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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1087/87

of 21 April 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⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EEC) No 910/87⁽⁴⁾, 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⁽⁵⁾ 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 16 April 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 22 April 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 88, 31. 3. 1987, p. 42.

⁽⁵⁾ OJ No L 17, 20. 1. 1987, p. 1.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 21 April 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	14,16	198,52
10.01 B II	Durum wheat	49,60	262,69 ⁽¹⁾ ⁽²⁾
10.02	Rye	43,23	184,44 ⁽⁶⁾
10.03	Barley	41,50	193,23
10.04	Oats	99,79	152,42
10.05 B	Maize, other than hybrid maize for sowing	2,43	185,03 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	41,50	135,61
10.07 B	Millet	41,50	161,10 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	27,41	191,10 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	41,50	66,67 ⁽⁵⁾
11.01 A	Wheat or meslin flour	35,25	293,35
11.01 B	Rye flour	75,95	273,64
11.02 A I a)	Durum wheat groats and meal	90,63	419,86
11.02 A I b)	Common wheat groats and meal	35,41	313,39

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

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

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

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

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

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

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

⁽⁸⁾ 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 1088/87

of 21 April 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⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EEC) No 910/87⁽⁴⁾, 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⁽⁵⁾ 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 16 April 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 22 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 88, 31. 3. 1987, p. 42.

⁽⁵⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 21 April 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 4	1st period 5	2nd period 6	3rd period 7
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	3,92	3,92	3,92
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 1089/87

of 15 April 1987

re-establishing the levying of customs duties on woven fabrics of man-made fibres (discontinuous or waste), products of category No ex 3 (code 40.0033), originating in Pakistan, to which the preferential tariff arrangements of Council Regulation (EEC) No 3925/86 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3925/86 of 16 December 1986 applying generalized tariff preferences for 1987 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of its Annexes I or II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; Whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of woven fabrics of man-made fibres (discontinuous or waste), products of category No ex 3 the

relevant ceiling amounts to 5,1 tonnes; Whereas on 30 March 1987 imports of the products in question into the Community, originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-introduce the levying of customs duties for the products in question with regard to Pakistan,

HAS ADOPTED THIS REGULATION:

Article 1

As from 25 April 1987 the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3925/86, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan:

Code	Category	CCT heading No	NIMEXE code (1987)	Description
	(1)	(2)	(3)	(4)
40.0033	ex 3	ex 56.07 A	56.07-04, 10, 20, 30, 39, 45	Woven fabrics of man-made fibres (discontinuous or waste): A. Of synthetic textile fibres: Woven fabrics of synthetic fibres (discontinuous or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics: — Unbleached or bleached

Article 2

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

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 68.

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

Done at Brussels, 15 April 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1090/87

of 15 April 1987

re-establishing the levying of customs duties on women's stockings of synthetic fibres, products of category No 70 (code 40.0700), originating in Sri Lanka, to which the preferential tariff arrangements of Council Regulation (EEC) No 3925/86 apply

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

Having regard to Council Regulation (EEC) No 3925/86 of 16 December 1986 applying generalized tariff preferences for 1987 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of its Annexes I or II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; Whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of women's stockings of synthetic fibres of category 70, the relevant ceiling amounts to 383 700 pieces whereas on 30 March 1987 imports of the products in question into the Community, originating in Sri Lanka, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-introduce the levying of customs duties for the products in question with regard to Sri Lanka,

HAS ADOPTED THIS REGULATION:

Article 1

As from 25 April 1987 the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3925/86, shall be re-established in respect of the following products, imported into the Community and originating in Sri Lanka:

Code	Category	CCT heading No	NIMEXE code (1987)	Description
	(1)	(2)	(3)	(4)
40.0700	70	60.04 ex B	60.04-31	Panty hose of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex)
		60.03 ex B	60.03-24, 26	Panty hose of synthetic fibres, measuring per single yarn less than 67 decitex (6,7 tex)
				Womens's stockings of synthetic fibres

Article 2

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

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

Done at Brussels, 15 April 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 68.

COMMISSION REGULATION (EEC) No 1091/87

of 15 April 1987

re-establishing the levying of customs duties on cotton yarn not put up for retail sale, products of category No 1 a) (code 40.0014), originating in Thailand, to which the preferential tariff arrangements of Council Regulation (EEC) No 3825/86 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3925/86 of 16 December 1986 applying generalized tariff preferences for 1987 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected to individual ceilings not allocated among the Member States, within the limits of the quantities specified in column 7 of its Annexes I or II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes; Whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of cotton yarn not put up for retail sale, products of category No 1 a), the relevant ceiling amounts to 13 200 tonnes; whereas on 30 March 1987 imports of the products in question into the Community, originating in Thailand, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-introduce the levying of customs duties for the products in question with regard to Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 25 April 1987 the levying of customs duties, suspended in pursuance of Council Regulation (EEC) No 3925/86, shall be re-established in respect of the following products, imported into the Community and originating in Thailand:

Code	Category	CCT heading No	NIMEXE code (1987)	Description
	(1)	(2)	(3)	(4)
40.0014	1 a)	ex 55.05	55.05-33, 35, 37, 41, 45, 46, 61, 65, 67, 69, 72, 78	Cotton yarn not put up for retail sale

Article 2

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

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

Done at Brussels, 15 April 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 68.

