commission Regulation (EEC) No 2044/86 of 30 June 1986 fixing the export refunds on products processed from cereals and rice	72
Commission Regulation (EEC) No 2045/86 of 30 June 1986 fixing the export refunds on cereal-based compound feedingstuffs	78
Commission Regulation (EEC) No 2046/86 of 30 June 1986 fixing the amount of aid for peas, field beans and sweet lupins used in animal feed	81
Commission Regulation (EEC) No 2047/86 of 30 June 1986 fixing the amount of aid for peas and field beans referred to in Article 3 (2) of Regulation (EEC) No 1431/82	84
Commission Regulation (EEC) No 2048/86 of 30 June 1986 repealing Regulation (EEC) No 1904/86 applying the duty in the Common Customs Tariff to imports of lemons originating in Israel	86
Commission Regulation (EEC) No 2049/86 of 30 June 1986 abolishing the countervailing charge on lemons originating in Israel	87
Commission Regulation (EEC) No 2050/86 of 30 June 1986 altering the import levies on products processed from cereals and rice	88
Commission Regulation (EEC) No 2051/86 of 30 June 1986 fixing the import levies on white sugar and raw sugar	91
Commission Regulation (EEC) No 2052/86 of 18 June 1986 fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine	93
Commission Regulation (EEC) No 2053/86 of 30 June 1986 altering the export refunds on white sugar and raw sugar exported in the natural state	94
★ Council Regulation (EEC) No 2054/86 of 30 June 1986 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (ACP) (1986/87)	96
★ Council Regulation (EEC) No 2055/86 of 30 June 1986 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1986/87)	98
★ Information from the Commission	100

I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EEC) No 2010/86****of 30 June 1986****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation No 1676/85 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 first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for the 1986/87 marketing year by Regulations (EEC) No 2734/75 ⁽⁴⁾, (EEC) No 1584/86 ⁽⁵⁾, (EEC) No 1585/86 ⁽⁶⁾ and (EEC) No 1970/86 ⁽⁷⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Regulation No 156/

67/EEC ⁽⁸⁾, as last amended by Regulation (EEC) No 31/76 ⁽⁹⁾, and in particular the most favourable purchasing opportunities on the world market among those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Regulations (EEC) No 2731/75 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1028/84 ⁽¹¹⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Regulation No 158/67/EEC ⁽¹²⁾, as last amended by Regulation (EEC) No 3135/84 ⁽¹³⁾, and in Regulation No 159/67/EEC ⁽¹⁴⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulation (EEC) No 486/85 ⁽¹⁵⁾, last amended by Regulation (EEC) No 692/86, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 34.

⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 41.

⁽⁶⁾ OJ No L 139, 24. 5. 1986, p. 43.

⁽⁷⁾ OJ No L 170, 27. 6. 1986, p. 26.

⁽⁸⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽⁹⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 22.

⁽¹¹⁾ OJ No L 107, 19. 4. 1984, p. 17.

⁽¹²⁾ OJ No 128, 27. 6. 1967, p. 2536/67.

⁽¹³⁾ OJ No L 293, 10. 11. 1984, p. 11.

⁽¹⁴⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

⁽¹⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.

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 Council 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 27 June 1986 ;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession ; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽¹⁾, the same arrangements are to be applied in

the case of Spain ; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Regulation No 156/67/EEC and taking into account the situation with regard to market prices in Portugal ; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy ;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as set out in the Annex thereto ; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by 0,73 ECU or more,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the 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 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

ANNEX

to the Commission Regulation of 30 June 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	—	156,07
10.01 B II	Durum wheat	6,26	215,77 ⁽¹⁾ ⁽²⁾
10.02	Rye	23,91	139,07 ⁽⁶⁾
10.03	Barley	20,79	158,49
10.04	Oats	59,42	141,81
10.05 B	Maize, other than hybrid maize for sowing	—	149,41 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	20,79	28,70 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid maize for sowing	—	165,03 ⁽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	—	231,49
11.01 B	Rye flour	46,47	207,69
11.02 A I a)	Durum wheat groats and meal	22,70	347,44
11.02 A I b)	Common wheat groats and meal	—	250,01

⁽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 2011/86

of 30 June 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 Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 15(6) thereof,

Having regard to Council Regulation No 129 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2543/73⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the scale of premiums to be added to the import levies fixed in advance for cereals must include a premium for the current month and a premium for each of the three following months; whereas the amount of each premium must be the same throughout the Community;

Whereas Council Regulation (EEC) No 2745/75 of 29 October 1975⁽⁵⁾ laid down rules for the advance fixing of levies on cereals;

Whereas, under the terms of that Regulation, where the cif price for a cereal determined on the day on which the scale of premiums is fixed is higher than the cif forward delivery price for that cereal, the scale of the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 13 of Regulation (EEC) No 2727/75 on the day on which the scale of premiums is fixed; whereas the cif forward delivery price is also determined in accordance with Article 13 of Regulation (EEC) No 2727/75 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas, in the case of imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during that month; whereas, in the case of imports to be effected during the last two months

for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place;

Whereas this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place in the case of imports to be effected during the last two months for which the import licence is valid;

Whereas the premium shall be 0 ECU if the cif price determined on the day on which the premiums are fixed is equal to the cif forward delivery price or exceeds that price by not more than 0,151 ECU per tonne;

Whereas the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specific limits;

Whereas Article 3 of Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No 1740/78⁽⁷⁾, provides for the addition of a premium to the levy fixed in advance for products falling within tariff heading No 11.07; whereas this premium is, per 100 kilograms of processed product, equal to the premium applicable on the day of application for an import licence to the quantity of basic product taken as a basis for the calculation of the variable component of the levy;

Whereas, pursuant to Commission Regulation (EEC) No 971/73 of 9 April 1973 on the advance fixing of the levy on wheat and meslin flour⁽⁸⁾, a premium is added to the levy fixed in advance for the products falling under subheading 11.01 A referred to in Article 1(c) of Regulation (EEC) No 2727/75; whereas this premium is, per tonne of processed product, equal to the premium applicable on the date of application for an import licence for the basic product, account being taken of the quantity of the basic cereal required for the production of one tonne of flour;

Whereas, in accordance with Article 18(1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No 106, 30. 10. 1962, p. 2553/62.

⁽⁴⁾ OJ No L 263, 19. 9. 1973, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 76.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 95, 11. 4. 1973, p. 10.

- 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 coefficient provided for in Article 2b (2) of Council Regulation (EEC) No 1676/85⁽¹⁾;
- 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 27 June 1986;

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto;

whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than 0,151 ECU,

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 Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX I

to the Commission Regulation of 30 June 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from Portugal

A. Cereals and flour

(ECU/tonne)					
CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10
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 II	Grain sorghum, other than hybrid maize for sowing	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

(ECU/tonne)						
CCT heading No	Description	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 30 June 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	4,76	4,76	8,09
10.02	Rye	0	0	0	0
10.03	Barley	0	4,52	4,52	3,81
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0,33	0,48	1,69
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid maize for sowing	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 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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	8,05	8,05	6,78	6,78
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	6,01	6,01	5,07	5,07
11.07 B	Roasted malt	0	7,01	7,01	5,91	5,91

COMMISSION REGULATION (EEC) No 2012/86

of 30 June 1986

fixing the import levies on syrups and certain other products in the sugar sector

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 934/86⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 1579/86⁽⁶⁾, for the fixing of the import levy on the products falling within subheading 17.02 B II of the Common Customs Tariff, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 Council Regulation (EEC) No 1676/85⁽⁷⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

— 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 it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form; sugar syrups, not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:		
	C. Maple sugar and other syrup	0,4939	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine):		
	I. Isoglucose	—	59,06
	ex II. Other	0,4939	—
	E. Artificial honey, whether or not mixed with natural honey	0,4939	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4939	—
21.07	Food preparations not elsewhere specified or included:		
	F. Flavoured or coloured sugar syrups:		
	III. Isoglucose	—	59,06
	IV. Other	0,4939	—

COMMISSION REGULATION (EEC) No 2013/86

of 30 June 1986

fixing the export refunds on syrups and certain other sugar products exported in the natural state

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 934/86 ⁽²⁾, and in particular Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77 ⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the

chemical industry ⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 17.02 B II a) of the Common Customs Tariff and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 ⁽⁸⁾;

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 ⁽⁹⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 164, 24. 6. 1985, p. 1.

— 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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 situa-

tion 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	42,54
	ex II. Other, excluding sorbose	0,4254	—
	E. Artificial honey, whether or not mixed with natural honey	0,4254	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,4254	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	42,54
	IV. Other (other than lactose, glucose and malto-dextrine syrups)	0,4254	—

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 2014/86

of 30 June 1986

fixing the export refunds on olive oil

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3768/85⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations (EEC) No 1650/86 and (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the

main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 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;

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

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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 Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the export refunds on olive oil

CCT heading No	Description	Refund (ECU/100 kg)
15.07 A I (a)	Fixed vegetable oils, fluid or solid, crude, refined or purified : Olive oil : Untreated : Virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	54,47
II (a)	Other : Obtained by processing oils falling within subheading 15.07 A I a) or 15.07 A I b), whether or not blended with virgin olive oil : In immediate packings of a net capacity of 5 kg or less, for destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 ⁽¹⁾ , as well as on export to third countries	54,47

⁽¹⁾ OJ No L 317, 12. 12. 1979, p. 1.

COMMISSION REGULATION (EEC) No 2015/86

of 30 June 1986

fixing the export refunds on oil seeds

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 1333/86⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 1474/84⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1986/87 marketing year were fixed by Regulations (EEC) No 1457/86⁽⁹⁾ and (EEC) No 1458/86⁽¹⁰⁾;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that

Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹¹⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the estimated production of rape seed for the 1986/87 marketing year has not been fixed; whereas the amount to be deducted where appropriate, from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC and its effect on the amount of the refund could therefore not be determined; whereas the amounts of the refund should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for rape seed are known;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹²⁾ as last amended by Regulation (EEC) No 1815/84⁽¹³⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 119, 8. 5. 1986, p. 1.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁹⁾ OJ No L 133, 21. 5. 1986, p. 12.

⁽¹⁰⁾ OJ No L 133, 21. 5. 1986, p. 14.

⁽¹¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹²⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹³⁾ OJ No L 170, 29. 6. 1984, p. 46.

that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount; whereas Article 1 of Regulation (EEC) No 1813/84⁽²⁾ defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

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

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate,

(b) for Italy, the United Kingdom and Greece, the difference between:

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas Regulation (EEC) No 1014/86⁽³⁾ fixed the coefficient;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. In cases of advance fixing of the refund on rape seed for the months of July, August, September, October, November and December 1986 the amount shall however be confirmed or altered with effect from 1 July 1986 to take account, where appropriate, of the effects of the application of the system of maximum guaranteed quantities for rape seed.

3. There shall be no refund on sunflower seed.

Article 2

This Regulation shall enter into force on 1 July 1986.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 19.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current month	2nd month (¹)	3rd month (¹)	4th month (¹)	5th month (¹)	6th month (¹)
1. Gross refunds (ECU):						
— Spain	18,480	18,480	18,976	19,472	19,968	20,464
— Portugal	24,000	24,000	24,496	24,992	25,488	25,984
— other Member States	24,000	24,000	24,496	24,992	25,488	25,984
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	58,77	58,77	59,97	61,29	62,47	64,09
— Netherlands (Fl)	66,21	66,21	67,55	69,03	70,36	72,13
— BLEU (Bfrs/Lfrs)	1 114,60	1 114,60	1 137,85	1 160,22	1 183,46	1 200,08
— France (FF)	160,40	160,40	163,58	166,45	169,97	174,44
— Denmark (Dkr)	204,06	204,06	208,29	212,53	216,77	220,53
— Ireland (£ Irl)	18,013	18,013	18,387	18,726	19,104	19,414
— United Kingdom (£)	13,549	13,549	13,860	14,171	14,482	14,640
— Italy (Lit)	35 567	35 564	36 145	36 733	37 497	38 055
— Greece (Dr)	2 128,66	2 128,66	2 118,39	2 133,35	2 191,22	2 159,74
— Spain (Pta)	2 615,63	2 615,63	2 687,94	2 717,78	2 790,09	2 822,06
— Portugal (Esc)	3 516,63	3 486,62	3 548,58	3 568,74	3 644,04	3 636,61

(¹) Subject to the amount to be deducted in compliance with the system of maximum guaranteed quantities.

COMMISSION REGULATION (EEC) No 2016/86

of 30 June 1986

fixing the rates of the refunds applicable from 1 July 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,

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

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 3768/85 ⁽²⁾, and in particular Article 17 (5) thereof,

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

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

- (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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽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 1 July 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 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the rates of the refunds applicable from 1 July 1986 to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	(ECU/100 kg) Rate of refund
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 2017/86

of 30 June 1986

fixing the rates of the refunds applicable from 1 July 1986 to certain cereal and rice 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 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (2) 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 the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provides that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the 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 the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 1982/85⁽⁶⁾, 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 Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

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 appropriate, 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 a production refund is granted in respect of common wheat, maize and broken rice under the conditions laid down in Council Regulation (EEC) No 2742/75 of 29 October 1975 on production refunds in the cereals and rice sectors⁽⁷⁾, as last amended by Regulation (EEC) No 3794/85⁽⁸⁾; whereas, for the purposes of applying the provisions of Article 4 (3) of Regulation (EEC) No 3035/80, the amount of the production refund applicable during the month of exportation should be taken into account;

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

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable from 6 June 1986 to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 186, 19. 7. 1985, p. 8.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.

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

Done at Brussels, 30 June 1986.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the rates of the refunds applicable from 1 July 1986 to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CCT heading No	Description	(ECU/100 kg) Rate of refund
10.01 B I	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch	9,900 ⁽¹⁾ 9,900
10.01 B II	Durum wheat	16,890 ⁽²⁾
10.02	Rye	9,578
10.03	Barley	11,467
10.04	Oats	7,552
10.05 B	Maize, other than hybrid maize for sowing: — For the manufacture of starch — Other than for the manufacture of starch	11,424 ⁽¹⁾ 11,424
10.06 B I b) 1	Round grain husked rice	41,273
10.06 B I b) 2	Long grain husked rice	43,731
10.06 B II b) 1	Round grain wholly milled rice	53,255
10.06 B II b) 2	Long grain wholly milled rice	63,378
10.06 B III	Broken rice: — For the manufacture of starch — Other than for the manufacture of starch	18,578 ⁽¹⁾ 18,578
10.07 C II	Grain sorghum, other than hybrid maize for sowing	14,230
11.01 A	Wheat or meslin flour	11,652
11.01 B	Rye flour	17,900
11.02 A I a)	Durum wheat groats and meal	26,180 ⁽²⁾
11.02 A I b)	Common wheat groats and meal	11,652

⁽¹⁾ This amount must be reduced by the amount of the production refund in force for the goods in question at the time of export.

