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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3021/86**of 1 October 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 1 October 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 2 October 1986.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

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

Done at Brussels, 1 October 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 1 October 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	3,93	172,64
10.01 B II	Durum wheat	27,84	245,57 ⁽¹⁾ ⁽²⁾
10.02	Rye	41,33	159,60 ⁽⁶⁾
10.03	Barley	10,99	172,20
10.04	Oats	74,55	149,60
10.05 B	Maize, other than hybrid maize for sowing	—	164,82 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	10,99	114,20 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	166,96 ⁽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	19,31	255,50
11.01 B	Rye flour	71,67	237,25
11.02 A I a)	Durum wheat groats and meal	56,40	393,88
11.02 A I b)	Common wheat groats and meal	19,97	275,05

⁽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 3022/86

of 1 October 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 1 October 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 2 October 1986.

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

Done at Brussels, 1 October 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 1 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum 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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 3023/86**of 30 September 1986****establishing unit values for the determination of the customs value of certain perishable goods**

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 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3502/85 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 October 1986.

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

Done at Brussels, 30 September 1986.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 335, 13. 12. 1985, p. 9.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	07.01-13 } 07.01-15 }	07.01 A II	New potatoes	23,54	1034	187,79	50,60	161,51	3 184	16,70	34 701	56,96	15,01
1.12	ex 07.01-21 } ex 07.01-22 }	ex 07.01 B I	Broccoli	53,43	2 345	425,70	113,66	367,20	7 307	38,15	78 047	128,14	35,31
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	35,18	1 539	279,04	75,82	241,43	4 731	24,92	51 927	85,41	22,25
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	46,09	2 023	366,69	99,08	315,49	6 208	32,65	67 972	111,48	29,49
1.20	07.01-31 } 07.01-33 }	07.01 D I	Cabbage lettuce	52,01	2 285	414,84	111,78	356,78	7 034	36,90	76 657	125,83	33,16
1.22	ex 07.01-36	ex 07.01 D II	Endives	45,63	1 997	361,96	98,35	313,18	6 137	32,33	67 359	110,79	28,87
1.28	07.01-41 } 07.01-43 }	07.01 F I	Peas	370,50	16 062	2 921,94	774,69	2 537,91	51 572	282,91	535 484	875,80	263,45
1.30	07.01-45 } 07.01-47 }	07.01 F II	Beans (of the species Phaseolus)	75,29	3 307	600,27	161,56	516,43	10 333	53,55	110 908	181,96	48,16
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	24,63	1 083	196,18	53,03	168,95	3 307	17,44	36 383	59,64	15,59
1.40	ex 07.01-54	ex 07.01 G II	Carrots	8,58	376	68,35	18,25	58,96	1 173	6,12	12 532	20,57	5,66
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	110,47	4 845	878,70	237,46	756,40	14 893	77,93	162 912	267,37	70,67
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	8,31	360	65,60	17,39	56,98	1 157	6,35	12 023	19,66	5,91
1.70	07.01-67	ex 07.01 H	Garlic	217,11	9 412	1 712,26	453,97	1 487,22	30 221	165,78	313 795	513,22	154,38
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	35,69	1 561	283,09	76,91	244,93	4 800	25,28	52 681	86,65	22,58
1.80		07.01 K	Asparagus :										
1.80.1	ex 07.01-71		— green	386,00	16 734	3 044,16	807,10	2 644,07	53 729	294,74	557 883	912,43	274,47
1.80.2	ex 07.01-71		— other	134,87	5 925	1 075,31	289,42	925,12	18 511	95,93	198 678	325,95	86,27
1.90	07.01-73	07.01 L	Artichokes	24,26	1 065	193,01	52,15	166,06	3 267	17,18	35 778	58,67	15,52
1.100	07.01-75 } 07.01-77 }	07.01 M	Tomatoes	20,33	888	161,32	42,87	139,41	2 802	15,45	29 513	48,31	13,90
1.110	07.01-81 } 07.01-82 }	07.01 P I	Cucumbers	25,15	1 090	198,39	52,60	172,31	3 501	19,20	36 358	59,46	17,88
1.112	07.01-85	07.01 Q II	Chantarelles	898,50	38 953	7 085,97	1 878,71	6 154,65	125 067	686,09	1 298 596	2 123,90	638,88
1.118	07.01-91	07.01 R	Fennel	24,65	1 081	196,10	52,99	168,81	3 323	17,39	36 357	59,67	15,77
1.120	07.01-93	07.01 S	Sweet peppers	56,07	2 430	442,19	117,24	384,08	7 804	42,81	81 038	132,54	39,86
1.130	07.01-97	07.01 T II	Aubergines	23,01	1 000	182,85	48,32	158,38	3 183	17,57	33 347	54,52	15,92
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	31,06	1 366	247,45	66,89	213,10	4 172	21,99	45 890	75,23	19,67
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	48,68	2 138	388,12	104,46	333,91	6 681	34,62	71 711	117,65	31,14
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	68,69	3 005	544,85	148,04	471,42	9 239	48,66	101 393	166,77	43,46
2.10	08.01-31	ex 08.01 B	Bananas, fresh	47,32	2 051	373,21	98,95	324,16	6 587	36,13	68 396	111,86	33,65
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	52,24	2 264	411,98	109,23	357,83	7 271	39,88	75 501	123,48	37,14
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	133,96	5 807	1 056,51	280,11	917,65	18 647	102,29	193 619	316,67	95,25
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	193,73	8 399	1 527,89	405,09	1 327,08	26 967	147,93	280 007	457,96	137,75
2.50		08.02 A I	Sweet oranges, fresh :										
2.50.1	08.02-02 } 08.02-06 } 08.02-12 } 08.02-16 }		— Sanguines and semi-sanguines	43,28	1 900	344,34	93,04	296,26	5 829	30,66	63 829	104,68	27,69