COMMISSION REGULATION (EEC) No 1092/87

of 15 April 1987

on a standing invitation to tender to determine levies and/or refunds on exports
of white sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 229/87⁽²⁾, and in particular Articles 13 (2), 18 (5), 19 (4) and (7) and the second subparagraph of Article 39 thereof,

Having regard to Council Regulation (EEC) No 608/72 of 23 March 1972 laying down rules to be applied in the case of considerable price rises on the world sugar markets⁽³⁾, and in particular Article 1 (1) thereof,

Whereas, in view of the situation on the Community and world sugar markets, a standing invitation to tender should be issued as soon as possible for the export of white sugar in respect of the 1987/88 marketing year which, having regard to possible fluctuations in world prices for sugar, must provide for the determination of export levies and/or export refunds;

Whereas the general rules governing invitations to tender for the purpose of determining export refunds for sugar were laid down in Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽⁴⁾, as last amended by Regulation (EEC) No 1489/76⁽⁵⁾;

Whereas, in view of the specific nature of the transactions involved, special detailed rules should be laid down in this Regulation, and those provided for in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1467/77⁽⁷⁾, should not apply; whereas, for the same reasons, appropriate provisions should be laid down with regard to export licences

issued in connection with the standing invitation to tender and there should be a derogation from Commission Regulation (EEC) No 2630/81 of 10 September 1981 on special detailed rules for the application of the system of import and export licences for sugar⁽⁸⁾, as last amended by Regulation (EEC) No 3819/85⁽⁹⁾; whereas, however, the provisions of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁰⁾, as last amended by Regulation (EEC) No 3913/86⁽¹¹⁾, and those of Commission Regulation (EEC) No 645/75 of 13 March 1975 laying down common detailed rules for the application of the export levies and charges on agricultural products⁽¹²⁾, as last amended by Regulation (EEC) No 1607/80⁽¹³⁾ should remain applicable;

Whereas the second subparagraph of Article 3 (1) of Commission Regulation (EEC) No 3155/85 of 11 November 1985 providing for the advance fixing of monetary compensatory amounts⁽¹⁴⁾, as amended by Regulation (EEC) No 3826/85⁽¹⁵⁾, provides that, where the levy or refund is fixed in advance by means of tenders, applications to fix the monetary compensatory amount in advance shall be accepted only if the party concerned has declared in writing at the time of submission of the tender that he will also apply to fix the monetary compensatory amount in advance if the tender is accepted in whole or in part; whereas, in such cases, the obligation to lodge an application to fix the levy or refund in advance following acceptance of the tender involves an obligation to request at the same time advance fixing of the monetary compensatory amount; whereas, for reasons peculiar to the market in sugar, when an operator intends to make use of the facility of fixing a monetary compensatory amount in advance in connection with an export levy or refund fixed in advance under a tendering procedure he only makes up his mind to do so at the moment when the application for the export licence is made; whereas it is only after he has been declared successful in respect of a levy or refund for the quantity of sugar indicated in his tender that the said monetary compensatory amount can be fixed in advance; whereas, in consequence, a derogation should be made from the said provision in the case of this tendering procedure, so that appli-

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 75, 28. 3. 1972, p. 5.

⁽⁴⁾ OJ No L 143, 25. 6. 1978, p. 6.

⁽⁵⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁶⁾ OJ No 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.

⁽⁸⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁹⁾ OJ No L 368, 31. 12. 1985, p. 25.

⁽¹⁰⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽¹¹⁾ OJ No L 364, 23. 12. 1986, p. 31.

⁽¹²⁾ OJ No L 67, 14. 3. 1975, p. 16.

⁽¹³⁾ OJ No L 160, 26. 6. 1980, p. 42.

⁽¹⁴⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽¹⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

cation for advance fixing of the monetary compensatory amount at the time when the application for the export licence is made should be possible;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A standing invitation to tender shall be issued in order to determine export levies and/or export refunds on white sugar. During the period of validity of this standing invitation, partial invitations to tender shall be issued.
2. The standing invitation to tender shall remain open until 31 July 1988.

Article 2

The standing invitation to tender and the partial invitations shall be conducted in accordance with Regulation (EEC) No 766/68 and with the following provisions. Regulation (EEC) No 394/70 shall not apply.

Article 3

1. The notice of the invitation to tender shall be published in the *Official Journal of the European Communities*. Member States may also publish the notice, or have it published, elsewhere.
2. The notice shall indicate in particular the terms of the invitation of tender.
3. The notice may be amended during the period of validity of the standing invitation to tender. It shall be so amended if the terms of the invitation to tender are modified during that period.

Article 4

1. The period during which tenders may be submitted in response to the first partial invitation to tender:
 - (a) shall begin on 22 April 1987;
 - (b) shall end on 6 May 1987 at 10.30 a.m.
2. The periods during which tenders may be submitted in response to the second and subsequent partial invitations:
 - (a) shall begin on the first working day following the end of the preceding period;
 - (b) shall end at 10.30 a.m. on the Wednesday of the following week.
3. Notwithstanding paragraph 2 (b), the period for the submission of tenders which was to end on

- Wednesday, 10 and 17 June 1987 shall end on Tuesday, 9 and 16 June 1987 respectively at 10.30 a.m.,
 - Wednesday, 28 October 1987 shall end on Tuesday, 27 October 1987 at 10.30 a.m.,
 - Wednesday, 11 and 18 November 1987 shall end on Tuesday, 10 and 17 November 1987 respectively at 10.30 a.m.
4. Notwithstanding paragraph 2, no partial invitations to tender will be issued on Wednesday, 23 and 30 December 1987.
 5. The time limits laid down in this Regulation are expressed in Belgian time.