⁽²⁾ With the exception of the quantities referred to in the Commission's Decision of 19 March 1986.

COMMISSION REGULATION (EEC) No 2018/86
of 30 June 1986
fixing the rate of the additional aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 1349/86⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price a supplementary aid is given for dried fodder as described under Article 1 (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1350/86 of 6 May 1986 fixing for the 1986/87 marketing year the flat-rate production aid and the guide price for dried fodder⁽³⁾;

Whereas the average world market price is determined for a bulk pelleted product delivered to Rotterdam of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 2026/82⁽⁵⁾, the average world market price for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus deter-

mined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 3760/85⁽⁷⁾,

Whereas when no offer of or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price it is to be determined from offers on the world market of and quotations on the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas, under Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price this price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, under Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the supplementary aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Regulation (EEC) No 1315/85; whereas when for one of the months following that of the introduction of supplementary aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78, the price determined for the previous month is used to calculate the difference; whereas, when for two or more consecutive months following that of the introduction of supplementary aid, the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78, the prices for the months in question are determined by applying the criteria laid down in Article 3 of Regulation (EEC) No 1417/78;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 43.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 44.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 218, 27. 7. 1982, p. 2.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 356, 31. 12. 1985, p. 65.

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the supplementary aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 for the product concerned; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the supplementary aid is equal to zero;

Whereas, if the aid 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⁽¹⁾,
- 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 rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas pursuant to Articles 120 (2) and 306 (2) of the Act of Accession of Spain and Portugal the additional aid applicable in these two Member States is to be adjusted by an amount equal to the incidence of customs duties on imports of these products from third countries; whereas in addition in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 30 June 1986 fixing the rate of the additional aid for dried fodder

Additional aid applicable from 1 July 1986 to dried fodder

(ECU/tonne)

	Dehydrated fodder ex 12.10 B Protein concentrates ex 23.06 B			Fodder otherwise dried ex 12.10 B		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Additional aid	51,550	75,371	78,020	25,775	37,686	39,010

Additional aid in case of advance fixing for the month of:

(ECU/tonne)

August 1986	61,218	85,293	87,688	30,609	42,647	43,844
September 1986	60,589	84,648	87,059	30,295	42,324	43,530
October 1986	63,891	88,036	90,361	31,946	44,018	45,181
November 1986	63,891	88,036	90,361	31,946	44,018	45,181
December 1986	63,891	88,036	90,361	31,946	44,018	45,181
January 1987	61,122	85,195	87,592	30,561	42,598	43,796
February 1987	60,950	85,018	87,420	30,475	42,509	43,710
March 1987	60,950	85,018	87,420	30,475	42,509	43,710

COMMISSION REGULATION (EEC) No 2019/86
of 30 June 1986
fixing the aid for cotton

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 the Act of Accession of Greece, and in
particular paragraphs 3 and 10 of Protocol 4 thereto,

Having regard to Council Regulation (EEC) No 2169/81
of 27 July 1981 laying down the general rules for the
system of aid for cotton ⁽¹⁾, as last amended by Regulation
(EEC) No 1976/85 ⁽²⁾, and in particular Article 5 (1)
thereof,

Whereas the amount of the additional aid referred to in
Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by
Regulation (EEC) No 530/86 ⁽³⁾, as last amended by Regu-
lation (EEC) No 1681/86 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 530/86 to
the information at present available to the Commission
that the amount of the aid at present in force should be
altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginne cotton referred to in Article 5 of
Regulation (EEC) No 2169/81 shall be 74,351 ECU per
100 kilograms.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽²⁾ OJ No L 186, 19. 7. 1985, p. 1.

⁽³⁾ OJ No L 55, 1. 3. 1986, p. 7.

⁽⁴⁾ OJ No L 146, 31. 5. 1986, p. 23.

COMMISSION REGULATION (EEC) No 2020/86
of 30 June 1986
fixing the aid for soya beans

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 1491/85
of 23 May 1985 laying down special measures in respect
of soya beans ⁽¹⁾, and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1)
of Regulation (EEC) No 1491/85 was fixed by Commis-
sion Regulation (EEC) No 529/86 ⁽²⁾, as last amended by
Regulation (EEC) No 1847/86 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 529/86 to
the information at present available to the Commission

that the amount of the aid at present in force should be
altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The aid referred to in Article 2 of Regulation (EEC) No
1491/85 is hereby fixed at 38,202 ECU per 100 kilograms
in the Member States of the Community as constituted on
31 December 1985.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 55, 1. 3. 1986, p. 5.

⁽³⁾ OJ No L 159, 14. 6. 1986, p. 21.

COMMISSION REGULATION (EEC) No 2021/86

of 30 June 1986

fixing the amount of the subsidy on oil seeds

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾ as last amended by Regulation (EEC) No 1454/86⁽²⁾ and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 1333/86⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increments in the target price of colza, rape and sunflower seed for the

1986/87 marketing year have been fixed in Regulations (EEC) No 1457/86⁽⁷⁾, and (EEC) No 1458/86⁽⁸⁾;

Whereas estimated production of colza, rape and sunflower seed for the 1986/87 marketing year has not been fixed; whereas the amount, where appropriate, to be deducted from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC could therefore not be determined; whereas the Council fixed by Regulation (EEC) No 1457/86 the target price for sunflower seed for the 1986/87 marketing year on the basis of an oil content of 44 % for which the coefficient of equivalence with seed of other qualities has not been fixed; whereas the amounts of the subsidy should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for colza, rape and sunflower seed and the coefficient of equivalence of sunflower seed are known;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽⁹⁾, as last amended by Regulation (EEC) No 1983/82⁽¹⁰⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹¹⁾, as last amended by Regulation (EEC) No 1844/86⁽¹²⁾, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/86.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 132, 21. 5. 1983, p. 33.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 1.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁷⁾ OJ No L 133, 21. 5. 1986, p. 12.

⁽⁸⁾ OJ No L 133, 21. 5. 1986, p. 14.

⁽⁹⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹⁰⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹¹⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

⁽¹²⁾ OJ No L 159, 14. 6. 1986, p. 16.

the real trend of the market must also be disregarded ; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded ;

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 % ; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point ; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam ; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest ; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0,242 ECU ;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk ;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation ; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation ; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied ; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds ;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake ; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC ; whereas the value of those quantities should

be determined in accordance with Article 6 of that Regulation ;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC ; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration ;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community ;

Whereas the factors to be taken into consideration for the purpose of determining that margin are defined in Article 8 of Regulation No 225/67/EEC ; whereas no adjustment should be made where the margin is found to be less than 0,604 ECU ;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds ⁽¹⁾ laid down rules for granting the subsidy on oil seeds ; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount ; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds ⁽²⁾, as last amended by Regulation (EEC) No 869/86 ⁽³⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83 ;

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽³⁾ OJ No L 81, 26. 3. 1986, p. 10.

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86⁽²⁾ and Article 12 of Council Regulation (EEC) No 476/86⁽³⁾ of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain and Portugal respectively, provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain and Portugal;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Regulation (EEC) No 1813/84⁽⁴⁾ defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

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

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

— the conversion rate resulting from the central rate,

(b) for Italy, the United Kingdom and Greece, the difference between:

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

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

Whereas, however, pursuant to Article 2a of Regulation (EEC) No 1569/72, the monetary disparity for the marketing years 1984/85 to 1986/87 will be calculated by a method which takes into account a coefficient applied to the conversion rate resulting from the central rate; whereas Regulation (EEC) No 2679/85⁽⁵⁾ fixed the coefficient;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ECU and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ECU in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.

⁽¹⁾ OJ No L 53, 1. 3. 1986.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 53, 1. 3. 1986, p. 51.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 254, 25. 9. 1985, p. 14.

2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 and Article 12 of Regulation (EEC) No 476/86 shall be as shown in Annex II to this Regulation for sunflower seed harvested in Spain and Portugal.

3. The amount of the subsidy in the case of advance fixing for July, August, September, October, November and December 1986 for colza and rape seed and for August, September, October and November 1986 for sunflower seed will however be confirmed or replaced as

from 1 July 1986 to take into account where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza, rape and sunflower seed.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX I

Aids to colza and rape seed

(amounts per 100 kilograms)

	Current month	2nd month (1)	3rd month (1)	4th month (1)	5th month (1)	6th month (1)
1. Gross aids (ECU)						
— Spain	0,610	0,610	0,610	0,610	0,610	0,610
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	26,863	26,863	27,763	29,009	29,505	30,001
2. Final aids						
(a) Seed harvested and processed in :						
— Federal Republic of Germany (DM)	65,40	65,40	67,54	70,57	71,75	73,29
— Netherlands (Fl)	73,69	73,69	76,08	79,49	80,83	82,51
— BLEU (Bfrs/Lfrs)	1 250,11	1 250,11	1 292,48	1 350,50	1 373,75	1 391,56
— France (FF)	182,00	182,00	188,28	196,94	200,46	204,76
— Denmark (Dkr)	228,63	228,63	236,33	247,00	251,24	255,09
— Ireland (£ Irl)	20,225	20,225	20,912	21,837	22,215	22,537
— United Kingdom (£)	15,536	15,536	16,127	16,958	17,269	17,455
— Italy (Lit)	40 148	40 145	41 399	43 225	43 989	44 584
— Greece (Dr)	2 548,48	2 548,48	2 674,39	2 742,29	2 800,16	2 784,70
(b) Seed harvested in Spain and processed :						
— in Spain (Pta)	88,94	88,94	88,94	88,94	88,94	88,94
— in a Member State listed at (a) (Pta)	3 043,09	3 043,09	3 139,44	3 325,16	3 364,36	3 436,67
(c) Seed harvested in Portugal and processed :						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in a Member State listed at (a) (Esc)	3 941,30	3 929,66	4 022,27	4 218,97	4 226,36	4 301,66

(1) Subject to the amount to be deducted in compliance with the system of maximum guaranteed quantities.

ANNEX II

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month (1)	4th month (1)	5th month (1)
1. Gross aids (ECU)					
— Spain	—	1,720	1,720	1,720	1,720
— Portugal	—	0,000	0,000	0,000	0,000
— Other Member States	40,717	37,027	37,027	37,637	37,921
2. Final aids					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	98,50	89,69	89,71	91,29	91,99
— Netherlands (Fl)	110,98	101,06	101,06	102,84	103,63
— BLEU (Bfrs/Lfrs)	1 871,07	1 726,16	1 726,16	1 753,95	1 767,11
— France (FF)	273,99	253,82	253,50	257,26	259,12
— Denmark (Dkr)	339,25	315,40	315,40	320,61	323,02
— Ireland (£ Irl)	30,085	27,953	27,950	28,380	28,592
— United Kingdom (£)	23,661	21,857	21,857	22,240	22,398
— Italy (Lit)	57 942	55 740	55 575	56 356	56 770
— Greece (Dr)	3 267,04	3 711,09	3 649,30	3 682,22	3 704,63
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	—	250,77	250,77	250,77	250,77
— in a Member State listed at (a) (Pta)	—	3 064,28	3 025,75	3 114,79	3 200,96
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	—	0,00	0,00	0,00	0,00
— in Spain (Esc)	—	5 670,52	5 618,67	5 714,92	5 804,64
— in a Member State listed at (a) (Esc)	—	5 466,78	5 416,79	5 509,58	5 599,30
3. Compensatory aids:					
— in Spain (Pta)	—	2 881,74	2 843,21	2 927,09	3 013,26
— in Portugal (Esc)	—	5 426,47	5 376,48	5 468,13	5 557,85

(1) Subject to the amount to be deducted in compliance with the system of maximum guaranteed quantities.

(2) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,037269.

ANNEX III

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	2nd month	3rd month	4th month	5th month	6th month
DM	2,148580	2,143760	2,138990	2,134640	2,134640	2,122560
Fl	2,419380	2,417220	2,414950	2,412570	2,412570	2,403470
Bfrs/Lfrs	43,913400	43,909700	43,910000	43,909600	43,909600	43,918100
FF	6,854580	6,854870	6,855780	6,856490	6,856490	6,858950
Dkr	7,973370	7,977660	7,984310	7,991720	7,991720	8,020940
£ Irl	0,709057	0,710272	0,711594	0,712804	0,712804	0,716080
£	0,638250	0,639682	0,641135	0,642262	0,642262	0,645969
Lit	1 474,28	1 480,47	1 486,03	1 491,62	1 491,62	1 507,06
Dr	135,47710	137,17770	139,02910	141,26470	141,26470	147,26030
Pta	137,51650	138,68870	139,34010	139,99210	139,99210	141,69030
Esc	145,41470	147,25720	148,72320	150,14170	150,14170	154,88710

COMMISSION REGULATION (EEC) No 2022/86

of 27 June 1986

amending Regulation (EEC) No 2670/85 on the sale at prices fixed at a standard rate in advance of certain bone-in beef held by certain intervention agencies and intended for export

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾ and in particular Article 7 ⁽³⁾ thereof,

Whereas Commission Regulation (EEC) No 2670/85 ⁽³⁾, as last amended by Regulation (EEC) No 1858/86 ⁽⁴⁾ initiated sales of certain beef held by certain intervention agencies; whereas the minimum quantity was fixed at 40 000 tonnes; whereas there are market outlets in certain non member countries for smaller quantities; whereas it is opportune to amend the abovementioned

Regulation and fix the minimum quantity at 25 000 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 4 (1) of Regulation (EEC) No 2670/85, '40 000' is replaced by '25 000'.

Article 2

This Regulation shall enter into force on 7 July 1986.

It shall apply to contracts concluded on or after 7 July 1986.

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

Done at Brussels, 27 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 253, 24. 9. 1985, p. 8.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 20.

COMMISSION REGULATION (EEC) No 2023/86
of 30 June 1986
amending Regulation (EEC) No 578/86 introducing a charge on maize exported
from Spain

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, and in particular Article 90 (1), thereof,

Whereas, in the light of information available, there is still a danger that, until the new harvest, maize imported into Spain before 1 March 1986 may be re-exported to the Community as constituted at 31 December 1985, to third countries or to Portugal; whereas the period of application of the charge introduced by Commission Regulation (EEC) No 578/86 ⁽¹⁾ should, accordingly be extended until 31 July 1986;

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

In Article 1 of Regulation (EEC) No 578/86, 'the end of the 1985/86 marketing year' is replaced by '31 July 1986'.

Article 2

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

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 20.

