

Official Journal

of the European Communities

ISSN 0378-6978

L 167

Volume 30

26 June 1987

English edition

Legislation

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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 1760/87
of 15 June 1987**

amending Regulations (EEC) No 797/85, (EEC) No 270/79, (EEC) No 1360/78 and (EEC) No 355/77 as regards agricultural structures, the adjustment of agriculture to the new market situation and the preservation of the countryside

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the situation of the agricultural markets has changed, and will change further, as a result of the reorientation of the common agricultural policy caused by the need to secure a gradual drop in output in those sectors where there is a surplus;

Whereas, in this context, the policy on structures must be used to help farmers adapt to this new situation and to cushion the effects that the new markets and prices policy is likely to have on agricultural incomes in particular;

Whereas, so that the objectives of the policy on structures can be realized, certain common measures covered by Article 6 of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽⁴⁾, as last amended by Regulation (EEC) No 3769/85 ⁽⁵⁾, introduced in order to achieve the objectives of Article 39 of the EEC Treaty, should be adjusted;

Whereas, in particular, the common measure introduced by Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽⁶⁾, as last amended by Regulation (EEC) No 2224/86 ⁽⁷⁾, should be adjusted and amplified;

Whereas an aid scheme, designed to encourage farmers to embark upon conversion and extensification of produc-

tion, may contribute towards adjusting the various production sectors to market requirements, in particular those in which there is a surplus;

Whereas, during an initial period, application of the extensification scheme may be restricted to the cereals, beef and veal and wine sectors;

Whereas provision should be made for compensation on the basis of the actual reduction in production, allowing for the maintenance of the incomes of farmers who have undertaken to reduce production;

Whereas the compensatory allowance for permanent natural handicaps in the areas covered by Council Directive 75/268/EEC ⁽⁸⁾, as last amended by Regulation (EEC) No 797/85, is indispensable both to help maintain farmers' incomes, and thus the maintenance of agricultural holdings in these areas, and, at the same time, to facilitate the adaptation and reorganization of such holdings;

Whereas amplification and strengthening of this measure would further increase its effects and allow more account to be taken of the relative severity of permanent natural handicaps and the importance of the services provided by farmers;

Whereas it should be left to the Member States to set the amounts of this allowance not only according to the severity of the permanent natural handicaps in question but also with due regard to the economic situation and the incomes of the holdings;

Whereas the Community's financial contribution to the compensatory allowance must be limited to the income objectives of this Regulation;

Whereas farmers in areas that are sensitive from the point of view of protection of the environment or preservation of the landscape are in a position to perform a valuable service to society as a whole and whereas the introduction

⁽⁸⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽¹⁾ OJ No C 273, 29. 10. 1986, p. 3.

⁽²⁾ OJ No C 227, 8. 9. 1986, p. 110.

⁽³⁾ OJ No C 328, 22. 12. 1986, p. 37.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽⁵⁾ OJ No L 362, 31. 12. 1985, p. 17.

⁽⁶⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁷⁾ OJ No L 194, 17. 7. 1986, p. 4.

of specific measures may encourage farmers to introduce or retain agricultural production practices that are compatible with the increased need to protect or preserve the countryside and at the same time help, by means of reorientation of their holdings, towards realization of the agricultural policy objective of restoring balance on the market in certain products;

Whereas the measures to encourage the afforestation of agricultural land must be amplified;

Whereas existing agricultural training schemes should be diversified in order to allow farmers to adjust their production, in particular with regard to production reorientation, and to apply production practices compatible with protection of the countryside and afforest agricultural areas;

Whereas the common measure introduced by Council Regulation (EEC) No 270/79 of 6 February 1979 on the development of agricultural advisory services in Italy ⁽¹⁾, as amended by Regulation (EEC) No 3768/85 ⁽²⁾, has not produced the desired results indispensable for the adaptation of agriculture in that Member State; whereas the measure should therefore be adjusted to render more flexible the systems for training advisers and for installing them as at present provided for;

Whereas the common measure introduced by Council Regulation (EEC) No 1360/78 of 19 June 1978 on producer groups and associations thereof ⁽³⁾, as last amended by Regulation (EEC) No 3827/85 ⁽⁴⁾, can be used to contribute towards the necessary adjustment, in particular with regard to the quality of agricultural products in certain regions in the Community; whereas the duration of the measure should therefore be extended and strengthened;

Whereas the encouragement of pilot or experimental projects in the processing or marketing of so-called organically grown crops may increase the effectiveness of the common measure introduced by Council Regulation (EEC) No 355/77 of 15 February 1977 on a common measure to improve the conditions under which agricultural and fishery products are processed and marketed ⁽⁵⁾, as last amended by Regulation (EEC) No 3827/85, the purpose being to bring about the better realization of the objectives of this Regulation in respect of the adjustment and reorientation of agriculture made necessary by the economic consequences of the common agricultural policy,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 797/85 is hereby amended as follows:

⁽¹⁾ OJ No L 38, 14. 2. 1979, p. 6.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 166, 23. 6. 1978, p. 1.

⁽⁴⁾ OJ No L 372, 31. 12. 1985, p. 1.

