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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 773/87  
of 16 March 1987**

**amending Regulation (EEC) No 804/68 on the common organization of the  
market in milk and milk products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission <sup>(1)</sup>,

Having regard to the opinion of the European Parliament <sup>(2)</sup>,

Whereas experience has clearly shown that the application of the additional levy scheme under formula B as specified in Article 5c of Council Regulation (EEC) No 804/68 <sup>(3)</sup>, as last amended by Regulation (EEC) No 231/87 <sup>(4)</sup>, has not proved a sufficient deterrent to producers responsible for large excess quantities; whereas an allocation of the quantities not used by the purchaser in proportion to the individual reference quantities of those producers responsible for the purchaser's reference quantity's being exceeded will make the additional levy scheme more rigorous; whereas the rules on the operation of formula B should be adjusted accordingly, provision being made, however, for the possibility of derogations for priority producers;

Whereas, in certain regions of the Community in which formula B applies and a choice is possible among a large number of different purchasers, provision should be made, with the aim of attaining, as far as possible, equal treatment for producers, for the possibility of collecting the additional levy from producers who exceed their individual reference quantities by a considerable amount, irrespective of whether or not their purchasers' reference quantity has been exceeded; whereas, in order best to ensure the deterrent effect of the additional levy in this case, it is necessary, in the case of relatively large excess amounts, that this possibility should apply for the first

time when the final accounts for the current marketing year are drawn up;

Whereas Articles 6 and 7 of Regulation (EEC) No 804/68 provide for the introduction of permanent intervention arrangements for butter and for skimmed-milk powder;

Whereas these arrangements no longer function as a mechanism for short-term stabilization of the market during the period of heavy production but have come to provide a more attractive outlet for production than the normal market outlets;

Whereas, during the period when skimmed-milk production is low, adequate measures will be taken, if necessary, to ensure the stability of the market; whereas consequently the purchase of skimmed-milk powder by the intervention agencies should be restricted to the period 1 March to 31 August;

Whereas, during the period of imposition of the additional levy provided for in Article 5c of Regulation (EEC) No 804/68, the Commission should be given the power to adjust the intervention purchasing arrangements for butter and for skimmed-milk powder, in particular by suspending intervention buying while providing for the granting of aid to private storage for skimmed-milk powder and by increasing the possibility of disposing of milk products;

Whereas the Commission should be authorized to adopt appropriate provisions should it happen that the measures adopted in this Regulation lead to under-supply of dairies which are important suppliers of the market and to over-supply of dairies which have excessive recourse to intervention,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 804/68 is hereby amended as follows:

1. In Article 5c (1), the second indent under the heading Formula B is replaced by the following three indents:

<sup>(1)</sup> OJ No C 33, 11. 2. 1987, p. 7.

<sup>(2)</sup> OJ No C 97, 24. 11. 1986, p. 112.

<sup>(3)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(4)</sup> OJ No L 25, 28. 1. 1987, p. 3.

- Should the quantities delivered exceed the purchaser's reference quantity, he shall pass on the burden of the levy in the price paid to those producers who contributed towards exceeding the quantity, after he has allocated to them, in proportion to their individual reference quantities, the quantities available for redistribution. However, Member States may provide that the quantities available for redistribution shall be reallocated as a matter of priority to certain producers supplying that purchaser or another purchaser who meet objective criteria.
- Should the quantities delivered be equal to, or lower than, the purchaser's reference quantity, the Member State may nonetheless provide that the levy is due in its entirety from all producers who have exceeded their reference quantities by at least 10 % or at least 20 000 kilograms.
- The provisions referred to in the second and third indents may be applied for the first time when the final accounts for the 1986/1987 marketing year are drawn up.

2. Article 7 (1) is replaced by the following :

'1. Under conditions determined in accordance with paragraph 4, the intervention agency designated by each Member State shall purchase at the intervention price first quality skimmed-milk powder produced in the Community that is offered to it during the period 1 March to 31 August, if it meets certain conditions.'

3. The following Article is added :

*Article 7a*

1. On the basis of criteria to be adopted by the Council acting by a qualified majority on a proposal from the Commission, and until the end of the fifth 12-month period of application of the additional levy arrangements mentioned in Article 5c, the intervention arrangements specified in Articles 6 (1) and 7 (1) may be modified by the Commission, in accordance

with the procedure provided for in Article 30, by the adoption of other measures designed to reduce the volume of intervention purchasing without affecting the stability of the market.

Should implementation of the measures to reform the market in milk and milk products disturb the balance of supplies to dairies, the Commission shall adopt, in accordance with the procedure mentioned in Article 30, provisions designed to discourage dairies from having excessive recourse to intervention.

2. Where the Commission exercises the option provided for in the first subparagraph of paragraph 1 :

- (a) if it is decided to suspend purchases of skimmed-milk powder by the intervention agencies, aid for the private storage of skimmed-milk powder shall be granted under the conditions defined in accordance with paragraph 3 ;
- (b) special measures may be taken by the Commission, under the procedure laid down in Article 30, with a view to increasing the possibility of disposing of butter and skimmed-milk powder which has not been the subject of purchase by intervention agencies nor of aid to private storage, and the possibility of disposing of other milk products, such as cream.

3. The detailed rules for applying this Article shall be adopted under the procedure referred to in Article 30, and in particular the detailed rules for establishing the market prices for butter.'

*Article 2*

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

Part 1 of Article 1 shall apply with effect from 1 April 1987.

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

Done at Brussels, 16 March 1987

*For the Council*

*The President*

L. TINDEMANS

**COUNCIL REGULATION (EEC) No 774/87**  
**of 16 March 1987**

**amending Regulation (EEC) No 857/84 adopting general rules for the application  
of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk  
and milk products sector**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 773/87<sup>(2)</sup>, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament<sup>(3)</sup>,

Whereas Article 4a was inserted in Council Regulation (EEC) No 857/84<sup>(4)</sup>, as last amended by Regulation (EEC) No 1305/85<sup>(5)</sup>, in order to allow producers to adjust to the additional levy arrangement gradually; whereas the production reductions decided upon for the fourth and fifth periods of the application of the arrangement and the efforts they will call for mean that the period of application of the said Article 4a must be extended until the end of the fifth period of application of the additional levy;

Whereas Article 1 of Regulation (EEC) No 857/84 differentiates the levy rate according to whether formula A or formula B is used; whereas, since the possibilities for compensation between quantities produced and quantities not used are now comparable for both formulas, this differentiation is no longer justified; whereas these two rates should, therefore, be made identical;

Whereas Article 5c (1) of Regulation (EEC) No 804/68, provides, where formula B is used, for the quantities available for redistribution to be allocated proportionally to the individual reference quantities; whereas, however,

producers who satisfy certain objective criteria may be given priority treatment in such redistribution; whereas these criteria should be determined,

HAS ADOPTED THIS DECISION:

*Article 1*

Regulation (EEC) No 857/84 is hereby amended as follows:

1. In Article 1 (1):

- '75 %' in the first indent is replaced by '100 %',
- the last subparagraph is deleted.

2. In Article 4a:

- in paragraph 1, 'For the first two periods of 12 months' is replaced by 'For the five additional levy application periods specified in Article 5c of Regulation (EEC) No 804/68',
- the following paragraph is added:

'3. (a) The levy shall be charged on all quantities in excess of the individual reference quantities, after any corrections have been made'.

3. In the first subparagraph of Article 9 (4), 'for the first two periods of 12 months' is replaced by 'for the five additional levy application periods specified in Article 5c of Regulation (EEC) No 804/68'.

4. The following subparagraph is added to Article 10:

'The levy shall be charged on all quantities in excess of the individual reference quantities, after any corrections have been made'.

*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 April 1987.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 1 of this Official Journal.

<sup>(3)</sup> OJ No C 97, 24. 11. 1968, p. 112.

<sup>(4)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(5)</sup> OJ No L 137, 27. 5. 1985, p. 12.

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

Done at Brussels, 16 March 1987.

*For the Council*

*The President*

L. TINDEMANS

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**COUNCIL REGULATION (EEC) No 775/87**  
**of 16 March 1987**

**temporarily withdrawing a proportion of the reference quantities mentioned in  
Article 5c (1) of Regulation (EEC) No 804/68 on the common organization of the  
market in milk and milk products**

THE COUNCIL 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 773/87 <sup>(2)</sup>, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas the market in milk and milk products suffers from excess production and it has proved impossible to attain a reasonable balance between supply and demand despite the measures to curb production taken under Article 5c of Regulation (EEC) No 804/68; whereas a proportion of the reference quantities mentioned in paragraph 1 of that Article should therefore be temporarily withdrawn; whereas it is necessary to make provision for the granting of compensation proportionate to the additional imposition on producers; whereas, during the first year of application of the scheme, Member States should be permitted to increase compensation up to a maximum uniform amount set for the entire Community; whereas, moreover, Member States should be authorized to withdraw, as from the said first year, the quantities provided for the second year of application to the extent that they pay producers compensation of an amount identical to that provided for the quantities for which withdrawal is compulsory as from that first year;

Whereas, owing to the type of production structure which obtains in Italy and in Spain, application of a temporary and partial withdrawal scheme would give rise to special difficulties in these countries; whereas, therefore, in order to attain the objectives of the said scheme, Member States should be granted exemption from it subject to certain conditions;

Whereas from the second year of application of the scheme provided for by this Regulation the proportion of the quantities withdrawn should be reviewed in the light of the market outlook and the stock position;

Whereas the Community compensation is designed to re-establish balance on the market in the products concerned and can therefore be considered as interven-

tion within the meaning of Article 3 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy <sup>(3)</sup>, as last amended by Regulation (EEC) No 870/85 <sup>(4)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. From the fourth 12-month period of application of the additional levy arrangements specified in Article 5c of Regulation (EEC) No 804/68, a uniform proportion of each reference quantity as mentioned in paragraph 1 of that Article shall be withdrawn.

This proportion shall be set to give a total withdrawn quantity of 4 %, for the fourth period, and of 5,5 %, for the fifth period, of the guaranteed total quantity for each Member State laid down in paragraph 3 of Article 5c of Regulation (EEC) No 804/68 for the third 12-month period.

However, Member States shall be authorized to withdraw, as from the fourth period, the quantities provided for the fifth period.

Where formula B is used or the second subparagraph of point (c) of Article 12 of Regulation (EEC) No 857/84 <sup>(5)</sup>, as last amended by Regulation (EEC) No 774/87 <sup>(6)</sup>, applies, the quantity withdrawn from each producer shall be obtained by using the same rate as used for partial withdrawal of the reference quantity from the purchaser, the producer group or the association of producer groups.

2. The additional levy referred to in Article 5c (1) of Regulation (EEC) No 804/68 shall be due on the amount of milk or milk equivalent, delivered or purchased during each of the 12-month periods in question that is in excess of the amount of the reference quantity not withdrawn.

*Article 2*

1. For the fourth and the fifth 12-month periods, producers shall be granted compensation for the quantities withdrawn.

<sup>(1)</sup> OJ No L 94, 28. 4. 1970, p. 13.

<sup>(2)</sup> OJ No L 95, 2. 4. 1985, p. 1.

<sup>(3)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(4)</sup> See page 3 of this Official Journal.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 1 of this Official Journal.

Such compensation shall be fixed at 10 ECU per 100 kilograms. It shall be paid to entitled producers:

- during the first three months of 1988 in respect of the quantities withdrawn for the fourth period of twelve months,
- during the first three months of 1989 in respect of the quantities withdrawn for the fifth 12-months period, within the limit of the quantities referred to in the first indent.

Before 1 April 1988 the Council, acting by a qualified majority on a Commission proposal, shall decide whether the temporary withdrawal of quantities of a further 1,5 % during the fifth 12-month period shall be compensated by the compensation referred to in the second subparagraph or by an appropriate reduction in the co-responsibility levy referred to in Regulation (EEC) No 1079/77 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1302/85 <sup>(2)</sup>.

2. Member States may make a financial contribution to the present measure by increasing the compensation for the quantities withdrawn during the fourth 12-month period up to 12,5 ECU per 100 kilograms.

3. Where the third subparagraph of Article 1 (1) is applied, the Member States concerned shall finance the total compensation for those quantities withdrawn which are in excess of 4 % of the guaranteed total quantity, as referred to in the second subparagraph of Article 1 (1).