COMMISSION REGULATION (EEC) No 2024/86

of 30 June 1986

fixing the reference prices for hybrid maize and hybrid sorghum for sowing for
the 1986/87 marketing year

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

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1355/86 ⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Council Regulation (EEC) No 1355/86 has amended Regulation (EEC) No 2358/71 by including hybrid sorghum for sowing among the products covered by the common organization of the market in seeds and making it subject to the reference price system for hybrid maize ;

Whereas Article 6 (1) of Regulation (EEC) No 2358/71 provides that a reference price for each type of hybrid maize and hybrid sorghum for sowing is to be fixed annually ; whereas those reference prices must be fixed on the basis of the free-at-frontier prices recorded during the last three marketing years except for abnormally low prices ; whereas, pursuant to Article 2 of Council Regulation (EEC) No 1578/72 of 20 July 1972 laying down general rules for fixing reference prices and for determining free-at-frontier offer prices for hybrid maize and hybrid sorghum for sowing ⁽³⁾, only prices for imports from third countries which are representative in terms of quantity and quality of the product should be taken into consideration ;

Whereas imports of the types of hybrid maize for sowing falling within subheading 10.05 A IV 'Other' of the Common Customs Tariff may not be considered as representative on account of the very small quantity involved ; whereas no reference prices may therefore be fixed for those types of maize ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1986/87 marketing year, the reference prices for hybrid maize and hybrid sorghum for sowing falling within subheadings 10.05 A I, 10.05 A II, 10.05 A III and 10.07 C I of the Common Customs Tariff shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ OJ No L 168, 26. 7. 1972, p. 1.

ANNEX

(ECU/100 kg)		
CCT heading No	Description	Reference prices
ex 10.05	Maize :	
	A. hybrids for sowing (a) :	
	I. Double hybrids and top cross hybrids	90
	II. Three-cross hybrids	110
ex 10.07	III. Simple hybrids	240
	Buckwheat, millet, canary seed and grain sorghum ; other cereals :	
	C. Grain sorghum :	
	I. Simple hybrids for sowing	150

(a) Inclusion under this subheading is subject to conditions to be determined by the competent authorities.

COMMISSION REGULATION (EEC) No 2025/86
of 30 June 1986
fixing countervailing charges on seeds

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 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 1355/86 ⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 2358/71 provides that where the free-at-frontier offer price, plus customs duties, for a type of hybrid maize for sowing and coming from a non-member country, is lower than the corresponding reference price, a countervailing charge shall be levied on imports of the hybrid from that country, subject to obligations resulting from binding under GATT; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier price plus customs duties;

Whereas the reference prices for the 1986/87 marketing year for hybrid maize for sowing were fixed in Commission Regulation (EEC) No 2024/86 ⁽³⁾;

Whereas the free-at-frontier offer prices for each country of provenance are determined using all available relevant information; whereas such relevant information is defined in Article 1 (1), (2) and (3) of Commission Regulation (EEC) No 1665/72 ⁽⁴⁾; whereas Article 3 of the same Regulation provides that the free-at-frontier offer prices for each country of provenance shall be determined from the most favourable purchasing opportunities for the products in question calculated in accordance with Articles 1 and 2 of the Regulation; whereas information on offers which have no economic effect on the market in particular because of the

insignificant quantities for which they are made are to be disregarded for the purpose of calculating these prices;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1665/72, an adjustment must be made in the case of price information relating to a stage other than free-at-Community-frontier; whereas, pursuant to Article 4 (2) of that Regulation, the countervailing charge must be amended where a significant variation in the free-at-frontier offer price is recorded;

Whereas, as a result of the application of the aforementioned provisions to the information currently available to the Commission, the countervailing charge in respect of certain types of hybrid is to be fixed at the amounts indicated in the Annex to this Regulation;

Whereas, consequently, Commission Regulation (EEC) No 1795/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1725/86 ⁽⁶⁾, which fixed the countervailing charges for the preceding period, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charges on seeds are fixed as shown in the Annex hereto.

Article 2

Regulation (EEC) No 1795/85 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 118, 7. 5. 1986, p. 1.

⁽³⁾ See page 36 of this Official Journal.

⁽⁴⁾ OJ No L 175, 2. 8. 1972, p. 49.

⁽⁵⁾ OJ No L 169, 29. 6. 1985, p. 50.

⁽⁶⁾ OJ No L 149, 3. 6. 1986, p. 36.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CCT heading No	Description	Amount of countervailing charge ⁽¹⁾	Country of origin
ex 10.05	Maize :		
	A. Hybrid for sowing :		
	I. Double hybrids and top cross hybrids	6,9	USA
		10,4	Hungary
		34,5	Rumania
		34,5	Other countries ⁽²⁾
	II. Three cross hybrids	18,1	Austria
		30,1	Hungary
		40,3	Rumania
		43,3	Argentina
		43,3	Other countries ⁽³⁾
	III. Single hybrids	16,3	Austria
		74,0	Hungary
		119,9	Rumania
		136,9	Canada
		136,9	Other countries ⁽⁴⁾

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value. In the case of Spain and Portugal it may not exceed the rate obtained by alignment on the CCT in accordance with the timetable specified in the Act of Accession.

⁽²⁾ With the exception of Canada, Austria and Yugoslavia.

⁽³⁾ With the exception of Canada, USA, Chile, Japan and Yugoslavia.

⁽⁴⁾ With the exception of Bulgaria, Yugoslavia and USA.

COMMISSION REGULATION (EEC) No 2026/86

of 30 June 1986

abolishing the accession compensatory amounts applicable to egg products on account of the accession of Spain

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 471/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for eggs on account of the accession of Spain⁽¹⁾, and in particular Article 8 (1) thereof,

Having regard to Council Regulation (EEC) No 504/86 of 25 February 1986 on transitional arrangements for trade between Spain and other Member States and third countries in glucose and lactose covered by Regulation (EEC) No 2730/75, and in ovalbumin and lactalbumin covered by Regulation (EEC) No 2783/75⁽²⁾, and in particular Article 2 thereof,

Whereas Council Regulation (EEC) No 1584/86⁽³⁾ fixes the prices of cereals in the Community as constituted at 31 December 1985 and in Spain for the marketing year commencing on 1 July 1986; whereas the calculation of accession compensatory amounts for egg products on the basis of the accession compensatory amounts applicable

to feed-grain from 1 July leads to minimal amounts within the meaning of Article 72 (2) of the Act of Accession; whereas such compensatory amounts should accordingly not be fixed;

Whereas, as a consequence, Commission Regulation (EEC) No 587/86⁽⁴⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The accession compensatory amounts applicable to egg products on account of the accession of Spain are hereby abolished.
2. Regulation (EEC) No 587/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 37.

⁽²⁾ OJ No L 54, 1. 3. 1986, p. 54.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 41.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 43.

COMMISSION REGULATION (EEC) No 2027/86

of 30 June 1986

temporarily suspending certain provisions of Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice

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 1579/86⁽²⁾, and in particular Article 12 (2) thereof,

Whereas Article 9a of Commission Regulation (EEC) No 2042/75⁽³⁾, as last amended by Regulation (EEC) No 3817/85⁽⁴⁾, provided for the issue of licences with a long period of validity for products falling within subheadings 11.07 A I b), 11.07 A II b) and 11.07 B of the Common Customs Tariff; whereas this special facility was granted in order to take account of commercial practices concerning the products in question; whereas, however, in order to avoid speculative use of this extended period of validity, the issue of such licences was made subject to very stringent conditions, consisting, in particular, in the requirement that the exporter state the destination of export, actually export to that destination and furnish proof of arrival at destination;

Whereas the situation and the foreseeable trend of the world market in barley and malt and, in particular, the keen competition and uncertainty on the world market justify a temporary relaxation of the requirements imposed by the existing rules; whereas, for the period of the marketing year, it appears warranted in order to enable those concerned to adapt to market conditions to suspend the requirement that the destination of export be stated and that the goods be exported to that destination;

Whereas it is likewise necessary to suspend for the same period the special requirements imposed by the existing rules as regards the release of the securities accompanying applications for such long-period licences; whereas this suspension must cover the requirements both as to the statement of destination and as to the provision of proof of arrival at destination;

Whereas the suspension measures adopted temporarily by this Regulation must in no way affect the existing requirements imposed in the case of licences currently valid at the time of its entry into force;

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 9c of Regulation (EEC) No 2042/75 is hereby replaced by the following:

Article 9c

1. In the case of applications for export licences relating to products falling within subheadings 11.07 A I b), 11.07 A II b) and 11.07 B of the Common Customs Tariff and submitted between 1 July 1986 and 30 April 1987, the provisions of Article 9a shall be suspended.

2. Notwithstanding Article 9, export licences for the products mentioned in paragraph 1, applications for which are submitted between 1 July 1986 and 30 April 1987, shall, at the request of the party concerned, be valid from the day of their issue within the meaning of Article 2 (1) of Regulation (EEC) No 3183/80:

- until 30 September 1987 in respect of licences issued from 1 January to 30 April 1987,
- until the end of the 11th month following that of issue, in respect of licences issued from 1 July to 31 October 1986,
- until 30 September 1987 in respect of licences issued from 1 November to 31 December 1986.

3. Notwithstanding Article 9 of Regulation (EEC) No 3183/80, rights deriving from the licences referred to in paragraph 2 shall not be transferable.

4. In the case of licences issued pursuant to paragraph 2, the security shall be:

- 30 ECU per tonne in the case of licences issued on or before 31 December 1986,
- 24 ECU per tonne in the case of licences issued between 1 January and 30 April 1987.

Article 2

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

It shall apply with effect from 1 July 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 16.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2028/86

of 30 June 1986

on certain export licences with advance fixing of the refund

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 1579/86⁽²⁾, and in particular Article 12 (2) thereof,

Whereas Commission Regulation (EEC) No 2042/75⁽³⁾, as last amended by Regulation (EEC) No 3817/85⁽⁴⁾, provides, for the purposes of the application of the system of import and export licences, for a tolerance as regards the quantities concerned;

Whereas applications for export licences for common wheat were submitted during the period from 2 to 8 August 1985 pursuant to the procedure provided for in Article 11 of Regulation (EEC) No 2042/75; whereas the said applications have been accepted and whereas the licences issued are eligible for advance fixing of the refund until 31 July 1986 in the case of exports to certain African countries;

Whereas when those licences were issued there were no plans to have the marketing year for cereals begin on 1 July instead of 1 August and whereas such a change means a 25 ECU reduction in advance fixed refunds for exports taking place in July 1986 in respect of those licences;

Whereas provisions appropriate to those circumstances should be adopted, so that traders will not be penalized if they do not supply the goods concerned in July 1986;

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

In the case of export licences with advance fixing of the refund which were applied for during the period from 2 to 8 August 1985 for the export of common wheat to countries in Zone V (a), as defined in Annex I to Regulation (EEC) No 1124/77⁽⁵⁾, and which were issued in accordance with Article 11 of Regulation (EEC) No 2042/75, the obligation to export shall, notwithstanding Article 2 of Regulation (EEC) No 2042/75, be regarded as having been fulfilled where the quantity exported falls by not more than 12 % below the quantity shown on the licence.

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, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 16.

⁽⁵⁾ OJ No L 134, 28. 5. 1977, p. 53.

COMMISSION REGULATION (EEC) No 2029/86

of 30 June 1986

amending Regulation (EEC) No 1680/78 on the adjustment of the export refunds
on malt under Article 16 (4) of Regulation (EEC) No 2727/75

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 1579/86 ⁽²⁾, and in particular Article 16 (6) thereof,

Whereas Regulation (EEC) No 2727/75 provides that the cereals year is to commence henceforward on 1 July and that where there is no carry over payment, the adjustment of the refund fixed in advance for exports in the first three months of the marketing year, of malt in stock at the end of the marketing year or made from barley in stock at that date is to be made on the basis of the threshold price applicable in the last month of that last marketing year; whereas Commission Regulation (EEC) No 1680/78 ⁽³⁾ should be amended accordingly;

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

Regulation (EEC) No 1680/78 is hereby amended as follows:

1. Article 1 is replaced by the following:

Article 1

1. The provisions of this Regulation shall apply to malt or barley in stock at the end of a marketing year for which no carry over payment as referred to in Article 9 of Regulation (EEC) No 2727/75 has been fixed in respect of those products and which is exported as malt during the first three months of the following marketing year under a licence on which a refund was fixed in advance before 1 July.

2. For the purpose of determining the day of export, the relevant date shall be that on which customs formalities as referred to in Article 22 (1) of Commission Regulation (EEC) No 3183/80 ⁽¹⁾ are completed.

⁽¹⁾ OJ No L 338, 13. 12. 1980, p. 1.

2. In Article 2, '31 July' is replaced by '30 June'.

3. In Article 3 (1), 'August' is replaced by 'July' and '31 July' is replaced by '30 June'.

4. The title of the Annex is replaced by the following:

'Basic information to be supplied with the declaration of stocks of malt or barley present on 30 June'.

Article 2

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

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No 193, 18. 7. 1978, p. 10.

COMMISSION REGULATION (EEC) No 2030/86

of 30 June 1986

fixing for the 1986/87 marketing year the minimum price to be paid to producers for unprocessed dried figs and the amount of production aid for dried figs

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 1838/86 ⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and, thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate basis;

Whereas Article 4 (2) of Regulation (EEC) No 426/86 provides that the minimum price to be paid to producers for unprocessed dried figs is to be increased each month during a certain period of the marketing year by an amount corresponding to storage costs; whereas, in fixing this amount, the technical storage costs and interest costs should be taken into consideration;

Whereas the minimum price to be paid to producers in Spain and Portugal and the production aid for the products obtained are to be determined as provided for in Articles 118 and 304 of the Act of Accession; whereas the representative period for determining the minimum price

is laid down in Council Regulation (EEC) No 461/86 of 25 February 1986 laying down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables ⁽⁴⁾; whereas the application of these provisions leads to the result that the minimum price and the aid to be fixed for Spain and Portugal are the same as those to be fixed for the other Member States;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the marketing year 1986/87:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for unprocessed dried figs of category C, and
- (b) the production aid referred to in Article 5 of the same Regulation for dried figs of category C,

shall be as set out in the Annex.

Article 2

The amount by which the minimum price for unprocessed dried figs is to be increased on the first of each month from September until June is hereby fixed at 0,845 ECU per 100 kilograms net of category C.

For other categories the amount shall be multiplied by the coefficient applicable to the minimum price listed in Annex I to Commission Regulation (EEC) No 1709/84 ⁽⁵⁾.

Article 3

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 4

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 53, 1. 3. 1986, p. 15.