Article 5

1. Offers in connection with this tender must be in writing, and must be either delivered by hand, against a receipt, to the competent authority in a Member State, or addressed to that authority by registered letter, telex or telegram.
2. An offer must indicate:
 - (a) the reference number of the invitation to tender to which the offer relates;
 - (b) the name and address of the tenderer;
 - (c) the quantity of white sugar to be exported;
 - (d) the amount of the export levy or, where applicable, of the export refund, per 100 kilograms of white sugar, expressed in the currency of the Member State in which the tender is submitted;
 - (e) the minimum amount of the security to be lodged covering the quantity of sugar indicated in (c), expressed in the currency of the Member State in which the tender is submitted.
3. An offer shall be valid only if:
 - (a) the quantity to be exported is not less than 250 tonnes of white sugar;
 - (b) proof is furnished before expiry of the time limit for the submission of tenders that the tenderer has lodged the security indicated in the tender;
 - (c) it includes a declaration by the tenderer that if his tender is successful he will, within the period laid down in Article 12 (b), apply for an export licence or licences in respect of the quantities of white sugar to be exported;
 - (d) it includes a declaration by the tenderer that if his tender is successful he will:
 - where the obligation to export resulting from the export licence referred to in Article 12 (b) is not fulfilled, supplement the security by payment of the amount referred to in Article 13 (4), and
 - within 30 days following the expiry of the export licence in question, notify the agency which issued the licence of the quantity or quantities in respect of which the licence was not used;
 - (e) it contains all the information required under paragraph 2.

4. A tender may stipulate that it is to be regarded as having been submitted only if:

- (a) the minimum export levy or, where applicable, the maximum export refund is fixed on the day of the expiry of the period for the submission of the tenders in question;
- (b) the tender, if successful, relates to all or a specified part of the tendered quantity.

5. A tender which is not submitted in accordance with the provisions of this Regulation, or which contains terms other than those indicated in the present invitation to tender, shall not be considered.

6. Once submitted, a tender may not be withdrawn.

Article 6

1. A security of 9 ECU per 100 kilograms of white sugar to be exported under this invitation to tender must be lodged by each tenderer. Without prejudice to Article 13 (3), this security shall in the case of successful tenderers and at the time of the application referred to in Article 12 (b) become the security for the export licence.

2. The security may be lodged at the tenderer's choice, either in cash or in the form of a guarantee given by an establishment complying with criteria laid down by the Member State in which the tender is submitted.

3. Except in cases of *force majeure* the security referred to in paragraph 1 will be released:

- (a) to unsuccessful tenderers in respect of the quantity for which no award has been made;
- (b) to successful tenderers who have not applied for the relevant export licence within the period referred to in Article 12 (b), to the extent of 8 ECU per 100 kilograms of white sugar.

However, this part of the releasable security shall be reduced by the amount representing the difference existing, as applicable:

- between the maximum amount of the export refund fixed for the partial invitation concerned and the maximum amount of the export refund fixed for the following partial invitation when the latter amount is higher than the former,
- or
- between the minimum amount of the export levy fixed for the partial invitation concerned and the minimum amount of the export levy fixed for the following partial invitation when the latter amount is lower than the former;

- (c) to successful tenderers for the quantity for which they have fulfilled, within the meaning of Article 29 (b) and the first subparagraph of Article 30 (1) (b) of Regulation (EEC) No 3183/80, the export obligation

resulting from the licence referred to under Article 12 (b) in accordance with the terms of Article 33 of that Regulation.

The part of the security or the security which is not released shall be forfeit in respect of the quantity of sugar for which the corresponding obligations have not been fulfilled.

4. In case of *force majeure*, the competent authority of the Member State concerned shall take such action as it considers necessary having regard to the circumstances invoked by the party concerned.

Article 7

1. Tenders shall be examined in private by the competent authority concerned. The persons present at the examination shall be under an obligation not to disclose any particulars relating thereto.

2. Tenders shall be communicated to the Commission forthwith and in such a manner that the tenderers remain anonymous.

Article 8

1. After the tenders received have been examined, a maximum quantity may be fixed for the partial invitation concerned.

2. A decision may be taken to make no award under a specific partial invitation to tender.

Article 9

1. In the light of the current state and foreseeable development of the Community and world sugar markets, there shall be fixed either:

- a minimum export levy,
- or
- a maximum export refund.

2. Subject to Article 10, where a minimum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or greater than such minimum levy.

3. Subject to Article 10, where a maximum export refund is fixed, a contract shall be awarded to every tenderer whose tender quotes a rate of refund equal to or less than such maximum refund and to every tenderer who has tendered for an export levy.

Article 10

1. Where a maximum quantity has been fixed for a partial invitation to tender:

- if a minimum levy is fixed, a contract shall be awarded to the tenderer whose tender quotes the highest levy; if the maximum quantity is not fully

covered by that award, awards shall be made to other tenderers in descending order of levies quoted until the entire maximum quantity has been accounted for,

- if a maximum refund is fixed, contracts shall be awarded in accordance with the first indent; if after such awards a quantity is still outstanding, or if there are no tenders quoting an export levy, contracts shall be awarded in ascending order of refunds quoted until the entire maximum quantity has been accounted for, to tenderers quoting a refund.