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	43,90	1 903	346,21	91,79	300,71	6 110	33,52	63 449	103,77	31,21
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	35,37	1 533	279,00	73,97	242,33	4 924	27,01	51 130	83,62	25,15
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :										
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	42,07	1 846	335,16	89,49	289,10	5 753	30,04	61 448	100,88	27,79
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	54,83	2 395	435,12	115,65	376,03	7 558	41,69	79 602	130,32	37,50
2.60.3	08.02-28	08.02 B I	— Clementines	84,26	3 681	668,65	177,72	577,86	11 615	64,06	122 327	200,27	57,62
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	66,56	2 885	524,97	139,18	455,98	9 265	50,83	96 209	157,35	47,33
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	52,01	2 254	410,18	108,75	356,27	7 239	39,71	75 172	122,94	36,98
2.80		ex 08.02 D	Grapefruit, fresh :										
2.80.1	ex 08.02-70		— white	53,97	2 340	425,70	112,86	369,75	7 513	41,21	78 015	127,59	38,38
2.80.2	ex 08.02-70		— pink	66,79	2 895	526,75	139,65	457,51	9 297	51,00	96 534	157,88	47,49
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	142,87	6 194	1 126,77	298,74	978,68	19 887	109,09	206 496	337,73	101,59
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	48,52	2 103	382,67	101,45	332,38	6 754	37,05	70 130	114,70	34,50
2.95	08.05-50	08.05 C	Chestnuts	84,23	3 686	668,11	181,53	578,07	11 329	59,67	124 330	204,50	53,29
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	37,94	1 644	299,22	79,33	259,90	5 281	28,97	54 837	89,68	26,97
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	54,70	2 371	431,40	114,37	374,70	7 614	41,77	79 060	129,30	38,89
2.120	08.07-10	08.07 A	Apricots	50,58	2 209	401,35	106,67	346,85	6 972	38,45	73 424	120,20	34,58
2.130	ex 08.07-32	ex 08.07 B	Peaches	50,87	2 232	405,24	108,20	349,56	6 956	36,32	74 297	121,98	33,61
2.140	ex 08.07-32	ex 08.07 B	Nectarines	35,60	1 555	282,54	75,10	244,17	4 908	27,07	51 690	84,62	24,35
2.150	08.07-51 08.07-55	08.07 C	Cherries	88,56	3 890	706,11	190,05	607,49	12 155	62,99	130 463	214,04	56,65
2.160	08.07-71 08.07-75	08.07 D	Plums	46,53	2 017	366,95	97,29	318,72	6 476	35,53	67 249	109,98	33,08
2.170	08.08-11 08.08-15	08.08 A	Strawberries	76,45	3 355	608,18	164,33	523,28	10 297	54,16	112 738	184,89	48,92
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	131,10	5 710	1 044,19	275,73	902,34	18 106	100,19	190 076	311,13	90,10
2.180	08.09-11	ex 08.09	Water melons	22,75	991	181,21	47,85	156,59	3 142	17,38	32 987	53,99	15,63
2.190		ex 08.09	Melons (other than water melons) :										
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	23,55	1 021	185,76	49,25	161,35	3 278	17,98	34 044	55,68	16,74
2.190.2	ex 08.09-19		— other	85,66	3 713	675,55	179,11	586,76	11 923	65,40	123 804	202,48	60,90
2.195	ex 08.09-90	ex 08.09	Pomegranates	144,28	6 255	1 137,87	301,68	988,32	20 083	110,17	208 529	341,05	102,59
2.200	ex 08.09-90	ex 08.09	Kiwis	202,50	8 779	1 597,02	423,42	1 387,12	28 187	154,62	292 675	478,68	143,99
2.202	ex 08.09-90	ex 08.09	Khakis	198,36	8 706	1 577,95	426,36	1 357,65	26 715	140,52	292 500	479,72	126,92
2.203	ex 08.09-90	ex 08.09	Lychees	318,47	13 871	2 536,52	669,81	2 191,95	43 984	243,38	461 727	755,78	218,88