⁽⁵⁾ OJ No L 162, 20. 6. 1984, p. 8.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

MINIMUM PRICE TO BE PAID TO PRODUCERS

Product	ECU/100 kilograms net, ex-producer
Unprocessed dried figs of category C	67,650

PRODUCTION AID

Product	ECU/100 kilograms net
Dried figs of category C	32,505

COMMISSION REGULATION (EEC) No 2031/86

of 30 June 1986

fixing for the 1986/87 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece,

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 1838/86 ⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 1277/84 of 8 May 1984 laying down general rules for the system of production aid for processed fruit and vegetables ⁽³⁾ contains provisions as to the methods for determining the production aid;

Whereas, under Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and, thirdly, the need to ensure the normal marketing of fresh products for the various uses;

Whereas, as regards Greece, pursuant to Article 103 of the Act of Accession of Greece and until the first move towards alignment of prices, the minimum price to be paid to Greek producers is to be established on the basis of prices paid in Greece to national producers, over the reference period defined in Article 1 of Council Regulation (EEC) No 41/81 ⁽⁴⁾; whereas that price must be aligned with the level of the common prices pursuant to Article 59 of the said Act;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers, the non-member country price and, if necessary, the pattern of processing cost assessed on a flat-rate

basis; whereas the volume of imports makes the non-member country price unrepresentative; whereas the production aid must be calculated by reference to a price based on the Community market price;

Whereas, as regards Greece, the said Article 103 and Council Regulation (EEC) No 990/84 ⁽⁵⁾ lays down the criteria for fixing the amount of production aid;

Whereas the minimum price to be paid to producers in Spain and Portugal and the production aid for the products obtained are to be determined as provided for in Articles 118 and 304 of the Act of Accession of Spain and Portugal; whereas the representative period for determining the minimum price is laid down in Council Regulation (EEC) No 461/86 of 25 February 1986 laying down, on account of the accession of Spain and Portugal, rules on the production aid system in respect of processed fruit and vegetables ⁽⁶⁾; whereas the application of these provisions leads to the result that the minimum price and the aid to be fixed for Portugal are the same as those to be fixed for the other Member States, other than Spain;

Whereas Article 118 (6) of the Act of Accession of Spain and Portugal provides that during the first four marketing years following accession, the grant of production aid in Spain for peaches in syrup is to be limited to a quantity of 80 000 tonnes, expressed in net weight; whereas to ensure equitable allocation of raw material to each of the production regions of the Community, it should be laid down that peaches grown in a specific region only attract production aid when processed in that region;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1986/87 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for peaches, and

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 3, 1. 1. 1981, p. 12.

⁽⁵⁾ OJ No L 103, 16. 4. 1984, p. 21.

⁽⁶⁾ OJ No L 53, 1. 3. 1986, p. 15.

(b) the production aid referred to in Article 5 of the same Regulation for peaches in syrup, shall be as set out in the Annex.

furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 2

Where processing takes place outside the Member State in which the produce was grown, such Member State shall

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, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

MINIMUM PRICE TO BE PAID TO THE PRODUCERS

Product	ECU/100 kg net ex producer for products grown in :		
	Spain	Greece	Other Member States
Peaches intended for the manufacture of peaches in syrup	26,725	29,714	31,284

PRODUCTION AID

Product	ECU/100 kg net ex products obtained from raw materials grown in :		
	Spain ⁽¹⁾	Greece ⁽²⁾	Other Member States ⁽²⁾
Peaches in syrup	10,553	9,482	14,625

⁽¹⁾ The amount shown in this column is applicable only when the products are processed in Spain. In cases where such products are processed outside Spain, no production aid is applicable.

⁽²⁾ The amount shown in this column is applicable only when the products are processed in a Member State, other than Spain. In cases where such products are processed in Spain, no production aid is applicable.

COMMISSION REGULATION (EEC) No 2032/86

of 30 June 1986

fixing, for the 1986/87 marketing year, the flat-rate amount provided for under the system of minimum stocks in the sugar sector

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 934/86⁽²⁾, and in particular Article 12 (3) thereof,

Having regard to Council Regulation (EEC) No 1789/81 of 30 June 1981 laying down general rules concerning the system of minimum stocks in the sugar sector⁽³⁾,

Whereas Articles 3 (b) and 6 (a) of Regulation (EEC) No 1789/81 provide for the reimbursement of the pecuniary advantage included in the intervention price on account of the costs involved in maintaining the minimum stock ;

Whereas, in order to determine that pecuniary advantage, Commission Regulation (EEC) No 189/77 of 28 January 1977 laying down detailed rules for the application of the

system of minimum stocks in the sugar sector⁽⁴⁾, as amended by Regulation (EEC) No 1920/81⁽⁵⁾, provides for a flat-rate amount to be fixed for each marketing year ;

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

HAS ADOPTED THIS REGULATION :

Article 1

For the 1986/87 marketing year, the flat-rate amount referred to in Article 6 of Regulation (EEC) No 189/77 shall be 0,165 ECU per 100 kilograms of sugar expressed as white sugar.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 177, 1. 7. 1981, p. 39.

⁽⁴⁾ OJ No L 25, 29. 1. 1977, p. 27.

⁽⁵⁾ OJ No L 189, 11. 7. 1981, p. 23.

COMMISSION REGULATION (EEC) No 2033/86

of 30 June 1986

fixing for the 1986/87 marketing year the reference prices for pears

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 Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed before the beginning of each marketing year;

Whereas pears are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas pears harvested during a given crop year are marketed from June of one year to May of the following year; whereas the quantities marketed in June and May of the following year are so small that there is no need to fix reference prices; whereas the reference prices should therefore be fixed for the period 1 July up to and including 30 April of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas to take variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying the specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1986/87 marketing year, the reference prices for pears falling within subheading 08.06 B II of the Common Customs Tariff, expressed in ECU per 100 kilograms net of packed products of class 1, of all sizes, shall be as follows;

July :	46,12
August :	39,17
September :	38,88
October :	41,99
November :	45,01
December :	48,27
January to April inclusive :	50,28

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, s. 46.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2034/86

of 30 June 1986

fixing for the 1986/87 marketing year the reference prices for apples

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 Article 27 (1) thereof,

Whereas, under Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are fixed annually before the beginning of the marketing year;

Whereas because of the importance of apple-growing in the Community it is necessary to fix a reference price for apples;

Whereas apples harvested during a given crop year are marketed from July of one year to June of the following year; whereas reference prices should therefore be fixed for the period from 1 July up to and including 30 June of the following year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are the average of the prices recorded during the three years prior to the date of fixing the reference price, for a home-grown product with defined commercial characteristics, on the representative market or markets situated in the production areas where prices are lowest, for the products or varieties which represent a considerable proportion of production marketed throughout the year or for part of it and which satisfy specified requirements as regards market preparation; whereas when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market must be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1986/87 marketing year, the reference prices for apples falling within subheading 08.06 A II of the Common Customs Tariff, expressed in ECU per 100 kilograms net, shall be as follows for packed class I fruit, all sizes:

July:	46,25
August:	40,29
September:	43,37
October:	43,59
November:	44,41
December:	45,43
January:	48,40
February:	50,21
March:	52,49
April:	53,76
May:	56,05
June:	56,82

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2035/86

of 30 June 1986

fixing for the marketing year 1986/87 the compensatory amounts applicable to processed tomato products and laying down special detailed rules for their application

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, and in particular Article 118 (3) (a) and 304 (3) (a) thereof,

Whereas Articles 118 (3) (a) and 304 (3) (a) of the Act of Accession provide that under specific circumstances a compensatory amount, at the most equal to the difference between the aids fixed for Spain and Portugal and that which would have been derived from the fixed Community aid, shall be applied; whereas to ensure normal conditions of competition between the industries in the new Member States and those of the other Member States such amounts should be fixed for the marketing year 1986/87;

Whereas the compensatory amount is intended to ensure that the price difference between products processed in the Community as constituted on 31 December 1986 and those processed in Spain and Portugal should be compensated in so far as that difference is a result of the production aid system; whereas, however, as regards tomato concentrate, on account of the particular situation on the market in the new Member States, the compensatory amount should only partly compensate that difference; whereas the compensatory amount should in no case exceed the amount of production aid payable in Spain or Portugal;

Whereas the compensatory amount should only be applied to products which have benefited or which will benefit from Community production aid in Spain or Portugal; whereas to that end monitoring procedures are necessary; whereas the agency referred to in Article 11 (1) of Commission Regulation (EEC) No 1599/84 of 5 June 1984 laying down detailed rules for the application of the system of production aid for products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1155/86⁽²⁾, should be involved in these procedures;

Whereas communication of information between the Spanish and Portuguese authorities, on the one hand, and the authorities of the other Member States, on the other hand, is necessary for the correct application of the compensatory amounts; whereas the community transit document as provided for in Commission Regulation (EEC) No 223/77 of 22 December 1976 on provisions for

the implementation of the Community transit procedure and for certain simplifications of that procedure⁽³⁾, as last amended by Regulation (EEC) No 3399/85⁽⁴⁾, is an appropriate document for that purpose; whereas products circulating within the Community and for which the compensatory amount must be paid in the event of export to non-member countries may only leave the Community if the compensatory amount is paid; whereas the measures provided for in Title III of Regulation (EEC) No 223/77 should apply to ensure that the system is observed;

Whereas the provisions of Commission Regulation (EEC) No 548/86 of 27 February 1986 laying down detailed rules for the application of accession compensatory amounts⁽⁵⁾ are applicable to the compensatory amounts provided for in the present Regulation;

Whereas the Management Committee for Products Processed from Fruit and Vegetables has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The compensatory amounts applicable until 30 June 1987 for tomato based products shall be as set out in the Annex.
2. The compensatory amounts shall be:
 - (a) charged on import into the Community as constituted on 31 December 1985, hereinafter referred to as the 'Community of Ten', of products coming from Spain or Portugal and on export to non-member countries from Spain or Portugal;
 - (b) granted on export from the Community of Ten to Spain or Portugal.

Article 2

1. Compensatory amounts shall be granted on export to Spain or Portugal of products produced during the 1986/87 marketing year within the Community of Ten and on re-export to Spain or Portugal of products produced in Spain or Portugal which have been entered for home use in the Community of Ten and at that moment have been charged a compensatory amount.

⁽¹⁾ OJ No L 152, 8. 6. 1984, p. 16.

⁽²⁾ OJ No L 105, 22. 4. 1986, p. 24.

⁽³⁾ OJ No L 38, 9. 2. 1977, p. 20.

⁽⁴⁾ OJ No L 322, 3. 12. 1985, p. 10.

⁽⁵⁾ OJ No L 55, 1. 3. 1986, p. 52.

2. Compensatory amounts shall be charged on export to non-member countries from Spain and Portugal of products complying with the terms of Article 9 (2) of the Treaty. However, if the products have not and will not benefit from Community aid and this is proved as provided for in this Regulation, no compensatory amount shall be charged.

Article 3

1. The proof referred to in Article 2 (2) shall consist of a declaration from the exporter in which he declares that the products to be exported have not obtained and will not obtain Community production aid. This declaration shall be endorsed by the agency referred to in Article 11 (1) of Regulation (EEC) No 1599/84 and that agency shall keep a copy of the declaration.

2. The declaration referred to in paragraph 1 shall contain at least the following particulars:

- (a) the name and address of the exporter;
- (b) the name and address of the producer;
- (c) a detailed description of the product;
- (d) the marks and numbers and the number and kind of packages;
- (e) the gross and net weight of the products;
- (f) the production year;
- (g) the customs office where the customs export formalities are to be completed.

3. Member States may adopt additional provisions for the application of this Article, they may in particular prescribe a special form to be used.

Article 4

1. The original of the endorsed declaration referred to in Article 3 shall be lodged with the customs office in Spain or Portugal together with the customs export declaration and be kept by that office.

2. Where the products covered by the declaration referred to in paragraph 1 are to be exported to another Member State the Community transit document T2 ES or T2 PT or the document having equivalent effect shall bear, in the box provided for the description of the goods, one of the following endorsements:

- sin montante compensatorio,
- intet udligningsbeløb,
- kein Ausgleichsbetrag,
- κανένα εξισωτικό ποσό,
- no compensatory amount,
- pas de montant compensatoire,
- nessun importo compensativo,
- geen compenserend bedrag,
- sem montante compensatório.

That endorsement shall be certified by the stamp of the customs office of departure.

Article 5

The provisions of Title III of Regulation (EEC) No 223/77 shall apply to products covered by this Regulation and which are exported from Spain and Portugal.

Article 6

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*. It shall not apply to products entered for home use from the date of its entry into force for which the parties concerned have provided proof, to the satisfaction of the competent authorities, that the products left Spain or Portugal before that date.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Compensatory amounts

Product	(ECU/100 kg net)	
	In trade with	
	Spain	Portugal
1. Tomato concentrate	6,935 ⁽¹⁾	6,935 ⁽¹⁾
2. Preserved whole peeled tomatoes :		
(a) of the San Marzano variety	2,246	—
(b) of the Roma and similar varieties	1,652	1,652
3. Frozen whole peeled tomatoes :		
(a) of the San Marzano variety	3,917	—
(b) of the Roma and similar varieties	3,807	2,361
4. Preserved non-whole tomatoes	2,284	1,417
5. Non-whole frozen peeled tomatoes	2,284	1,417
6. Tomato flakes	47,581	47,581
7. Tomato juice with a dry weight content of 7 % or more but less than 12 % :		
(a) with a dry weight content of 7 % or more but less than 8 %	3,698	3,698
(b) with a dry weight content of 8 % or more but less than 10 %	4,438	4,438
(c) with a dry weight content of 10 % or more	5,424	5,424
8. Tomato juice with a dry weight content of less than 7 % :		
(a) with a dry weight content of 5 % or more	2,959	2,959
(b) with a dry weight content of 3,5 % or more but less than 5 %	1,923	1,923

⁽¹⁾ This amount is valid per 100 kg net weight of product with a dry matter content of 28 % or more but less than 30 %. For products with other degrees of concentration the compensatory amount is determined by applying the coefficients provided for in Annex V, Section I, of Regulation (EEC) No 1709/84 (OJ No L 162, 20. 6. 1984, p. 8).

COMMISSION REGULATION (EEC) No 2036/86**of 30 June 1986****adapting the accession compensatory amounts fixed in the sugar sector by
Regulation (EEC) No 581/86**

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 469/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts in the sugar sector⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas Article 238 of the Act of Accession of Spain and Portugal provides for an alignment of the Portuguese prices on the common prices in stages owing to their level in Portugal; whereas this alignment concerns the intervention price for white sugar applicable in that Member State; whereas this price has been fixed for the marketing year beginning on 1 July 1986 by Council Regulation (EEC) No 1453/86 of 13 May 1986, fixing for the 1986/87 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal⁽²⁾;

Whereas the alignment on 1 July 1986 of the said prices makes it necessary to adapt the accession compensatory amounts applicable to trade with Portugal; whereas to this end and for reasons of clarity it is appropriate to provide for a new Annex, showing the adapted compensatory amounts, to Commission Regulation (EEC) No 581/86 of 28 February 1986, laying down detailed rules for the application of the system of accession compensatory amounts and fixing these amounts in the sugar sector⁽³⁾;

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

Article 1

The Annex to Regulation (EEC) No 581/86 is replaced by the following Annex:

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 32.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 6.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 27.

