

Official Journal

of the European Communities

ISSN 0378-6978

L 208

Volume 29

31 July 1986

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2392/86
of 24 July 1986
establishing a Community vineyard register

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3805/85 ⁽²⁾, and in particular Article 64 (2) and Article 64a thereof,

Having regard to the proposal from the Commission,

Whereas Article 64a of Regulation (EEC) No 337/79 provides that, in order to create the conditions necessary for the full implementation of the measures laid down by the said Regulation, the Council is to adopt general rules establishing a Community vineyard register;

Whereas such a register is needed if vital information is to be obtained on production potential and trends, in order to ensure the proper functioning of the common organization of the market in wine, and in particular of the Community arrangements on intervention and planting, and monitoring measures;

Whereas, for economic and technical reasons, the obligation to establish a vineyard register should be dispensed with in respect of Member States where the total area under vines is very small;

Whereas the vineyard register must include basic information concerning the structure, changes thereto and the output of the holdings concerned; whereas, in order to ensure the practical utility of the register, provision should be made to group all the information in a single holding file; whereas, however; where national rules on the protection of individualized data does not allow such grouping, separate classification by holding should be

allowed in so far as it does not jeopardize the objectives to be attained by establishing the register;

Whereas the register should include production files relating to the processing and marketing of wine products;

Whereas, in order to avoid any risk of invasion or privacy, provision should be made for the Member States to arrange safeguards for the protection of the persons concerned; whereas to that end it is particularly important that data gathered solely for statistical purposes may not be put to any other use, and that the persons concerned are able to erase from the computerized files information which it is no longer justified to keep beyond the period necessary for the application of the rules by virtue of which they are entered;

Whereas, on the one hand, the information to be included in the register should be available as soon as possible; whereas, on the other hand, in view of the amount of administrative work required to establish the register, provision should be made for a period of six years within which to complete the task of establishing the register; whereas, however, in view of the special importance of certain data in certain regions of production for the proper management of the market, provision may need to be made for shorter time limits to be laid down in those regions;

Whereas in order to complete the task of establishing the register within six years, Member States may proceed by stages; whereas reasonable time limits should be fixed for such stages with regard to the collection and processing of information, namely 18 months for existing information and 36 months for other;

Whereas provision should be made for the Member States, in conjunction with the Commission, to draw up programmes for the establishment of the register; whereas, in view of the extent of such programmes and the time required to carry them out, and of the necessity of having a uniform register in all the Community, it appears essential that the Commission ensures, together with the national bodies responsible for establishment and operation of the register, the running thereof;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

Whereas the information in the register must always show the actual situation on the market in wine; whereas provision should therefore be made for it to be constantly updated, and for those updatings to be regularly checked; Whereas, by virtue of the information which it contains, the register constitutes a vital instrument for the management and monitoring of the market; whereas the competent authorities assigned to management and those responsible for monitoring must accordingly have access thereto;

Whereas the measures contemplated as a whole are of interest to the Community; whereas provision should consequently be made for the Community to make a financial contribution to the establishment of the register; whereas the cost of this contribution is estimated at 59 million ECU,

HAS ADOPTED THIS REGULATION:

Article 1

1. Member States which produce grapes grown in the open air shall establish, in accordance with this Regulation, a Community vineyard register, hereinafter referred to as the register, covering their territory. The register shall comprise all the information referred to in Article 2.
2. Member States in which the total area under vines in the open air is less than 500 hectares shall not be subject to the obligation referred to in paragraph 1.

Article 2

1. In order to establish the register, the Member States shall:
 - (a) in respect of each holding where vines are grown, collect information relating to:
 - its identity and situation,
 - the references of the parcels under vines,
 - its general characteristics, and
 - the characteristics of the vines it contains and the products produced therefrom.

The Member States may also collect additional information useful for improving knowledge of production and marketing potential relating in particular to areas under glass and the existence of wine-making facilities;

- (b) in respect of each vine-grower required to make any of the declarations laid down by Community or national rules on wine and wine-growing, collect all the information resulting from the said declarations which relates in particular to production, changes in grape-growing potential, intervention measures and premiums collected;
 - (c) in respect of any natural or legal person or group of such persons required to make any of the declarations laid down by Community or national rules on wine

and wine-growing who processes and markets raw materials originating from wine-growing into one of the products governed by Article 1 of Regulation (EEC) No 337/79, excluding grape juice, vinegar and by-products of wine-making, gather all the information resulting from the said declarations which relates in particular to the premiums collected, the products processed and the oenological practices.

Member States may in addition gather information concerning any natural or legal person or group of persons who undertakes distillation.

2. On the basis of the information obtained pursuant to paragraph 1, the Member States shall set up:

- (a) a holding file for each vine-grower referred to in paragraph 1 (b). The holding file shall include all the information obtained pursuant to paragraph 1 (a), (b) and, if the grower is also a processor, where appropriate (c);
- (b) a production file for each person or group referred to in paragraph 1 (c). The production file shall include all the information obtained pursuant to paragraph 1 (c).

Holding or production files need not include all the information referred to in the first subparagraph where national rules relating to the protection of individualized data do not allow it to be consolidated in a single file. In that event Member States shall ensure that information which does not appear in holding or production file appears in a classification by person required to make declarations which is kept by one or more bodies appointed by the Member States.

3. On the basis of, and after checking, the information referred to in paragraph 1 (a), the Member States shall in particular ensure that:

- all natural or legal persons or groups of such persons who are required to make the declarations required by Community rules on wine and wine-growing comply with that requirement,
- the particulars, especially those relating to the structure of the holding, are reliable.

Article 3

1. Member States shall ensure that:

- the data in the register are kept for as long as is necessary for the purposes of applying the measures to which they relate and in any event for at least five wine years following the year to which they relate,
- the register is used only for application of the rules on wine and wine growing, or for statistical purposes or for structural measures. Insofar as their rules permit, Member States may also provide for the register to be used for other purposes, and in particular for penal or fiscal purposes,
- data collected solely for statistical purposes may not be put to any other use,

- measures are taken to ensure protection of the data, in particular against theft and tampering,
- persons required to make declarations have access without delay or excessive cost to the files concerning them,
- persons required to make declarations have the right to have any justified alteration to the information concerning them taken into account, and in particular the right to have data of no further interest erased periodically.

2. Wine-growers :

- must not hinder the collection of information by agents qualified for that purpose, and
- must provide such agents with all the information required pursuant to this Regulation.

Article 4

1. The register shall be established in its entirety not later than six years following the date of entry into force of this Regulation.

However, in the case of administrative units for which the knowledge of certain details prove indispensable for proper management of the market, on account in particular of the nature or the volume of production, or of recourse to Community intervention measures, the time limit for establishment of the register shall be reduced to a period to be determined.

2. Where the register is established on the basis of a geographical plan, in each administrative unit the information referred to :

- in Article 2 (1) (a) must be collected and processed within a maximum of 36 months from the time the work commences,
- in Article 2 (1) (b) and (c) must be collected and processed within a maximum of 18 months from the time the work commences.

Where the register is established by the successive collection and processing of the various items of information referred to in Article 2, these operations must be carried out :

- in the case of the information referred to in Article 2 (1) (a), within a maximum of 36 months from the time the work commences,
- in the case of the information referred to in Article 2 (1) (b) and (c), within a maximum of 18 months from the time the work commences.

3. Member States, in liaison with the Commission, shall, within six months of the date of entry into force of this Regulation, prepare the programme for the establishment of the register.

This programme :

- shall show the time limits for completion of the various operations, the priority areas for setting up the

register, the resources provided and the phasing of expenditure over the establishment period,

- may provide for the participation of producers' organizations in setting up all or part of the register,
- shall be forwarded to the Commission as soon as it has been established.

Article 5

1. Member States shall provide the facilities required for the computerized management of the register.

2. The holding and production files shall be managed by one or more bodies appointed by each Member State.

Member States shall forward a name of the body or bodies referred to in the first subparagraph of this paragraph and in the second subparagraph of Article 2 (2) within two months of the date of entry into force of this Regulation.