2. However, where an award to a particular tenderer in accordance with the provisions of paragraph 1 would result in the maximum quantity being exceeded, that award shall be limited to such quantity as is still available. Where two or more tenderers quote the same levy or the same refund and awards to all of them would result in the maximum quantity being exceeded, then the quantity available shall be awarded as follows:

- by being divided among the tenderers concerned in proportion to the total quantities in each of their tenders, or
- by being apportioned among the tenderers concerned by reference to a maximum tonnage to be fixed for each of them, or
- by the drawing of lots.

Article 11

1. The competent authority of the Member State concerned shall immediately notify applicants of the result of their participation in the invitation to tender. In addition, that authority shall send successful tenderers a statement of award.

2. The statement of award shall indicate:

- (a) the reference number of the invitation to which the tender relates;
- (b) the quantity white sugar to be exported;
- (c) the export levy to be charged, or where applicable the export refund to be granted, per 100 kilograms of white sugar of the quantity referred to in (b).

Article 12

Every successful tenderer shall have:

- (a) the right to receive in the circumstances referred to under (b), in respect of the quantity awarded, an export licence indicating, as appropriate, the export levy or the export refund quoted in his tender;
- (b) the obligation to lodge, in accordance with the relevant provisions of Regulation (EEC) No 3183/80, an application for an export licence in respect of that

quantity, the application not being revocable and Article 10 of Regulation (EEC) No 645/75 not applying in such a case. The application shall be lodged in accordance with the relevant provisions of Regulation (EEC) No 3183/80, not later than:

- the last working day preceding the date of the partial invitation to tender to be held the following week,
- or
- if no partial invitation to tender is due to be held that week, the last working day of the following week;

- (c) the obligation to export the tendered quantity and, if this obligation is not fulfilled, to pay, where necessary, the amount referred to in Article 13 (4).

This right and these obligations are not transferable.

Article 13

1. The first paragraph of Article 9 of Regulation (EEC) No 2630/81 shall not apply to the white sugar to be exported in accordance with this Regulation.

2. Export licences issued in connection with a partial invitation to tender shall be valid from the day of issue until the end of the fifth calendar month following that in which the partial invitation was issued.

However, export licences issued in respect of the partial invitations held after 1 May 1988 will be valid only until 30 September 1988.

3. The export licences issued in respect of the partial invitations held between 6 May 1987 and 9 September 1987 will be usable only after 15 September 1987.

4. Except in cases of *force majeure*, if the obligation to export resulting from the export licence referred to under Article 12 (b) has not been fulfilled and if the security referred to in Article 6 is less than:

- (a) the export levy indicated on the licence reduced by the levy referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 1785/81 in force on the last day of validity of the said licence,

or

- (b) the sum of the export levy indicated on the licence and the refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the said licence,

or

- (c) the export refund referred to in Article 2 of Regulation (EEC) No 766/68 in force on the last day of validity of the licence reduced by the refund indicated on the said licence,

then, for the quantity in respect of which the said obligation was not fulfilled, the licence holder shall be charged an amount equal to the difference between the result of the calculation made under (a), (b) or (c), as the case may be, and the security referred to in Article 6 (1).

Article 14

If the tenderer intends to apply for advance fixing of the monetary compensatory amount under this standing invitation to tender, the provisions of the second paragraph of Article 3 (1) of Regulation (EEC) No 3155/85 shall not apply.

Article 15

1. If the terms of Article 12 of Regulation (EEC) No 766/68 apply, the export refunds and export levies fixed in advance under the terms of the present invitation to tender :

- (a) before 1 July 1987, for the sugar exported as from that date ;
- (b) before 1 July 1988, for the sugar exported as from that date ;

shall be adjusted.

2. For the adjustment referred to in paragraph 1 (a) :

- (a) in the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1987 which is greater than that in force on 30 June 1987, the export refund shall be increased and the export levy shall be reduced by the difference expressed in ECU per 100 kilograms existing between the intervention price for white sugar applicable with effect from 1 July 1987 and the intervention price for that sugar in force on 30 June 1987 ;

- (b) in the event of the fixing of an intervention price for white sugar applicable with effect from 1 July 1987 which is lower than that in force on 30 June 1987, the export refund shall be reduced and the export levy shall be increased by the difference expressed in ECU per 100 kilograms existing between the intervention price for white sugar in force on 30 June 1987 and the intervention price for that sugar applicable with effect from 1 July 1987.

3. For the calculation of the differences referred to in paragraph 2, the intervention prices in question shall be increased by the corresponding storage levy referred to in the second subparagraph of Article 8 (2) of Regulation (EEC) No 1785/81.

4. For the purpose of applying this Article, the Member State issuing the relevant export licence shall at the time of issue complete section 18a by adding the following : 'to be adjusted in accordance with adjudication Regulation (EEC) No 1092/87 for exports which take place after 30 June ...' (1987 or 1988 as applicable).

5. Upon presentation by the holder of the export licence concerned, or by the assignee when the licence has been transferred, to the Member State that issued it and before the customs formalities for the quantities concerned have been carried out, that Member State shall enter the adjustment to be made in section 18a and shall duly certify and stamp that section.