ANNEX

ANNEX

Accession compensatory amounts applicable in trade with Spain and Portugal

CCT heading No	Description of goods	Compensatory amounts applicable in trade between :														
		on the one hand } on the other hand }	Community of Ten	Community of Ten	Community of Ten	Spain	Spain	Spain	Portugal without Azores	Portugal without Azores	Portugal without Azores	Azores	Third countries	Azores	Third countries	
ECU/1 000 kg																
12.04	Sugar beet, whole or sliced, fresh, dried or powdered ; sugar cane : A. Sugar beet : I. Fresh II. Dried or powdered (1)	7,09 26,23	1,26 4,66	1,26 4,66	5,83 21,57	5,83 21,57	7,09 26,23	— —	1,26 4,66	1,26 4,66	1,26 4,66	— —	— —	1,26 4,66	1,26 4,66	
ECU/100 kg																
17.01	Beet sugar and cane sugar, solid : A. White sugars ; flavoured or coloured sugars B. Raw sugars	8,60 7,91	8,70 8,00	5,27 4,85	17,30 15,92	13,87 12,76	8,60 7,91	3,43 3,16	8,70 8,00	5,27 4,85	5,27 4,85	3,43 3,16	3,43 3,16	8,70 8,00	5,27 4,85	
Basic compensatory amounts in ECU per 1 % of sucrose content or, as the case may be, of extractable sugar and per 100 kg net of products in question																
17.02 D II	Other sugars and syrups (but not including lactose, glucose, malto-dextrine and isoglucose)	0,0860	0,0870	0,0527	0,1730	0,1387	0,0860	0,0343	0,0870	0,0527	0,0860	0,0343	0,0870	0,0527	0,0527	
17.02 E	Artificial honey, whether or not mixed with natural honey															
17.02 F I	Caramel containing in the natural state 50 % or more by weight of sucrose															
21.07 F IV	Flavoured or coloured sugar syrups (other than lactose, glucose, malto-dextrine and isoglucose syrups)															

⁽¹⁾ Of a sucrose content, on a basis of dry matter, of at least 50 %.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 2037/86
of 30 June 1986

fixing the accession compensatory amounts applicable to cereals for the 1986/87 marketing year and the coefficients to be used for calculating the amounts applicable to certain processed 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 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals on account of the accession of Spain⁽¹⁾, and in particular Article 7 thereof,

Whereas, in accordance with Article 72 (1) of the Act of Accession, accession compensatory amounts are to be equal to the difference between the prices fixed for Spain and the intervention prices applicable for the Community as constituted on 31 December 1985;

Whereas in accordance with Article 111 (3) of the Act of Accession, accession compensatory amounts applicable to processed products are to be derived from those applicable to the products to which they are related, using coefficients to be determined; whereas those coefficients must be fixed taking account, on the one hand, of the technical factors relating to processing and, on the other hand, of the fact that those compensatory amounts apply to imports, to exports and in trade between the Community as constituted on 31 December 1985 and Spain;

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

1. The accession compensatory amounts applicable to the products listed in Article 1 (a) and (b) of Council Regulation (EEC) No 2727/75⁽²⁾ for the 1986/87 marketing year shall be as set out in Annex A to this Regulation.

2. The following shall be as set out in Annex B:

- the accession compensatory amounts applicable to the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 for the 1986/87 marketing year,
- the coefficients referred to in Article 111 (3) of the Act of Accession.

Article 2

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

It shall be apply from 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

ANNEX A

CCT heading No	Description	Accession compensatory amount (ECU/tonne)
10.01 B I	Common wheat, and meslin	6,86
10.01 B II	Durum wheat	88,54
10.02	Rye	11,42
10.03	Barley	13,94
10.04	Oats	13,41
10.05 B	Maize other than hybrids for sowing	6,86
10.07 A	Buckwheat	13,94
10.07 B	Millet	13,94
10.07 C II	Grain sorghum, other than hybrids for sowing	13,94
10.07 D I	Triticale	11,42
10.07 D II	Other	13,94

ANNEX B

CCT heading No	Description	Coefficient	Accession compensatory amount (ECU/tonne)
11.01 A	Common wheat or meslin flour	1,14	7,82
11.01 B	Rye flour	1,25	14,28
11.02 A I a)	Durum wheat groats and meal	1,52	134,58
11.02 A I b)	Common wheat groats and meal	1,23	8,44

COMMISSION REGULATION (EEC) No 2038/86

of 30 June 1986

amending Regulation (EEC) No 577/86 on the application of accession compensatory amounts to certain processed cereals products in view of the accession of Spain

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, and in particular Article 90 (1) thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾,

Whereas Council Regulation (EEC) No 1584/86 ⁽³⁾ fixes the prices applicable to cereals for the 1986/87 marketing year; whereas the accession compensatory amounts fixed by Commission Regulation (EEC) No 577/86 ⁽⁴⁾ should be adjusted accordingly for the 1986/87 marketing year;

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

Regulation (EEC) No 577/86 is hereby amended as follows:

1. In Article 2 (1), 'until the end of the 1985/86 marketing year' is replaced by 'for the 1986/87 marketing year'.
2. Annex I is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 41.

⁽⁴⁾ OJ No L 57, 1. 3. 1986, p. 16.

ANNEX

ANNEX I

CCT heading No	Coefficient	Accession compensatory amount ECU/tonne
11.01 C	1,02	14,22
11.01 D	1,02	13,68
11.01 E I	1,40	9,60
11.01 E II	0,45	3,09
ex 11.01 G ⁽¹⁾	1,02	14,22
ex 11.01 G ⁽²⁾	1,02	14,22
11.02 A II	1,02	11,65
11.02 A III	1,40	19,52
11.02 A IV	1,40	18,77
11.02 A V a) 1 ⁽³⁾	1,45	9,95
11.02 A V a) 2	1,45	9,95
11.02 A V b)	1,02	7,00
ex 11.02 A VII ⁽¹⁾	1,02	14,22
ex 11.02 A VII ⁽²⁾	1,02	14,22
11.02 B I a) 1	1,02	14,22
11.02 B I a) 2 aa)	1,02	13,68
11.02 B I a) 2 bb)	1,02	13,68
11.02 B I b) 1	1,40	19,52
11.02 B I b) 2	1,40	18,77
11.02 B II a)	1,02	7,00
11.02 B II b)	1,02	11,65
11.02 B II c)	1,02	7,00
ex 11.02 B II d) ⁽¹⁾	1,02	14,22
ex 11.02 B II d) ⁽²⁾	1,02	14,22
11.02 C I	1,02	7,00
11.02 C II	1,02	11,65
11.02 C III	1,60	22,30
11.02 C IV	1,02	13,68
11.02 C V	1,02	7,00
ex 11.02 C VI ⁽¹⁾	1,02	14,22
ex 11.02 C VI ⁽²⁾	1,02	14,22
11.02 D I	1,02	7,00
11.02 D II	1,02	11,65
11.02 D III	1,02	14,22
11.02 D IV	1,02	13,68
11.02 D V	1,02	7,00

CCT heading No	Coefficient	Accession compensatory amount ECU/tonne
ex 11.02 D VI ⁽¹⁾	1,02	14,22
ex 11.02 D VI ⁽²⁾	1,02	14,22
11.02 E I a) 1	1,02	14,22
11.02 E I a) 2	1,02	13,68
11.02 E I b) 1	1,40	19,52
11.02 E I b) 2	1,80	24,14
11.02 E II a)	1,02	7,00
11.02 E II b)	1,02	11,65
11.02 E II c)	1,10	7,55
ex 11.02 E II d) 2 ⁽¹⁾	1,02	14,22
ex 11.02 E II d) 2 ⁽²⁾	1,02	14,22
11.02 F I	1,02	7,00
11.02 F II	1,02	11,65
11.02 F III	1,02	14,22
11.02 F IV	1,02	13,68
11.02 F V	1,02	7,00
ex 11.02 F VII ⁽¹⁾	1,02	14,22
ex 11.02 F VII ⁽²⁾	1,02	14,22
11.02 G I	0,75	5,15
11.02 G II	0,30	2,06
11.07 A I a)	1,78	12,21
11.07 A I b)	1,33	9,12
11.07 A II a)	1,78	24,81
11.07 A II b)	1,33	18,54
11.07 B	1,55	21,61
23.02 A I a)	0,14	3,87
23.02 A I b)	0,29	8,02
23.02 A II a)	0,14	3,87
23.02 A II b)	0,30	8,30
23.07 B I a) 1 ^(*)	0,12	0,82
23.07 B I a) 2 ^(*) ^(*)	0,12	0,82
23.07 B I b) 1 ^(*)	0,38	2,61
23.07 B I b) 2 ^(*) ^(*)	0,38	2,61
23.07 B I c) 1 ^(*)	0,75	5,15
23.07 B I c) 2 ^(*) ^(*)	0,75	5,15

COMMISSION REGULATION (EEC) No 2039/86

of 30 June 1986

amending Regulation (EEC) No 2835/77 laying down detailed rules with respect to aid for durum wheat

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 1579/86⁽²⁾, and in particular Article 10 (5) thereof,

Whereas Council Regulation (EEC) No 3103/76 of 16 December 1976 on aid for durum wheat⁽³⁾, as last amended by Regulation (EEC) No 1583/86⁽⁴⁾, allocates aid in the Spanish provinces of Badajoz and Zaragoza also; whereas those provinces were included in May 1986 in the list of regions of Spain which may qualify for aid for durum wheat; whereas that belated decision requires that certain provisions of Commission Regulation (EEC) No 2835/77⁽⁵⁾, as last amended by Regulation (EEC) No 2511/83⁽⁶⁾, should be amended, in particular as regards the deadline for the declaration of areas sown with durum wheat and checks relating thereto;

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

Regulation (EEC) No 2835/77 is hereby amended as follows:

1. Article 4 (3) is replaced by the following:

'3. In Spain, in the province of Badajoz and Zaragoza, applications for aid for the 1986/87 marketing year may be lodged up to 31 July 1986.'

2. The third paragraph of Article 5 is replaced by the following:

'For the 1986/87 marketing year, in the Spanish provinces of Badajoz and Zaragoza checks shall cover the areas harvested.'

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, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 14. 5. 1986, p. 29.
⁽³⁾ OJ No L 351, 21. 12. 1976, p. 1.
⁽⁴⁾ OJ No L 139, 24. 5. 1986, p. 40.
⁽⁵⁾ OJ No L 327, 20. 12. 1977, p. 9.
⁽⁶⁾ OJ No L 248, 8. 9. 1983, p. 17.

COMMISSION REGULATION (EEC) No 2040/86

of 30 June 1986

laying down detailed rules for the application of the co-responsibility levy in the cereals sector

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 1579/86 ⁽²⁾, and in particular Article 4 (7) thereof,

Whereas Article 4 of Regulation (EEC) No 2727/75 provides for the introduction of a co-responsibility levy system applicable to cereals produced in the Community; whereas detailed rules of application should be adopted to implement that system;

Whereas cereals that undergo first-stage processing or are taken over by the intervention agency or exported as grain are to be subject to the co-responsibility levy; whereas a definition of first-stage processing should be given;

Whereas, in the case of first-stage processing, the persons liable for that levy and the intervals at which payments are to be transferred by the latter should be identified; whereas, in the other cases where the levy is payable, the deadline for collection should be fixed;

Whereas, in the case of resale of intervention stocks, provision must be made to ensure that the levy is not collected a second time;

Whereas only cereals produced in the Community are to be subject to the co-responsibility levy; whereas provision should therefore be made to exempt imported cereals which are re-exported or processed, subject to the presentation of certain evidence;

Whereas one of the objectives of the co-responsibility levy system is to make producers more aware of the realities of the market; whereas, to that end, the burden of the levy should be passed on to them; whereas an invoicing system which takes account of that requirement should accordingly be introduced; whereas the principle whereby the levy is to be passed on is to apply notwithstanding any contractual clause to the contrary;

Whereas the processors must keep accounts at the disposal of the national authorities in order to enable the latter to carry out effective controls;

Whereas, to ensure sound application of the levy system, further national measures appear to be necessary; whereas

the Commission must be in a position to assess such measures at the earliest opportunity;

Whereas the Management Committee for Cereals has not given an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 shall be payable on cereals where they:

- enter into first-stage processing, or
- are taken over by intervention agencies, or
- are exported as grain to Portugal during the first stage or to third countries; 'export' shall mean the completion of customs export formalities.

When determining the quantities subject to the levy by virtue of first-stage processing, account shall be taken of the quantities of cereals entering the undertaking with a view to such processing.

2. For the purposes of this Regulation, 'first-stage processing' shall mean any treatment of grain such that the product obtained may no longer be classified under Chapter 10 of the Common Customs Tariff. Processing of cereals delivered or placed at the disposal of an undertaking by a producer with a view to subsequent utilization on his holding shall be considered first-stage processing.

First-stage processing operations carried out by a producer on his agricultural holding shall be exempt from the co-responsibility levy where the product obtained is used on that holding for animal feed.

Article 2

1. The levy shall be paid by operators who undertake processing within the meaning of Article 1 (2). The levy shall be paid to the competent body appointed for the purpose by each Member State, in respect of processing operations carried out in one month. Payment must be made by the end of the month following the said period at the latest. On each payment, a declaration in writing in accordance with the model set out in the Annex shall be forwarded to the competent authority.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

2. In the case of intervention, the co-responsibility levy shall be collected at the time of payment of the buying-in price by the intervention agency.

3. In the case of export as grain, the co-responsibility levy shall be collected by the competent authorities by the end of the month following that in which export formalities are completed at the latest.

4. Before the 15th of each month, Member States shall notify the Commission of sums collected during the previous month, indicating the corresponding quantities of cereals subject to the co-responsibility levy.

Article 3

The co-responsibility levy may be collected once only in respect of one and the same quantity of cereals.

In the case of resale of intervention stocks, the intervention agency shall issue a certificate of eligibility for exemption from the co-responsibility levy for given quantities. Extracts of that certificate may be issued.

Article 4

Cereals imported from third countries or from Portugal and processed or re-exported to third countries or to Portugal shall be exempt from the co-responsibility levy. That exemption shall be depending upon submission of evidence that the product processed or re-exported is the same as the product previously imported.

Article 5

1. Operators who carry out the operations referred to in Article 1 (1) shall pass on the co-responsibility levy to their suppliers. The levy shall also be passed on at each transaction prior thereto, as far as supply by the producer.

Supporting documents for each of the transactions referred to in the first subparagraph shall indicate separately the amount of the levy deducted.

2. The levy shall also be passed on, as provided for in paragraph 1, in contracts concluded or executed prior to the marketing year during which the co-responsibility levy is collected.

Article 6

The operators referred to in Article 2 (1) shall keep accounts at the disposal of the competent national authority, indicating in particular:

- (a) the names and addresses of the producers or operators who delivered cereal to them as grain;
- (b) the quantities involved in the abovementioned deliveries;
- (c) the amount of the co-responsibility levy deducted;
- (d) the quantities of cereals processed, subject to and exempt from the levy.