3. Member States shall ensure that the register is updated regularly as and when the information gathered becomes available.

4. At least every five years, and on the first occasion not later than five years after the establishment of the relevant file, Member States shall check that the structural situation shown by the file for the holding referred to in Article 2 (1) (a) corresponds to the true situation on that holding. The files shall be adapted on the basis of that check.

5. Member States shall introduce a procedure for checking the information gathered in the individual files referred to in Article 2 (2). This check shall be carried out :

- by methods to be determined under the establishment programme referred to in Article 4 (3),
- within a period which shall not exceed the time limits laid down in Article 4 (2) by more than 12 months.

Article 6

1. The Commission shall, in liaison with the national bodies responsible for establishment of the register, ensure that it is established and that this Regulation is uniformly applied.

2. For the purposes of applying this Regulation, the Commission may obtain from the national bodies referred to in paragraph 1, if need be on the spot, any information on the establishment and operation of the register other than that which enables individuals to be identified. The establishment and operation thereof remain matters for the said national bodies.

Article 7

1. Member States shall take the measures necessary to enable their authorities entrusted with the task of applying and monitoring the rules on wine-growing to have access to the information referred to in Article 2.

2. The Member States shall forward the Commission a list of the authorities referred to in paragraph 1.

Article 8

Member States shall periodically forward a report to the Commission on the progress of work relating to the establishment of the register and on the measures introduced for its management. This report must mention any difficulties encountered, and, where appropriate, put forward suggestions for reorganizing the work or for reviewing time limits.

The Commission shall forward to the Member States the programmes for the establishments of the register and the reports referred to in the first paragraph.

The Member State(s) concerned shall supply additional items of information if requested to do so by the Commission.

Article 9

1. The Community shall contribute towards the financing of the measures provided for in Articles 1 and 2 to the extent of 50 % of the actual cost :

- of establishing the register,
- of investment in the data-processing facilities referred to in Article 5 (1) which are required for management of the register.

2. Work or investment supported by the Community contributions under other schemes shall not be eligible for contributions under the provisions of this Article.

3. The Community contribution shall be made in the form of reimbursements decided on by the Commission in accordance with the procedure laid down in Article 7 (1) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽¹⁾, as last amended by Regulation (EEC) No

3769/85⁽²⁾. However, arrangements may be decided on for advance payments to Member States.

4. Articles 8 and 9 of Regulation (EEC) No 729/70 shall apply to the Community contribution referred to in paragraph 1 of this Article.

5. Detailed rules for the application of paragraphs 1 to 4 of this Article shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 10

The list of compulsory and optional information referred to in Article 2 (1) (a) and (c) and the decision referred to in the second subparagraph of Article 4 (1) shall be adopted in accordance with the procedure laid down in Article 67 of Regulation (EEC) No 337/79.

The other detailed rules for application of this Regulation shall be laid down in accordance with the same procedure, including in particular :

- those enabling the information appearing in the register to be used for statistical and administrative purposes, and in particular to be communicated to the Commission and the Member States,
- those determining such information to be used for statistical purposes only,
- those concerning the application of Article 6,
- those concerning the special conditions for the establishment of the register in Portugal.

Article 11

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, 24 July 1986.

For the Council

The President

A. CLARK

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 17.

COMMISSION REGULATION (EEC) No 2393/86

of 30 July 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 (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2010/86 ⁽⁴⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 29 July 1986;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2010/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 31 July 1986.

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

Done at Brussels, 30 July 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

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

CCT heading No	Description	(ECU/tonne)	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	—	159,50
10.01 B II	Durum wheat	11,04	234,21 ⁽¹⁾ ⁽²⁾
10.02	Rye	26,75	141,27 ⁽⁶⁾
10.03	Barley	23,68	164,96
10.04	Oats	61,67	146,36
10.05 B	Maize, other than hybrid maize for sowing	—	163,65 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	23,68	35,66 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid maize for sowing	—	170,63 ⁽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	1,61	235,37
11.01 B	Rye flour	50,45	210,77
11.02 A I a)	Durum wheat groats and meal	30,11	376,02
11.02 A I b)	Common wheat groats and meal	1,74	254,20

⁽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 2394/86

of 30 July 1986

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2011/86⁽⁴⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 29 July 1986;

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

HAS ADOPTED THIS REGULATION:

Article 1

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 originating in Portugal shall be zero.
2. 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 originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 31 July 1986.

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

Done at Brussels, 30 July 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 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 30 July 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	0	0	2,77
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	3,90
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	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2395/86

of 30 July 1986

fixing 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 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 point (a) of the first subparagraph of 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) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas 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 when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of 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 ⁽⁵⁾; whereas, furthermore,

this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 ⁽⁸⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

⁽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 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

exported in the natural state, shall be as 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

Article 2

This Regulation shall enter into force on 31 July 1986.

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

Done at Brussels, 30 July 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 30 July 1986 fixing 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	40,94	
	(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	37,66 ⁽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).

COMMISSION REGULATION (EEC) No 2396/86
of 30 July 1986
fixing the import levies on milk and milk products

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

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1371/86 ⁽³⁾, as last amended by Regulation (EEC) No 2205/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1371/86 to the prices known to the Commission that the levies at present in

force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies referred to in Article 14 (2) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 1 August 1986.

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

Done at Brussels, 30 July 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽³⁾ OJ No L 120, 8. 5. 1986, p. 17.

⁽⁴⁾ OJ No L 191, 15. 7. 1986, p. 14.

ANNEX

to the Commission Regulation of 30 July 1986 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	32,26
04.01 A I b)	0120	29,85
04.01 A II a) 1	0130	29,85
04.01 A II a) 2	0140	36,44
04.01 A II b) 1	0150	28,64
04.01 A II b) 2	0160	35,23
04.01 B I	0200	72,03
04.01 B II	0300	152,37
04.01 B III	0400	235,48
04.02 A I	0500	28,26
04.02 A II a) 1	0620	158,45
04.02 A II a) 2	0720	201,29
04.02 A II a) 3	0820	203,71
04.02 A II a) 4	0920	251,23
04.02 A II b) 1	1020	151,20
04.02 A II b) 2	1120	194,04
04.02 A II b) 3	1220	196,46
04.02 A II b) 4	1320	243,98
04.02 A III a) 1	1420	30,14
04.02 A III a) 2	1520	40,69
04.02 A III b) 1	1620	152,37
04.02 A III b) 2	1720	235,48
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,5120 (*)
04.02 B I b) 1 bb)	2320	per kg 1,9404 (*)
04.02 B I b) 1 cc)	2420	per kg 2,4398 (*)
04.02 B I b) 2 aa)	2520	per kg 1,5120 (*)
04.02 B I b) 2 bb)	2620	per kg 1,9404 (*)
04.02 B I b) 2 cc)	2720	per kg 2,4398 (*)
04.02 B II a)	2820	52,91
04.02 B II b) 1	2910	per kg 1,5237 (*)
04.02 B II b) 2	3010	per kg 2,3548 (*)
04.03 A	3110	277,03
04.03 B	3210	337,98
04.04 A	3300	221,21 (*)
04.04 B	3900	340,45 (*)
04.04 C	4000	157,44 (*)
04.04 D I a)	4410	170,70 (*)
04.04 D I b)	4510	187,15 (*)
04.04 D II	4610	283,87
04.04 E I a)	4710	340,45
04.04 E I b) 1	4800	235,19 (*)

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	180,95 ⁽¹¹⁾
04.04 E I c) 1	5210	135,71
04.04 E I c) 2	5250	277,67
04.04 E II a)	5310	340,45
04.04 E II b)	5410	277,67
17.02 A II	5500	41,95 ⁽¹²⁾
21.07 F I	5600	41,95
23.07 B I a) 3	5700	115,82
23.07 B I a) 4	5800	150,60
23.07 B I b) 3	5900	141,03
23.07 B I c) 3	6000	116,17
23.07 B II	6100	150,60