6. For the adjustment referred to in paragraph 1 (b) the provisions of paragraphs 2 of 5 shall be applicable *mutatis mutandis*.

7. The Member States shall inform the Commission as quickly as possible of the quantities of sugar for which an adjustment under this Article has been made.

Article 16

This Regulation shall enter into force on 22 April 1987.

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

Done at Brussels, 15 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1093/87

of 21 April 1987

amending Regulation (EEC) No 2409/86 as regards the sale of intervention butter
at a set price for the purpose of experimental industrial utilization

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the trend in the level of stocks is still very worrying despite the series of measures implemented to encourage their disposal; whereas it is consequently necessary to find new outlets for the non-traditional use of butter in addition to its use in food and feedingstuffs; whereas Commission Regulation (EEC) No 2409/86 ⁽³⁾, as last amended by Regulation (EEC) No 1014/87 ⁽⁴⁾, which lays down arrangements for the sale of intervention butter for incorporation in compound feedingstuffs should be amended to that end;

Whereas, initially, full-scale research work must be able to be conducted; whereas the sale of the oldest intervention butter at a reduced price for the purpose of experimental industrial denaturing represents a suitable measure in the circumstances; whereas the butter must be sold at a price such that the cost of implementing the measure is not prohibitively high, particularly as compared with the selling price for competing oils and fats;

Whereas the wide range of possible processes for utilizing the butter for the abovementioned purpose calls for on-the-spot monitoring of the use of all the butter until the quantities purchased are irreversibly denatured;

Whereas Article 4 (1) of Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽⁵⁾, as last amended by Regulation (EEC) No 801/87 ⁽⁶⁾, provides that the cost to the budget of the measure referred to in Regulation (EEC) No 2409/86 is to be spread over several financial years, whereas the special rules for such financing apply from 1 December 1986; whereas a reference to that provision should be introduced into Regulation (EEC) No 2409/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2409/86 is hereby amended as follows:

1. The title of the Regulation is amended to read as follows:

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

2. The following Title VIIa is inserted:

'TITLE VIIa

Sale at a set price for the purpose of experimental industrial utilization

Article 27a

Butter as referred to in Article 1 shall be sold at a set price under the conditions set out below for the purpose of experimental industrial utilization other than utilization in food and feedingstuffs.

Article 27b

The butter shall be sold by the intervention agency:

- (a) in quantities of not less than 10 tonnes and not more than 10 000 tonnes;
- (b) at 70 ECU per tonne ex cold store.

Article 27c

1. Under the terms of the purchase contract, the purchaser shall:

- undertake to use in the Community the entire quantity of butter purchased in an experimental industrial project leading to the irreversible denaturing of the butter,
- declare that he has notified the Commission of the said project, which shall be appended to the contract and shall form an integral part thereof.

⁽¹⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 5.

⁽³⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽⁴⁾ OJ No L 95, 9. 4. 1987, p. 11.

⁽⁵⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁶⁾ OJ No L 79, 21. 3. 1977, p. 14.

2. The contract shall specify the Member State on whose territory the project is to be carried out. If that Member State is not the Member State in which the butter is located, the purchaser shall also notify that Member State of the project.

Article 27d

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

- furnish evidence that he has lodged a security to ensure the fulfilment of the primary requirement concerning the completion of the project appended to the contract and of the secondary requirement concerning the removal of the butter within the time limit laid down in paragraph 4,
- pay the purchase price for the butter.

2. The amount of the security shall be 3 100 ECU per tonne.

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

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

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

Article 27e

Where the butter is not removed within the time limit laid down in Article 27d (4), in addition to the penalty provided for in Article 24 of Regulation (EEC) No 2220/85 applied after deducting the price of the butter, the sale shall be cancelled on the 30th day following the expiry of the said time limit.

Article 27f

1. The project referred to in the contract shall be carried out within two months of the day of removal in an establishment approved for the purpose by the Member State on whose territory that establishment is located.

Approval may only be granted to an establishment which:

- has the appropriate technical facilities for carrying out the project and in particular to ensure the leak-tightness and the irreversibility of the denaturing process,
- undertakes to forward its schedule for using the butter, in accordance with the rules laid down by

the Member State concerned, to the agency responsible for supervision.

2. Approval shall be withdrawn where the provisions of this Article are not complied with. It may be withdrawn where the undertaking concerned is found to have failed to comply with any other obligation under this Regulation.

Article 27g

The butter referred to in Article 1 shall remain in its original wrapping until it is used for the purposes of the project referred to in the contract.

It shall be accompanied by a list of the packages.

Provisions which require the use of refrigerated vehicles shall not apply to the carriage of this butter.

The wrapping of butter removed from storage shall bear one or more of the following statements in easily legible and clearly visible characters:

- Mantequilla destinada a la desnaturalización industrial experimental: Reglamento (CEE) nº 2409/86 — título VIIbis
- Smør til eksperimentel denaturering i industrien: forordning (EØF) nr. 2409/86 — afsnit VIIa
- Butter für die experimentelle industrielle Denaturierung: Verordnung (EWG) Nr. 2409/86 — Titel VIIa
- Βούτυρο που προορίζεται για πειραματική βιομηχανική μετουσίωση: κανονισμός (ΕΟΚ) αριθ. 2409/86 — τίτλος VIIa
- Butter for experimental industrial denaturing: Regulation (EEC) No 2409/86 — Title VIIa
- Beurre destiné à la dénaturaion industrielle expérimentale: règlement (CEE) nº 2409/86 — titre VIIbis
- Burro destinato alla denaturazione industriale sperimentale: regolamento (CEE) n. 2409/86 — titolo VIIbis
- Boter bestemd voor experimenteel industrieel gebruik: Verordening nr. 2409/86 — titel VIIbis
- Manteiga destinada à desnaturação industrial experimental: Regulamento (CEE) nº 2409/86 — título VIIa.