#### Article 3

By way of derogating from Articles 1 and 2, the Italian Republic shall implement a programme for the voluntary discontinuation of milk production as provided for in Article 4 (1) (a) of Regulation (EEC) No 857/84 so as to attain the objectives referred to in Article 1 of this Regulation, without, however, jeopardizing the restructuring of milk production mentioned in Article 4 (1) of the aforesaid Regulation.

#### Article 4

By way of derogation from Articles 1 and 2, the Kingdom of Spain shall implement a scheme for partial and voluntary discontinuation or for partial and voluntary withdrawal of the reference quantities mentioned in Article 5c (1) of Regulation (EEC) No 804/68.

This scheme shall be applied with a view to attaining the objectives set out in Article 1 in the fourth and fifth 12-month periods.

The discontinuation scheme shall be financed in accordance with the provisions of Regulation (EEC) No

1336/86 <sup>(3)</sup>. The withdrawal scheme shall be financed in accordance with the provisions of Article 2 of this Regulation.

If appropriate, these provisions shall be adjusted by the Commission in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68.

#### Article 5

1. Member States shall provide the Commission with all the information it requires to assess the effectiveness of the measures provided for in this Regulation.

2. At the end of each of the fourth and fifth 12-month periods of application of the additional levy arrangements, the Commission shall assess the results obtained from the application of Articles 3 and 4 and shall if necessary submit appropriate proposals to the Council.

#### Article 6

The Commission shall, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, adopt implementing measures for this Regulation.

#### Article 7

The financing provided for in Article 2 (1) and in the third subparagraph of Article 4 shall be considered intervention within the meaning of Article 3 of Regulation (EEC) No 729/70.

#### Article 8

Before the end of the fourth 12-month period of the application of the additional levy arrangements the Council, on the basis of the market outlook and stock position, may, acting by a qualified majority on a proposal from the Commission, decide to restrict the rate of withdrawal of each reference quantity from the fifth 12-month period onwards to the rate adopted for the fourth period.

In that event, the third subparagraph of Article 2 (1) shall not be applicable.

#### Article 9

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

<sup>(1)</sup> OJ No L 131, 26. 5. 1977, p. 6.

<sup>(2)</sup> OJ No L 137, 27. 5. 1985, p. 9.

<sup>(3)</sup> OJ No L 119, 8. 5. 1986, p. 21.

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

Done at Brussels, 16 March 1987.

*For the Council*

*The President*

L. TINDEMANS

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## COUNCIL REGULATION (EEC) No 776/87

of 16 March 1987

## amending Regulation (EEC) No 1336/86 fixing compensation for the definitive discontinuation of milk production

THE COUNCIL 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 773/87 <sup>(2)</sup>, and in particular Article 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 1336/86 <sup>(3)</sup> introduced a scheme of compensation for the definitive discontinuation of milk production; whereas Member States should be authorized to grant, as from the first year, compensation for the discontinuation of production corresponding to the quantities provided for the second year, to the extent that such compensation is identical to that granted for the first year;

Whereas it is desirable to prevent the use made of the scheme from leading to a dismantling of production and collection structures; whereas Member States should therefore be authorized to take any necessary action to ensure that the reduction in production resulting from this scheme is, as far as possible, spread equally among the various collection regions and areas;

Whereas the maximum compensation paid from Community funds should be raised from 4 ECU to 6 ECU per 100 kilograms; whereas, however, reimbursement of the extra 2 ECU per 100 kilograms should be charged to the Community budget for the first time in 1988;

Whereas Article 2 (5) of Regulation (EEC) No 1336/86 authorizes Member States, in certain circumstances, where part of the sum scheduled for financing of the Community compensation has not been used, to assign the remaining amounts for the financing of national discontinuation programmes mounted for restructuring purposes; whereas, however, provision should be made for these amounts to be used to compensate producers in those Member States where it is necessary to reduce, on a uniform basis, the reference quantities, in order to comply with the guaranteed total quantities specified in Article 5c (3) of Regulation (EEC) No 804/68 or the quantities speci-

fied in the Annex to Regulation (EEC) No 857/84 <sup>(4)</sup>, as last amended by Regulation (EEC) No 774/87 <sup>(5)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1336/86 is hereby amended as follows:

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

'However, Member States shall be authorized to grant compensation, as from the first year, for the discontinuation of milk production corresponding to the quantities provided for the second year. In this case, milk production must be actually discontinued by 31 March 1987 for all the quantities referred to in Annex I.'

## 2. The second subparagraph of Article 1 (2) is replaced by the following:

'However, Member States:

- may decide not to grant compensation to producers with fewer than six dairy cows or whose reference quantity is less than 25 000 kilograms per year,
- are hereby authorized to take any action necessary to ensure that the reductions in quantities resulting from the scheme introduced by this Regulation are, as far as possible, spread equally among the collection regions and areas of the Member States.'

## 3. Article 2 is amended as follows:

- the following subparagraph is added to paragraph 1:

'However, the sums paid out by the Community in 1987 shall be limited to two-thirds of those shown in Annex II for the first year of application. The balance of the amounts due shall be paid in 1988.'

- in paragraph 2:

- in the first subparagraph, '4 ECU' is replaced by '6 ECU';

- the following subparagraph is added:

'However, where the fourth subparagraph of Article 1 (1) is applied:

- (a) compensation may be paid once only or in two annual instalments;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 1 of this Official Journal.

<sup>(3)</sup> OJ No L 119, 8. 5. 1986, p. 21.

<sup>(4)</sup> OJ No L 90, 1. 4. 1984, p. 13.

<sup>(5)</sup> See page 3 of this Official Journal.

(b) the Member States concerned shall finance, for the first year, the amounts which correspond to the quantities provided for the second year, without prejudice to the application of paragraph 1 of this Article.',

— paragraph 5 is replaced by the following :

'5. Should the amounts listed in Annex II not be totally used up

- either because the quantities specified in Annex I are achieved with compensation of less than 6 ECU,
- or because payment of compensation of at least 6 ECU to all those entitled to it does not permit the said quantities to be achieved,
- or because, and without prejudice to the obligation referred to in the second indent, application by the Member State of the provisions of the second indent of the second subparagraph of Article 1 (2) does not permit the said quantities to be achieved,

the available balance of the amounts specified in Annex II shall be used by the Member States concerned :

- either in connection with the provisions referred to in Articles 3 (2) and 4 (1) of Regulation (EEC) No 857/84,
- or, where appropriate, to pay compensation to producers whose reference quantities have been reduced because of a reduction, according to the circumstances, in either the level of the guaranteed total quantity specified in Article 5c of Regulation (EEC) No 804/68 or in the quantity specified in the Annex to Regulation (EEC) No 857/84, as provided for in Article 2 (3) or in Article 6 (4) of Regulation (EEC) No 857/84 ; where the fourth subparagraph of Article 1 (1) of this Regulation is applied, compensation, during the first year, for the reduction corresponding to the quantities provided for the second year shall be financed by the Member States concerned.'

4. Annex II is replaced by the following :

#### ANNEX II

##### Amounts (millions ECU/year) referred to in Article 2 (1)

|                | First year of application | From second to seventh year of application | Eighth year of application |
|----------------|---------------------------|--------------------------------------------|----------------------------|
| Belgium        | 4,333200                  | 6,499800                                   | 2,166600                   |
| Denmark        | 5,859600                  | 8,789400                                   | 2,929800                   |
| Germany        | 28,263600                 | 42,395400                                  | 14,131800                  |
| Greece         | 0,699600                  | 1,049400                                   | 0,349800                   |
| Spain          | 6,480000                  | 9,720000                                   | 3,240000                   |
| France         | 31,809600                 | 47,714400                                  | 15,904800                  |
| Ireland        | 6,355200                  | 9,532800                                   | 3,177600                   |
| Italy          | 11,896800                 | 17,845200                                  | 5,948400                   |
| Luxembourg     | 0,319200                  | 0,478800                                   | 0,159600                   |
| Netherlands    | 14,488800                 | 21,733200                                  | 7,244400                   |
| United Kingdom | 18,870000                 | 28,305000                                  | 9,435000                   |
| Total          | 129,375600                | 194,063400                                 | 64,687800'                 |

#### Article 2

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

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

Done at Brussels, 16 March 1987.

For the Council

The President

L. TINDEMANS

## COUNCIL REGULATION (EEC) No 777/87

of 16 March 1987

## modifying the intervention arrangements for butter and skimmed-milk powder

THE COUNCIL 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 773/87<sup>(2)</sup>, and in particular the first subparagraph of Article 7a (1) thereof,

Whereas Article 7a of Regulation (EEC) No 804/68 affords the Commission the possibility, until the end of the fifth 12 month period of application of the additional levy arrangements set out in Article 5c of the said Regulation, on the one hand, of suspending intervention buying of butter and skimmed-milk powder on the basis of criteria to be adopted by the Council and, on the other, of adopting special measures for increasing the possibilities of disposing of dairy products not the subject of intervention measures;

Whereas it is appropriate to take into consideration the quantities offered for intervention in order to ascertain the point in time as from which the suspension measure may be decided upon in compliance with the principle of non-discrimination between Community producers; whereas it is appropriate, however, not to take account of quantities offered for intervention before a certain date, in order to set up a transitional period before the suspension measure is activated;

Whereas the possibility should be provided for, should this suspension be implemented, of conducting, nevertheless, intervention buying by means of a tendering procedure; whereas it is also appropriate to provide for other measures which maintain market stability;

Whereas, in view of the unique dependence of Ireland on the dairy sector, full account shall be taken of the importance of intervention purchasing of butter to market stability and producer returns there when decisions are being taken about the suspension of intervention of butter;

Whereas the situation arising from the existence in Spain of a level of prices different from the level of common prices should be taken into account;

Whereas, in order to guarantee some measure of market stability and fair remuneration for milk producers, provision should be made for the resumption of the intervention buying arrangements provided for in Article 6 (1) of Regulation (EEC) No 804/68 when the market prices for butter are lower, by a given percentage, than the intervention price,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The buying in of butter provided for in Article 6 (1) of Regulation (EEC) No 804/68 may be suspended throughout the Community or, if the market situation so warrants, in part of the Community as soon as the quantities offered for intervention from 1 March 1987 exceed 180 000 tonnes.
2. The buying in of skimmed-milk powder provided for in Article 7 (1) of Regulation (EEC) No 804/68 may be suspended as soon as the quantities offered for intervention from 1 March 1987, for the period from 1 March to 31 August 1987, and from 1 March 1988, for the period from 1 March to 31 August 1988, exceed 100 000 tonnes.
3. If paragraphs 1 or 2 are applied:
  - (a) buying in by the intervention agencies may be carried out under a standing invitation to tender on the basis of specifications to be determined;
  - (b) other measures shall be applied to maintain market stability, in particular to avoid erratic changes in prices;
  - (c) account shall be taken of the special importance of the buying in of butter by the intervention agency for market stability and the returns of milk producers in Ireland;
  - (d) account shall be taken of the situation arising from the existence in Spain of a level of prices different from the level of common prices.

4. Should paragraph 1, when applied, bring about a fall in the market prices of butter such that these prices are, in one or more Member States, at a level equal to, or less than, 92 % of the intervention price for a representative period, the buying in provided for in Article 6 (1) of Regulation (EEC) No 804/68 shall be resumed in the Member States concerned.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 1 of this Official Journal.

However, should the actual stocks of butter held by intervention agencies, regardless of quantities offered before 1 March 1987, exceed in total 250 000 tonnes, such buying in shall be resumed only if the market prices of butter are, in the Member States concerned, at a level equal to, or less than, 90 % of the intervention price.

*Article 2*

The measures referred to in Article 1 shall apply until the end of the fifth 12-month period of application of the

additional levy arrangements set out in Article 5c of Regulation (EEC) No 804/68.

*Article 3*

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, 16 March 1987.

*For the Council*

*The President*

L. TINDEMANS

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## COUNCIL REGULATION (EEC) No 778/87

of 16 March 1987

amending Regulation (EEC) No 2990/82 on the sale of butter at reduced prices to persons receiving social assistance

THE COUNCIL 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 773/87 <sup>(2)</sup>, and in particular Article 12 (2) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2990/82 <sup>(3)</sup> introduced a scheme for selling butter at reduced price to persons receiving social assistance; whereas, in the light, on the one hand, of the experience that has been gained and, on the other hand, of the need to make the measures more effective, it seems desirable to increase the amount of the aid;

Whereas it seems appropriate, in order to monitor the application of the scheme established by Regulation (EEC) No 2990/82, to provide on the one hand, that the Member States interested in the implementation of the measure should forward to the Commission their application programme and, on the other hand, that, after a certain period, the Council may examine the results of the measure on the basis of the Commission's report and, possibly, extend the abovementioned scheme,

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 2990/82 is hereby amended as follows:

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

Done at Brussels, 16 March 1987.