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivifiable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ;
 - (b) 7,25 ECU ; and
 - (c) 25,08 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components :
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product ; and
 - (b) 25,08 ECU.
- (⁶) The levy is limited to :
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Austria or Finland,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 50 ECU per 100 kg net weight for products listed under (o) and (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (g) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (h) of that Annex imported from Austria or Finland.
- (¹⁰) The levy per 100 kg net weight is limited to :
- 12,09 ECU for products listed under (d) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (e) and (f) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to :
- 77,70 ECU per 100 kg net weight for products listed under (i) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 50 ECU for products listed under (o) and (p) of that Annex imported from Austria,
 - 101,88 ECU per 100 kg net weight for products listed under (k) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (l) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (m) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Austria and for products listed under (r) of that Annex imported from Norway,
 - 60 ECU per 100 kg net weight for products listed under (s) of that Annex imported from Finland,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (f) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and subheadings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
-

COMMISSION REGULATION (EEC) No 2397/86

of 30 July 1986

amending Regulation (EEC) No 1303/83 laying down special detailed rules for the application of the system of import licences and advance fixing certificates for products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 14 (3) and 15 (4) thereof,

Whereas, in the table in Article 7 of Commission Regulation (EEC) No 1303/83 ⁽³⁾, as last amended by Regulation (EEC) No 1846/86 ⁽⁴⁾, the wording of the section headed 'Description' is not sufficiently precise; whereas this imprecision should be corrected so as to avoid any ambiguity;

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

In the table in Article 7 of Regulation (EEC) No 1303/83, the wording relating to subheading ex 07.02 B of the Common Customs Tariff is replaced by the following:

CCT heading No	NIMEXE code	Description
ex 07.02 B	07.02-20	Peas, including chick-peas, whether or not cooked, preserved by freezing

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 July 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 138, 27. 5. 1983, p. 25.

⁽⁴⁾ OJ No L 159, 14. 6. 1986, p. 19.

COMMISSION REGULATION (EEC) No 2398/86**of 30 July 1986****amending Regulation (EEC) No 368/77 on the sale by tender of skimmed-milk powder for use in feed for animals other than young calves**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 7 (5) thereof,Whereas the Annex to Regulation (EEC) No 368/77 ⁽³⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁴⁾, lays down certain formulae for the denaturing of skimmed-milk powder or its denaturing by direct incorporation in animal feed; whereas Commission Directive 85/520/EEC of 11 November 1985 amending Commission Directive 85/429/EEC, amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs ⁽⁵⁾, reduced the maximum levels of copper in mg/kg of complete feedingstuff; whereas the levels of copper given in the formulae in the Annex to Regulation (EEC) No 368/77 should, accordingly, be altered;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 368/77 is hereby amended as follows:

1. In part 1 'Denaturing', '100 g copper' in formulae I H, I I, I J, I K and I L is replaced by '80 g copper'.
2. In part 2 'Denaturing by direct incorporation in animal feed', '45 ppm copper' in formulae II N, II O, II R and II T is replaced by '25 ppm copper'.

*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 July 1986.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.⁽³⁾ OJ No L 52, 24. 2. 1977, p. 19.⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 3.⁽⁵⁾ OJ No L 323, 4. 12. 1985, p. 12.

COMMISSION REGULATION (EEC) No 2399/86

of 30 July 1986

amending Annex I to Regulation (EEC) No 2347/84 on dried grapes eligible for production aid

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

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 Article 4 (4) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 2347/84 ⁽³⁾ provides that the minimum price payable to the producer must be multiplied by a coefficient relating to the category in which the unprocessed dried grapes are classified; whereas the categories are defined on the basis of qualitative criteria such as colour, apparent specific weight and the number of red, thin and diseased fruit; whereas these qualitative criteria may be influenced by the ecosystem or method of cultivation;

Whereas a change in the method of cultivation employed in the region of Pylias (Greece) has led to an improvement of the quality of the grapes produced in that

region; whereas, as a result of this improvement, the existing classification should be altered;

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

In Annex I to Regulation (EEC) No 2347/84, part I 'Coefficient applicable to the minimum price', the table headed 'currants' is replaced by the table in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 September 1986.

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

Done at Brussels, 30 July 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 219, 16. 8. 1984, p. 1.

ANNEX

'CURRANTS

Category	Coefficient
1. 'Shade', Eghion region	1,04264
2. 'Select Sun', Eghion region	1,02058
3. 'Shade', Corinth region	1,01323
4. 'Select Sun', Corinth region	0,98332
5. 'Regular', Eghion region	0,96911
6. 'Select Sun' from Patras, the Ionian Islands, the Prefecture of Ilias, Triphiliias and Pylas	0,95588
7. 'Regular', Corinth region	0,95588
8. 'Select Sun', remainder of Messenia	0,94117
9. 'Regular', from Patras, the Ionian Islands, the Prefecture of Ilias, Triphiliias and Pylas	0,92647
10. 'Regular', remainder of Messenia	0,91176
11. 'Regular', other regions	0,83382

COMMISSION REGULATION (EEC) No 2400/86

of 30 July 1986

amending for the second time Regulation (EEC) No 3461/85 on the organization
of campaigns to promote the consumption of grape juice

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

Having regard to Council Regulation (EEC) No 337/79 of
5 February 1979 on the common organization of the
market in wine ⁽¹⁾, as last amended by Regulation (EEC)
No 3805/85 ⁽²⁾, and in particular Articles 14a (4) and 65
thereof,

Whereas, in accordance with Article 2 (2) of Commission
Regulation (EEC) No 3461/85 ⁽³⁾, as last amended by
Regulation (EEC) No 1107/86 ⁽⁴⁾, the programme for
campaigns to promote the consumption of grape juice
must, for the 1985/86 wine year, be submitted to the
Commission before 15 July; whereas, because of adminis-
trative difficulties, the preliminary surveys relating to
these campaigns as provided for in Article 2a of the said
Regulation have not been completed by that date;
whereas the period in question should, therefore, be
extended to enable the said surveys to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second indent of Article 2 (2) of Regulation (EEC)
No 3461/85, 'before 15 July' is replaced by 'no later than
31 August'.

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 July 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 332, 10. 12. 1985, p. 22.

⁽⁴⁾ OJ No L 102, 18. 4. 1986, p. 15.

COMMISSION REGULATION (EEC) No 2401/86

of 30 July 1986

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

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, first, of the minimum price applying during the previous marketing year; secondly, of the movement of basic prices in the fruit and vegetables sector; and thirdly, of 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 in respect of dried grapes a minimum import price is applicable pursuant to Article 9 of the same Regulation; whereas the non-member country price must be replaced by this price;

Whereas Article 4(2) of Regulation (EEC) No 426/86 provides that the minimum price to be paid to producers for unprocessed sultanas and currants shall 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 cost should be taken into consideration;

Whereas Article 1(2) of 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⁾ provides that in cases where no minimum price for the raw material is established before the first move towards alignment of prices, the finished product obtained from such raw material shall not benefit from any production aid; whereas as a consequence thereof no production aid shall be paid during the transitional period for processed sultanas and currants obtained from unprocessed dried grapes from Spain and Portugal;

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 sultanas of category 4;

and

- (b) the production aid referred to in Article 5 of the same Regulation for processed dried sultanas of category 4;

shall be as set out in the Annex.

Article 2

For the marketing year 1986/87, the amount by which the minimum price for unprocessed dried grapes is to be increased on the first of each month for the period 1 November to 1 August is hereby fixed at 1,555 ECU per 100 kilograms net of sultanas of category 4.

For other categories of sultanas and for currants the amount shall be multiplied by the coefficient applicable to the minimum price listed in Annex I to Commission Regulation (EEC) No 2347/84⁽⁵⁾.

⁽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 219, 16. 8. 1984, p. 1.

Article 3

No production aid shall be granted for processed sultanas and currants obtained from sultanas and currants grown in Spain or Portugal.