Article 7

1. Member States shall take any additional measures required to ensure that the co-responsibility levy is collected in accordance with this Regulation, and in particular measures concerning controls. To that end Member States may draw up a list giving the names of the operators referred to in Article 2 (1).

2. Member States shall notify the Commission before 1 October 1986 of the measures referred to in paragraph 1.

Article 8

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

It shall apply with effect from 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Name :

Address :

.....

Certify that I have processed the following quantities of cereals in the month of :

Quantity processed	Corresponding quantity purchased	Liable/exempt	Levy collected
		Subject to co-responsibility levy Exempt from the co-responsibility levy (certificate attached) — imported cereals — cereals purchased from an intervention agency in accordance with Article 3 — cereals exempt under Regulation (EEC) No 2040/86 — other exemption	0

COMMISSION REGULATION (EEC) No 2041/86

of 30 June 1986

re-establishing the levying of customs duties on rosin and resin acids, rosin spirit and rosin oils, falling within heading No 38.08 originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3599/85 apply

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

Having regard to Council Regulation (EEC) No 3599/85 of 17 December 1985 applying generalized tariff preferences for 1986 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 13 thereof,

Whereas, pursuant to Articles 1 and 10 of that Regulation suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceiling in column 9 of Annex I;

Whereas, as provided for in Article 11 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of rosin and resin acids, rosin spirit and rosin oils falling within heading No 38.08, originating in China, the individual ceiling was fixed at 12 million ECU; whereas, on 26 June 1986, imports of these products into the Community originating in China reached the ceiling in question after being charged there-

against; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 July 1986, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3599/85, shall be re-established on imports into the Community of the following products originating in China:

CCT heading No	Description
38.08 (NIMEXE codes 38.08 all numbers)	Rosin and resin acids, and derivatives thereof other than ester gums included in heading No 39.05 rosin spirit and rosin oils

Article 2

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

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

Done at Brussels, 30 June 1986.

For the Commission
COCKFIELD
Vice-President

⁽¹⁾ OJ No L 352, 30. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2042/86

of 30 June 1986

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the manufacture of certain preserved fish and vegetables;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 15.07 A II a) of the Common Customs Tariff; whereas, however, if the oil employed for manufacture of the preserves was produced

within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Regulation (EEC) No 1510/86⁽⁵⁾ fixes a new threshold price for olive oil for 1985/86;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of July and August 1986, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- 112,31 ECU per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- 50,47 ECU per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- 12,96 ECU per 100 kilograms for olive oil utilized in Spain,
- 84,17 ECU per 100 kilograms for olive oil utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 1.

⁽⁵⁾ OJ No L 132, 21. 5. 1986, p. 11.

COMMISSION REGULATION (EEC) No 2043/86**of 30 June 1986****amending Council Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice**

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 1579/86 ⁽²⁾, and in particular Articles 12 (2), 15 (5) and 16 (6) thereof,

Whereas the export refund for certain cereal-based compound feedingstuffs destined for North Yemen has been significantly amended in Commission Regulation (EEC) No 2045/86 ⁽³⁾;

Whereas as a result of this temporary measure it is necessary to reduce the period of validity of export licences for such exports to avoid disruption of the export market in question and to discourage long-term speculative trading ;

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

Regulation (EEC) No 2042/75 ⁽⁴⁾ is amended as follows :

Table A of Annex II is hereby replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ See page 78 of this Official Journal.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 57.

ANNEX

ANNEX II

PERIOD OF VALIDITY OF EXPORT LICENCES

A. For cereals

CCT heading No	Description	Period of validity
10.01 B I 10.02 10.03 10.04 10.05 B 10.07 10.01 B II	Common wheat, and meslin Rye Barley Oats Maize, other than hybrid maize for sowing Buckwheat, millet, canary seed and grain sorghum; other cereals Durum wheat Other products listed in Article 1 of Regulation (EEC) No 2727/75 ⁽¹⁾	Until the end of the fourth month following that of the issue of the licence
11.02 A I a)	Durum wheat, groats and meal	Until the end of the sixth month following that of issue of the licence

⁽¹⁾ In respect of products classified within Common Customs Tariff subheading 23.07 B I destined for export to North Yemen, the period of validity shall be 30 days from the date of the issue of the licence.

COMMISSION REGULATION (EEC) No 2044/86

of 30 June 1986

fixing the export refunds 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 1579/86⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) 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 1007/86⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1027/84⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Regulation (EEC) No 1077/68⁽⁹⁾, as amended by Regulation (EEC) No 2764/71⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 94, 9. 4. 1986, p. 3.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products ; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time ;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination ;

Whereas Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice ;

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 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 for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas the refund must be fixed once a month ; whereas it may be altered in the intervening period ;

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 Oils and Fats,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 30 June 1986 fixing the export refunds on products processed from cereals and rice

Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund (ECU/tonne)
11.01 C (I)	Barley flour, of an ash content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	155,50
11.01 C (II)	Barley flour not included under No 11.01 C (I)	—
11.01 D (I)	Oat flour, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a crude fibre content, referred to dry matter, not exceeding 1,8 % by weight, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	135,94
11.01 D (II)	Oat flour not included under No 11.01 D (I)	—
11.01 E (I)	Maize flour, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽⁷⁾	159,94
11.01 E (II)	Maize flour, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽⁷⁾	—
11.01 E (III)	Maize flour not included under No 11.01 E (I) and (II) ⁽⁷⁾	—
11.01 F	Rice flour	—
11.02 A III (a)	Barley groats and meal, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	160,69
11.02 A III (b)	Barley groats and meal not included under No 11.02 A III (a)	—
11.02 A IV (a)	Oat groats and meal, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated	135,94
11.02 A IV (b)	Oat groats and meal not included under No 11.02 A IV (a)	—
11.02 A V (a)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ⁽¹⁾ ⁽⁸⁾	205,63
11.02 A V (b)	Maize groats and meal, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ⁽¹⁾ ⁽⁸⁾	159,94
11.02 A V (c)	Maize groats and meal, of a fat content, referred to dry matter, exceeding 1,3 % by weight but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight ⁽¹⁾ ⁽⁸⁾	137,09
11.02 A VI	Rice groats and meal	—
11.02 B I a) 1 (aa)	Hulled (shelled or husked) barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ⁽²⁾	155,50
11.02 B I a) 1 (bb)	Hulled (shelled or husked) barley not included under No 11.02 B I a) 1 (aa) ⁽²⁾	—
11.02 B I a) 2 (aa)	Clipped oats	—

Number in nomenclature used for refunds	Nomenclature in simplified wording	(ECU/tonne) Refund
11.02 B I a) 2 bb) (11)	Hulled (shelled or husked) oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of tegument content not exceeding 0,5 % of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ⁽²⁾	120,83
11.02 B I a) 2 bb) (22)	Hulled (shelled or husked) oats, not included under No 11.02 B I a) 2 bb) (11) ⁽²⁾	—
11.02 B I b) 1 (aa)	Hulled and sliced or kibbled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight ('Grütze' or 'Grutten') ⁽²⁾	155,50
11.02 B I b) 1 (bb)	Hulled and sliced or kibbled barley, not included under No 11.02 B I b) 1 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B I b) 2 (aa)	Hulled and sliced or kibbled oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 11 % and of which the peroxydase is virtually inactivated ('Grütze' or 'Grutten') ⁽²⁾	128,38
11.02 B I b) 2 (bb)	Hulled and sliced or kibbled oats not included under No 11.02 B I b) 2 (aa) ('Grütze' or 'Grutten') ⁽²⁾	—
11.02 B II a) (1)	Hulled (shelled or husked) wheat, not sliced or kibbled ⁽²⁾	—
11.02 B II c) (1)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,6 % by weight ('Gruetze' or 'Grutten') ^{(2) (8)}	171,36
11.02 B II c) (2)	Hulled and sliced or kibbled maize of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight ('Gruetze' or 'Grutten') ^{(2) (8)}	131,38
11.02 C III (a)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 1st category ⁽³⁾	207,34
11.02 C III (b)	Pearled barley, of an ash content, referred to dry matter, not exceeding 1 % by weight (without talc) — 2nd category ⁽³⁾	165,87
11.02 C IV	Pearled oats ⁽³⁾	—
11.02 D I	Wheat not otherwise worked than kibbled	78,00
11.02 D II	Rye not otherwise worked than kibbled	95,00
11.02 E I b) 1 (aa)	Flaked barley, of an ash content, referred to dry matter, not exceeding 1 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,9 % by weight	155,50
11.02 E I b) 1 (bb)	Flaked barley not included under 11.02 E I b) 1 (aa)	—
11.02 E I b) 2 (aa)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content not exceeding 0,1 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	151,04
11.02 E I b) 2 (bb)	Flaked oats, of an ash content, referred to dry matter, not exceeding 2,3 % by weight, of a tegument content exceeding 0,1 % but not exceeding 1,5 %, of a moisture content not exceeding 12 % and of which the peroxydase is virtually inactivated	120,83
11.02 E I b) 2 (cc)	Flaked oats not included under Nos 11.02 E I b) 2 (aa) and 11.02 E I b) 2 (bb)	—
ex 11.02 E II c) (1)	Flaked maize, of a fat content, referred to dry matter, not exceeding 0,9 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,7 % by weight	182,78

(ECU/tonne)		
Number in nomenclature used for refunds	Nomenclature in simplified wording	Refund
ex 11.02 E II c) (2)	Flaked maize, of a fat content, referred to dry matter, not exceeding 1,3 % by weight and of a crude fibre content, referred to dry matter, not exceeding 0,8 % by weight	148,51
ex 11.02 E II c) (3)	Flaked maize, of a fat content, referred to dry matter, exceeding 1,3 % but not exceeding 1,7 % by weight and of a crude fibre content, referred to dry matter, not exceeding 1 % by weight	—
11.02 E II d) 1	Flaked rice	—
11.02 F III	Barley pellets	—
11.02 F IV	Oat pellets	—
11.02 F V	Maize pellets	—
11.02 G I	Wheat germ, whole, rolled, flaked or ground	24,75
11.02 G II	Germ of cereals other than wheat, whole, rolled, flaked or ground	28,56
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	176,22
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	184,53
11.08 A I	Maize starch ⁽⁵⁾	159,78
11.08 A II	Rice starch ⁽⁵⁾	255,03
11.08 A III	Wheat starch ⁽⁵⁾	173,80
11.08 A IV	Potato starch ⁽⁶⁾	159,78
11.08 A V	Starches other than maize, rice, wheat, or potato starch ⁽⁵⁾	—
11.09 A	Dried wheat gluten, of a protein content, referred to dry matter, of 82 % or more by weight ($N \times 6,25$)	211,72
17.02 B II a)	Glucose and malto-dextrine, other than glucose containing, in the dry state, 99 % or more by weight of the pure product, in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	208,40
17.02 B II b)	Malto-dextrine and malto-dextrine syrup; glucose and glucose syrup not containing, in the dry state, 99 % or more by weight of the pure product, other than glucose in the form of white crystalline powder, whether or not agglomerated ⁽⁴⁾	159,78
17.02 F II a)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, in the form of powder, whether or not agglomerated	218,33
17.02 F II b)	Caramel, other than caramel containing 50 % or more by weight of sucrose in the dry matter, other than in the form of powder	151,84
21.07 F II	Flavoured or coloured glucose syrup, and malto-dextrine syrup	159,78
23.02 A I a)	Brans sharps and other residues derived from the sifting, milling or working of maize or rice of a starch content not exceeding 35 % by weight	25,35
23.02 A I b) 2	Brans, sharps and other residues derived from the sifting, milling or working of maize or rice, of a starch content exceeding 35 % by weight, and not having undergone a denaturing process, or of a starch content exceeding 45 % by weight and having undergone denaturing process	25,35
23.02 A II a)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, of a starch content not exceeding 28 % by weight and of which the percentage which passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or of which the sifted product has an ash content, calculated on dry matter, not exceeding 1,5 % by weight	25,35
23.02 A II b)	Brans, sharps and other residues derived from the sifting, milling or working of cereals other than maize or rice, not included under No 23.02 A II a)	25,35
23.03 A I	Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on dry matter, of 63 % or more by weight ($N \times 6,25$)	79,40

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- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheading 17.02 B I enjoys the same export refund as the product falling within subheading 17.02 B II.
- (⁵) The export refund is granted on products falling within this subheading which have a starch content of not less than 85 % by weight.
- (⁶) The export refund is granted on products falling within this subheading which have a starch content of not less than 78 % by weight.
- (⁷) The analytical method to be used for the determination of the fatty matter content is that printed in Annex I (method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
- (⁸) The procedure to be followed for the determination of the fatty matter content is as follows :
- the sample has to be crushed so that 90 % or more can pass through a sieve with an aperture of 500 microns and 100 % can pass through a sieve with an aperture of 1 000 microns,
 - the analytical method to be used afterwards is that which is printed in Annex I (Method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
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COMMISSION REGULATION (EEC) No 2045/86

of 30 June 1986

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market 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 Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as amended by

Regulation (EEC) No 2560/77⁽⁵⁾, provides that, when export refunds on cereal-based compound feedingstuffs are being fixed, only the products normally used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 537/83⁽⁷⁾, provides that calculation of the export refund must be based on the average of the refunds granted on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the month of exportation and on the levy applicable to maize; whereas this calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of a quantity of maize which is representative of the usual cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 3817/85⁽⁹⁾, should be used;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 303, 28. 11. 1977, p. 1.
⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.
⁽⁷⁾ OJ No L 63, 9. 3. 1983, p. 10.
⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.
⁽⁹⁾ OJ No L 368, 31. 12. 1985, p. 16.