COMMISSION REGULATION (EEC) No 3024/86

of 1 October 1986

laying down, for the 1986/87 wine year, detailed implementing rules for distillation as provided for in Article 11 of Regulation (EEC) No 337/79

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 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 6 (3), 11 (5) and 65 thereof,

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in Agriculture ⁽⁴⁾, as last amended by Regulation (EEC) No 1333/86 ⁽⁵⁾,

Whereas Article 11 (1) of Regulation (EEC) No 337/79 provides that preventive distillation of table wine and wine suitable for yielding table wine may be decided whenever such a measure seems necessary in the light of harvest forecasts or in order to improve the quality of products placed on the market;

Whereas Article 6 of Regulation (EEC) No 337/79 lays down that only those producers who have fulfilled their obligations under Article 39 and, where appropriate, Articles 40 and 41 of the said Regulation for a reference period to be determined are entitled to benefit from the intervention measures; whereas the said reference period should therefore be fixed;

Whereas such measures should enable market conditions to be improved without the quantities compatible with sound market management being exceeded; whereas, to that end, provision should be made to limit the maximum quantity of table wine which may be distilled by each producer according to the area cultivated for the production of table wine; whereas, however, to take account of national provisions on the recognition of quality wines psr in some Member States, the maximum quantities of table wine which may be distilled in the zones concerned should be related not to the area culti-

vated for the production of table wine but to each producer's total cultivated area; whereas, however, in cases in which it is not possible to relate the quantity precisely to the area from which the wine comes, provision should be made for the quantity eligible for distillation to be limited to a percentage of the quantity of table wine produced during the 1986/87 wine year; whereas that percentage should be such as to achieve similar results to those obtained in the context of a limit related to the area cultivated; whereas the percentage should therefore be set taking into account the average yield per hectare recorded; whereas the yield in the Greek parts of zone C III and in the Spanish parts of the wine-growing zones is considerably below that recorded in the rest of the Community so that a different percentage should be set for those parts of the zones;

Whereas the quantity of table wine produced to which that percentage is to apply is that set down in the production declaration provided for in Commission Regulation (EEC) No 2102/84 of 13 July 1984 on harvest, production and stock declarations relating to wine-sector products ⁽⁶⁾, as last amended by Regulation (EEC) No 2467/86 ⁽⁷⁾, and the records provided for in Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine producers and traders other than retailers ⁽⁸⁾, as last amended by Regulation (EEC) No 3203/80 ⁽⁹⁾;

Whereas, in certain cases, evidence of having fulfilled the obligations provided for in Article 39 and, where appropriate, in Articles 40 and 41 of Regulation (EEC) No 337/79 may only be provided at a date subsequent to the triggering of the measure; whereas Article 4 (2) of Council Regulation (EEC) No 2179/83 of 25 July 1983 laying down general rules for distillation operations involving wine and the by-products of wine-making ⁽¹⁰⁾, as last amended by Regulation (EEC) No 3805/85, provides that the producer may not deliver the wine for distillation until the delivery contract or declaration has been approved by the intervention agency; whereas, in accordance with Article 10a of Regulation (EEC) No 2102/84, such approval is subject to presentation of the production declaration; whereas production declarations may be made up to 15 December in the Federal Republic of Germany and up to 30 November in the other Member States; whereas those provisions are likely to hold up

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 9.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 119, 8. 5. 1986, p. 1.

⁽⁶⁾ OJ No L 194, 24. 7. 1984, p. 1.

⁽⁷⁾ OJ No L 211, 1. 8. 1986, p. 17.

⁽⁸⁾ OJ No L 113, 1. 5. 1975, p. 8.

⁽⁹⁾ OJ No L 333, 11. 12. 1980, p. 18.

⁽¹⁰⁾ OJ No L 212, 3. 8. 1983, p. 1.

distillation operations; whereas, therefore, provision should be made to allow the Member States to authorize approval of contracts at an earlier date provided that a system of securities is introduced to enable, where necessary, producers to be penalized for not complying with the abovementioned provisions and those of this Regulation, and in particular Article 2 (1) thereof;

Whereas preventive distillation must be carried out in accordance with the provisions of Regulation (EEC) No 2179/83; whereas, in addition, attention should be drawn in the event of such distillation to the consequences provided for in Regulation (EEC) No 2102/84 for failure to submit a declaration or the submission of incomplete or inaccurate declarations;

Whereas it should be specified that delivery contracts and declarations must contain in particular the information required to identify the wines to which they relate;

Whereas certain time limits for the operation should be laid down for both producers and distillers to ensure that the measure is as effective as possible;

Whereas, for wine obtained from grapes produced in Spain, a price must be fixed taking account of the level of guide prices in that Member State;