Article 4

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

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

Done at Brussels, 30 July 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

*ANNEX***Minimum price to be paid to the producers**

Product	ECU per 100 kilograms ex producer
Unprocessed sultanas of category 4	133,17

Production aid

Product	ECU per 100 kilograms net
Dried sultanas of category 4	51,972

COMMISSION REGULATION (EEC) No 2402/86

of 30 July 1986

amending Regulations (EEC) No 2191/81 and (EEC) No 1665/86 in respect of the date of application of the amount of aid for butter

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 12 (3) thereof,Whereas the amount of aid laid down in Article 2 (1) of Commission Regulation (EEC) No 2191/81 ⁽³⁾, was last altered by Regulation (EEC) No 1665/86 ⁽⁴⁾; whereas, to avoid problems of interpretation, it should be specified from what period the new amount of aid should apply; whereas in view of the date on which Regulation (EEC) No 1665/86 entered into force, the amount should be applicable to all deliveries of butter effected on the basis of the voucher valid for the month following the month in which the amount was fixed; whereas, further more, the date 2 June 1986 given in Article 2 of Regulation (EEC) No 1665/86 should be deleted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is added to Article 2 (1) of Regulation (EEC) No 2191/81:

'With effect from 21 May 1986, if the amount of aid is altered, the new amount shall apply to all deliveries of butter effected on the basis of the voucher valid for the month following the month during which the new amount is fixed.'

Article 2

The second subparagraph of Article 2 of Regulation (EEC) No 1665/86 is hereby repealed.

*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 July 1986.

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.⁽³⁾ OJ No L 213, 1. 8. 1981, p. 20.⁽⁴⁾ OJ No L 145, 30. 5. 1986, p. 48.

COMMISSION REGULATION (EEC) No 2403/86**of 30 July 1986****amending Regulation (EEC) No 654/86 fixing, for the 1986 fishing year, the overall foreseeable level of imports for the products subject to the supplementary trade mechanism in the fisheries 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 and in particular Article 174 thereof,

Whereas Commission Regulation (EEC) No 654/86 of 28 February 1986 fixing, for the 1986 fishing year, the overall foreseeable level of imports for the products subject to the supplementary trade mechanism in the fisheries sector ⁽¹⁾ has fixed for certain fishery products the overall foreseeable level of imports for the 1986 fishing year; whereas this foreseeable level includes, for each product in question, an annual quota of imports from third countries fixed for the fishery year 1986 by Commission Regulation (EEC) No 655/86 ⁽²⁾;

Whereas, as regards Spain, the quota for cod, not dried, salted or in brine has been increased by 2 000 tonnes by Commission Regulation (EEC) No 2168/86 ⁽³⁾; whereas as it is appropriate consequently to adapt for this Member State the overall foreseeable level of imports of the

product in question to be found in Regulation (EEC) No 654/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the table in part A of the Annex to Regulation (EEC) No 654/86, for the level of imports of cod, not dried, salted or in brine falling within Common Customs Tariff subheading 03.02 A I ex b), '11 420' is replaced by '13 420'.

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 July 1986.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 66, 8. 3. 1986, p. 6.

⁽²⁾ OJ No L 66, 8. 3. 1986, p. 9.

⁽³⁾ OJ No L 189, 11. 7. 1986, p. 11.

COMMISSION REGULATION (EEC) No 2404/86
of 30 July 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 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 30 September 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, '31 July 1986' is replaced by '30 September 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 July 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 57, 1. 3. 1986, p. 20.

COMMISSION REGULATION (EEC) No 2405/86

of 30 July 1986

amending Regulation (EEC) No 2035/86 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,

HAS ADOPTED THIS REGULATION:

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 Commission Regulation (EEC) No 2035/86⁽¹⁾
laid down special rules for the application of compensa-
tory amounts for processed tomato products; whereas the
provisions of Article 2 (2) of the Regulation should be
clarified as to the cases where the compensatory amounts
should be applied;

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,

Article 1

Article 2 (2) of Regulation (EEC) No 2035/86 is replaced
by the following:

'2. Compensatory amounts shall be charged:

— on import into the Community, as constituted at
31 December 1985, of products coming from
Spain and Portugal, and

— 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 compen-
satory amount shall be charged.'

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 July 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 173, 1. 7. 1986, p. 54.

COMMISSION REGULATION (EEC) No 2406/86**of 30 July 1986****fixing, for August 1986, the levy applicable in Spain to products subject to the price control system**

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain⁽¹⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March to 31 December 1986, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, the

average price of soya oil in Spain during the 1984/85 marketing year and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 464,87 ECU per tonne of oil for August 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 July 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

COMMISSION REGULATION (EEC) No 2407/86**of 30 July 1986****amending Regulations (EEC) No 368/77 and (EEC) No 443/77 on the sale of skimmed-milk powder from public stocks for use in feed for animals other than young calves**

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1335/86 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas, pursuant to Commission Regulations (EEC) No 368/77 ⁽³⁾ and (EEC) No 443/77 ⁽⁴⁾, as last amended by Regulation (EEC) No 906/85 ⁽⁵⁾, the intervention agencies are to sell condition as powder put into storage before 1 September 1983;

Whereas, in view of the limited quantities still available which satisfy this condition as to age, and in order that implementation of the measure concerned may continue in the normal way, the abovementioned sales should be extended to skimmed-milk powder put into storage before 1 September 1984;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 368/77 and Article 1 of Regulation (EEC) No 443/77, '1 September 1983' is hereby replaced by '1 September 1984'.

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 July 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽³⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽⁴⁾ OJ No L 58, 3. 3. 1977, p. 16.

⁽⁵⁾ OJ No L 97, 4. 4. 1985, p. 27.

COMMISSION REGULATION (EEC) No 2408/86

of 30 July 1986

amending Regulation (EEC) No 2042/75 as regards the amount of the security for import licences for basic cereals in respect of which the levy is fixed in advance

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 12 (1) (b) of Commission Regulation (EEC) No 2042/75⁽³⁾, as last amended by Regulation (EEC) No 2043/86⁽⁴⁾, determines the amount of the security for licences for products as specified in Article 1 of Regulation (EEC) No 2727/75 and Article 1 of Council Regulation (EEC) No 1418/76⁽⁵⁾;

Whereas Commission Regulation (EEC) No 2119/85⁽⁶⁾, increased temporarily the level of the securities for import licences for basic cereals in respect of which the levy is fixed in advance;

Whereas for market management reasons and given the present situation it is advisable to maintain the securities for those licences at this level; whereas Article 12 (1) (b) of Regulation (EEC) No 2042/75 should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 12 (1) (b) of Regulation (EEC) No 2042/75 is replaced by the following:

'(b) for import licences in respect of which the levy is fixed in advance:

- 16 ECU per tonne for products falling within subheadings and headings 10.01 B I, 10.01 B II, 10.02, 10.03, 10.04, 10.05 B and 10.07 of the Common Customs Tariff,
- 3,63 ECU per tonne for other products.'

Article 2

This Regulation shall enter into force on 1 August 1986.

It shall apply until 30 June 1987.

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

Done at Brussels, 30 July 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 173, 1. 7. 1986, p. 71.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁶⁾ OJ No L 198, 30. 7. 1985, p. 18.