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⁽¹⁾,
- 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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 30 June 1986 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)

CCT heading No	Special specification for refund	Nomenclature in simplified wording	Refund
23.07 B I		Preparations of a kind used in animal feeding, covered by Regulation (EEC) No 2743/75, containing starch, glucose or glucose syrup falling within subheadings 17.02 B and 21.07 F II or milk products (falling within heading Nos 04.01, 04.02, 04.03 and 04.04 and subheadings 17.02 A and 21.07 F I): Of a milk powder content of less than 50 % by weight and of a cereal products ⁽¹⁾ content by weight:	
	0510	— Exceeding 5 % but not exceeding 10 %	5,24 ⁽²⁾ 6,12 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 5,24 ⁽⁵⁾ 6,12 ⁽⁵⁾⁽⁶⁾
	1010	— Exceeding 10 % but not exceeding 20 %	10,49 ⁽²⁾ 12,24 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 10,49 ⁽⁵⁾ 12,24 ⁽⁵⁾⁽⁶⁾
	2010	— Exceeding 20 % but not exceeding 30 %	20,97 ⁽²⁾ 24,47 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 20,97 ⁽⁵⁾ 24,47 ⁽⁵⁾⁽⁶⁾
	3010	— Exceeding 30 % but not exceeding 40 %	31,46 ⁽²⁾ 36,71 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 31,46 ⁽⁵⁾ 36,71 ⁽⁵⁾⁽⁶⁾
	4010	— Exceeding 40 % but not exceeding 50 %	41,95 ⁽²⁾ 48,95 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 41,95 ⁽⁵⁾ 48,95 ⁽⁵⁾⁽⁶⁾
	5010	— Exceeding 50 % but not exceeding 60 %	52,44 ⁽²⁾ 61,18 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 52,44 ⁽⁵⁾ 61,18 ⁽⁵⁾⁽⁶⁾
	6010	— Exceeding 60 % but not exceeding 70 %	62,92 ⁽²⁾ 73,42 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 119,02 ⁽⁵⁾ 129,52 ⁽⁵⁾⁽⁶⁾
	7010	— Exceeding 70 %	68,64 ⁽²⁾ 80,09 ⁽²⁾⁽³⁾ — ⁽⁴⁾ 68,64 ⁽⁵⁾ 80,09 ⁽⁵⁾⁽⁶⁾

⁽¹⁾ 'Cereal products' means the products falling within Chapter 10 and heading Nos 11.01 and 11.02 (excluding subheading 11.02 G) of the Common Customs Tariff.

⁽²⁾ For exports to Zones A, B, C, except North Yemen, D and E specified in Annex II to Regulation (EEC) No 1124/77, as last amended by Regulation (EEC) No 501/85.

⁽³⁾ Minimum content of maize and/or sorghum exceeding: 0510: 5 %; 1010: 10 %; 2010: 20 %; 3010: 30 %; 4010: 40 %; 5010: 50 %; 6010: 60 %; 7010: 60 %.

In so far as this minimum is observed, these refunds shall, at the request of the party concerned, also apply where the cereal products' content exceeds the maximum specified on the same line.

⁽⁴⁾ For export to other third countries.

⁽⁵⁾ For exports to North Yemen.

COMMISSION REGULATION (EEC) No 2046/86

of 30 June 1986

fixing the amount of aid for peas, field beans and sweet lupins used in animal feed

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1485/85 ⁽²⁾, and in particular Article 3 (6) thereof,Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Council Regulation (EEC) No 604/86 ⁽⁴⁾, and in particular Article 24 (1) thereof,Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, an aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the average world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 1832/85 ⁽⁶⁾,

Whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82 the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1986/87 marketing year was fixed by Council Regulation (EEC) No 1464/86 ⁽⁷⁾;Whereas the amount of the monthly increases in the threshold price was fixed by Regulation (EEC) No 1465/86 ⁽⁸⁾;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the

aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of soya cake from third countries; whereas moreover in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas transitional measures should be adopted whereby the aid is granted, between 1 July 1986 and 30 December 1987, only in respect of sweet lupins harvested and processed in Spain or in the other Member States; whereas, pending the adoption of the Commission Regulation providing for the transitional measures in question, no aid should be fixed for the period and the products in question;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the average world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this average price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products; whereas separate adjustments may be made for peas, for field beans and for sweet lupins; whereas no adjustment may however be greater than the amount given by the calculation indicated in Article 3a of Commission Regulation (EEC) No 2049/82 ⁽⁹⁾, as last amended by Regulation (EEC) No 3319/85 ⁽¹⁰⁾;

Whereas, under Article 1 of Regulation (EEC) No 2049/82, the average price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Regulation (EEC) No 1464/86 delivered to Rotterdam;

Whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, under Article 1 of Regulation (EEC) No 2036/82, when no offer or quotation can be used for determining the world market price of soya cake, it is to be determined from offers of and quotations for soya cake

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.⁽⁴⁾ OJ No L 58, 1. 3. 1986, p. 26.⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.⁽⁶⁾ OJ No L 173, 3. 7. 1985, p. 3.⁽⁷⁾ OJ No L 133, 21. 5. 1986, p. 21.⁽⁸⁾ OJ No L 133, 21. 5. 1986, p. 23.⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.⁽¹⁰⁾ OJ No L 317, 28. 11. 1985, p. 15.

obtained by the processing of soya seed in the Community and from offers of and quotations for competing products on the world market; whereas in this case the most favourable offers and quotations are to be taken into account for:

- bulk soya cake obtained by the processing of soya seed in the Community delivered to Rotterdam, and
- other oil cakes offered on the world market, adjusted as necessary to take account of the difference between their value and that of soya cake;

Whereas, under Article 3 of Regulation (EEC) No 3540/85, the term of validity of the certificates fixing the aid in advance is limited to the end of the sixth month following that in which the application for the certificate is lodged; whereas the amount of aid fixed in advance is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82; whereas the amount of the aid for the products in question is adjusted using the corrective amount defined in Article 25 of Regulation (EEC) No 3540/85 whereas this corrective amount may be adjusted as provided for in Article 26 of that Regulation;

Whereas, if the aid 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 moment within a band of

2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation ⁽¹⁾;

- 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 correcting factor;

Whereas the aid must be fixed twice a month in order to be applied from the first and sixteenth each month; whereas it may be adjusted in between,

HAS ADOPTED THIS REGULATION:

Article 1

The amount of the aid referred to in Article 3 (1) of Regulation (EEC) No 1431/82 is fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 30 June 1986 fixing the amount of aid for peas, field beans and sweet lupins used in animal feed

Amounts of the aid applicable from 1 July 1986

	(ECU/100 kg)						
	Current month	1st month	2nd month	3rd month	4th month	5th month	6th month
1. Peas and field beans :							
(a) used in Spain	15,102	15,102	15,282	15,330	15,510	15,690	15,870
(b) used in Portugal	14,738	14,738	14,918	14,960	15,140	15,320	15,500
(c) used in another Member State	15,228	15,228	15,408	15,458	15,638	15,818	15,998
2. Sweet lupins :							
(a) harvested and used in Spain	16,536	16,536	16,536	16,360	16,360	16,360	16,360
(b) harvested in another Member State and :							
— used in Portugal	18,174	18,174	18,174	17,990	17,990	17,990	17,990
— used in the Community as constituted at 31 December 1985	18,828	18,828	18,828	18,655	18,655	18,655	18,655

COMMISSION REGULATION (EEC) No 2047/86

of 30 June 1986

fixing the amount of aid for peas and field beans referred to in Article 3 (2) of Regulation (EEC) No 1431/82

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1485/85⁽²⁾, and in particular Article 3 (6) (b) thereof,

Having regard to Council Regulation (EEC) No 2036/82 of 19 July 1982 adopting general rules concerning special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1832/85⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas Council Regulation (EEC) No 1464/86⁽⁵⁾ fixed the guide price for peas and field beans for the 1986/87 marketing year; whereas the guide price for Spain and for Portugal applicable from 1 March 1986 was set by Council Regulation (EEC) No 458/86⁽⁶⁾;

Whereas, in accordance with Article 2a of Regulation (EEC) No 1431/82, the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas Council Regulation (EEC) No 1465/86⁽⁷⁾ fixed the amount of these monthly increases;

Whereas pursuant to Articles 121 (3) and 307 (3) of the Act of Accession of Spain and Portugal the aid granted on

products harvested and processed in either of these Member States is to be reduced by the customs duties charged by the Member State on peas and field beans imported from third countries;

Whereas under Regulation (EEC) No 2036/82 the world market price for peas and field beans, as referred to in Article 3 (2) of Council Regulation (EEC) No 1431/82, is to be determined on the basis of offers made on the world market, disregarding those which cannot be considered representative of actual market trends; whereas in cases where no offer can be used for determining the world market price, this price is determined from prices recorded on the markets of the principal exporting countries; whereas in cases where no offer either on the world market or on those of the principal exporting countries can be used for determining the world market price this price is fixed at a level equal to the guide price for the products in question;

Whereas, under Commission Regulation (EEC) No 2049/82 of 20 July 1982⁽⁸⁾, as last amended by Regulation (EEC) No 3319/85⁽⁹⁾, and under Regulation (EEC) No 2036/82 and Regulation (EEC) No 1464/86 the average world market price is to be established per 100 kilograms of products in bulk, delivered at Rotterdam, of sound quality; whereas, for the purpose of establishing this price, only the most favourable offers to deliveries closest in distance, excluding those relating to products being transported by ship, are used;

Whereas for offers and prices that do not comply with the conditions laid down above, the necessary adjustments must be made, and in particular those referred to in Article 5 of Regulation (EEC) No 2049/82;

Whereas in cases where aid is fixed in advance its amount is adjusted as specified in Article 6 (3) of Regulation (EEC) No 2036/82;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.

⁽³⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁴⁾ OJ No L 173, 3. 7. 1985, p. 3.

⁽⁵⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽⁶⁾ OJ No L 53, 1. 3. 1986.

⁽⁷⁾ OJ No L 133, 21. 5. 1986, p. 23.

⁽⁸⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽⁹⁾ OJ No L 317, 28. 11. 1985, p. 15.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 % , a rate of exchange based on their central rate, multiplied by the correcting factor referred to in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹⁾,
- 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 aid must be fixed at least once for each marketing year;

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

HAS ADOPTED THIS REGULATION :

Article 1

The world market price as specified in Article 2 of Regulation (EEC) No 2036/82 shall be 19,48 ECU/100 kg.

Article 2

1. The amount of the aid provided for in Article 3 (2) of Regulation (EEC) No 1431/82 is indicated in the Annex hereto.

2. The aid for peas and field beans identified from 1 September 1986 onwards shall be the amount referred to in paragraph 1 adjusted by the difference between the guide price applying in the month of July 1986 and that applying in the month of identification.

Article 3

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 June 1986 fixing the amount of the aid for peas and field beans used for human consumption

Amounts applicable from 1 July 1986

	<i>(ECU/100 kg)</i>	
	Peas	Field beans
Products used :		
— in Spain	12,74	13,32
— in Portugal	12,81	12,81
— in another Member State	13,32	13,32

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2048/86

of 30 June 1986

repealing Regulation (EEC) No 1904/86 applying the duty in the Common Customs Tariff to imports of lemons originating in Israel

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 1627/75 of 26 June 1975 on imports of fresh lemons originating in Israel ⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 1904/86 ⁽²⁾ applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Israel;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1627/75, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive

market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Israeli products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1627/75 are fulfilled; whereas Regulation (EEC) No 1904/86 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 1904/86 of 19 June 1986 applying the duty in the Common Customs Tariff to fresh lemons imported from Israel is hereby repealed.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 165, 28. 6. 1975, p. 9.

⁽²⁾ OJ No L 164, 20. 6. 1986, p. 13.

COMMISSION REGULATION (EEC) No 2049/86

of 30 June 1986

abolishing the countervailing charge on lemons originating in Israel

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 Commission Regulation (EEC) No 1925/86⁽³⁾, introduced a countervailing charge on lemons originating in Israel;

Whereas the present trend of prices for products originating in Israel on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated

in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Israel can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1925/86 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 167, 24. 6. 1986, p. 7.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2050/86

of 30 June 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 1579/86 ⁽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 1007/86 ⁽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 1990/86 ⁽⁶⁾;

Whereas Council Regulation (EEC) No 1027/84 ⁽⁷⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽⁸⁾ 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 27 June 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 ⁽⁹⁾ 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 Regulation (EEC) No 1990/86 are hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 94, 9. 4. 1986, p. 3.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 171, 28. 6. 1986, p. 13.

⁽⁷⁾ OJ No L 107, 19. 4. 1984, p. 15.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 June 1986 altering the import levies on products processed from cereals and rice

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
07.06 A I	159,68 ⁽¹⁾	157,87 ⁽¹⁾ ⁽²⁾
07.06 A II	162,70 ⁽¹⁾	157,87 ⁽¹⁾ ⁽²⁾
11.01 C ⁽²⁾	293,46	287,42
11.01 G ⁽²⁾	170,45	167,43
11.02 A II ⁽²⁾	255,72	249,68
11.02 A III ⁽²⁾	293,46	287,42
11.02 A VII ⁽²⁾	170,45	167,43
11.02 B I a) 1 ⁽²⁾	258,51	255,49
11.02 B I b) 1 ⁽²⁾	258,51	255,49
11.02 B II a) ⁽²⁾	211,64	208,62
11.02 B II b) ⁽²⁾	187,50	184,48
11.02 B II d) ⁽²⁾	265,66	262,64
11.02 C I ⁽²⁾	254,00	250,98
11.02 C II ⁽²⁾	224,96	221,94
11.02 C III ⁽²⁾	405,24	399,20
11.02 C VI ⁽²⁾	265,66	262,64
11.02 D I ⁽²⁾	163,02	160,00
11.02 D II ⁽²⁾	144,50	141,48
11.02 D III ⁽²⁾	165,89	162,87
11.02 D VI ⁽²⁾	170,45	167,43
11.02 E I a) 1 ⁽²⁾	165,89	162,87
11.02 E I b) 1 ⁽²⁾	325,40	319,36
11.02 E II a) ⁽²⁾	288,39	282,35
11.02 E II b) ⁽²⁾	255,72	249,68
11.02 E II d) 2 ⁽²⁾	301,51	295,47
11.02 F I ⁽²⁾	288,39	282,35
11.02 F II ⁽²⁾	255,72	249,68
11.02 F III ⁽²⁾	293,46	287,42
11.02 F VII ⁽²⁾	170,45	167,43
11.02 G I	123,69	117,65
11.04 C I	162,70	156,05 ⁽²⁾
11.07 A I a)	290,09	279,21
11.07 A I b)	219,50	208,62
11.07 A II a)	295,11 ^(*)	284,23
11.07 A II b)	223,25	212,37
11.07 B	258,38 ^(*)	247,50
11.08 A III	321,64	301,09
11.09	728,78	547,44
23.02 A I a)	70,42	64,42
23.02 A I b)	144,05	138,05
23.02 A II a)	70,42	64,42
23.02 A II b)	144,05	138,05

-
- (1) This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (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.
- (4) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (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 2051/86
of 30 June 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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 934/86 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price; whereas the threshold price for each of these products was fixed by Council Regulation (EEC) No 1453/86 of 21 May 1986 fixing for the 1986/87 marketing year the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices and the amount of compensation for storage costs ⁽³⁾;

Whereas the cif price for raw sugar and white sugar is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁴⁾;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on that market adjusted for any deviation from the standard quality for which the threshold price is fixed; whereas the standard quality for raw sugar was defined by Regulation (EEC) No 431/68 and that for white sugar by Regulation (EEC) No 793/72 of 17 April 1972 ⁽⁵⁾;

Whereas, when the most favourable purchasing opportunities on the world market are being established, the

Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States;

Whereas, however, pursuant to Commission Regulation (EEC) No 784/68 of 26 June 1968 laying down detailed rules for calculating cif prices for white sugar and raw sugar ⁽⁶⁾, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to small quantities and is not representative of the market; whereas offer prices which can be assumed not to be representative of the actual market trends must also be disregarded;

Whereas any offer or prices taken into consideration which are not for goods delivered in bulk cif Rotterdam must be adjusted; whereas when this adjustment is being made account must be taken of the difference in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam; whereas, if the price or the offer relates to goods in bags, it must be reduced by 0,73 ECU per 100 kilograms under the terms of Article 4 of Regulation (EEC) No 784/68;

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 15 of Regulation (EEC) No 1785/81 must be added to or deducted from the offers taken into consideration in the case of white sugar; whereas, in the case of raw sugar, the corrective factors provided for in Article 5 of Regulation (EEC) No 784/68 must be applied;

Whereas, pursuant to Article 7 of Regulation (EEC) No 784/68, a special cif price may be established for sugar which has been specially treated or specially packed if the offer price for such sugar is lower than the cif price established pursuant to the provisions referred to above;

Whereas a cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 133, 21. 5. 1986, p. 6.