Whereas the price of wine for distillation normally does not permit the sale of the products of distillation at market prices; whereas an aid, fixed on the basis of the criteria set out in Article 8 of Regulation (EEC) No 2179/83 while taking into account also the current uncertainty of prices on the market for distillation products, is therefore needed; whereas in Spain the level of purchase prices for wine differs from that fixed in the Community as constituted on 31 December 1985; whereas the amounts of the aid applicable in Spain should consequently be fixed at a level taking account of the difference between the prices;

Whereas Article 11 of Regulation (EEC) No 337/79 provides for the opening of distillation for all table wines and wines suitable for yielding table wine; whereas, however, the minimum purchase prices of wines delivered for distillation are fixed as a percentage of the guide prices for the various types of table wine; whereas the types of table wines which are in a close economic relationship with each type table wine should therefore be defined;

Whereas, in the absence of a Community definition of rosé wine and Spanish red-white coupage wine and in the interests of clarity, it should be made clear that rosé table wines are to be treated in the same way as red table wines and that Spanish coupage wines are to be treated in the same way as white table wines of type AI on account of the close economic relationship existing between them;

Whereas it is necessary to avoid the risk of products of the distillation of certain wines disturbing the market in wine spirits with a designation of origin; whereas, to that end, pursuant to Article 3 (2) of Regulation (EEC) No 2179/83, provision should be made that products obtained from the direct distillation of such wine should not have an alcoholic strength of less than 92 % vol;

Whereas provision should be made for the minimum price guaranteed to producers to be paid to them, as a general rule, within a time limit enabling them to obtain a profit comparable to that which they would have obtained from a commercial sale; whereas, in those circumstances, it is essential to pay the aid due to them for the distillation in question at the earliest opportunity, while ensuring that operations are correctly carried out by means of an appropriate system of securities;

Whereas, to qualify for the aid, parties concerned must submit an application together with certain supporting documents; whereas, to ensure uniform operation of the system in the Member States, provision should be made for time limits for the submission of the application and for the payment of the aid due to the distiller and for the presentation of evidence of payment of the purchase price;

Whereas some wine delivered for preventive distillation can be fortified; whereas the provisions applicable to distillation operations should be adapted accordingly, in accordance with the rules laid down in Articles 25 and 26 of Regulation (EEC) No 2179/83;

Whereas, in order to draw up an accurate forward estimate, it is essential to know the quantities of wine likely to be the subject of preventive distillation; whereas provision should therefore be made for the Commission to be supplied with information about such quantities in good time;

Whereas the intervention agencies and the Commission should be informed of the progress of distillation operations and should in particular be aware of the quantities of wine distilled and the quantities of products obtained;

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

1. This Regulation lays down detailed implementing rules for the 1986/87 wine year concerning the arrangements referred to in Article 11 of Regulation (EEC) No 337/79 for the preventive distillation of table wine and wines suitable for yielding table wine.

2. In accordance with Article 6 (1) of Regulation (EEC) No 337/79, producers who, during the 1985/86 wine year, were subject to the obligations laid down in Articles 39, 40 or 41 of that Regulation shall be entitled to benefit from the distillation measures provided for in this Regulation on condition that they submit evidence that they have fulfilled their obligations during the reference periods fixed in Article 16 of Commission Regulation (EEC) No 2260/85⁽¹⁾, Article 13 of Commission Regulation (EEC) No 2261/85⁽²⁾ and Article 22 of Commission Regulation (EEC) No 854/86⁽³⁾.

Article 2

1. Where the Decision referred to in Article 11 (1) of Regulation (EEC) No 337/79 is taken :

- (a) producers who have obtained table wine during the 1986/87 wine year by processing in full the grapes intended for the production of table wine which they harvested on their own holdings may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine not exceeding the quantities to be determined per hectare of vineyard cultivated for the production of table wine in the French part of wine-growing zone B and in wine-growing zones CI, CII and CIII or per hectare of vineyard cultivated in wine-growing zone A and the German part of wine-growing zone B ;
- (b) producers who have obtained table wine during the 1986/87 wine year by processing purchased products or by processing part of the grapes intended for the production of table wine which they harvested on the own holdings, and cooperative wineries and groups, may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine not exceeding percentages to be determined of the quantity of table wine which they produced during the wine year in the Greek part of wine-growing zones CIII, in the Spanish part of the wine-growing zones or in the other wine-growing zones ;
- (c) however, for the quantity of table wine or wine suitable for yielding table wine produced in 1986/87 on areas in respect of which their members were, at the time of entry into force of this Regulation, required to deliver their entire harvest, cooperative wineries or groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding

table wine not exceeding, in respect of those areas, quantities to be determined per hectare of the area of vineyard cultivated for the production of table wine in the French part of wine-growing zone B and in wine-growing zones CI, CII and CIII or per hectare of vineyard cultivated in wine-growing zone A and in the German part of wine-growing zone B ;

- (d) for the quantity of table wine or wine suitable for yielding table wine obtained during the 1986/87 wine year from areas in respect of which their members were not, at the time of entry into force of this Regulation, required to deliver their entire harvest, cooperative wineries or groups may conclude one or more contracts or submit one or more declarations covering a quantity of table wine or wine suitable for yielding table wine not exceeding percentages to be laid down of the portion of the quantity of table wine produced by them during the wine year in the Greek part of wine-growing zone CIII, in the Spanish part of the wine-growing zones or in the other wine-growing zones ;
- (e) the quantity of wine delivered for distillation may not be less than five hectolitres.