COMMISSION REGULATION (EEC) No 2409/86

of 30 July 1986

on the sale of intervention butter intended for incorporation in compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽¹⁾, as last amended by Regulation (EEC) No 3790/85 ⁽²⁾, and in particular Article 7a thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 concerning monetary compensatory amounts in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1013/86 ⁽⁴⁾, and in particular Article 12 thereof,

Whereas the situation on the market in butter in the Community is characterized by the existence of stocks formed as the result of intervention on the market in butter under Article 6 (1) of Council Regulation (EEC) No 804/68 ⁽⁵⁾, as last amended by Regulation (EEC) No 1335/86 ⁽⁶⁾, during previous milk years;

Whereas it is not possible to dispose of all the butter in store on normal terms; whereas, in order to bring stocks down to an acceptable level, measures liable to favour the disposal of the oldest butter should be taken;

Whereas the disposal of butter at a reduced price for the manufacture of compound feedingstuffs in the Community constitutes such a measure;

Whereas, in order to ensure equality of access to the butter for the undertakings concerned, the standing invitation to tender procedure should be applied; whereas, in addition, sale of the butter at a predetermined price should be provided for in parallel to sale by tender, in order to ensure that the undertakings concerned are still able to obtain supplies outside the tendering procedure;

Whereas the butter must be sold at a price which enables it to be competitive with the oils and fats normally used in animal feed; whereas it is therefore necessary to adopt measures guaranteeing that the butter is not diverted from its intended use; whereas, so that the use of the butter can be effectively monitored, it is appropriate to restrict

the possibility of tendering to undertakings which meet certain requirements and which undertake to abide by the obligations guaranteeing that the butter will be used as intended;

Whereas, given the technical requirements, the butter must be processed into concentrated butter before its incorporation in compound feedingstuffs; whereas such processing must take place under on-the-spot supervision; whereas, in order to ensure that the concentrated butter is used as intended, the procedure for supervising its incorporation in compound feedingstuffs should be different depending on whether the products referred to in Article 6 (2) of this Regulation have been added;

Whereas, as regards the packaging of compound feedingstuffs, reference should be made to certain provisions of Commission Regulation (EEC) No 1725/79 of 26 July 1979 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves ⁽⁷⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁸⁾, and to Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs ⁽⁹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽¹⁰⁾;

Whereas in particular, butter purchased under this Regulation must not be diverted to the uses provided for in 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 ⁽¹¹⁾, as last amended by Regulation (EEC) No 665/86 ⁽¹²⁾, in 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 ⁽¹³⁾, as last amended by Regulation (EEC) No 3812/85 ⁽¹⁴⁾, and in Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter ⁽¹⁵⁾, as last amended by Regulation (EEC) No 1325/86 ⁽¹⁶⁾;

⁽¹⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 5.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 94, 9. 4. 1986, p. 18.

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁶⁾ OJ No L 119, 8. 5. 1986, p. 19.

⁽⁷⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁸⁾ OJ No L 368, 31. 12. 1985, p. 3.

⁽⁹⁾ OJ No L 86, 6. 4. 1979, p. 30.

⁽¹⁰⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽¹¹⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽¹²⁾ OJ No L 66, 8. 3. 1986, p. 38.

⁽¹³⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽¹⁴⁾ OJ No L 368, 31. 12. 1985, p. 3.

⁽¹⁵⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽¹⁶⁾ OJ No L 154, 5. 6. 1986, p. 20.

Whereas Commission Regulation (EEC) No 1687/76 of 30 June 1976 laying down common detailed rules for verifying the use and/or destination of products from intervention ⁽¹⁾, as last amended by Regulation (EEC) No 1812/86 ⁽²⁾, is applicable and its Annex must therefore be supplemented accordingly;

Whereas, as regards financing, the expenditure occasioned by this additional disposal operation should be regarded as arising from one of the measures referred to in the first indent of Article 4 (2) of Council Regulation (EEC) No 1079/77 of 17 May 1977 on a co-responsibility levy and on measures for expanding the markets in milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 1338/86 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Butter bought in under Article 6 (1) of Regulation (EEC) No 804/68 and taken into storage before 1 July 1983 shall be sold under the conditions provided for in this Regulation for the purpose of incorporation in compound feedingstuffs.

Article 2

Without prejudice to Title VII providing for sale at a predetermined price, the butter shall be sold by means of a standing invitation to tender issued by each intervention agency for the relevant quantities of butter held by it.

TITLE I

Conditions relating to the tenderer

Article 3

Only the following may qualify as tenderers: undertakings manufacturing compound feedingstuffs or mixtures intended for the manufacturing of such feedingstuffs, undertakings manufacturing concentrated butter and undertakings manufacturing fatty substances which supply the food industry. Such undertakings may cause an agent to act on their behalf.

Article 4

The tenderer may not submit a tender unless he gives a written undertaking to process the butter or have it processed within the Community into concentrated butter

with a view to its incorporation, within 120 days of the closing date for the submission of tenders in response to the individual invitation to tender referred to in Article 17, into compound feedingstuffs as defined in Article 2 (b) of Directive 79/373/EEC, in accordance with the conditions laid down in Titles II and III.

Article 5

In the event of subsequent resale of the butter after processing into concentrated butter, whether or not the products referred to in Article 6 (2) have been added, the tenderer shall undertake to have included in the sales contract the requirement that the butter be incorporated in compound feedingstuffs as defined in Article 2 (b) of Directive 79/373/EEC within the period specified in Article 4 and in accordance with Title III, and the requirement to submit to the supervisory measures referred to in Article 14 (2).

TITLE II

Conditions relating to the processing of butter into concentrated butter

Article 6

1. The total quantity of butter awarded must be processed, to the exclusion of any other treatment or addition and without prejudice to the provisions of paragraph 2, into concentrated butter with a fat content of not less than 99,8 % in an establishment approved for that purpose in accordance with paragraph 3 by the Member State on whose territory the said establishment is situated and must yield at least 100 kilograms of concentrated butter per:

- 122,5 kilograms of butter used where the fat content of the butter sold is 82 % or more,
- 125,5 kilograms of butter used where the fat content of the butter sold is less than 82 %.

2. During processing of the butter into concentrated butter, to the exclusion of any other treatment except neutralization or deodorization or addition except antioxidants and in the same establishment, the following may be incorporated in and distributed evenly throughout 100 kilograms of concentrated butter after these possible treatments or additions:

- (a) 10 grams of 4 hydroxy-3 methoxybenzaldehyde obtained from synthetic vanillin; and
- (b) 1,1 kilograms of triglycerides of pelargonic (n-nonanoic) acid, at least 95 % pure, calculated as triglycerides on the product ready for incorporation, with a maximum acid value of 0,5 %, a saponification number between 325 and 340, and a 95 % minimum content of pelargonic acid in the esterified acid part.

⁽¹⁾ OJ No L 190, 14. 7. 1976, p. 1.

⁽²⁾ OJ No L 157, 12. 6. 1986, p. 43.

⁽³⁾ OJ No L 131, 26. 5. 1977, p. 6.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 27.

The competent agency shall ensure that the quality and characteristics, including the degree of purity, of the products to be incorporated in concentrated butter have been complied with.

3. Approval as an establishment within the meaning of paragraph 1 may only be granted to an establishment:

- (a) which has the appropriate technical facilities to process a quantity of at least 5 tonnes of butter per month;
- (b) which has premises on which any stocks of non-butter fat can be stored separately and identified as such;
- (c) which undertakes to keep continuous records of the origin of the butter used, the quantities employed, the quantities and composition of the concentrated butter, the included products referred to in paragraph 2 where appropriate, the date on which the processed product leaves the establishment and the names and addresses of purchasers; and
- (d) undertakes to forward its manufacturing programme in accordance with the arrangements decided on by the Member State concerned to the agency responsible for the supervision referred to in Article 14.

4. If the establishment also processes butter sold under Regulation (EEC) No 262/79 or Regulation (EEC) No 3143/85 or which may qualify for the aid provided for in Regulation (EEC) No 1932/81, it must also undertake:

- to keep the records referred to in paragraph 3 (c) as a separate entity,
- to process successively the butter sold under Regulation (EEC) No 262/79 or Regulation (EEC) No 3143/85 or which may qualify for the aid under Regulation (EEC) No 1932/81 and the total quantity of butter purchased under this Regulation and stored on the premises of the establishment. However, at the request of the party concerned, the Member States may agree to waive this obligation if the establishment has premises ensuring that the butter stocks in question can be stored separately and identified.

5. Approval shall be withdrawn in the event of failure to comply with this Article. Approval may also be withdrawn where the undertaking concerned is found not to have complied with any other obligation arising from this Regulation.

Article 7

1. The butter referred to in Article 1 shall remain in its original wrapping until it is processed into concentrated butter.

It shall be accompanied by a list of packages enabling the butter to be identified.