1. Article 1 is amended to read as follows:

'Until 31 December 1988 Member States are hereby authorized to grant aid for the purchase of butter at reduced prices by persons receiving social assistance.';

2. In Article 3, '80 ECU per 100 kilograms' is replaced by '178 ECU per 100 kilograms';

3. The following Article is inserted:

*Article 3a*

1. The Member States concerned shall inform the Commission of the arrangements envisaged for the sale of butter to the persons referred to in Article 1, stating the number of persons envisaged, the period for which these arrangements will apply and the quantities of butter to be used.

2. The Commission shall, in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68, approve the arrangements notified to it or request their amendment, within a period of three months following the date of receipt of particulars of the arrangements.

3. Before 31 December 1988 the Council shall, on the basis of a report from the Commission, examine the possibility of continuing the scheme provided for in this Regulation for a further period.'

*Article 2*

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

*For the Council**The President*

L. TINDEMANS

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 1 of this Official Journal.

<sup>(3)</sup> OJ No L 314, 10. 11. 1982, p. 26.

## COMMISSION REGULATION (EEC) No 779/87

of 19 March 1987

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1579/86<sup>(2)</sup>, 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<sup>(3)</sup>, 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 135/87<sup>(4)</sup> 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 18 March 1987 ;

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 135/87 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 20 March 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 17, 20. 1. 1987, p. 1.

## ANNEX

to the Commission Regulation of 19 March 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

| CCT heading No | Description                                         | Levies         |                                                     |
|----------------|-----------------------------------------------------|----------------|-----------------------------------------------------|
|                |                                                     | Portugal       | Third country                                       |
| 10.01 B I      | Common wheat, and meslin                            | 11,71          | 199,80                                              |
| 10.01 B II     | Durum wheat                                         | 46,77          | 259,59 <sup>(1)</sup> <sup>(2)</sup>                |
| 10.02          | Rye                                                 | 40,78          | 180,08 <sup>(2)</sup>                               |
| 10.03          | Barley                                              | 39,05          | 190,00                                              |
| 10.04          | Oats                                                | 97,34          | 160,94                                              |
| 10.05 B        | Maize, other than hybrid maize for sowing           | —              | 180,26 <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup> |
| 10.07 A        | Buckwheat                                           | 39,05          | 130,95                                              |
| 10.07 B        | Millet                                              | 39,05          | 156,83 <sup>(4)</sup>                               |
| 10.07 C II     | Grain sorghum, other than hybrid sorghum for sowing | 24,96          | 185,34 <sup>(4)</sup> <sup>(5)</sup>                |
| 10.07 D I      | Triticale                                           | <sup>(7)</sup> | <sup>(7)</sup>                                      |
| 10.07 D II     | Canary seed; other cereals                          | 39,05          | 58,24 <sup>(5)</sup>                                |
| 11.01 A        | Wheat or meslin flour                               | 31,55          | 294,88                                              |
| 11.01 B        | Rye flour                                           | 72,25          | 267,51                                              |
| 11.02 A I a)   | Durum wheat groats and meal                         | 86,16          | 416,03                                              |
| 11.02 A I b)   | Common wheat groats and meal                        | 31,71          | 316,10                                              |

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

<sup>(2)</sup> 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'.

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

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

<sup>(5)</sup> 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.

<sup>(6)</sup> 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.

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

<sup>(8)</sup> The levy referred to in Article 1 of Council Regulation (EEC) No 2913/86 shall be fixed on the basis of an invitation to tender in accordance with Commission Regulation (EEC) No 3140/86.

**COMMISSION REGULATION (EEC) No 780/87**  
**of 19 March 1987**

**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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1579/86 <sup>(2)</sup>, 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 <sup>(3)</sup>, 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 <sup>(4)</sup> 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 18 March 1987;

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 20 March 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 173, 1. 7. 1986, p. 4.

## ANNEX

to the Commission Regulation of 19 March 1987 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<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 |
| 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               | 0,93            |
| 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            | 0,55            | 0,55            | 0,55            |
| 10.07 D        | Other cereals                                       | 0            | 2,00            | 2,00            | 7,89            |
| 11.01 A        | Wheat or meslin flour                               | 0            | 0               | 0               | 0               |

## B. Malt

| CCT heading No | Description                                                                          | (ECU/tonne)  |                 |                 |                 |                 |
|----------------|--------------------------------------------------------------------------------------|--------------|-----------------|-----------------|-----------------|-----------------|
|                |                                                                                      | Current<br>3 | 1st period<br>4 | 2nd period<br>5 | 3rd period<br>6 | 4th period<br>7 |
| 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 781/87

of 19 March 1987

## fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector 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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 1454/86<sup>(2)</sup>, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria<sup>(3)</sup>, as last amended by Regulation (EEC) No 414/86<sup>(4)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco<sup>(5)</sup>, as last amended by Regulation (EEC) No 413/86<sup>(6)</sup>, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia<sup>(7)</sup>, as last amended by Regulation (EEC) No 413/86, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey<sup>(8)</sup>, as last amended by Regulation (EEC) No 415/86<sup>(9)</sup>, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon<sup>(10)</sup>;

Whereas by Regulation (EEC) No 3131/78<sup>(11)</sup> the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender<sup>(12)</sup> speci-

fies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 16 and 17 March 1987 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within subheadings 07.01 N II and 07.03 A II of the Common Customs Tariff and on products falling within subheadings 15.17 B I and 23.04 A II of the Common Customs Tariff must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The minimum levies on olive oil imports are fixed in Annex I.

*Article 2*

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

*Article 3*

This Regulation shall enter into force on 20 March 1987.

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

<sup>(2)</sup> OJ No L 133, 21. 5. 1986, p. 8.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.

<sup>(4)</sup> OJ No L 48, 26. 2. 1986, p. 2.

<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.

<sup>(6)</sup> OJ No L 48, 26. 2. 1986, p. 1.

<sup>(7)</sup> OJ No L 169, 28. 6. 1976, p. 9.

<sup>(8)</sup> OJ No L 142, 9. 6. 1977, p. 10.

<sup>(9)</sup> OJ No L 48, 26. 2. 1986, p. 3.

<sup>(10)</sup> OJ No L 181, 21. 7. 1977, p. 4.

<sup>(11)</sup> OJ No L 370, 30. 12. 1978, p. 60.

<sup>(12)</sup> OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANNEX I

## Minimum import levies on olive oil

| (ECU/100 kg)   |                      |
|----------------|----------------------|
| CCT heading No | Non-member countries |
| 15.07 A I a)   | 52,00 <sup>(1)</sup> |
| 15.07 A I b)   | 54,00 <sup>(1)</sup> |
| 15.07 A I c)   | 52,00 <sup>(1)</sup> |
| 15.07 A II a)  | 64,00 <sup>(2)</sup> |
| 15.07 A II b)  | 82,00 <sup>(3)</sup> |

<sup>(1)</sup> For imports of oil falling within this tariff subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : 0,60 ECU/100 kg ;

(b) Turkey : 11,48 ECU/100 kg <sup>(\*)</sup> provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Algeria, Tunisia and Morocco : 12,69 ECU/100 kg <sup>(\*)</sup> provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

<sup>(\*)</sup> These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

<sup>(2)</sup> For imports of oil falling within this tariff subheading :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

<sup>(3)</sup> For imports of oil falling within this tariff subheading :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

## ANNEX II

## Import levies on other olive oil sector products

| (ECU/100 kg)   |                      |
|----------------|----------------------|
| CCT heading No | Non-member countries |
| 07.01 N II     | 11,88                |
| 07.03 A II     | 11,88                |
| 15.17 B I a)   | 27,00                |
| 15.17 B I b)   | 43,20                |
| 23.04 A II     | 4,16                 |

## COMMISSION REGULATION (EEC) No 782/87

of 19 March 1987

fixing the quantity of young male bovine animals which may be imported on special terms in the second quarter of 1987

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EEC) No 467/87<sup>(2)</sup>, and in particular Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has established an estimate of 168 000 head under the new import arrangements for young male bovine animals for fattening, for the period 1 January to 31 December 1987; whereas, under Article 13 (4) (a) of Regulation (EEC) No 805/68, the quantity which may be imported each quarter and the rate of reduction of the import levy on these animals must be determined;

Whereas detailed rules for the practical application of the special arrangements were laid down in Commission Regulation (EEC) No 612/77<sup>(3)</sup>, as last amended by Regulation (EEC) No 411/84<sup>(4)</sup>, and in Regulation (EEC) No 2377/80<sup>(5)</sup>, as last amended by Regulation (EEC) No 520/87<sup>(6)</sup>;

Whereas the supply requirements of certain regions of the Community which have a serious deficit in bovine animals for fattening must be taken into account; whereas these requirements are apparent in Italy and in Greece and may be estimated for the second quarter of 1987 at 36 500 head and 5 600 head respectively in those Member States;

Whereas the supply requirements in young bovine animals for fattening justify, for the second quarter of 1987, a higher rate of reduction of the levy for animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia;

Whereas the partial reduction of the levy is intended to help improve cattle rearing and beef and veal production structures in Italy and in Greece; whereas appropriate measures must therefore be taken to ensure that producers can, as far as possible, benefit directly from the arrangements without traditional trade being excluded; whereas this objective can be achieved by giving agricultural producers and their organizations priority when

issuing the licences conferring entitlement to benefit from the arrangements;

Whereas, according to Article 9 (1) of Regulation (EEC) No 2377/80, the applicant shall undertake either to carry out himself or to have carried out under his responsibility, the task of fattening; whereas, in the case of agricultural producers or their professional organization, it appears that the opportunity given to the applicant not to carry out himself the task of fattening could give rise to abuses in certain cases; whereas it seems appropriate consequently to abolish that opportunity for the quarter in question;

Whereas, in the case of import licence applications made by agricultural producers or their professional organizations, or the traditional trade, it is necessary, in order to permit a more equitable distribution of the quantities available, to limit the maximum quantity which each application may cover;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the period 1 April to 30 June 1987, the maximum quantity referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 42 100 head of young male bovine animals for fattening, of a live weight of 300 kilograms or less, of which 36 500 head must be imported into and fattened in Italy and 5 600 head must be imported into and fattened in Greece.

2. The levy charged on imports of the young bovine animals referred to in paragraph 1 shall be equal to the levy applicable on the day of import less 60 %.

However, the levy applicable on the day of import shall be reduced by 70 % in respect of a maximum of 11 000 young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Yugoslavia.

This maximum quantity may be imported up to a maximum of:

- 9 500 head in Italy,
- 1 500 head in Greece.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 48, 17. 2. 1987, p. 1.

<sup>(3)</sup> OJ No L 77, 25. 3. 1977, p. 18.

<sup>(4)</sup> OJ No L 48, 18. 2. 1984, p. 12.

<sup>(5)</sup> OJ No L 241, 13. 9. 1980, p. 5.

<sup>(6)</sup> OJ No L 52, 21. 2. 1987, p. 13.

3. The application for a licence and the licence shall be in accordance with Article 9 (1) (c) of Regulation (EEC) No 2377/80 and shall relate to:

- either young bovine animals of a weight per head not exceeding 300 kilograms, or
- young bovine animals of a weight per head of from 220 to 300 kilograms, originating in and coming from Yugoslavia.

In the latter case, Sections 13 and 14 of the application for a licence and the licence shall include one of the following entries:

- Yugoslavia,
- Jugoslaven,
- Jugoslawien,
- Γιουγκοσλαβία
- Yugoslavia,
- Yougoslavie,
- Iugoslavia,
- Joegoslavië,
- Jugoslāvia.

The licence shall make it compulsory to import from the country indicated.

4. Member States shall specify in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80 the category of live weight, and the origin of the products in the case referred to in the second indent of the first subparagraph of paragraph 3.

5. Within the quantity reserved for Italy, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 24 300 head, including a maximum of 6 300 head originating in and coming from Yugoslavia;

Italy shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 12 200 head, including a maximum of 3 200 head originating in and coming from Yugoslavia.