2. The quantity of table wine produced to which the percentages referred to in paragraph 1 (b) and (d) apply shall, for each producer, be the sum of the quantities entered as wine in the table wine column of the production declaration which he has submitted in accordance with Regulation (EEC) No 2102/84 where he is so required and the quantities obtained by him after the date of submission of the said declaration and set down in the records provided for in Article 14 of Regulation (EEC) No 1153/75. However, Member States may approve the delivery contracts or declarations of a producer before the latter has submitted the evidence referred to in Article 1 (2) and the production declaration provided for in Regulation (EEC) No 2102/84 on condition that the producer in question lodges a security equal, to 80 % of the minimum purchase price for the type of wine to be distilled as referred to in Article 5. The security shall be released immediately after the accuracy of the production declaration has been checked for compliance with the maximum quantities of wine eligible for distillation as referred to in paragraph 1 and the evidence referred to in Article 1 (2). Where this is not the case, the security shall be forfeited in full or in part. The check must take place no later than 60 days after submission of the harvest declaration of the producer in question.

Article 3

1. The contracts and declarations referred to in Articles 4 (1) and 5 (1) respectively of Regulation (EEC) No 2179/83 shall be submitted for approval to the competent intervention agency by 15 January 1987 at the latest.

⁽¹⁾ OJ No L 211, 8. 8. 1985, p. 12.

⁽²⁾ OJ No L 211, 8. 8. 1985, p. 18.

⁽³⁾ OJ No L 80, 23. 5. 1986, p. 14.

2. The contracts and declarations referred to in paragraph 1 shall specify at least:

- (a) the quantity, colour and actual alcoholic strength by volume of the wine to be distilled, stating whether it is table wine or wine suitable for yielding table wine;
- (b) the name and address of the producer;
- (c) the place where the wine is stored;
- (d) the name of the distiller or of the distillery;
- (e) the address of the distillery;
- (f) the type of table wine in the case of types A II, A III and R III.

3. Approval shall be conditional on observance of the conditions set out in Article 10a of Regulation (EEC) No 2102/84.

4. The intervention agency shall notify the producer of the outcome of the approval procedure by 15 February 1987 at the latest.

Article 4

1. Distillation operations may not be carried out after 31 August 1987.

2. Only a product with an alcoholic strength of not less than 92 % vol may be obtained by the direct distillation of wine obtained from grapes of varieties classified for the same administrative unit as both wine grape varieties and varieties for the production of wine spiritis.

Article 5

1. Without prejudice to the application of Article 14b of Regulation (EEC) No 337/79, the minimum purchase price referred to in Article 11 (2) of that Regulation shall be:

- 2,22 ECU per % vol per hectolitre for red table wines of types R I and R II,
- 3,30 ECU per % vol per hectolitre for red table wines of type R III,
- 2,06 ECU per % vol per hectolitre for white table wines of type A I and for wines suitable for yielding table wine,
- 4,62 ECU per % vol per hectolitre for white table wines of type A II,
- 5,27 ECU per % vol per hectolitre for white table wines of type A III.

Those prices shall be 1,37, 2,03, 1,27, 2,84 and 3,25 ECU respectively per % vol per hectolitre for wines obtained from grapes produced in Spain.

2. The minimum purchase price referred to in paragraph 1 shall be paid by the distiller to the producer within three months of the date of reception at the distillery of each lot of wine delivered.

Article 6

1. The amount of the aid referred to in Article 11 (3) of Regulation (EEC) No 337/79 shall be as follows:

(a) where the product of the distillation corresponds to the definition of neutral spirits given in the Annex to Regulation (EEC) No 2179/83:

- 1,72 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
- 2,82 ECU per % vol per hectolitre for products derived from red table wines of type R III,
- 1,56 ECU per % vol per hectolitre for products derived from white table wines of type A I and from wines suitable for yielding table wine,
- 4,16 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,82 ECU per % vol per hectolitre for products derived from white table wines of type A III.

For neutral spirits obtained from wines as referred to in the second subparagraph of Article 5 (1), the amount of the aid shall be 0,86, 1,53, 0,76, 2,25 and 2,77 ECU respectively per % vol per hectolitre;

(b) where the product of the distillation is a wine spirit having the quality characteristics provided for in the relevant national provisions:

- 1,61 ECU per % vol per hectolitre for products derived from red table wines of types R I and R II,
- 2,71 per % vol per hectolitre for products derived from red table wines of type R III,
- 1,45 ECU per % vol per hectolitre for products derived from white table wines of type A I and from wines suitable for yielding table wine,
- 4,05 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,71 ECU per % vol per hectolitre for products derived from white table wines of type A III.