Article 27h

The Member State on whose territory the project referred to in the contract takes place shall, in accordance with rules it shall determine, exercise constant on-the-spot supervision of the use of the entire quantity of butter purchased until it is completely and definitively denatured.

The costs of supervision shall be borne by the purchaser.

Article 27i

By way of derogation from Regulation (EEC) No 2220/85, only 90 % of the security shall be released where the conditions laid down in Article 28 of the said Regulation are met.

The full security shall be released only after the Commission has been notified of the findings of the project referred to in the contract, within two months of the date which appears on the discharge signed by the body responsible for supervision.'

3. The following subparagraph is added to Article 39 :
'Expenditure under this Regulation shall be financed in accordance with the second, third and fourth subparagraphs of Article 4 (1) of Council Regulation (EEC) No 1883/78 (1).

(1) OJ No L 216, 5. 8. 1978, p. 1.'

Article 2

In Part II of the Annex to Commission Regulation (EEC) No 1687/76 (1) entitled 'Products intended for use and/or

destination other than that referred to in Part I', the following is added to point 38 :

'On the dispatch of butter in the unaltered state directly for experimental industrial use :

— Section 104 :

— for denaturing in an experimental industrial project — Regulation (EEC) No 2409/86

— Section 106 :

— the date before which the butter in the unaltered state must have been used for the said project.'

Article 3

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

Article 1 (3) shall apply with effect from 1 December 1986.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

(1) OJ No L 190, 14. 7. 1976, p. 1.

COMMISSION REGULATION (EEC) No 1094/87**of 21 April 1987****amending for the second time Regulation (EEC) No 1694/86 laying down detailed
implementing rules for the granting of a calf birth premium**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 1346/86
of 6 May 1986 on the granting of a calf birth premium in
Greece, Ireland, Italy and Northern Ireland and on the
granting of an additional national premium in Italy ⁽¹⁾, as
last amended by Regulation (EEC) No 467/87 ⁽²⁾, and in
particular Article 3 thereof,Whereas Commission Regulation (EEC) No 1694/86 of
30 May 1986 laying down detailed implementing rules for
the granting of a calf birth premium ⁽³⁾, as amended by
Regulation (EEC) No 381/87 ⁽⁴⁾, should be amended so as
to take into account the latest amendments made by the
Council to the abovementioned 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*In the first indent of Article 1 (1) of Regulation (EEC) No
1694/86, 'commencing 28 April 1986 and ending 5 April
1987' is replaced by 'commencing 6 April 1987 and
ending 31 December 1988'.*Article 2*

In Article 3, 'Greece' is deleted.

*Article 3*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 6 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 39.⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.⁽³⁾ OJ No L 146, 31. 5. 1986, p. 54.⁽⁴⁾ OJ No L 36, 7. 2. 1987, p. 11.

COMMISSION REGULATION (EEC) No 1095/87**of 21 April 1987****fixing the storage aid for unprocessed dried grapes and dried figs from the
1986/87 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 1838/86 ⁽²⁾, and in particular Article 8 (8) thereof,

Whereas Article 1 (1) of Commission Regulation (EEC) No 627/85 of 12 March 1985 on storage aid and financial compensation for unprocessed dried grapes and figs ⁽³⁾ provides that storage aid shall be fixed per day and per 100 kilograms net of sultanas of category 4 and figs of category C; whereas paragraph 2 of the same Article provides that one rate of storage aid for dried grapes shall apply until the end of February of the year following that in which the products were bought and another rate shall apply to storage beyond that period;

Whereas the storage aid shall be calculated taking into consideration the technical cost of storage and the financing of the purchase price paid for the products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The storage aid referred to in Article 1 of Regulation (EEC) No 627/85 shall, for products from the marketing year 1986/87, be as set out in the Annex.

Article 2

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

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.

⁽³⁾ OJ No L 72, 13. 3. 1985, p. 17.

ANNEX

STORAGE AID FOR UNPROCESSED DRIED GRAPES AND DRIED FIGS FROM THE
1986/87 MARKETING YEAR

A. DRIED GRAPES

(ECU per day per 100 kilograms net)

	Until the end of February 1988	From 1 March 1988
Sultanas category 4	0,0529	0,0063

B. DRIED FIGS

(ECU per day per 100 kilograms net)

Dried figs category C	0,0296
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COMMISSION REGULATION (EEC) No 1096/87

of 21 April 1987

amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 3143/85 ⁽³⁾, as last amended by Regulation (EEC) No 569/87 ⁽⁴⁾, provides for the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter; whereas this is one of the additional measures provided for in 1987 and 1988 to increase the rate of disposal of butter from public storage; whereas special rules for the financing of these measures were introduced into Article 4 (1) of Council Regulation (EEC) No 1883/78 ⁽⁵⁾, as last amended by Regulation (EEC) No 801/87 ⁽⁶⁾, with effect from 1 December 1986; whereas the said special rules for financing should, therefore, be referred to in Regulation (EEC) No 3143/85;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is hereby added to Article 13 of Regulation (EEC) No 3143/85:

'The expenditure arising from this Regulation shall be financed in accordance with the provisions of the second, third and fourth subparagraphs of Article 4 (1) of Council Regulation (EEC) No 1883/78 ⁽¹⁾.