6. Within the quantity reserved for Greece, import licences may be issued directly:

- (a) to agricultural producers or their organizations in respect of a maximum of 3 700 head, including a maximum of 1 000 head originating in and coming from Yugoslavia;

Greece shall, for this purpose, specify the categories of applicants in the communication referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80;

- (b) to other applicants, in respect of a maximum of 1 900 head, including a maximum of 500 head originating in and coming from Yugoslavia.

## Article 2

1. In the case of the quantity referred to in Article 1 (5) (a) and (6) (a):

- (a) notwithstanding Article 9 (1) (d) of Regulation (EEC) No 2377/80, the applications for import licences lodged:

- by agricultural producers, directly or through their professional organizations, shall be acceptable only if the agricultural producers undertake in writing to fatten on their farms the young bovine animals imported under this Regulation,
- by professional organizations, shall be acceptable only if they undertake in writing to have the young bovine animals imported under this Regulation fattened on the farms of those who are found to be members of the said organizations at the time the declaration referred to in Article 1 (1) (d) of Regulation (EEC) No 612/77 is made;

- (b) applications for import licences may not cover more than 100 head when made by individual applicants or more than 100 head per member when made by professional organizations. The total quantity applied for by a professional organization may not, however, exceed 2 500 head.

2. In the case of the quantity referred to in Article 1 (5) (b) and (6) (b), applications for import licences may not cover more than 10 % of that quantity.

3. Without prejudice to Article 1 (3) of Regulation (EEC) No 612/77, the security there referred to shall not be released, in whole or in part, unless proof is provided to the competent authorities of the Member State in question that the undertaking in paragraph 1 (a) has been complied with.

## Article 3

For the purpose of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant which relate to the same category of weight and the same rate of reduction of the levy shall be treated as one application.

## Article 4

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, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## COMMISSION REGULATION (EEC) No 783/87

of 19 March 1987

fixing the quantities of frozen beef intended for processing which may be imported on special conditions for the second quarter of 1987

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EEC) No 467/87<sup>(2)</sup>, and in particular Article 14 (4) (a) and (c) thereof;

Whereas the Council, under special import system applicable to frozen beef and veal intended for processing, has drawn up, for the period 1 January to 31 December 1987 an estimate of 15 000 tonnes divided into two quantities of 10 000 tonnes and 5 000 tonnes each, according to the type of product to be obtained;

Whereas, pursuant to Article 14 (4) (a) of Regulation (EEC) No 805/68, it is necessary to determine the quantities to be imported per quarter as well as the rate of reduction of the import levy for meat referred to in Article 14 (1) (b) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the second quarter of 1987 the maximum quantities referred to in Article 14 (4) (a) of Regulation (EEC) No 805/68 shall be as follows:

- in respect of the meat referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, 2 500 tonnes of meat, expressed in bone-in meat,
- in respect of the meat referred to in Article 14 (1) (b) of the said Regulation, 1 250 tonnes of meat, expressed in bone-in meat.

*Article 2*

The levy on import of the meat referred to in the second indent of Article 1 shall be equal to the levy applicable on the day of import less 55 %.

*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, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 48, 17. 2. 1987, p. 1.

**COMMISSION REGULATION (EEC) No 784/87****of 19 March 1987****fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 2 to 8 March 1987**

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

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom <sup>(1)</sup>, as amended by Regulation (EEC) No 4049/86 <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom <sup>(3)</sup>, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 2 to 8 March 1987 should be fixed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 2 to 8 March 1987 shall be those set out in the Annex.

*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 2 March 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 119, 8. 5. 1986, p. 40.

<sup>(2)</sup> OJ No L 377, 31. 12. 1986, p. 28.

<sup>(3)</sup> OJ No L 146, 31. 5. 1986, p. 56.

## ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during  
the week 2 to 8 March 1987

| (ECU/100 kg net weight)                     |                                                                                                    |          |
|---------------------------------------------|----------------------------------------------------------------------------------------------------|----------|
| CCT<br>heading<br>No                        | Description                                                                                        | Amount   |
| 1                                           | 2                                                                                                  | 3        |
| ex 02.01 A II a)<br>and<br>ex 02.01 A II b) | Meat of adult bovine animals, fresh, chilled or frozen :                                           |          |
|                                             | 1. Carcases, half-carcases or 'compensated' quarters                                               | 26,26474 |
|                                             | 2. Separated or unseparated forequarters                                                           | 21,01179 |
|                                             | 3. Separated or unseparated hindquarters                                                           | 31,51769 |
|                                             | 4. Other :                                                                                         |          |
|                                             | aa) Unboned (bone-in)                                                                              | 21,01179 |
|                                             | bb) Boned or boneless                                                                              | 35,98269 |
| ex 02.06 C I a)                             | Meat salted, in brine, dried or smoked, of adult bovine animals :                                  |          |
|                                             | 1. Unboned (bone-in)                                                                               | 21,01179 |
|                                             | 2. Boned or boneless                                                                               | 29,94180 |
| ex 16.02 B III b) 1                         | Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals : |          |
|                                             | aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :                       |          |
|                                             | 11. Containing 80 % or more by weight of beef meat excluding offals and fat                        | 29,94180 |
|                                             | 22. Other                                                                                          | 21,01179 |

## COMMISSION REGULATION (EEC) No 785/87

of 19 March 1987

amending Regulation (EEC) No 2665/86 laying down detailed rules for implementing the system of aid for the use of grapes, grape must and concentrated grape must for the manufacture of grape juice and fixing the aid for the 1986/87 wine-growing year

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 536/87<sup>(2)</sup>, and in particular Article 14 a (4) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 2665/86<sup>(3)</sup>, defines the recipients of the aid for use of grapes and various sorts of grape must for the manufacture of grape juice; whereas, in order to take account of market realities, it should be specified that processors who buy such products from producers either directly or indirectly are recipients of the aid;

Whereas experience has shown that in the case where bottling is not carried out by the processor, the system of controls laid down for the grant of the aid does not work, in particular since the competent authorities for the issue and verification of accompanying documents and for the grant of the aid are separate and it is difficult for the recipient to obtain the supporting documents required; whereas a provision should therefore be introduced whereby the authority competent for checking the accompanying documents at the place of unloading should, after verification, send a copy of the accompanying document to the aid applicant;

Whereas applications submitted by processors of grape juice must be accompanied by a summary of their stock records for the product in question; whereas, in cases where the grape juice is prepared for market by the processor himself, the stock records should also specify the quantities of grape juice which are prepared for market each day; whereas, in view of that additional requirement, it is advisable to extend the time-limit for submitting the application until six months after the processing is over;

Whereas provision should be made for transitional measures to remedy difficulties arising before the entry into force of this Regulation; whereas to that end certain measures implemented in previous years should be adopted;

Whereas, for technical reasons, a tolerance should be allowed between the density of the product used in rela-

tion to the density indicated in the declaration as provided for in Article 2 of Regulation (EEC) No 2665/86;

Whereas, moreover, a number of drafting changes should be adopted in respect of Regulation (EEC) No 2665/85;

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*

Regulation (EEC) No 2665/86 is hereby amended as follows:

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

'1. For the 1986/87 wine year, aid shall be granted in accordance with the conditions laid down in this Regulation to processors:

— who purchase products are referred to in paragraph 2 directly or indirectly from producers or producer groups for the purpose of manufacturing grape juice,

or

— who, being themselves producers or producer groups, use such products from their own harvest for the purpose of manufacturing grape juice.'

2. The following paragraph is added to Article 5:

'Where the grape juice or, where appropriate, grape juice blended with other products, is bottled by the processor, the stock records shall also specify the quantities of grape juice which are put up each day.'

3. Article 6 (1) is replaced by the following:

'1. Not later than six months after processing is completed, processors shall submit an application for aid to the competent authority, accompanied by:

— the copy of the declaration that they hold,

— except in the cases referred to in the first and second subparagraphs of paragraph 4, a copy or summary of the stock records referred to in Article 5 relating to the product in question; Member States may require that the copy or summary be stamped by an official inspector.'

<sup>(1)</sup> OJ No L 54, 5. 3. 1979, p. 1.

<sup>(2)</sup> OJ No L 55, 25. 2. 1987, p. 1.

<sup>(3)</sup> OJ No L 243, 28. 8. 1986, p. 19.

## 4. Article 6 (4) is replaced by the following:

'4. Where the grape juice or, where applicable, grape juice blended with other products, is bottled in the Community by a person other than the processor, the bottler shall, within seven days of the product's delivery, forward a copy of the accompanying document to the competent authority in the place of unloading, as referred to in Article 4 (1) of Regulation (EEC) No 1153/75. After a check using that copy and the control copy referred to in Article 10 (3) of the said Regulation, the competent authority in the place of unloading shall forward, no later than two weeks after receipt of such documents, a duly stamped copy of the accompanying document to the processor/consignor of the product in question.

However, the copy of the accompanying document, duly stamped by the competent authority in the place, of unloading, shall be handed direct by the said authority to the bottler or processor if he so requests.

Where bottling of grape juice takes place outside the Community, processors shall submit to the competent authority as referred to in paragraph 1 a copy of the accompanying document showing in box 23 the customs stamp certifying exportation.

The copy of the accompanying document and the copy or summary of the stock records, featuring all the items required under Article 5 except those specified in the last indent of the first paragraph thereof, shall be submitted to the competent authority as referred to in paragraph 1, not later than six months after the bottler has taken over the grape juice or after the grape juice has been exported, as the case may be.'

## 5. The following paragraph 4a is inserted between paragraphs 4 and 5 in Article 6:

'4a. for all carriage of grape juice commencing before 23 March 1987, the control copy referred to in the version of paragraph 4 which was applicable prior to that date may be replaced by:

- a certificate to the effect that the bottler has taken over the grape juice, mentioning the date of taking over, and
- a copy of the accompanying document.'

## 6. The last indent of Article 6 (5) is deleted.

## 7. Article 8 (2) is replaced by the following:

'2. The amounts indicated in Article 4 shall be converted into national currencies at the agricultural

conversion rate applying to wine on 1 September 1986.'

## 8. Article 9 is replaced by the following:

*Article 9*

1. Except in case of *force majeure*, aid shall be payable only in respect of quantities of products actually used which do not exceed the following ratio between the said products and the grape juice obtained:

- 1,3 for grapes in quintals/hectolitres,
- 1,05 for grape must in hectolitres/hectolitre,
- 0,30 for concentrated grape must in hectolitres/hectolitre,

and provided that

- the processor has processed the quantity of product set out in the declaration, account being taken of the tolerance provided for in Article 6 (2),
- the density of the product used does not differ by more than 0,005 grams per cubic centimetre from the density indicated in the declaration provided for in Article 2.

2. Except in case of *force majeure*, if the processor does not fulfil any of the obligations under this Regulation other than that referred to in paragraph 1, the aid payable shall be reduced by an amount fixed by the competent authority in proportion to the seriousness of the infringement.

3. In cases of *force majeure*, the competent authority shall take such action as it considers necessary having regard to the circumstances invoked.

4. The Member States shall inform the Commission of cases in which paragraph 2 has been applied and the outcome of claims as to *force majeure*.'