2. The wrappings of butter removed from storage shall bear one or more of the following statements in clear and legible print:

- Matequilla destinada a ser transformada en mantequilla concentrada e incorporada en piensos compuestos para animales — Reglamento (CEE) n° 2409/86
- Smør bestemt til forarbejdning til koncentreret smør og iblanding i foderblandinger — forordning (EØF) nr. 2409/86
- Butter zur Verarbeitung zu Butterfett und zur Beimengung in Mischfutter — Verordnung (EWG) Nr. 2409/86
- Βούτυρο που προορίζεται να μεταποιηθεί σε συμπυκνωμένο βούτυρο και να ενσωματωθεί στις σύνθετες ζωοτροφές — Κανονισμός (ΕΟΚ) αριθ. 2409/86
- Butter for processing into concentrated butter and incorporation in compound feedingstuffs — Regulation (EEC) No 2409/86
- Beurre destiné à être transformé en beurre concentré et incorporé dans des aliments composés pour animaux — règlement (CEE) n° 2409/86
- Burro destinato ad essere trasformato in burro concentrato ed incorporato negli alimenti composti per animali — regolamento (CEE) n. 2409/86
- Boter bestemd om tot boterconcentraat te worden verwerkt en in mengvoeder te worden bijgemengd — Verordening (EEG) nr. 2409/86
- Manteiga destinada a ser transformada em manteiga concentrada e incorporada em alimentos compostos para animais — Regulamento (CEE) n° 2409/86.

Article 8

If the operations for the incorporation of the concentrated butter, whether in pure form or in the form of a mixture of fatty substances, in compound feedingstuffs or in a mixture to be manufactured into such feedingstuffs, on the one hand, and for processing into concentrated butter, on the other, are not carried out in the same place, the concentrated butter shall be transported by tanker or container sealed by the competent authorities, bearing in letters at least 5 cm high one or more of the following statements, as appropriate:

- Mantequilla concentrada (o mezcla de materias grasas), destinada exclusivamente a la incorporación en los piensos compuestos para animales — Reglamento (CEE) n° 2409/86
- Koncentreret smør eller fedtblandinger bestemt udelukkende til iblanding i foderblandinger — forordning (EØF) nr. 2409/86
- Reines Butterfett oder Fettmischung ausschließlich zur Beimengung in Mischfutter — Verordnung (EWG) Nr. 2409/86
- Συμπυκνωμένο βούτυρο (ή μείγματα λιπαρών ουσιών) που προορίζεται αποκλειστικά για ενσωμάτωση στις σύνθετες ζωοτροφές — Κανονισμός (ΕΟΚ) αριθ. 2409/86

- Concentrated butter, (or mixture of fatty substances) intended exclusively for incorporation in compound feedingstuffs — Regulation (EEC) No 2409/86
- Beurre concentré (ou mélange de matières grasses), destiné exclusivement à l'incorporation dans les aliments composés pour animaux — règlement (CEE) n° 2409/86
- Burro concentrato o miscela di materie grasse, destinato esclusivamente all'incorporazione negli alimenti composti per animali — regolamento (CEE) n. 2409/86
- Boterconcentraat (of geval mengsel van oliën en vetten) uitsluitend bestemd voor bijmenging in mengvoeder — Verordening (EEG) nr. 2409/86
- Manteiga concentrada (ou mistura de matérias gordas) destinada exclusivamente à incorporação nos alimentos compostos para animais — Regulamento (CEE) n° 2409/86.

Where the products referred to in Article 6 (2) have been added to the concentrated butter, it shall not be necessary to seal the tankers or containers.

TITLE III

Conditions relating to incorporation in compound feedingstuffs

Article 9

1. Compound feedingstuffs within the meaning of this Regulation shall be the products defined in Article 2 (b) of Directive 79/373/EEC.

The concentrated butter may previously be mixed with other fatty substances or be incorporated in a mixture intended for the manufacture of compound feedingstuffs.

2. Without prejudice to the application of Article 10 and to the provisions of Directive 79/373/EEC, compound feedingstuffs shall be packed in bags or other packaging or other closed containers containing not more than 50 kilograms on which shall be printed, in clearly legible characters, the butterfat content of the finished product and the information specified in Article 4 (2) of Regulation (EEC) No 1725/79 where the product in question meets the requirements laid down in Article 4 (1) of that Regulation.

3. In the case of a mixture intended for the manufacture of compound feedingstuffs, the package containing the mixture shall bear in clearly legible characters the words: 'Regulation (EEC) No 2409/86' and, where appropriate, the statements and information specified in Article 4 (4) of Regulation (EEC) No 1725/79.

Article 10

The provisions of Article 9 (2) shall not apply to compound feedingstuffs delivered by tanker or container

to a farm or a fattening concern which uses these compound feedingstuffs under the conditions laid down in Article 11.

Article 11

1. When compound feedingstuffs are delivered by tanker or container the following provisions shall apply:

- (a) the undertaking manufacturing the compound feedingstuffs shall, on application, be authorized to use this form of transport by the competent agency of the Member State on whose territory it is established;
- (b) delivery shall be under the administrative supervision of the competent authority.

2. In the case referred to in paragraph 1 the processing security referred to in Article 21 (2) shall be released only when the undertaking has supplied the competent agency with supporting documents establishing that delivery was effectively made.

Article 12

1. Where delivery by tanker or container as referred to in Article 10 takes place in a Member State other than the Member State of manufacture, proof of delivery shall be furnished by production of the control copy referred to in Article 10 of Commission Regulation (EEC) No 223/77⁽¹⁾.

2. Sections 101, 103 and 104 of the control copy shall be completed. Section 104 shall be completed by deleting as appropriate and entering one of the following under the second indent:

- Aplicación del Reglamento (CEE) n° 2409/86 — piensos compuestos para animales destinados a las explotaciones agrícolas, de cría o de engorde que los utilicen (con sus nombres y direcciones)
- Anvendelse af forordning (EØF) nr. 2409/86 — foderblandinger til anvendelse på en landbrugsbedrift, en opdrætnings- eller en opfædningsvirksomhed (angivelse af navn og adresse)
- Anwendung der Verordnung (EWG) Nr. 2409/86 — für den landwirtschaftlichen bzw. Zucht- oder Mastbetrieb bestimmtes Mischfutter (mit seinem Namen und seiner Anschrift)
- Εφαρμογή του κανονισμού (ΕΟΚ) αριθ. 2409/86 — σύνθετες ζωοτροφές προοριζόμενες για γεωργική εκμετάλλευση, εκμετάλλευση εκτροφής ή εκμετάλλευση πάχυνσης που χρησιμοποιεί σύνθετες ζωοτροφές (με το όνομα και τη διεύθυνση)
- Pursuant to Regulation (EEC) No 2409/86 — compound feedingstuffs intended for a farm or rearing or fattening concern using compound feedingstuffs (with the name and address)

⁽¹⁾ OJ No L 38, 9. 2. 1977, p. 20.

- Application du règlement (CEE) n° 2409/86 — aliments composés pour animaux destinés aux exploitations agricoles d'élevage ou d'engraissement utilisatrice (avec ses nom et adresse)
- Applicazione del regolamento (CEE) n. 2409/86 — alimenti composti per animali destinati all'azienda agricola o al centro d'ingrasso utilizzatori (con nome e indirizzo)
- Toepassing van Verordening (EEG) nr. 2409/86 — voor gebruik op het landbouwbedrijf of de veefokkerij of de veemesterij (met naam en adres) bestemd mengvoeder
- Aplicação do Regulamento (CEE) n° 2409/86 — Alimentos compostos para animais destinados à exploração agrícola ou exploração de pecuária ou de engorda utilizadoras (com o nome e endereço).

Article 13

1. Compound feedingstuffs may only be produced in an undertaking approved for that purpose by the competent agency of the Member State on whose territory manufacture takes place.

2. Approval shall be granted to undertakings which have suitable technical facilities and employ administrative and accounting methods which make it possible to satisfy the provisions laid down in this Regulation.

Approval shall be withdrawn if these conditions cease to exist; it may be withdrawn if it is found that the undertaking concerned has not complied with an obligation arising from this Regulation.

3. The undertakings as referred to in paragraph 1 shall continuously keep accounts, as determined by the competent agency in each Member State, which in respect of each batch shall show:

- (a) the nature and origin of the raw materials used;
- (b) the quantities of fatty substances used and their composition;
- (c) the quantities, the composition and the butterfat content of the products manufactured;
- (d) the date on which these products left the undertaking supported by reference to delivery notes and invoices.