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.'

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 December 1986.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 57, 27. 2. 1987, p. 26.

⁽⁵⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 14.

COMMISSION REGULATION (EEC) No 1097/87**of 21 April 1987****amending Regulation (EEC) No 765/86 laying down detailed rules for the sale of
butter from intervention stock for export to certain destinations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 765/86 ⁽³⁾, as last amended by Regulation (EEC) No 815/87 ⁽⁴⁾, provides for the temporary sale of butter from intervention stock for export to certain destinations; whereas this is one of the additional measures provided for in 1987 and 1988 to increase the rate of disposal of butter from public stocks; whereas special rules were introduced into Article 4 (1) of Council Regulation (EEC) No 1883/78 ⁽⁵⁾, as last amended by Regulation (EEC) No 801/87 ⁽⁶⁾, with effect from 1 December 1986; whereas reference to the said special rules for financing should, therefore, be introduced into Regulation (EEC) No 765/86;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 18a is hereby added to Regulation (EEC) No 765/86:

'Article 18a

The expenditure arising from this Regulation shall be financed in accordance with the provisions of the second, third and fourth subparagraphs of Article 4 (1) of Regulation (EEC) No 1883/78.'

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 December 1986.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 72, 15. 3. 1986, p. 11.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 42.

⁽⁵⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 14.

COMMISSION REGULATION (EEC) No 1098/87

of 21 April 1987

altering the corrective amount applicable to the refund on cereals

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 891/87 ⁽⁴⁾;

Whereas, the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 891/87 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 22 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 85, 28. 3. 1987, p. 25.

ANNEX

to the Commission Regulation of 21 April 1987 altering the corrective amount applicable
to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9	6th period 10
10.01 B I	Common wheat and meslin	0	0	— 35,00	— 35,00	— 35,00	— 35,00	— 35,00
10.01 B II	Durum wheat	0	0	0	—	—	—	—
10.02	Rye	0	0	0	—	—	—	—
10.03	Barley	0	0	— 35,00	— 35,00	— 35,00	— 35,00	— 35,00
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing							
	for export to :							
	— zones I, II b), IV b), V a), VI and the German Democratic Republic	0	+ 20,00	+ 20,00	—	—	—	—
	— Other third countries	0	0	0	—	—	—	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.01 B	Rye flour	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.02 A I a)	Durum wheat groats and meal	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00
11.02 A I b)	Common wheat groats and meal	0	0	— 50,00	— 50,00	— 50,00	— 50,00	— 50,00

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 1099/87

of 21 April 1987

introducing a countervailing charge on tomatoes originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 829/87 of 23 March 1987 fixing for the 1987 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at 197,27 ECU per 100 kilograms net for the month of April 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⁽⁴⁾, as last amended by Regulation

(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 829/87;

Whereas, for tomatoes 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 tomatoes;

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

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

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁷⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 4 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the second year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 37,74 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 23 April 1987.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 12.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1100/87

of 21 aprile 1987

introducing a countervailing charge on artichokes originating in Spain (except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 3212/86 of 22 October 1986 fixing for the 1986/87 marketing year the reference prices for artichokes⁽³⁾ fixed the reference price for products of class I for the period 1 January to 30 April 1987 at 78,03 ECU per 100 kilograms net;

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

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

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

Whereas, for artichokes 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 artichokes;

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

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

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁷⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 4 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the second year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 18,07 ECU per 100 kilograms net is applied to artichokes (subheading 07.01 L of the Common Customs Tariff) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 23 aprile 1987.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 299, 23. 10. 1986, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 21 aprile 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1101/87

of 21 April 1987

introducing a countervailing charge on tomatoes originating in Tunisia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 829/87 of 23 March 1987 fixing for the 1987 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at 197,27 ECU per 100 kilograms net for the month of April 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⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 829/87;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 60,97 ECU per 100 kilograms net is applied to tomatoes (subheading 07.01 M of the Common Customs Tariff) originating in Tunisia.

Article 2

This Regulation shall enter into force on 23 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 12.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

COMMISSION REGULATION (EEC) No 1102/87

of 22 April 1987

abolishing the countervailing charge on lemons originating in Spain (except the Canary Islands)

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

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

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

Whereas Commission Regulation (EEC) No 957/87⁽³⁾, as last amended by Regulation (EEC) No 1050/87⁽⁴⁾, introduced a countervailing charge on lemons originating in Spain (except the Canary Islands).

Whereas the present trend of prices for products originating in Spain (except in the Canary Islands) on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 3811/85⁽⁶⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price

for two consecutive market days ; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished ;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁷⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 957/87 is hereby repealed.

Article 2

This Regulation shall enter into force on 22 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 90, 2. 4. 1987, p. 33.