*Article 2*

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

It shall apply with effect from 1 September 1986.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESSEN

*Vice-President*

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## COMMISSION REGULATION (EEC) No 786/87

of 19 March 1987

on the sale at prices fixed at a standard rate in advance of certain beef from intervention stocks for processing in the Community, repealing Regulation (EEC) No 204/87 and amending Regulation (EEC) No 2182/77

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal<sup>(1)</sup>, as last amended by Regulation (EEC) No 467/87<sup>(2)</sup>, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created large stocks in certain Member States ;

Whereas, in the present market situation, there are outlets for such meat for processing in the Community ;

Whereas such sales should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79<sup>(3)</sup>, should also be governed by the rules laid down by Commission Regulation (EEC) No 1687/76<sup>(4)</sup>, as last amended by Regulation (EEC) No 495/87<sup>(5)</sup>, and by those laid down by Commission Regulation (EEC) No 2182/77<sup>(6)</sup>, as last amended by Regulation (EEC) No 204/87<sup>(7)</sup>, subject to certain special exceptions on account of the particular use to which the products in question are to be put ;

Whereas to facilitate the processing of meat purchased in another Member State, the period of four months as laid down in Article 5 (1) of Regulation (EEC) No 2182/77 should be extended to five months ;

Whereas Council Regulation (EEC) No 1055/77<sup>(8)</sup> provides that, in the case of products stored by an intervention agency outside the territory of the Member State within whose jurisdiction it falls, a different selling price from that for products stored on that territory may be

fixed ; whereas Commission Regulation (EEC) No 1805/77<sup>(9)</sup> fixed the method for calculating the selling prices for such products ; whereas, to avoid all confusion, it should be expressly stated that the prices fixed by this Regulation are subject to adjustment in the case of those products ;

Whereas it seems appropriate to waive the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, taking into account the administrative difficulties which the application of this rule raises in certain Member States ;

Whereas Commission Regulation (EEC) No 204/87 should be repealed ;

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

HAS ADOPTED THIS REGULATION :

*Article 1*

1. During the period 23 March to 8 May 1987 the following approximate quantities of beef products shall be put up for sale for processing within the Community :

- 620 tonnes of bone-in beef held by the Spanish intervention agency and bought in before 1 July 1986,
- 2 000 tonnes of bone-in beef held by the German intervention agency and bought in before 1 July 1986,
- 140 tonnes of bone-in beef held by the Belgian intervention agency and bought in before 1 August 1986,
- 300 tonnes of bone-in beef held by the French intervention agency and bought in before 1 August 1986,
- 170 tonnes of bone-in beef held by the Irish intervention agency and bought in before 1 July 1986,
- 2 500 tonnes of bone-in beef held by the Italian intervention agency and bought in before 1 July 1986,

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 48, 17. 2. 1987, p. 1.

<sup>(3)</sup> OJ No L 251, 5. 10. 1979, p. 12.

<sup>(4)</sup> OJ No L 190, 14. 7. 1976, p. 1.

<sup>(5)</sup> OJ No L 50, 19. 2. 1987, p. 17.

<sup>(6)</sup> OJ No L 251, 1. 10. 1977, p. 60.

<sup>(7)</sup> OJ No L 22, 24. 1. 1987, p. 14.

<sup>(8)</sup> OJ No L 128, 24. 5. 1977, p. 1.

<sup>(9)</sup> OJ No L 198, 5. 8. 1977, p. 19.

- 2 000 tonnes of bone-in beef held by the United Kingdom intervention agency and bought in before 1 July 1986,
- 200 tonnes of boned beef held by the French intervention agency and bought in before 1 September 1986,
- 1 500 tonnes of boned beef held by the Irish intervention agency and bought in before 1 August 1986,
- 260 tonnes of boned beef held by the Dutch intervention agency and bought in before 1 August 1986,
- 1 100 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 September 1986,
- 300 tonnes of boned beef held by the Danish intervention agency and bought in before 1 August 1986.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The prices, quality and quantities of this meat are set out in Annex I hereto.

4. The sales shall be conducted in accordance with Regulation (EEC) No 2173/79 together with Regulations (EEC) No 1687/76, (EEC) No 2182/77 and this Regulation.

5. Notwithstanding the second subparagraph of Article 2 (2) of Regulation (EEC) No 2173/79, purchase applications shall not name the coldstore or stores where the products applied for are stored.

6. Information concerning the quantities available and the places where the products are stored may be obtained by prospective purchasers from the addresses listed in Annex II hereto.

#### *Article 2*

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, applications to purchase :

(a) shall be valid only if presented by a natural or legal person who for at least 12 months has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;

(b) must be accompanied by :

- a written undertaking by the applicant to process the meat purchased within the period referred to in Article 5 (1) of Regulation (EEC) No 2182/77,
- a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

4. Article 5 (1) of Regulation (EEC) No 2182/77 is hereby replaced by the following :

'1. The processing of meat purchased under this Regulation must be carried out within five months of the date of conclusion of the contract of sale'.

#### *Article 3*

The security provided for in Article 4(1) of Regulation (EEC) No 2182/77 shall be :

- 30 ECU per 100 kilograms for unboned forequarters intended for the manufacture of the products specified in Article 1 (1)(a) of Regulation (EEC) No 2182/77,
- 15 ECU per 100 kilograms for unboned forequarters intended for the manufacture of the products specified in Article 1 (1)(b) of Regulation (EEC) No 2182/77,
- 75 ECU per 100 kilograms for boned meats intended for the manufacture of the products specified in Article 1 (1)(a) of Regulation (EEC) No 2182/77,
- 65 ECU per 100 kilograms for boned meats intended for the manufacture of the products specified in Article 1 (1)(b) of Regulation (EEC) No 2182/77.

#### *Article 4*

Regulation (EEC) No 204/87 is hereby repealed.

#### *Article 5*

This Regulation shall enter into force on 23 March 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

|                |             |                        |                                               |
|----------------|-------------|------------------------|-----------------------------------------------|
| Estado miembro | Productos   | Cantidades (toneladas) | Precio de venta (ECU/100 kg) <sup>(1)</sup>   |
| Medlemsstat    | Produkter   | Mængde (tons)          | Salgspris (ECU/100 kg) <sup>(1)</sup>         |
| Mitgliedstaat  | Erzeugnisse | Mengen (Tonnen)        | Verkaufspreise (ECU/100 kg) <sup>(1)</sup>    |
| Κράτος μέλος   | Προϊόντα    | Ποσότητες (τόνοι)      | Τιμές πώλησεως (ECU/100 kg) <sup>(1)</sup>    |
| Member State   | Products    | Quantities (tonnes)    | Selling prices (ECU/100 kg) <sup>(1)</sup>    |
| État membre    | Produits    | Quantités (tonnes)     | Prix de vente (Écus/100 kg) <sup>(1)</sup>    |
| Stato membro   | Prodotti    | Quantità (tonnellate)  | Prezzi di vendita (Ecu/100 kg) <sup>(1)</sup> |
| Lid-Staat      | Produkten   | Hoeveelheid (ton)      | Verkoopprijzen (Ecu/100 kg) <sup>(1)</sup>    |
| Estado-membro  | Produtos    | Quantidade (toneladas) | Preço de venda (ECUs/100 kg) <sup>(1)</sup>   |

## a) Carne sin deshuesar — Ikke udbenet kød — Fleisch mit Knochen — Κρέας μη αποστεωμένο — Unboned beef — Viande avec os — Carni con osso — Vlees met been — Carne com osso

|                                     |                                                                                                                                                                                                                                                                       |       | A      | B      |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--------|--------|
| Bundesrepublik Deutschland          | — Vorderviertel, auf 5 Rippen geschnitten, mit Dünung am Vorderviertel eingeschlossen, stammend von:<br>Kategorie A                                                                                                                                                   | 2 000 | 125,00 | 135,00 |
| Belgique/België                     | — Quartiers avant découpe droite à 8 côtes provenant des:<br>— Voorvoeten, recht afgesneden op 8 ribben, afkomstig van:<br>Catégorie A / categorie A                                                                                                                  | 62    | 125,00 | 135,00 |
|                                     | — Quartiers avant, découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des:<br>— Voorvoeten, afgesneden op 5 ribben, waarbij de flank, de platte ribben en de naborst aan de voorvoet vastzitten, afkomstig van:<br>Catégorie A / categorie A | 76    | 125,00 | 135,00 |
| France                              | — Quartiers avant découpe à 5 côtes, le caparaçon faisant partie du quartier avant, provenant des:<br>Catégorie A / catégorie C                                                                                                                                       | 300   | 125,00 | 135,00 |
| España                              | — Delantero recto con 7 costillas:<br>animales jóvenes machos                                                                                                                                                                                                         | 620   | 125,00 | 135,00 |
| Danmark                             | — Forfjerdinger, udskåret med 5 ribben, idet slag og bryst bliver siddende på forfjerdinger af:<br>Kategori A, Klasse R, O                                                                                                                                            |       | 125,00 | 135,00 |
|                                     | — Forfjerdinger lige udskåret med 8 ribben, af:<br>Kategori A, Klasse R, O                                                                                                                                                                                            |       | 125,00 | 135,00 |
| Ireland                             | — Forequarters, straight cut at 10th rib from:<br>Steers 1 and 2 / Category C, class U, R, O                                                                                                                                                                          | 170   | 125,00 | 135,00 |
| Italia                              | — Quarti anteriori, taglio a 8 costole, il pancettone fa parte del quarto anteriore, provenienti da:<br>Categoria A, classe U, R, O                                                                                                                                   | 2 500 | 122,00 | 132,00 |
| United Kingdom:<br>A. Great Britain | — Forequarters, straight cut at 10th rib from:<br>Category C, class U, R, O                                                                                                                                                                                           | 1 750 | 125,00 | 135,00 |
| B. Northern Ireland                 | — Forequarters, straight cut at 10th rib from:<br>Category C, class U, R, O                                                                                                                                                                                           | 250   | 125,00 | 135,00 |

b) Carne deshuesada <sup>(2)</sup> — Udbenet kød <sup>(2)</sup> — Fleisch ohne Knochen <sup>(2)</sup> — Αποστεωμένο κρέας <sup>(2)</sup> — Boned beef <sup>(2)</sup> — Viande désossée <sup>(2)</sup> — Carni senza osso <sup>(2)</sup> — Vlees zonder been <sup>(2)</sup> — Carne desossada <sup>(2)</sup>

|           |                                                                                                                                     |                            |                                                |                                                |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------|------------------------------------------------|------------------------------------------------|
| Ireland   | — From steers 1 and 2 / Category C, class U, R, O:<br>Forequarters (excluding cube rolls)<br>Shins and/or shanks<br>Plate and flank | 225<br>121<br>1 147        | 230,00<br>205,00<br>150,00                     | 240,00<br>215,00<br>160,00                     |
| France    | — Catégorie A / Catégorie C:<br>Caisse « A » (collier, basse-côte, épaule)<br>Caisse « B » (caparaçon avec flanchet)                | 100<br>100                 | 230,00<br>160,00                               | 240,00<br>170,00                               |
| Nederland | — Afkomstig van categorie A, klasse R:<br>Schenkel (voor)<br>Schenkel (achter)<br>Nek en onderrib<br>Borst<br>Vang                  | 12<br>15<br>86<br>59<br>82 | 195,00<br>195,00<br>220,00<br>190,00<br>150,00 | 205,00<br>205,00<br>230,00<br>200,00<br>160,00 |

| Estado miembro<br>Medlemsstat<br>Mitgliedstaat<br>Κράτος μέλος<br>Member State<br>État membre<br>Stato membro<br>Lid-Staat<br>Estado-membro | Productos<br>Produkter<br>Erzeugnisse<br>Προϊόντα<br>Products<br>Produits<br>Prodotti<br>Produkten<br>Produtos | Cantidades (toneladas)<br>Mængde (tons)<br>Mengen (Tonnen)<br>Ποσότητες (τόνοι)<br>Quantities (tonnes)<br>Quantités (tonnes)<br>Quantità (tonnellate)<br>Hoeveelheid (ton)<br>Quantidade (toneladas) | Precio de venta (ECU/100 kg) <sup>(1)</sup><br>Salgspris (ECU/100 kg) <sup>(1)</sup><br>Verkaufspreise (ECU/100 kg) <sup>(1)</sup><br>Τιμές πώλησεως (ECU/100 kg) <sup>(1)</sup><br>Selling prices (ECU/100 kg) <sup>(1)</sup><br>Prix de vente (Écus/100 kg) <sup>(1)</sup><br>Prezzi di vendita (ECU/100 kg) <sup>(1)</sup><br>Verkoopprijzen (Ecu/100 kg) <sup>(1)</sup><br>Preço de venda (ECUs/100 kg) <sup>(1)</sup> |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**b) Carne deshuesada<sup>(2)</sup> — Udbenet kød<sup>(2)</sup> — Fleisch ohne Knochen<sup>(2)</sup> — Αποστεωμένο κρέας<sup>(2)</sup> — Boned beef<sup>(2)</sup> — Viande désossée<sup>(2)</sup> — Carni senza osso<sup>(2)</sup> — Vlees zonder been<sup>(2)</sup> — Carne desossada<sup>(2)</sup>**

|                |                                                   |     | A      | B      |
|----------------|---------------------------------------------------|-----|--------|--------|
| United Kingdom | — <i>From steers / Category C, class U, R, O:</i> |     |        |        |
|                | Clod and sticking                                 | 595 | 220,00 | 230,00 |
|                | Brisket                                           | 370 | 120,00 | 130,00 |
|                | Hindquarter skirt                                 | 100 | 160,00 | 170,00 |
| Danmark        | — <i>Kvalitet A</i>                               |     |        |        |
|                | Bryst og slag                                     | 300 | 160,00 | 170,00 |

<sup>(1)</sup> En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención, estos precios se ajustarán de acuerdo con lo dispuesto en el Reglamento (CEE) n° 1805/77.