For the purposes of this Article, 'batch' shall mean the quantity of compound feedingstuffs of homogeneous quality produced by continuous process at a single manufacturing plant.

TITLE IV

Supervisory measures

Article 14

In order to ensure that the provisions of this Regulation are complied with, Member States shall take the following supervisory measures:

1. During the processing of the butter into concentrated butter and any addition of the products referred to in Article 6 (2), the competent agency shall carry out frequent and unannounced on-the-spot inspections based on the establishment's manufacturing programme as referred to in Article 6 (3) (d).

The said inspections shall relate to the conditions of manufacture and the quality and composition of the product obtained by reference to the butter used. They shall entail the taking of samples of concentrated butter and, where appropriate, of other fatty substances used for each batch.

The inspections shall be accompanied periodically, according to the quantities processed, by a thorough inspection of the records and verification of compliance with the conditions laid down for the approval of the establishment.

For the purposes of this Article, 'batch' shall mean the quantity of concentrated butter covered by a tender as provided for in Article 19 (2), of homogeneous quality, processed and produced by continuous process at a single manufacturing plant.

2. The arrangements for supervising the utilization of concentrated butter in the manufacture of compound feedingstuffs, within the meaning of Article 9 (1), shall satisfy at least the following requirements:

(a) inspection of the undertaking concerned shall be carried out on-the-spot and shall relate in particular to the conditions of manufacture as established by:

- taking of samples,
- examination of the fatty substances used with a view to determining their composition,
- verification of the composition of the compound feedingstuffs manufactured and their butterfat content,
- inspection of products on intake and dispatch.

The tolerances provided for in the provisions adopted in accordance with Directive 79/373/EEC shall not apply.

Such inspection shall be performed:

- on each batch, in the case of the use of concentrated butter, where the products referred to in Article 6 (2) have not been added,
- frequently and unannounced, by reference to the manufacturing programme, at least once every fourteen days of manufacture, in the case of the use of concentrated butter where the products referred to in Article 6 (2) have been added;

- (b) the inspection referred to in (a) shall be accompanied at intervals, according to the quantities manufactured, by a thorough inspection and random checks on the commercial documents and accounts referred to in Article 13 (3).

Article 15

The following point and related note are hereby added to Part II of the Annex to Regulation (EEC) No 1687/76, 'Products intended for a use and/or destination other than that referred to in Part I':

- '38. Commission Regulation (EEC) No 2409/86 of 30 July 1986 on the sale of intervention butter intended for incorporation in compound feeding-stuffs⁽³⁸⁾

On the dispatch of butter in its natural state intended for concentration

— Section 104:

For processing into concentrated butter and later incorporation in compound feedingstuffs
— Regulation (EEC) No 2409/86;

— Section 106:

The date before which the concentrated butter must be incorporated in compound feedingstuffs.

On the dispatch of butter after concentration and with the addition of the products referred to in Article 6 (2) of Regulation (EEC) No 2409/86

— Section 104:

For processing into compound feedingstuffs
— Regulation (EEC) No 2409/86;

— Section 106:

The date before which the concentrated butter must be incorporated into compound feedingstuffs.

On the dispatch of concentrated butter which has been mixed with other fatty substances:

— Section 104:

For later incorporation in compound feedingstuffs — Regulation (EEC) No 2409/86;

— Section 106:

The date before which the concentrated butter must be incorporated in compound feedingstuffs;

— Section 107:

Number and date of the analysis report for the mixture referred to in Section 104.

The analysis report referred to in Section 107 shall be authenticated by the competent

authorities and reference made to the number and registration date of the T 5.

⁽³⁸⁾ OJ No L 208, 31. 7. 1986, p. 29.'

TITLE V

Tendering procedure

Article 16

1. The intervention agency shall issue a notice of invitation to tender indicating in particular:

- (a) the location of the cold store or stores where the butter is held;
- (b) the quantity for sale in each store, indicating separately, where appropriate, the quantity of butter with a fat content of less than 82 % included in that quantity;
- (c) the closing date and address for the submission of tenders.

2. The notice of invitation to tender shall be published in the *Official Journal of the European Communities* at least eight days before the first closing date for the submission of tenders. In addition, the intervention agency may publish notices elsewhere.

Article 17

1. During the period of validity of the standing invitation to tender, the intervention agency shall issue individual invitations to tender. Each individual invitation to tender shall cover such part of the butter specified in Article 1 as is still available.

2. The period for the submission of tenders in response to each individual invitation shall expire at 12 noon each second Tuesday of the month and for the first time on 12 August 1986. Where the Tuesday is a public holiday, the period shall be extended to 12 noon on the first working day following.

Article 18

1. The intervention agency shall update and make available to interested parties on request a list of cold stores as referred to in Article 16 (1) (b) used to store the oldest butter for sale by tender, and the quantities of butter in each store. The intervention agency shall also publish the updated list at regular intervals in an appropriate form to be specified in the notice of invitation to tender provided for in Article 16.

2. The intervention agency shall take the measures necessary to enable interested parties to examine at their own expense, before tendering, samples of the butter put up for sale.

Article 19

1. Interested parties shall participate in special invitations to tender either by lodging their written tender with the intervention agency against an acknowledgement of receipt or by registered letter sent to the intervention agency. Intervention agencies may authorize the use of telex or telecopier.

2. The tender shall state :

- (a) the name and address of the tenderer ;
- (b) the capacity in which he is submitting a tender in accordance with Article 3 ;
- (c) the quantity to which the tender relates, specifying the fat content of the butter where the intervention agency concerned has offered for sale butter with a fat content of less than 82 % ;
- (d) the price offered per 100 kilograms of butter having the fat content required, exclusive of internal taxes, ex cold store, expressed in the currency of the Member State in which the butter is stored ;
- (e) the cold store where the butter is located and if desired an alternative store.

A tender relating to two or more stores, independently of any alternative store, shall be considered to comprise as many tenders as there are cold stores mentioned.

A tender shall relate only to butter of a single fat content (82 % or more, or less than 82 %).

3. A tender shall not be valid unless it relates to at least 3 tonnes. However, if the quantity available in a store is less than 3 tonnes the available quantity shall constitute the minimum quantity for tender.

4. A tender shall not be valid unless :

- (a) it is accompanied by the written undertaking referred to in Articles 4 and 5 ;
- (b) the tenderer includes a declaration to the effect that he agrees to forego any claim as to the packaging and the quality and characteristics of any butter sold to him ;
- (c) evidence is furnished that, before expiry of the period set for the submission of tenders, the tenderer has lodged the tendering security referred to in Article 20 in respect of the relevant individual invitation to tender.

5. No tender may be withdrawn after the deadline referred to in Article 17 (2) for the submission of tenders in response to the individual invitation to tender concerned. However, the tenderer may stipulate that where the price contained in this bid exceeds the minimum selling price fixed for the particular tender

concerned by more than 2 ECU per 100 kilograms, his bid should be considered to be withdrawn and that he undertakes to purchase during the sales period beginning on the third Tuesday of the same month, under the conditions laid down in Article 26, a quantity equivalent to that shown in the bid and to remove it from a store which may be different from that specified in the bid.

Article 20

1. Under this Regulation the maintenance of the tender after the expiry of the deadline for the submission of tenders and the payment of the price within the period laid down in Article 24 (2) shall constitute principal requirements whose fulfilment shall be ensured by the lodging of a tendering security of 40 ECU per tonne.

2. The tendering security shall be lodged in the Member State in which the tender is submitted.

However, if it is indicated in the tender that the processing of the butter into concentrated butter is to take place in a Member State other than the selling Member State, the security may be lodged with the competent authority designated by that other Member State, which shall supply the evidence referred to in Article 19 (4) (c) to the tenderer. In such case the selling intervention agency shall inform the competent authority of the other Member State of the particulars giving rise to the release or the forfeiture of the security.