⁽⁴⁾ OJ No L 102, 14. 4. 1987, p. 22.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 1103/87

of 21 April 1987

introducing a countervailing charge on artichokes originating in Morocco

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

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

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

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

Whereas Commission Regulation (EEC) No 3212/86 of 22 October 1986 fixing for the 1986/87 marketing year the reference prices for artichokes⁽³⁾ fixed the reference price for products of class I for the period 1 January to 30 April 1987 at 78,03 ECU per 100 kilograms net;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 2,04 ECU per 100 kilograms net is applied to artichokes (subheading 07.01 L of the Common Customs Tariff) originating in Morocco.

Article 2

This Regulation shall enter into force on 23 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 299, 23. 10. 1986, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

COMMISSION REGULATION (EEC) No 1104/87

of 21 April 1987

introducing a countervailing charge on aubergines originating in the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 830/87 of 23 March 1987 fixing for the 1987 marketing year the reference prices for aubergines⁽³⁾ fixed the reference price for products of class I for the month of April 1987 at 87,31 ECU per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for aubergines originating in 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 aubergines;

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

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

Whereas, in accordance with Article 1 (5) of Protocol 2 to the Act of Accession of Spain and Portugal⁽⁷⁾, the Community must apply in its trade with the Canary Islands, for products covered by Annex II to the EEC Treaty, the general arrangements which it applies in its foreign trade;

Whereas, in accordance with Article 4 of the said Protocol, the products, including aubergines, specified in Annex A to the Protocol, qualify for preferential arrangements, subject to the tariff quota opened by way of Community Regulation (EEC) No 4044/86⁽⁸⁾;

HAS ADOPTED THIS REGULATION:

Article 1

When aubergines falling within subheading 07.01 T II of the Common Customs Tariff and originating in the Canary Islands are imported, a countervailing charge shall be levied, the amount of which shall be fixed at:

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 14.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 302, 15. 11. 1985, p. 9.

⁽⁸⁾ OJ No L 377, 31. 12. 1986, p. 8.

- 4,00 ECU per 100 kilograms net weight for quantities within the tariff quota laid down by Regulation (EEC) No 4044/86,

However this charge shall not be levied on quantities imported into Spain within the tariff quotas laid down by Regulation (EEC) No 4044/86.

Article 2

- 4,17 ECU per 100 kilograms, for other amounts.

This Regulation shall enter into force on 23 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1105/87

of 21 April 1987

amending for the fourth time Regulation (EEC) No 2033/85 in respect of the guaranteed total quantities of milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

amended by Regulation (EEC) No 774/87 ⁽⁴⁾, and in particular the second subparagraph of Article 6 (2) thereof,

Having regard to the Treaty establishing the European Economic Community,

Whereas Commission Regulation (EEC) No 2033/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3571/85 ⁽⁶⁾, provides that the guaranteed total quantities of milk and milk products may be adapted;

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 5c (7) thereof,

Whereas, in respect of Belgium and Greece, the guaranteed total quantities fixed in respect of deliveries to purchasers and of direct sales to consumption must be adapted to allow for the structural changes recorded on the basis of statistical data;

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 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 ⁽³⁾, as last

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 2033/85 is hereby replaced by the following:

Article 1

1. With effect from 1 April 1986, the guaranteed total quantities in respect of Belgium and Greece which appear under (b) and (c) in the second and third subparagraphs of Article 5c (3) of Regulation (EEC) No 804/68 shall be amended as follows:

(1 000 tonnes)

	Guaranteed total quantity	Period 1 April 1987 to 31 March 1988	Period 1 April 1988 to 31 March 1989
Belgium	3 211	3 146,78	3 114,67
Greece	537	526,26	520,89

2. The total quantities provided for in the Annex to Regulation (EEC) No 857/84 in respect of Belgium and Greece shall be amended as follows:

(1 000 tonnes)

	1 April 1986 to 31 March 1987	1 April 1987 to 31 March 1988	1 April 1988 to 31 March 1989
Belgium	400	392	388
Greece	46	45,08	44,62'

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁴⁾ OJ No L 78, 20. 3. 1987, p. 3.

⁽⁵⁾ OJ No L 192, 24. 7. 1985, p. 9.

⁽⁶⁾ OJ No L 341, 19. 12. 1985, p. 11.

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, 21 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 1106/87
of 21 April 1987
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 1040/87 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 22 April 1987.

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

Done at Brussels, 21 April 1987.

For the Commission

Frans ANDRIESSEN

Vice-President

- ⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.
⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.
⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.
⁽⁴⁾ OJ No L 99, 11. 4. 1987, p. 15.

ANNEX

to the Commission Regulation of 21 April 1987 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy (ECU/100 kg)
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	51,63 43,66 ⁽¹⁾

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

COMMISSION OF THE EUROPEAN COMMUNITIES

EMPLOYMENT AND HOUSING RENOVATION IN EUROPE

The growing crisis in the construction industry affecting Europe since 1974/75 has, apart from brief upswings, worsened considerably since the early 1980s.

Employment levels have declined sharply in the construction industry: in the space of ten years it has lost about one quarter of its workforce.

The crisis can be largely attributed to the impact of the following constraints on construction and civil engineering industry which leave it little room for manoeuvre:

- close ties to the public authorities' budgetary and financial policy leave it little autonomy with respect to macro-economic factors (household incomes, interest rates, etc);
- the structural change in demand resulting in a slowdown, then fall-off, in major public and industrial infrastructure programmes accompanied by the growth of more fragmented work;
- a change in the pattern of investment, which is gradually becoming more 'abstract' — i.e., aimed at rationalization rather than an increase in capacity.

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