<sup>(2)</sup> I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

<sup>(3)</sup> Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

<sup>(4)</sup> Σε περίπτωση που η αποθεματοποίηση των προϊόντων αυτών πραγματοποιείται εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

<sup>(5)</sup> In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

<sup>(6)</sup> Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

<sup>(7)</sup> Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

<sup>(8)</sup> Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft ressorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

<sup>(9)</sup> No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.

<sup>(10)</sup> Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

<sup>(11)</sup> Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

<sup>(12)</sup> Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

<sup>(13)</sup> Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

<sup>(14)</sup> These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

<sup>(15)</sup> Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

<sup>(16)</sup> Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1, del regolamento (CEE) n. 2173/79.

<sup>(17)</sup> Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

<sup>(18)</sup> Estes preços aplicam-se a peso líquido conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

**A.** Aplicables a las carnes destinadas a la elaboración de las conservas contempladas en la letra a) del apartado 1 del artículo 1 del Reglamento (CEE) n° 2182/77.

**A.** Finder anvendelse på kød bestemt til konserverfremstilling i henhold til artikel 1, stk. 1, litra a), i forordning (EØF) nr. 2182/77.

**A.** Anwendbar für zur Herstellung von Konserven gemäß Artikel 1 Absatz 1 Buchstabe a) der Verordnung (EWG) Nr. 2182/77 bestimmtes Fleisch.

**A.** Εφαρμόζεται στα κρέατα που προορίζονται για την παρασκευή κονσερβών όπως καθορίζονται στο άρθρο 1 παράγραφος 1 στοιχείο α) του κανονισμού (ΕΟΚ) αριθ. 2182/77.

**A.** Applicable to meat intended for the manufacture of preserves as specified in Article 1 (1) (a) of Regulation (EEC) No 2182/77.

**A.** Applicables aux viandes destinées à la fabrication des conserves visées à l'article 1<sup>er</sup> paragraphe 1 point a) du règlement (CEE) n° 2182/77.

**A.** Applicabili alle carni destinate alla fabbricazione delle conserve di cui all'articolo 1, paragrafo 1, lettera a), del regolamento (CEE) n. 2182/77.

**A.** Van toepassing op vlees dat is bestemd voor de vervaardiging van de in artikel 1, lid 1, sub a), van Verordening (EEG) nr. 2182/77 bedoelde conserven.

**A.** Aplicáveis à carne destinada ao fabrico de conservas referidas no n° 1, alínea a), do artigo 1º do Regulamento (CEE) n° 2182/77.

**B.** Aplicables a las carnes destinadas a la elaboración de los productos contemplados en la letra b) del apartado 1 del artículo 1 del Reglamento (CEE) n° 2182/77.

**B.** Finder anvendelse på kød bestemt til fremstilling af produkter i henhold til artikel 1, stk. 1, litra b), i forordning (EØF) nr. 2182/77.

**B.** Anwendbar für zur Herstellung von Erzeugnissen gemäß Artikel 1 Absatz 1 Buchstabe b) der Verordnung (EWG) Nr. 2182/77 bestimmtes Fleisch.

**B.** Εφαρμόζεται στα κρέατα που προορίζονται για την παρασκευή προϊόντων όπως καθορίζονται στο άρθρο 1 παράγραφος 1 στοιχείο β) του κανονισμού (ΕΟΚ) αριθ. 2182/77.

**B.** Applicable to meat intended for the manufacture of products as specified in Article 1 (1) (b) of Regulation (EEC) No 2182/77.

**B.** Applicables aux viandes destinées à la fabrication des produits visés à l'article 1<sup>er</sup> paragraphe 1 point b) du règlement (CEE) n° 2182/77.

**B.** Applicabili alle carni destinate alla fabbricazione dei prodotti di cui all'articolo 1, paragrafo 1, lettera b), del regolamento (CEE) n. 2182/77.

**B.** Van toepassing op vlees dat is bestemd voor de vervaardiging van de in artikel 1, lid 1, sub b), van Verordening (EEG) nr. 2182/77 bedoelde produkten.

**B.** Aplicáveis à carne destinada ao fabrico dos produtos referidos no n° 1, alínea b), do artigo 1º do Regulamento (CEE) n° 2182/77.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —  
ALLEGATO II — BIJLAGE II — ANEXO II*

Direcciones de los organismos de intervención — Interventionsorganernes adresser —  
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses  
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli  
organismi d'intervento — Adressen van de interventiebureaus — Direcção dos organismos de  
intervenção

BELGIQUE/BELGIË: Office belge de l'économie et                      Belgische Dienst voor Bedrijfsleven en  
de l'agriculture                                              Landbouw  
rue de Trèves 82                                              Trierstraat 82  
1040-Bruxelles                                              1040-Brussel  
Tél. 02/230 17 40, télex 240 76 OBEA BRU B

DANMARK: Direktoratet for markedsordningerne  
EF-Direktoratet  
Frederiksborggade 18  
DK-1360 København K  
Tel. (01) 92 70 00, telex 151 37 DK

BUNDESREPUBLIK  
DEUTSCHLAND: Bundesanstalt für landwirtschaftliche Marktordnung (BALM)  
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)  
Postfach 180 107 — Adickesallee 40  
D-6000 Frankfurt am Main 18  
Tel. (06 9) 1 56 40 App. 772/702, Telex: 04 11 56

ESPAÑA: Servicio nacional de productos agrarios (SENPA)  
c/o Beneficencia 8  
28003 Madrid  
Tel. 222 29 61  
Télex 23427 SENPA E

FRANCE: OFIVAL  
Tour Montparnasse  
33, avenue du Maine  
75755 Paris Cedex 15  
Tél. 45 38 84 00, télex 26 06 43

IRELAND: Department of Agriculture  
Agriculture House  
Kildare Street  
Dublin 2  
Tel. (01) 78 90 11, ext. 22 78  
Telex 4280 and 5118

ITALIA: Azienda di Stato per gli interventi nel mercato agricolo (AIMA)  
Roma, via Palestro 81  
Tel. 49 57 283 — 49 59 261  
Telex 61 30 03

NEDERLAND: Voedselvoorzienings In- en Verkoopbureau  
Ministerie van Landbouw en Visserij  
Postbus 960  
6430 AZ Hoensbroek  
Tel. (045) 23 83 83  
Telex: 56 396

UNITED KINGDOM: Intervention Board for Agricultural Produce  
Fountain House  
2 Queens Walk  
Reading RG1 7QW  
Berks.  
Tel. (0734) 58 36 26  
Telex 848 302

**COMMISSION REGULATION (EEC) No 787/87****of 19 March 1987****fixing the difference in white sugar prices to be used in calculating the levy for  
processed fruit and vegetable products and for wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 426/86 of 27 February 1986 on the common organization of the market in products processed from fruit and vegetables <sup>(1)</sup>, as amended by Regulation (EEC) No 1836/86 <sup>(2)</sup>, and in particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine <sup>(3)</sup>, as last amended by Regulation (EEC) No 536/87 <sup>(4)</sup>, and in particular Article 19 (3) thereof,

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

For the period 1 April to 30 June 1987, the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 19 (2) of Regulation (EEC) No 337/79 is fixed at 0,5081 ECU.

*Article 2*

This Regulation shall enter into force on 1 April 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 49, 27. 2. 1986, p. 1.

<sup>(2)</sup> OJ No L 159, 14. 6. 1986, p. 1.

<sup>(3)</sup> OJ No L 54, 5. 3. 1979, p. 1.

<sup>(4)</sup> OJ No L 55, 25. 2. 1987, p. 1.

## COMMISSION REGULATION (EEC) No 788/87

of 19 March 1987

## introducing a countervailing charge on cucumbers originating in Poland

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1351/86<sup>(2)</sup>, 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 332/87 of 2 February 1987 fixing for the 1987 marketing year the reference prices for cucumbers<sup>(3)</sup> fixed the reference price for products of class I at 112,14 ECU per 100 kilograms net for the month of March 1987;

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<sup>(4)</sup>, as last amended by Regulation

(EEC) No 3811/85<sup>(5)</sup>, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 332/87;

Whereas, for cucumbers originating in Spain (except the Canary Islands) 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 cucumbers;

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<sup>(6)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of 42,95 ECU per 100 kilograms net is applied to cucumbers (subheading 07.01 P I of the Common Customs Tariff) originating in Poland.

*Article 2*

This Regulation shall enter into force on 21 March 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.

<sup>(3)</sup> OJ No L 32, 3. 2. 1987, p. 11.

<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

**COMMISSION REGULATION (EEC) No 789/87**  
**of 19 March 1987**  
**fixing the amount of the subsidy on oil seeds**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture<sup>(3)</sup>, as last amended by Regulation (EEC) No 409/87<sup>(4)</sup>,

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

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increments in the target price for colza, rape and sunflower seed for the 1986/87 marketing year have been fixed in Regulations (EEC) No 1457/86<sup>(7)</sup> and (EEC) No 1458/86<sup>(8)</sup>;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 577/87<sup>(9)</sup>, as last amended by Regulation (EEC) No 717/87<sup>(10)</sup>;

Whereas, in the absence of the target price for the 1987/88 marketing year for colza and rape seed, the amount of the subsidy in the case of advance fixing for July and August 1987 for colza and rape seed has been obtainable only provisionally on the basis of the target price proposed by the Commission to the Council for the marketing year 1987/88; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1987/88 marketing year is known;

Whereas estimated production of colza and rape seed for the 1987/88 marketing year has not been fixed; whereas

the amount, where appropriate, to be deducted from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC could therefore not be determined; whereas the amounts of the subsidy should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for colza and rape seed are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3776/86 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83<sup>(11)</sup> shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 and Article 12 of Regulation (EEC) No 476/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain and Portugal.
3. The amount of the subsidy in the case of advance fixing for July and August 1987 for colza and rape seed will, however, be confirmed or replaced as from 20 March 1987 to take into account the indicative price, and like measures, which is fixed for these products for the 1987/88 marketing year.
4. However, the amount of the subsidy in the case of advance fixing for July and August 1987 for colza and rape will be confirmed or replaced as from 20 March 1987 to take into where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

*Article 2*

This Regulation shall enter into force on 20 March 1987.

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

<sup>(2)</sup> OJ No L 133, 21. 5. 1986, p. 8.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 11.

<sup>(4)</sup> OJ No L 44, 13. 2. 1987, p. 1.

<sup>(5)</sup> OJ No L 167, 25. 7. 1972, p. 9.

<sup>(6)</sup> OJ No L 146, 31. 5. 1986, p. 25.

<sup>(7)</sup> OJ No L 133, 21. 5. 1986, p. 12.

<sup>(8)</sup> OJ No L 133, 21. 5. 1986, p. 14.

<sup>(9)</sup> OJ No L 57, 27. 2. 1987, p. 38.

<sup>(10)</sup> OJ No L 70, 13. 3. 1987, p. 48.