⁽⁴⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁵⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁶⁾ OJ No L 145, 27. 6. 1968, p. 10.

price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price ;

Whereas the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than 0,24 ECU per 100 kilograms in relation to the levy previously fixed ;

Whereas, in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in 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 Article 3 (1), last indent of Regulation (EEC) No 1676/85 ⁽¹⁾,
- 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 it follows from applying these provisions that the levies for white sugar and raw sugar should be as 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 1 July 1986.

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

Done at Brussels, 30 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 June 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	49,39
	B. Raw sugar	43,12 ⁽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.

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

COMMISSION REGULATION (EEC) No 2052/86

of 18 June 1986

fixing the difference in white sugar prices to be used in calculating the levy for
processed fruit and vegetable products and for wine

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 426/86 of 27 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 1836/86 ⁽²⁾, and in particular Article 10 (4) thereof,Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽³⁾, as last amended by Regulation (EEC) No 3805/85 ⁽⁴⁾, and in particular Article 19 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within subheadings 20.07 A I b), 1, B I b) 1 aa) 11 and B I b) 1 bb) 11 of the Common Customs Tariff which are listed in Article 1 (2) (a) of Regulation (EEC) No 337/79, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 19 (2) of Regulation (EEC) No 337/79 to determine the difference

between, firstly, the average of the threshold prices for one kilogram of white sugar for each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the above-mentioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 July to 30 September 1986, the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 19 (2) of Regulation (EEC) No 337/79 is fixed at 0,4575 ECU.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 18 June 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 39.

COMMISSION REGULATION (EEC) No 2053/86**of 30 June 1986****altering the export refunds on white sugar and raw sugar exported in the natural state**

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 last 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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1883/86 ⁽³⁾, as amended by Regulation (EEC) No 1960/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1883/86 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1883/86 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1986.

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

Done at Brussels, 30 June 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 163, 19. 6. 1986, p. 11.

⁽⁴⁾ OJ No L 169, 26. 6. 1986, p. 32.

ANNEX

to the Commission Regulation of 30 June 1986 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	42,54	
	(b) Other	42,19	
	(II) Flavoured or coloured sugar		0,4254
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	39,13 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4254
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	38,50 ⁽¹⁾	
	(d) Other raw sugar	⁽²⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COUNCIL REGULATION (EEC) No 2054/86

of 30 June 1986

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States (ACP) (1986/87)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Protocol 5 annexed to the Third ACP-EEC Convention, signed at Lomé on 8 December 1984⁽¹⁾, provides that products originating in the ACP States which fall within subheading 22.09 C I of the Common Customs Tariff shall, until the entry into force of a common organization of the market in spirits, be allowed into the Community free of customs duties under conditions such as to permit the development of traditional trade flows between the ACP States and the Community and between the Member States; whereas the Community shall fix each year the quantities which may be imported free of customs duties on the basis of the largest quantities imported annually from the ACP States into the Community in the past three years for which statistics are available, increased by an annual growth rate of 37 % on the market of the United Kingdom and 27 % on the other markets of the Community; whereas, however, the annual volume can in no case be less than 170 000 hectolitres of pure alcohol; whereas, on account of the inherent particularities of the rum market, the quota period ranges from 1 July to 30 June;

Whereas in default of the Protocols provided for in Articles 180 and 367 of the Act of Accession of Spain and Portugal, the Community has established by Council Regulation (EEC) No 691/86⁽²⁾ the arrangements for trade between Spain and Portugal on the one hand and the ACP States on the other;

Whereas, having regard to the levels reached by imports of the products concerned into the Community and the Member States during the past three years for which statistics are available, the annual quota volume would amount to 159 444 hectolitres of pure alcohol; whereas this volume is less than the threshold established by Protocol No 5, the quota volume for the period 1 July 1986 to 30 June 1987 must be fixed at 170 000 hectolitres of pure alcohol;

Whereas, during the past three years for which statistics are available, the corresponding imports by each of the

Member States represent the following percentages of the imports into the Community from the ACP States of the products concerned:

Member State	1983	1984	1985
Benelux	5,1	5,7	5,2
Denmark	1,6	1,8	1,9
Germany	24,3	28,0	34,0
Greece	0,0	0,0	0,0
Spain	0,1	0,0	n. c.
France	1,7	1,0	2,1
Ireland	1,8	1,9	1,8
Italy	0,5	0,6	0,4
Portugal	0,0	0,0	0,0
United Kingdom	64,9	61,0	54,6

Whereas, in view of these factors, of market forecasts for the products in question and of the estimates submitted by certain Member States, quota shares may be fixed approximately at the following percentages:

Benelux :	5,35
Denmark :	1,75
Germany :	29,02
Greece :	0,03
Spain :	0,15
France :	1,62
Ireland :	1,83
Italy :	0,44
Portugal :	0,02
United Kingdom :	59,79

Whereas an arrangement for using the Community tariff quota, based on an allocation between the United Kingdom on the one hand and the other Member States on the other, would seem likely to reconcile the application of the growth rates provided for in Protocol 5 with the uninterrupted application of the duty-free entry arrangements in respect of the said quota to all imports of the products concerned into the Member States until the quota is exhausted; whereas in order to reflect as closely as possible actual market trends for the products concerned, allocation of the Community tariff quota among Member States should be made in accordance with the requirements of the Member States; whereas, in this case, the tariff quota should be allocated among the Member States on the basis of the largest quantities imported annually into each Member State during the past two years and taking into account the abovementioned growth rates;

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 3.

⁽²⁾ OJ No L 63, 5. 3. 1986, p. 3.

Whereas measures should be laid down to ensure that Protocol 5 is implemented under conditions such as to permit the development of traditional trade flows between the ACP States and the Community, on the one hand, and between the Member States on the other;

Whereas owing to the special character of the products in question and their sensitivity on Community markets, exceptional provision should be made for a method of use based on a single division among Member States;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1986 to 30 June 1987 rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the ACP States shall be imported duty free into the Community within the limits of a Community tariff quota of 170 000 hectolitres of pure alcohol.

2. Within the limit of their shares, as indicated in Article 2, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession and of Regulation (EEC) No 691/86.

Article 2

1. The tariff quota referred to in Article 1 shall be divided into two instalments. A first instalment of 101 650 hectolitres of pure alcohol shall be for United Kingdom consumption. A second instalment of 68 350 hectolitres of pure alcohol shall be allocated among the other Member States.

2. The shares of each of the Member States to which the second instalment is allocated shall consist of the following quantities:

	<i>(hectolitres of pure alcohol)</i>
Benelux :	9 100
Denmark :	2 970

Germany :	49 330
Greece :	50
Spain :	260
France :	2 750
Ireland :	3 110
Italy :	750
Portugal :	30

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.
2. The extent to which the Member States have taken up their shares shall be determined on the basis of the imports of the products in question, originating in the ACP States, entered for customs clearance under declarations for free circulation.

Article 4

1. Member States shall inform the Commission each month of imports actually charged against the tariff quota.
2. The United Kingdom shall take the steps necessary to ensure that the quantities imported from the ACP States under the conditions laid down in Articles 1 and 2 are restricted to those meeting its domestic consumption requirements.
3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been taken up.
4. Where necessary, consultations may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

Council Regulation (EEC) No 1470/80 of 9 June 1980 on the safeguard measures provided for in the Second ACP-EEC Convention⁽¹⁾ shall apply to the products covered by this Regulation.

Article 7

This Regulation shall enter into force on 1 July 1986.

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

Done at Luxembourg, 30 June 1986.

For the Council

The President

N. SMIT-KROES

⁽¹⁾ OJ No L 147, 13. 6. 1980, p. 4.

COUNCIL REGULATION (EEC) No 2055/86

of 30 June 1986

opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia, falling within subheading 22.09 C I of the Common Customs Tariff and originating in the overseas countries and territories associated with the European Economic Community (1986/87)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 136 thereof,

Having regard to Council Decision 80/1186/EEC of 16 December 1980 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾ as last amended by Council Decision 86/46/EEC⁽²⁾ and in particular Annex IX thereto,

Having regard to the proposal from the Commission,

Whereas Annex IX to Decision 80/1186/EEC provides that rum, arrack and tafia shall be imported into the Community free of customs duties within the limits of a Community tariff quota;

Whereas the Community has established by Decision 86/47/EEC⁽³⁾, arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories (OCT) on the other; whereas this Decision provides for the application by the two Member States of the particular provisions concerning the quota duties to be applied on imports of products originating in the OCT;

Whereas the annual size of the quota is to be fixed on the basis of a basic annual quantity, calculated in hectolitres of pure alcohol, equal to the amount of imports during the best of the past three years for which statistics are available; whereas to this quantity a certain growth rate is applied; whereas this growth rate should be fixed at 27 %; whereas the quota period ranges from 1 July to 30 June of the following year;

Whereas Community statistics for the years 1983 to 1985 show the highest volume of imports into the Community of the products in question originating in the said countries and territories, namely 13 306 hectolitres of pure alcohol, occurred in 1983; whereas the volume of the Community tariff quota for the period 1 July 1986 to 30 June 1987 should therefore be fixed at 16 899 hectolitres of pure alcohol;

Whereas, taking into account actual trends on the markets for the products in question, the needs of the Member States and the economic prospects for the period under consideration, the percentage shares in the quota volume may be laid down approximately as follows:

Benelux :	59,99
Denmark :	7,04
Germany :	10,88
Greece :	0,51
Spain :	1,95
France :	4,02
Ireland :	4,02
Italy :	1,95
Portugal :	1,95
United Kingdom :	7,69

Whereas the development of imports into the Community of these products should be recorded and imports accordingly monitored;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the share allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 July 1986 to 30 June 1987, rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff and originating in the countries and territories referred to in Article 1 of Decision 80/1186/EEC shall be imported free of customs duty into the Community within the limits of a Community tariff quota of 16 899 hectolitres of pure alcohol.

2. The rules of origin applicable to the products referred to in paragraph 1 shall be those set out in Annex II to Decision 80/1186/EEC.

3. Within the limit of their shares as indicated in Article 2, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions of the 1985 Act of Accession and of Regulation (EEC) No 86/47/EEC.

⁽¹⁾ OJ No L 361, 31. 12. 1980, p. 1.

⁽²⁾ OJ No L 63, 5. 3. 1986, p. 94.

⁽³⁾ OJ No L 63, 5. 3. 1986, p. 95.

Article 2

The Community tariff quota referred to in Article 1 shall be divided between the Member States as follows:

	<i>(hectolitres of pure alcohol)</i>
Benelux:	10 139
Denmark:	1 190
Germany:	1 840
Greece:	30
Spain:	330
France:	680
Ireland:	680
Italy:	330
Portugal:	330
United Kingdom:	1 350

Article 3

1. Member States shall manage the shares allocated to them in accordance with their own arrangements.
2. The extent to which the Member States have taken up their shares shall be determined on the basis of the imports of the products in question, originating in the said countries and territories, entered for customs clearance under declarations for free circulation.

Article 4

1. In accordance with Article 6 of Annex IX to Decision 80/1186/EEC, the Community shall monitor imports

of the products in question originating in the said countries and territories.

2. Member States shall forward to the Commission, not later than the 15th day of each month, statements of imports of the products in question actually charged against the tariff quota during the preceding month. Only products entered at customs under declarations for free circulation and accompanied by a movement certificate conforming to the rules referred to in Article 1 (2) shall be taken into consideration for this purpose.

3. The Commission shall regularly inform the Member States of the extent to which the tariff quota has been used up.

4. Where necessary, consultation may be held at the request of a Member State or on the initiative of the Commission.

Article 5

The Commission shall take all necessary measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 6

This Regulation shall enter into force on 1 July 1986.

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

Done at Luxembourg, 30 June 1986.

For the Council

The President

N. SMIT-KROES

INFORMATION FROM THE COMMISSION

The Commission draws the attention of interested parties to the fact that the monetary compensatory amounts will be calculated, for movements effected from 1 July 1986, using the following monetary gaps determined in accordance with the provisions of Article 6 of Regulation (EEC) No 1677/85.

<i>Belgium/Luxembourg</i> : all products	0
<i>Denmark</i> : all products	0
<i>Germany</i> ⁽¹⁾ :	
— wine	0
— milk	+ 2,9
— cereals	+ 2,4
— other products	+ 1,8
<i>France</i> :	
— milk	— 1,7
— beef and veal	— 3,3
— pigmeat	0
— wine	— 1,2
— other products ⁽²⁾	— 4,8
<i>Greece</i> :	
— milk, beef and veal	— 24,1
— wine	— 38,3
— other products	— 24,4
<i>Ireland</i> : all products	0
<i>Italy</i> :	
— cereals	— 2,3
— wine	— 3,0
— milk, beef and veal	— 1,5
— other products	— 1,3
<i>Netherlands</i> ⁽¹⁾ :	
— milk	+ 2,9
— cereals	+ 2,4
— other products	+ 1,8
<i>United Kingdom</i> :	
— milk, beef and veal	— 7,7
— pigmeat	— 4,3
— other products ⁽³⁾	— 8,9
<i>Spain</i> :	
— sugar, cereals	— 1,0
— other products	0
<i>Portugal</i> :	
— sugar	— 2,3

⁽¹⁾ In the pigmeat sector the monetary compensatory amounts are to be fixed on the basis of a price equal to 35 % of the basic price. However, in the case of Member States which apply positive monetary compensatory amounts and which maintain their currencies, as between themselves, within a spread at any given time of a maximum of 2,25 %, the monetary compensatory amounts to be applied from 1 July 1986 must be equal to those applicable on 30 June 1986 altered according to the prices valid from 1 July 1986 subject to any alteration in the agricultural conversion rates.

⁽²⁾ The monetary compensatory amounts for the eggs and poultrymeat sector are to be calculated on the basis of the monetary gap for cereals less 4,8 points.

⁽³⁾ The monetary compensatory amounts for the eggs and poultrymeat sector are to be calculated on the basis of the monetary gap for cereals less 4,5 points.