For potable spirits obtained from wines as referred to in the second subparagraph of Article 5 (1), the amounts of the aid shall be 0,75, 1,42, 0,65, 2,24 and 2,66 ECU respectively per % vol per hectolitre;

(c) where the product of the distillation is a distillate or raw alcohol, having an alcoholic strength of 52 % vol or more :

- 1,61 ECU per % vol per hectolitre for products derived from red table wines of types R I and II,
- 2,71 ECU per % vol per hectolitre for products derived from red table wines of type R III,
- 1,45 ECU per % vol per hectolitre for products derived from white table wines of types A I and from wines suitable for yielding table wine,
- 4,05 ECU per % vol per hectolitre for products derived from white table wines of type A II,
- 4,71 ECU per % vol per hectolitre for products derived from white table wines of type A III.

For distillates or raw alcohol with an alcoholic strength of 52 % vol or more obtained from wines as referred to in the second subparagraph of Article 5 (1), the amounts of the aid shall be 0,75, 1,42, 0,65, 2,24 and 2,66 ECU respectively per % vol per hectolitre.

2. The aid shall be calculated on the basis of the amount corresponding to the wine actually delivered, allowance being made for the tolerances referred to in Article 6 (2) of Regulation (EEC) No 2179/83.

Article 7

1. The provisions of this Regulation relating to red wines shall also apply to rosé wines.
2. The provisions of this Regulation relating to a given type of table wine shall also apply to table wines which are in a close economic relationship with that type of table wine.

For the purposes of this Regulation, the following shall be considered to be in a close economic relationship with the type of table wine indicated :

- A I : white table wines which are not of types A I, A II or A III,
- R I : red table wines with an actual alcoholic strength of not more than 12,5 % vol which are not of types R I or R III,
- R II : red table wines with an actual alcoholic strength exceeding 12,5 % which are not of type R III.

3. The product of coupage of a wine suitable for yielding white table wine or of a white wine with a wine suitable for yielding a red table wine or with a red table wine, in accordance with Article 125 (1) of the Act of Accession, may be delivered for distillation in Spain. To that end it shall be treated in the same way as a white table wine of type A I.

Article 8

The distiller shall be required to provide the intervention agency at the time of application for the aid, to be made

within four months of the date of reception at the distillery of the wine, with evidence that he has paid the minimum purchase price referred to in Article 5 (1) within the period referred to in Article 5 (2).

If such evidence is submitted in the two months following the period laid down and that delay is not due to serious negligence on the part of the distiller, the intervention agency shall either pay the amount of the aid minus 20 % or recover 20 % of the aid already paid. Once the second period has expired, the intervention agency shall either pay no further aid or recover the aid already paid in full.

If it is ascertained that the distiller has not paid the minimum purchase price to the producer, the intervention agency shall pay the producer, before 1 May 1988, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Article 9

1. The amount of the advance payment referred to in Article 9 (1) of Regulation (EEC) No 2179/83 shall be paid within three months of submission of evidence that the security has been lodged.

2. No later than two months after submission of evidence of payment as referred to in Article 5 (2), the agency shall release the security referred to in paragraph 1. If such evidence is not provided within the period set but is provided in the following two months and if that delay is not due to serious negligence on the part of the distiller, the intervention agency shall release 80 % of the security.

Article 10

1. In the case referred to in Article 26 of Regulation (EEC) No 2179/83, the contract or declaration relating to delivery for fortification shall be submitted for approval to the competent intervention agency by 15 January 1987 at the latest.

The intervention agency shall inform the producer of the outcome of the approval procedure by 15 February 1987 at the latest.

2. The wine may be fortified for distillation only after approval of the contract or declaration and not later than 31 July 1987.

3. Fortified wine may not be distilled after 31 August 1987.

4. The fortifier shall send to the intervention agency not later than the 10th of each month a statement of the quantities of wine which were delivered to him during the previous month.

5. For wine fortified for distillation, the fortifier shall receive an aid, calculated per hectolitre and per % vol actual alcoholic strength before fortification, of:

- 1,58 ECU for red table wines of type R I and R II,
- 2,66 ECU for red table wines of type R III,
- 1,42 ECU for white table wines of type A I and for wines suitable for yielding table wine,
- 3,98 ECU for white table wines of type A II,
- 4,63 ECU for white table wines of type A III.

For wine fortified for distillation obtained from wines as referred to in the second subparagraph of Article 5 (1), the amounts of the aid shall be 0,73, 1,39, 0,63, 2,20 and 2,61 ECU respectively per % vol per hectolitre.

To receive the aid, the fortifier must submit an application to the competent intervention agency by 28 June 1987 at the latest, attaching copies of the accompanying documents relating to the carriage of the wine for the aid is applied for or a summary of those documents.