<sup>(11)</sup> OJ No L 266, 28. 9. 1983, p. 1.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANNEX I

## Aids to colza and rape seed other than 'double zero'

(amounts per 100 kilograms)

|                                                | Current month | 2nd month | 3rd month | 4th month | 5th month (1) | 6th month (1) |
|------------------------------------------------|---------------|-----------|-----------|-----------|---------------|---------------|
| 1. Gross aids (ECU) :                          |               |           |           |           |               |               |
| — Spain                                        | 0,610         | 0,610     | 0,610     | 0,610     | 0,100         | 0,100         |
| — Portugal                                     | 0,000         | 0,000     | 0,000     | 0,000     | 0,000         | 0,000         |
| — Other Member States                          | 36,674        | 37,011    | 36,853    | 36,695    | 31,319        | 31,161        |
| 2. Final aids :                                |               |           |           |           |               |               |
| (a) Seed harvested and processed in :          |               |           |           |           |               |               |
| — Federal Republic of Germany (DM)             | 88,37         | 89,18     | 88,83     | 88,55     | 75,74         | 75,64         |
| — Netherlands (Fl)                             | 99,57         | 100,49    | 100,08    | 99,76     | 85,32         | 85,18         |
| — BLEU (Bfrs/Lfrs)                             | 1 712,89      | 1 728,61  | 1 721,13  | 1 713,11  | 1 461,05      | 1 449,42      |
| — France (FF)                                  | 251,50        | 253,78    | 252,34    | 250,72    | 212,44        | 211,79        |
| — Denmark (Dkr)                                | 309,28        | 312,11    | 310,71    | 309,31    | 263,35        | 260,41        |
| — Ireland (£ Irl)                              | 27,607        | 27,857    | 27,718    | 27,443    | 23,222        | 23,002        |
| — United Kingdom (£)                           | 20,746        | 20,930    | 20,804    | 20,678    | 17,281        | 17,047        |
| — Italy (Lit)                                  | 55 024        | 55 524    | 55 154    | 55 005    | 46 715        | 46 239        |
| — Greece (Dr)                                  | 3 576,99      | 3 588,00  | 3 537,12  | 3 497,49  | 2 861,21      | 2 775,98      |
| (b) Seed harvested in Spain and processed :    |               |           |           |           |               |               |
| — in Spain (Pta)                               | 88,94         | 88,94     | 88,94     | 88,94     | 14,58         | 14,58         |
| — in another Member State (Pta)                | 4 311,31      | 4 357,66  | 4 331,86  | 4 280,13  | 3 601,16      | 3 548,04      |
| (c) Seed harvested in Portugal and processed : |               |           |           |           |               |               |
| — in Portugal (Esc)                            | 0,00          | 0,00      | 0,00      | 0,00      | 0,00          | 0,00          |
| — in another Member State (Esc)                | 5 206,13      | 5 248,51  | 5 190,89  | 5 152,84  | 4 331,88      | 4 263,50      |

(1) Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

## ANNEX II

## Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

|                                               | Current month | 2nd month | 3rd month | 4th month | 5th month <sup>(1)</sup> | 6th month <sup>(1)</sup> |
|-----------------------------------------------|---------------|-----------|-----------|-----------|--------------------------|--------------------------|
| 1. Gross aids (ECU):                          |               |           |           |           |                          |                          |
| — Spain                                       | 1,860         | 1,860     | 1,860     | 1,860     | 2,600                    | 2,600                    |
| — Portugal                                    | 1,250         | 1,250     | 1,250     | 1,250     | 2,500                    | 2,500                    |
| — Other Member States                         | 37,924        | 38,261    | 38,103    | 37,945    | 33,819                   | 33,661                   |
| 2. Final aids:                                |               |           |           |           |                          |                          |
| (a) Seed harvested and processed in:          |               |           |           |           |                          |                          |
| — Federal Republic of Germany (DM)            | 91,36         | 92,17     | 91,82     | 91,54     | 81,71                    | 81,61                    |
| — Netherlands (Fl)                            | 102,94        | 103,85    | 103,44    | 103,12    | 92,05                    | 91,91                    |
| — BLEU (Bfrs/Lfrs)                            | 1 771,48      | 1 787,20  | 1 779,72  | 1 771,70  | 1 578,24                 | 1 566,61                 |
| — France (FF)                                 | 260,37        | 262,66    | 261,22    | 259,60    | 230,19                   | 229,55                   |
| — Denmark (Dkr)                               | 319,96        | 322,79    | 321,39    | 320,00    | 284,71                   | 281,77                   |
| — Ireland (£ Irl)                             | 28,585        | 28,836    | 28,697    | 28,422    | 25,178                   | 24,959                   |
| — United Kingdom (£)                          | 21,530        | 21,715    | 21,589    | 21,463    | 18,849                   | 18,615                   |
| — Italy (Lit)                                 | 56 948        | 57 448    | 57 078    | 56 930    | 50 563                   | 50 087                   |
| — Greece (Dr)                                 | 3 722,84      | 3 733,84  | 3 682,97  | 3 643,34  | 3 152,90                 | 3 067,67                 |
| (b) Seed harvested in Spain and processed:    |               |           |           |           |                          |                          |
| — in Spain (Pta)                              | 271,19        | 271,19    | 271,19    | 271,19    | 379,07                   | 379,07                   |
| — in another Member State (Pta)               | 4 493,56      | 4 539,91  | 4 514,11  | 4 462,38  | 3 965,65                 | 3 912,54                 |
| (c) Seed harvested in Portugal and processed: |               |           |           |           |                          |                          |
| — in Portugal (Esc)                           | 189,77        | 189,77    | 189,77    | 189,77    | 379,54                   | 379,54                   |
| — in another Member State (Esc)               | 5 395,90      | 5 438,28  | 5 380,66  | 5 342,61  | 4 711,41                 | 4 643,04                 |

<sup>(1)</sup> Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

## ANNEX III

## Aids to sunflower seed

(amounts per 100 kilograms)

|                                               | Current month | 2nd month | 3rd month | 4th month | 5th month |
|-----------------------------------------------|---------------|-----------|-----------|-----------|-----------|
| <b>1. Gross aids (ECU):</b>                   |               |           |           |           |           |
| — Spain                                       | 1,720         | 1,720     | 1,720     | 1,720     | 1,720     |
| — Portugal                                    | 0,000         | 0,000     | 0,000     | 0,000     | 0,000     |
| — Other Member States                         | 42,384        | 42,542    | 42,421    | 42,500    | 42,500    |
| <b>2. Final aids:</b>                         |               |           |           |           |           |
| (a) Seed harvested and processed in (1):      |               |           |           |           |           |
| — Federal Republic of Germany (DM)            | 102,22        | 102,59    | 102,32    | 102,61    | 102,61    |
| — Netherlands (Fl)                            | 115,18        | 115,59    | 115,27    | 115,59    | 115,59    |
| — BLEU (Bfrs/Lfrs)                            | 1 978,96      | 1 986,44  | 1 980,72  | 1 983,80  | 1 983,80  |
| — France (FF)                                 | 289,76        | 290,99    | 289,79    | 289,93    | 289,93    |
| — Denmark (Dkr)                               | 357,03        | 358,43    | 357,36    | 358,06    | 358,06    |
| — Ireland (£ Irl)                             | 31,795        | 31,932    | 31,825    | 31,726    | 31,726    |
| — United Kingdom (£)                          | 23,750        | 23,876    | 23,779    | 23,842    | 23,842    |
| — Italy (Lit)                                 | 63 448        | 63 707    | 63 373    | 63 639    | 63 639    |
| — Greece (Dr)                                 | 4 063,26      | 4 065,67  | 4 015,79  | 4 014,67  | 4 014,67  |
| (b) Seed harvested in Spain and processed:    |               |           |           |           |           |
| — in Spain (Pta)                              | 250,77        | 250,77    | 250,77    | 250,77    | 250,77    |
| — in another Member State (Pta)               | 4 052,10      | 4 077,90  | 4 058,14  | 4 039,80  | 4 039,80  |
| (c) Seed harvested in Portugal and processed: |               |           |           |           |           |
| — in Portugal (Esc)                           | 0,00          | 0,00      | 0,00      | 0,00      | 0,00      |
| — in Spain (Esc)                              | 6 638,73      | 6 662,37  | 6 602,90  | 6 606,10  | 6 606,10  |
| — in another Member State (Esc)               | 6 423,31      | 6 446,17  | 6 388,64  | 6 391,74  | 6 391,74  |
| <b>3. Compensatory aids:</b>                  |               |           |           |           |           |
| — in Spain (Pta)                              | 4 002,95      | 4 030,05  | 4 010,73  | 3 992,39  | 3 991,53  |
| — in Portugal (Esc)                           | 6 392,95      | 6 416,62  | 6 359,35  | 6 362,45  | 6 361,92  |

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0335380.

## ANNEX IV

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

(value of 1 ECU)

|           | Current month | 2nd month | 3rd month | 4th month | 5th month | 6th month |
|-----------|---------------|-----------|-----------|-----------|-----------|-----------|
| DM        | 2,076990      | 2,071480  | 2,066510  | 2,061520  | 2,061520  | 2,047120  |
| Fl        | 2,345880      | 2,342690  | 2,340020  | 2,336940  | 2,336940  | 2,328170  |
| Bfrs/Lfrs | 43,011100     | 43,023200 | 43,039900 | 43,054300 | 43,054300 | 43,099900 |
| FF        | 6,915020      | 6,920680  | 6,927680  | 6,935410  | 6,935410  | 6,958930  |
| Dkr       | 7,809960      | 7,838280  | 7,861030  | 7,887310  | 7,887310  | 7,958700  |
| £ Irl     | 0,777886      | 0,782682  | 0,786569  | 0,790667  | 0,790667  | 0,799601  |
| £         | 0,707890      | 0,710170  | 0,711756  | 0,713371  | 0,713371  | 0,718178  |
| Lit       | 1 475,14      | 1 478,61  | 1 482,34  | 1 485,90  | 1 485,90  | 1 496,64  |
| Dr        | 151,93800     | 153,95400 | 155,68700 | 157,59600 | 157,59600 | 163,46600 |
| Esc       | 159,36000     | 160,46600 | 161,69800 | 162,92400 | 162,92400 | 166,50200 |
| Pta       | 145,52300     | 146,49200 | 147,28400 | 148,13900 | 148,13900 | 150,41100 |

**COMMISSION REGULATION (EEC) No 790/87****of 19 March 1987****fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1449/86 <sup>(2)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds <sup>(3)</sup>, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas to Commission Regulation (EEC) No 1361/76 <sup>(4)</sup> lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

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 <sup>(5)</sup>,
- 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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 133, 21. 5. 1986, p. 1.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 36.

<sup>(4)</sup> OJ No L 154, 15. 6. 1976, p. 11.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

HAS ADOPTED THIS REGULATION:

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto. The refund on export to Portugal has not been fixed.

*Article 1*

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

*Article 2*

This Regulation shall enter into force on 20 March 1987.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANNEX

to the Commission Regulation of 19 March 1987 fixing the export refunds on rice and broken rice

| (ECU/tonne)    |                                                                                                                                                                                              |                  |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
| CCT heading No | Description                                                                                                                                                                                  | Amount of refund |
| ex 10.06       | Rice :                                                                                                                                                                                       |                  |
|                | B. I. Paddy rice ; husked rice :                                                                                                                                                             |                  |
|                | b) Husked rice :                                                                                                                                                                             |                  |
|                | 1. Round grain                                                                                                                                                                               | —                |
|                | 2. Long grain                                                                                                                                                                                |                  |
|                | for export to :                                                                                                                                                                              |                  |
|                | — Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italia                                                                                                      | 264,00           |
|                | — Other third countries                                                                                                                                                                      | —                |
|                | II. Semi-milled or wholly milled rice :                                                                                                                                                      |                  |
|                | a) Semi-milled rice :                                                                                                                                                                        |                  |
|                | 1. Round grain                                                                                                                                                                               | —                |
|                | 2. Long grain                                                                                                                                                                                | —                |
|                | b) Wholly milled rice :                                                                                                                                                                      |                  |
|                | 1. Round grain                                                                                                                                                                               | —                |
|                | 2. Long grain                                                                                                                                                                                |                  |
|                | in bulk or packaged for export to :                                                                                                                                                          |                  |
|                | — Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia as well as destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 <sup>(1)</sup> | 330,00           |
|                | — zone I                                                                                                                                                                                     | —                |
|                | — Other third countries                                                                                                                                                                      | —                |
|                | in immediate packings of 5 kg net or less for export to :                                                                                                                                    |                  |
|                | — zones I, II b), IV a), IV b) and VI, the Canary Islands, Ceuta and Melilla                                                                                                                 | 345,00           |
|                | — zone V a) and VII c) and Canada                                                                                                                                                            | 350,00           |
|                | III. Broken rice                                                                                                                                                                             | —                |

<sup>(1)</sup> OJ No L 317, 12. 12. 1979, p. 1.

NB : The zones are those defined in the Annex to Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985).

The export refunds are to be converted into national currencies using the specific agricultural conversion rates fixed in Regulation (EEC) No 3294/86 (OJ No L 304, 30. 11. 1986).

## COMMISSION REGULATION (EEC) No 791/87

of 19 March 1987

## fixing the export refunds 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1579/86<sup>(2)</sup>, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds<sup>(3)</sup>, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Commission Regulation No 162/67/EEC<sup>(4)</sup>, as amended by Regulation (EEC) No 1607/71<sup>(5)</sup>;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to

vary the refund for certain products according to destination;

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

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<sup>(6)</sup>,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

*Article 2*

This Regulation shall enter into force on 20 March 1987.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No 128, 27. 6. 1967, p. 2574/67.