Article 21

1. In the light of the tenders received in response to each individual invitation to tender and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, a minimum selling price shall be fixed.

A decision may be taken to make no award in respect of an invitation to tender.

2. At the same time as the minimum selling prices are fixed and under the same procedure, the amount per 100 kilograms of the processing security to guarantee fulfilment of the principal requirements concerning the processing of the butter into concentrated butter and, where appropriate, the addition of the products referred to in Article 6 (2) and its incorporation in compound feedingstuffs shall be fixed by reference to the difference between the intervention price of the butter and the minimum prices fixed.

3. The minimum selling price referred to in paragraph 1, the price to be paid by successful tenderers and the amount of the processing security shall be converted into national currency using the representative rate applicable on the closing day for the submissions of tenders in response to the individual invitation to tender concerned.

Article 22

1. A tender shall be rejected if the price offered is lower than the minimum price fixed for the individual invitation to tender, account being taken of the fat content of the butter in question.

2. Without prejudice to paragraph 1, a contract shall be awarded to the tenderer who offers the highest price. If the quantity available in the store in question is not exhausted by this award, contracts for the remaining quantity shall be awarded to the other tenderers according to the price offered, starting with the price which differs most from the relevant minimum price.

3. Where acceptance of a tender would lead to a contract being awarded for more butter than is available at the cold store in question, a contract shall be awarded to the tenderer only in respect of the quantity available.

However, by way of derogation from Article 19 (2), the intervention agency may, in agreement with the tenderer, indicate other stores in order to reach the quantity specified in the tender.

4. Where acceptance of two or more tenders offering the same price would lead to contracts being awarded for more than the quantity available, the awards shall be made by dividing the quantity available proportionately to the quantities specified in the tenders concerned.

However, where such allocation would lead to any award of less than 3 tonnes, awards shall be made by drawing lots.

5. Rights and obligations arising in connection with the invitation to tender shall not be transferable.

TITLE VI

Outcome of the tendering procedure*Article 23*

1. Every tenderer shall immediately be notified by the intervention agency of the result of his response to an individual invitation to tender.

2. The successful tenderer shall, before removing the butter and within the period specified in Article 24 (2), pay the intervention agency an amount corresponding to his tender for each quantity which he intends to remove from store.

3. Except in cases of *force majeure*, where the successful tenderer has not made payment within the specified period, the tendering security referred to in Article 20 (1) shall be forfeited and the sale shall be cancelled in respect of the remaining quantities.

Article 24

1. When the amount referred to in Article 23 (2) has been paid and the securities referred to in Article 21 (2) and (3) have been lodged in accordance with Article 13 of Regulation (EEC) No 1687/76, the intervention agency shall issue a removal warrant stating:

- (a) the quantity of butter in respect of which the conditions referred to above have been satisfied;
- (b) the cold store where it is stored;
- (c) the final date for taking delivery;
- (d) the closing date for the submission of tenders in response to the individual invitation to tender under which the butter was sold.

2. The successful tenderer shall remove the butter allocated to him within 24 days of the closing date for the submission of tenders. The butter may be removed by instalments.

Where the payment referred to in Article 23 (2) has been made without the butter having been removed within the period referred to above, the successful tenderer shall bear the cost of storing the butter with effect from the day following that referred to in paragraph 1 (c).

TITLE VII

Sale at a predetermined price*Article 25*

Butter as referred to in Article 1 shall be sold at a predetermined price under the conditions set out below.

Article 26

1. Purchase contracts:

- may be concluded with any intervention agency holding butter as referred to in Article 1 during the period beginning on the third Tuesday of each month and ending on the first Tuesday of the following month;
- shall comply with Titles I, II, III and IV and with Article 21 (2) and (3).

The period of 120 days referred to in Article 4 shall run from the date on which the contract is concluded.

2. The butter shall be sold:

- (a) in quantities of not less than three tonnes. However, where the quantity available in a store is less than three tonnes, the purchase contract may be concluded for that quantity;
- (b) ex store at a price equal to the minimum selling price fixed, in accordance with Article 21 (1), in respect of the individual invitation to tender immediately preceding the period of sale, plus 2 ECU per 100 kilograms.

3. Purchase applications reaching the intervention agency on the same day shall be considered as having been submitted at the same time. Where acceptance of these applications would lead to the quantity available in a store being exceeded, the intervention agency shall allocate this quantity in proportion to the quantities shown in the abovementioned purchase applications.

However, where such allocation would lead to any award of less than three tonnes, awards shall be made by drawing lots.

Article 27

1. On the day on which the contract is concluded the purchaser shall:

- furnish evidence that he has lodged the processing security referred to in Article 21 (2) as provided for in Article 13 of Regulation (EEC) No 1687/76,
- pay the purchase price for the butter.

2. The intervention agency shall issue a removal warrant stating:

- the quantity of butter in respect of which the conditions of paragraph 1 have been satisfied,
- the store where it is located,
- the day on which the contract was concluded,
- the final date for taking delivery.

The purchaser shall remove the butter sold within 24 days of the day on which the contract was concluded. The butter may be removed by instalments.

The purchaser shall bear the cost of storing the butter with effect from the day following the final date for taking delivery of the butter.

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

Done at Brussels, 30 July 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

TITLE VIII

General provisions

Article 28

Commission Regulation (EEC) No 2220/85 ⁽¹⁾ shall apply, save as otherwise specifically provided in the context of this Regulation.

Article 29

The monetary compensatory amounts applicable in respect of butter shall be equal to the monetary compensatory amounts fixed under Regulation (EEC) No 1677/85 multiplied by the coefficient given in Annex I, Part 5 to the Commission Regulation fixing the monetary compensatory amounts.

Article 30

For the purposes of financing, this measure shall constitute a measure as referred to in the first indent of Article 4 (2) of Regulation (EEC) No 1079/77.

Article 31

Member States shall notify the Commission, before the tenth of each month at the latest, of the quantities of butter which, during the previous month:

- were awarded under the tendering procedure,
- were the subject of a sales contract,
- were removed from store, broken down according to form of sale.

Article 32

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

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

COMMISSION REGULATION (EEC) No 2410/86
of 30 July 1986
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 934/86 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 2371/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2051/86 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 31 July 1986.

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

Done at Brussels, 30 July 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 173, 1. 7. 1986, p. 91.
⁽⁴⁾ OJ No L 205, 29. 7. 1986, p. 37.

ANNEX

to the Commission Regulation of 30 July 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	48,61
	B. Raw sugar	43,39 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 2411/86**of 30 July 1986****on a decision to make no award in respect of the 50th partial invitation to tender for white sugar issued in connection with the principal standing invitation to tender referred to in Regulation (EEC) No 2236/85**

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 point (b) of the first subparagraph of Article 19 (4) thereof,

Whereas Commission Regulation (EEC) No 2236/85 of 29 July 1985 on a principal standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, as amended by Regulation (EEC) No 239/86⁽⁴⁾, requires that partial invitations to tender be issued for the export of the sugar in question; whereas, pursuant to Article 8 (2) of Regulation (EEC) No 2236/85,

a decision may be taken to make no award in respect of a specific partial invitation to tender;

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

No award shall be made in respect of the 50th partial invitation to tender for white sugar issued under Regulation (EEC) No 2236/85, for which the time limit for the submission of tenders expired on 30 July 1986.

Article 2

This Regulation shall enter into force on 31 July 1986.

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

Done at Brussels, 30 July 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 209, 6. 8. 1985, p. 19.

⁽⁴⁾ OJ No L 29, 4. 2. 1986, p. 19.

COMMISSION REGULATION (EEC) No 2412/86**of 30 July 1986****fixing the maximum export refund for white sugar for the ninth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86**

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 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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1659/86 of 29 May 1986 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1659/86, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the ninth partial invitation to tender, the provisions set out in Article 1 should be adopted;

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 maximum export refund for the ninth partial invitation to tender for white sugar issued under Regulation (EEC) No 1659/86 is hereby fixed at 43,079 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 31 July 1986.

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

Done at Brussels, 30 July 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 145, 30. 5. 1986, p. 29.