Member States may require that the said copies or summary be endorsed by a supervisory authority.

The aid shall be paid not later than three months after the date of submission of evidence that the security referred to in Article 26 (4) of Regulation (EEC) No 2179/83 has been lodged and, in any event, after the date on which the contract or declaration is approved.

6. Subject to Article 23 of Regulation (EEC) No 2179/83, the security shall be released only if, before 30 November 1987, evidence is furnished:

- that the total quantity of wine covered by the contract or declaration has been fortified and distilled,
- that the purchase price of the wine has been paid to the producer within the period referred to in Article 5 (2).

If such evidence is not provided by 31 December 1988 at the latest, the intervention agency shall recover the aid from the fortifier.

If, however, such evidence is submitted after the time limit laid down has expired but by 21 February 1988 at the latest, the intervention agency shall recover an amount equal to 20 % of the aid paid.

If it is found that the fortifier has not paid the purchase price to the producer, the intervention agency shall pay the producer, before 1 May 1988, an amount equal to the aid, where appropriate through the intervention agency of the producer's Member State.

Article 11

1. Member States shall notify the Commission:
 - by 20 January 1987 at the latest, of the quantities of wine and fortified wine covered by delivery contracts submitted for approval,
 - by 25 February 1987 at the latest, of the quantities of wine and fortified wine covered by approved delivery contracts.
2. Distillers shall send the intervention agency, not later than the 10th of each month, a statement of the quantities of wine distilled during the previous month, itemized according to the categories referred to in the first subparagraph of Article 3 (1) of Regulation (EEC) No 2179/83.
3. Member States shall inform the Commission by telex, not later than the 20th of each month for the previous month, of the quantities, broken down by colour, of wine and fortified wine distilled and the quantities, expressed in pure alcohol, of products obtained, distinguishing between the latter in accordance with paragraph 2.
4. Member States shall to the Commission, not later than 30 September 1987, any cases in which the distiller or fortifier has failed to meet his obligations and the measures taken in consequence.

Article 12

The amounts referred to in this Regulation shall be converted into national currency at the representative rates applying in the wine sector on 1 September 1986.

Article 13

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, 1 October 1986.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 3025/86

of 1 October 1986

amending Regulation (EEC) No 3540/85 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1485/85 ⁽²⁾, and in particular Article 3 (7) thereof,Whereas Article 6 (6) of Regulation (EEC) No 3540/85 ⁽³⁾, as last amended by Regulation (EEC) No 2462/86 ⁽⁴⁾ provides that for the 1985/86 marketing year certificates of purchase may be issued at the minimum price for lupins of varieties other than those listed in Annex V to the said Regulation; whereas, in the absence of varieties listed in the Annex V in question, this measure should be extended for the 1986/87 marketing year;

Whereas Article 21 of Regulation (EEC) No 3540/85 defines the processing of peas, field beans and sweet lupins by an approved body; whereas, to clarify this definition, the premises on which the processing operations are to be carried out should be specified; whereas, to take account of these various premises, adjustments must be made to the control arrangements laid down in Articles 22 and 23 of the said Regulation;

Whereas, as from 1 August 1986, Regulation (EEC) No 2462/86 introduced a new Annex I to Regulation (EEC) No 3540/85 enabling the weight of the products to be calculated on the basis of the standard quality; whereas, for the sake of fairness, it should be possible to apply the same method of calculating the weight at the level of the first purchaser and the level of the user for products having been the subject of a contract between producer and first purchaser before 1 August 1986;

Whereas the second paragraph of Article 32 of Regulation (EEC) No 3540/85 extends the provisions in force before 1 January 1986 in the matter of identification for products entering into the undertaking and used during the first quarter of 1986; whereas, to avoid discrimination between certain users having fixed the aid in advance, this extension should also be applied to products which entered the undertaking during the first quarter of 1986 and were used at a later date;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3540/85 is hereby amended as follows:

1. In the second subparagraph of Article 6 (6), the words 'for the 1985/86 marketing year' are replaced by the words 'for the 1985/86 and 1986/87 marketing years'.
2. Article 21 is replaced by the following:

'Article 21

For the purposes of Article 7 of Regulation (EEC) No 2036/82, processing by an approved body shall mean any operation taking place within the precincts of that body which modifies the nature of the product to be used for feeding livestock:

- by milling or any other similar process, or
- by treatment for marking purposes, using one the methods set out in Annex III.

However, the agency responsible for controls may, at the request of the approved body, authorize processing operations within the precincts of an undertaking which has been specified beforehand and which offers sufficient guarantees for the purposes of checks on the products undergoing such operations.

Furthermore, the agency responsible for controls may authorize processing operations on the premises of the producer where such processing operations take place immediately after weighing and sampling, using mobile equipment which has been inspected and approved beforehand.