<sup>(5)</sup> OJ No L 168, 27. 7. 1971, p. 16.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## ANNEX

to the Commission Regulation of 19 March 1987 fixing the export refunds on cereals and  
on wheat or rye flour, groats and meal

| CCT<br>heading<br>No | Description                                                                                                                                                                                                                                         | Refund<br>(ECU/tonne)                                    |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|
| 10.01 B I            | Common wheat and meslin<br>for exports to :<br>— Switzerland, Austria, Liechtenstein, Ceuta and Melilla<br>— zone II b)<br>— other third countries                                                                                                  | 121,00<br>127,00<br>—                                    |
| 10.01 B II           | Durum wheat<br>for exports to :<br>— Switzerland, Austria and Liechtenstein<br>— other third countries                                                                                                                                              | 15,00 <sup>(3)</sup><br>20,00 <sup>(3)</sup>             |
| 10.02                | Rye<br>for exports to :<br>— Switzerland, Austria and Liechtenstein<br>— other third countries                                                                                                                                                      | 5,00<br>10,00                                            |
| 10.03                | Barley<br>for exports to :<br>— Switzerland, Austria, Liechtenstein, Ceuta and Melilla<br>— zone II b)<br>— other third countries                                                                                                                   | 125,00<br>129,00<br>20,00                                |
| 10.04                | Oats<br>for exports to :<br>— Switzerland, Austria and Liechtenstein<br>— other third countries                                                                                                                                                     | —<br>—                                                   |
| 10.05 B              | Maize, other than hybrid maize for sowing<br>for exports to :<br>— Switzerland, Austria and Liechtenstein<br>— other third countries                                                                                                                | 141,00<br>—                                              |
| 10.07 B              | Millet                                                                                                                                                                                                                                              | —                                                        |
| 10.07 C II           | Grain sorghum, other than hybrid sorghum for sowing                                                                                                                                                                                                 | —                                                        |
| ex 11.01 A           | Wheat flour :<br>— of an ash content of 0 to 520<br>— of an ash content of 521 to 600<br>— of an ash content of 601 to 900<br>— of an ash content of 901 to 1 100<br>— of an ash content of 1 101 to 1 650<br>— of an ash content of 1 651 to 1 900 | 172,00<br>172,00<br>150,00<br>138,00<br>127,00<br>112,00 |

| CCT<br>heading<br>No | Description                                                                                                                                                                                                        | (ECU/tonne)<br><br>Refund                                                                                        |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|
| ex 11.01 B           | Rye flour :<br>— of an ash content of 0 to 700<br>— of an ash content of 701 to 1 150<br>— of an ash content of 1 151 to 1 600<br>— of an ash content of 1 601 to 2 000                                            | <br><br><br><br>172,00<br>172,00<br>172,00<br>172,00                                                             |
| 11.02 A I a)         | Durum wheat groats and meal<br>— of an ash content of 0 to 1 300 <sup>(1)</sup><br>— of an ash content of 0 to 1 300 <sup>(2)</sup><br>— of an ash content of 0 to 1 300<br>— of an ash content of more than 1 300 | <br><br><br><br>344,00 <sup>(3)</sup><br>326,00 <sup>(3)</sup><br>291,00 <sup>(3)</sup><br>274,00 <sup>(3)</sup> |
| 11.02 A I b)         | Common wheat groats and meal :<br>— of an ash content of 0 to 520                                                                                                                                                  | <br>172,00                                                                                                       |

<sup>(1)</sup> Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.

<sup>(2)</sup> Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.

<sup>(3)</sup> With the exception of the quantities referred to in the Commission's Decision of 19 March 1986.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 3817/85 (OJ No L 368, 31. 12. 1985).

## COMMISSION REGULATION (EEC) No 792/87

of 19 March 1987

## fixing the export refunds on 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 <sup>(1)</sup>, as last amended by Regulation (EEC)  
No 1579/86 <sup>(2)</sup>, and in particular the fourth subparagraph  
of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No  
2746/75 of 29 October 1975 laying down general rules for  
granting export refunds on cereals and criteria for fixing  
the amount of such refunds <sup>(3)</sup>, provides that when  
refunds are being fixed account must be taken of the  
existing situation and the future trend with regard to  
prices and availabilities of cereals on the Community  
market on the one hand and prices for cereals and cereal  
products on the world market on the other; whereas the  
same Article provides that it is also important to ensure  
equilibrium and the natural development of prices and  
trade on cereal markets and, furthermore, to take into  
account the economic aspect of the proposed exports, and  
the need to avoid disturbances on the Community  
market;

Whereas Council Regulation (EEC) No 2744/75 of 29  
October 1975 on the import and export system for  
products processed from cereals and from rice <sup>(4)</sup>, as last  
amended by Regulation (EEC) No 1588/86 <sup>(5)</sup>, defines the  
specific criteria to be taken into account when the refund  
on these products is being calculated;

Whereas it follows from applying these detailed rules to  
the present situation on the market in products processed

from cereals and rice that the export refund should be  
fixed at an amount which will cover the difference  
between Community prices and world market prices;

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

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 rela-  
tion 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 Regula-  
tion (EEC) No 1676/85 <sup>(6)</sup>,
- 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 rela-  
tion to the Community currencies referred to in the  
previous indent and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on malt listed in Article 1 (d) of Regu-  
lation (EEC) No 2727/75 subject to Regulation (EEC) No  
2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

*Article 2*

This Regulation shall enter into force on 20 March 1987.

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 281, 1. 11. 1975, p. 78.

<sup>(4)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(5)</sup> OJ No L 139, 24. 5. 1986, p. 47.

<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 19 March 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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*ANNEX*

to the Commission Regulation of 19 March 1987 fixing the export refunds on malt

| <i>(ECU / tonne)</i> |        |
|----------------------|--------|
| CCT heading No       | Refund |
| 11.07 A I b)         | 160,93 |
| 11.07 A II b)        | 213,29 |
| 11.07 B              | 248,57 |

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DECISION

of 16 March 1987

**on national aid, in the form of partial coverage of the social security contributions of certain milk producers, to be granted by the French Government**

(87/197/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the third subparagraph of Article 93 (2) thereof,

Having regard to the request submitted by the Government of the French Republic on 11 February 1987,

Whereas Articles 92, 93 and 94 of the Treaty concerning national aid have become applicable to the production of, and trade in, milk and milk products by virtue of Article 23 of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 773/87<sup>(2)</sup>;

Whereas the financial situation of a large number of small milk producers in France is at present calamitous, with the result that they can no longer meet the cost of social security contributions;

Whereas these financial difficulties are due primarily to the small size of their holdings, which prevents the great majority of those producers from continuing milk production under economically viable conditions in the context of the Community measures taken since 1984 to control milk surpluses;

Whereas the non-payment of social security contributions gives rise to a scarcely acceptable situation in which such

producers and their families are without social security and medical insurance cover;

Whereas the French Government has contemplated bearing the cost for the 1986/1987 milk year, by way of national aid, of part of the annual average amount of the social security contributions payable by the producers in question;

Whereas the primary purpose of the planned national aid concerned is, according to the explanations provided by the French Government, to encourage, under socially acceptable conditions, conversion of the dairy farms concerned to other types of production;

Whereas the French Government communicated this aid plan to the Commission, which considered it incompatible with the common market and with Regulation (EEC) No 804/68 in particular;

Whereas, on the one hand, the purpose of the planned aid is to solve an extremely serious social problem of a specific nature and, on the other hand, its implementation can contribute, through the discontinuation of milk production by the producers concerned, to achievement of the objective of stabilizing the milk market pursued by the Community institutions;

Whereas there are accordingly exceptional circumstances which make it possible to regard the national aid in question, by way of derogation and to the extent and for the period strictly necessary to overcome the particular problem of absence of social security cover, as being compatible with the common market,

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> See page 1 of this Official Journal.

HAS ADOPTED THIS DECISION:

*Article 2*

This Decision is addressed to the French Republic.

*Article 1*

The national aid in the form of a contribution to social security contributions to be granted by the French Government to small milk producers who at present can no longer meet the cost of those contributions shall, for the 1986/1987 milk year, be regarded as compatible with the common market within an overall limit of FF 100 million.

Done at Brussels, 16 March 1986

*For the Council*

*The President*

L. TINDEMANS

## COUNCIL DIRECTIVE

of 16 March 1987

amending Directive 69/169/EEC as regards a derogation granted to the Kingdom of Denmark relating to the rules governing turnover tax and excise duty on imports in international travel

(87/198/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 99 and 100 thereof,

Having regard to the proposal from the Commission,

Whereas, until 31 December 1987, the Kingdom of Denmark enjoys a derogation from Directive 69/169/EEC <sup>(1)</sup>, as last amended by Directive 85/348/EEC <sup>(2)</sup>, with regard to the import of certain products by travellers having their residence in Denmark after having stayed in another country for less than 48 hours; whereas, in addition, the Kingdom of Denmark applied a reduced quantitative limit for certain products until 31 December 1986;

Whereas any change of the above rules would at present cause serious economic difficulties for Denmark; whereas, therefore, the application thereof should be extended until 31 December 1988,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

Article 7c of Directive 69/169/EEC is hereby replaced by the following:

*Article 7c*

By way of derogation from Article 4 (1) the Kingdom of Denmark shall be authorized:

- (a) to apply to still wine, in travel between Member States, a limit of four litres;
- (b) to apply until 31 December 1988 the following quantitative limits as regards exemption for

imports of goods hereinafter mentioned, where such goods are imported by travellers resident in Denmark after a stay of less than 48 hours in another country:

- cigarettes 60
- or
- smoking tobacco where the tobacco particles have a width of less than 1,5 mm (fine cut) 100 grams
- distilled beverages and spirits of an alcoholic strength exceeding 22 % vol. nil.

*Article 2*

1. Member States shall bring into force the measures necessary to comply with this Directive not later than 1 January 1987.

2. Member States shall inform the Commission of the provisions which they adopt to implement this Directive.

*Article 3*

This Directive is addressed to the Member States.

Done at Brussels, 16 March 1987.

*For the Council*

*The President*

L. TINDEMANS

<sup>(1)</sup> OJ No L 133, 4. 6. 1969, p. 6.

<sup>(2)</sup> OJ No L 183, 16. 7. 1985, p. 24.

## CORRIGENDA

**Corrigendum to Council Regulation (EEC) No 4031/86 of 18 December 1986 establishing, for 1987, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Spain**

*(Official Journal of the European Communities No L 376 of 31 December 1986)*

Page 34, Annex, Section I, fourth entry in column 1 :

for: '(Nephrops norvegicas)';

read: '(Nephrops norvegicus)'.

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**Corrigendum to Council Regulation (EEC) No 4034/86 of 22 December 1986 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1987 and certain conditions under which they may be fished**

*(Official Journal of the European Communities No L 376 of 31 December 1986)*

On page 50, last column, opposite the first entry relating to 'Saithe' :

Footnote (?) is added after the figure '8 390' relating to Denmark.

Footnote (!) is added after the figures relating to the other Member States.

As a consequence the following two footnotes are added at the bottom of the page :

(!) No fishing for this quota may take place, in the Skagerrak, within 12 miles of the baselines of the Kingdom of Norway and of the Kingdom of Sweden respectively and, in the Kattegat, within 12 miles of the baselines of the Kingdom of Sweden.

(?) No fishing for this quota may take place, in the Skagerrak, within four miles of the baselines of the Kingdom of Norway and of the Kingdom of Sweden respectively and, in the Kattegat, within three miles of the coastline of the Kingdom of Sweden.

On page 69, last column opposite the second entry of 'Blue whiting' :

Footnote (?) is added after the figure of '252 000' relating to the 'EEC Total'.

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**Corrigendum to Regulation (EEC) No 4134/86 of 22 December 1986 on the arrangements for imports of certain textile products originating in Taiwan**

*(Official Journal of the European Communities No L 386 of 31 December 1986)*

Page 11, Annex I, Category 41, column 3, second line :

for: '39',

read: '30' ;

Page 13, Annex I, Category 66, column 3 :

for: '91',

read: '93' ;

Page 14, Annex I, Category 79, column 3 :

for: '60.06-9',

read: '60.06-91'.

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