3. The first two indents of Article 22 (2) are replaced by the following:
 - the quantities of unprocessed products entering the approved body for processing, together with their moisture and impurity contents, distinguishing, where appropriate, quantities processed on the producers' premises,
 - any movements of products within the precincts of the approved body and, where appropriate, between the approved body and the undertaking where they are processed within the meaning of Article 21.

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.⁽²⁾ OJ No L 151, 10. 6. 1985, p. 7.⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.⁽⁴⁾ OJ No L 211, 1. 8. 1986, p. 4.

4. The following subparagraph is added to Article 23 (1) :

‘For the purposes of verification, the approved body shall inform the relevant agency at least two days in advance of the dates and places of deliveries and processing of products.’

5. Article 23 (4) is replaced by the following :

‘4. Except in cases of *force majeure* and except in the cases referred to in the second and third subparagraphs of Article 21, products may not leave the approved body unless they have been processed.’

6. The following indent is inserted after the third indent of the second paragraph of Article 32 :

— the provisions of of Annex I to that Regulation shall remain applicable to peas, field beans and sweet lupins for which it can be shown to the satisfaction of the Member State that they have been the subject of a contract between producer and first purchaser concluded before 1 August

1986 as well as to those for which a certificate of purchase at the minimum price was issued before 1 August 1986’.

7. The following is added to the third paragraph of Article 32 :

‘as well as in the case of quantities that entered the undertaking within the said period and correspond to those which are available on certificates of advance fixing of aid the validity of which expires during the first quarter of 1986’.

Article 2

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

The first, sixth and seventh points of Article 1 shall apply with effect from 1 July 1986, 1 August 1986 and 1 January 1986 respectively.

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

Done at Brussels, 1 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3026/86
of 1 October 1986
fixing production refunds in the cereals and rice sectors

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⁾,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁴⁾ provides that the production refund shall be fixed on a quarterly basis using the difference between the intervention price for maize applicable in the first month of the period in question and the cif price used for calculation of the maize import levy, multiplied by a coefficient of 1,6; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

Whereas it is necessary, during the transitional period established by Title II of Regulation (EEC) No 1009/86, to fix separate production refunds for maize and potato starch, wheat starch and rice starch; whereas Article 10 of Regulation (EEC) No 2169/86 provides that the refund payable in the absence of proof of origin of the starch

shall be that fixed for wheat starch, where applicable adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable in the cereals and rice sectors in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 shall be as follows:

	<i>ECU/tonne</i>
(i) for maize starch and products derived from maize starch:	74,70
(ii) for rice starch and products derived from rice starch:	72,30
(iii) for wheat starch and products derived from wheat starch:	70,70
(iv) for potato starch and products derived from potato starch:	74,70

Article 2

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

It shall apply with effect from 1 October 1986.

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

Done at Brussels, 1 October 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 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 189, 11. 7. 1986, p. 12.

COMMISSION REGULATION (EEC) No 3027/86

of 1 October 1986

introducing a countervailing charge on apples originating in Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 2034/86 of 30 June 1986 fixing for the 1986/87 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of September 1986 at 43,37 ECU per 100 kilograms net;

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

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

(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

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

Whereas, pursuant to Article 272 (1) of the Act of Accession of Spain and Portugal⁽⁷⁾, during the first stage of the transition period, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 316 provides for a 2 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the first year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 6,18 ECU per 100 kilograms net is applied to apples (subheading 08.06 A II of the Common Customs Tariff) originating in Portugal.

Article 2

This Regulation shall enter into force on 3 October 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 173, 1. 7. 1986, p. 52.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 1 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3028/86

of 1 October 1986

fixing the maximum export refund for white sugar for the 18th 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 18th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 18th partial invitation to tender for white sugar issued under Regulation (EEC) No 1659/86 is hereby fixed at 45,081 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 2 October 1986.

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

Done at Brussels, 1 October 1986.

For the Commission

Frans ANDRIESSEN

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.

COMMISSION REGULATION (EEC) No 3029/86**of 1 October 1986****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 last on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 934/86 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2935/86 ⁽³⁾, as amended by Regulation (EEC) No 3014/86 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2935/86 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2935/86 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 October 1986.

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

Done at Brussels, 1 October 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 274, 25. 9. 1986, p. 11.

⁽⁴⁾ OJ No L 280, 1. 10. 1986, p. 59.

ANNEX

to the Commission Regulation of 1 October 1986 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	44,36	
	(b) Other	42,95	
	(II) Flavoured or coloured sugar		0,4436
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	40,81 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4436
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	39,51 ⁽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).

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1184/86 of 21 April 1986 laying down detailed rules for the mechanisms for controlling the quantities of certain products in the oils and fats sector released for consumption in Portugal

(Official Journal of the European Communities No L 107 of 24 April 1986)

Page 24, Article 3 (3), second line :

for: 'heading No 12.01',

read: 'heading No 12.02'.

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THE AGRICULTURAL SITUATION IN THE COMMUNITY

1985 REPORT

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