⁽⁵⁾ OJ No L 51, 23. 2. 1977, p. 1.

1. Article 1 is replaced by the following:

'Article 1

1. With a view to assisting the adjustment and reorientation of agriculture in the Community and so permitting its steady development, a common measure within the meaning of Article 6 (1) of Regulation (EEC) No 729/70, to be implemented by the Member States, is hereby introduced with the following objectives:

- (i) to help restore equilibrium between production and market capacity;
- (ii) to contribute to the improvement of the efficiency of farms by developing and reorganizing their structures;
- (iii) to maintain a viable agricultural Community, including mountain and hill areas and less-favoured areas;
- (iv) to contribute to the protection of the environment and the lasting conservation of the natural resources of agriculture.

2. In accordance with Title VIII, the Guidance Section of the European Agricultural Guidance and Guarantee Fund, hereinafter referred to as 'the Fund', shall make a contribution to the measure referred to in paragraph 1 concerning:

- (a) schemes designed to encourage the conversion and extensification of production;
- (b) investments in agricultural holdings and the setting-up of young farmers in business;
- (c) other measures to assist agricultural holdings, such as the introduction of the keeping of accounts and the establishment and operation of groups, services and facilities for the benefit of several holdings;
- (d) specific measures to assist mountain and hill farming and farming in certain less-favoured areas;
- (e) specific measures to protect the environment and preserve the landscape;
- (f) forestry measures that are to the advantage of agricultural holdings;
- (g) the adjustment of vocational training to the requirements of modern agriculture.

2. The following Title is inserted after Article 1:

'TITLE 01

Conversion and extensification of production

Article 1a

1. Member States shall introduce an aid scheme designed to encourage the conversion and extensification of production.

This scheme shall include :

- (a) aid for the conversion of products to non-surplus products.

The Council, acting on a proposal from the Commission according to the voting procedure laid down in Article 43 (2) of the EEC Treaty, shall adopt, before 31 December 1987, a list of products towards which conversion can be accepted, with the conditions and procedures for the granting of the aid ;

- (b) aid to promote extensification of production of surplus products. The surplus products shall be defined as products for which, consistently at Community level, there are no normal unsubsidized outlets. Until 31 December 1989, application of the scheme may be confined to the cereals, beef and veal, and wine sectors. Further, Member States may also grant these aids for the "extensification" of other products.

2. "Extensification" within the meaning of paragraph 1 (b) shall be defined as a reduction in the output of the product concerned by at least 20 % without other production capacity within the meaning of paragraph 1 being increased. However, such an increase shall be permitted in proportion to any increase in the usable agricultural area of the holding. Where the reduction in output is effected by the withdrawal from agricultural production of farmland, such land may be left fallow with the possibility of rotation, afforested or used for non-agricultural purposes.

3. On receipt of an application with reasons, the Commission may, following the procedure laid down in Article 25, authorize Member States not to apply the arrangements in regions or areas in which production should not, because of natural conditions or the danger of depopulation, be reduced.

The Commission shall adopt, in accordance with the procedure in Article 25, the implementing arrangements and, in particular, the criteria for defining the regions or areas defined in the foregoing subparagraph.

4. Portugal is hereby authorized not to apply the scheme referred to in paragraph 1 during the first stage of accession.

Article 1b

1. With regard to the aid for the extensification of production Member States shall determine :

- (a) the conditions under which aid shall be granted ; these must include a stipulation that, for a period of at least five years, in accordance with Article 1a (2) :

- in the case of cereals, the area devoted to this production shall be reduced by at least 20 %,
- in the case of beef and veal production, the number of livestock units shall be reduced by at least 20 %,
- in the case of wine production, the yield per hectare shall be reduced by at least 20 %.

The Commission may authorize a Member State to apply other arrangements for reducing production provided the conditions referred to in Article 1a (2) are complied with ;

- (b) where appropriate, the reduction arrangements for other products ;
- (c) the reference period for the production concerned for calculation of the reduction ;
- (d) the undertaking entered into by the beneficiary with a view, in particular, to verification that production has in fact been reduced ;
- (e) the form and the amount of the aid on the basis of the undertaking entered into by the beneficiary and on the basis of income losses.

2. Where the scheme referred to in Article 1a is applied in the dairy sector, the reduction in production shall be calculated on the basis of the reference quantity allocated under Regulation (EEC) No 804/68 ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾. The reference quantities suspended pursuant to this paragraph may not be reused or reallocated for the duration of the suspension.

The eligible amount of the premium paid under 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 ⁽³⁾ shall be deducted from the eligible amount of the aid granted under Article 1a.

3. Acting according to the procedure laid down in Article 25, the Commission shall determine the conditions of application and in particular the maximum amounts eligible under the Fund on the basis of the intervention price for cereals, having due regard to reduction costs and the ratios to be applied to the other products.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 5.

3. In Article 6, the first sentence of paragraph 4 is replaced by the following :

'4. Except for aquaculture, the ceilings laid down in Articles 4 (2) and 5 may be multiplied by the number of holdings belonging to the group.'

4. In Article 8 :

(i) paragraph is replaced by the following :

'1. Aid for investments in agricultural holdings satisfying the conditions laid down in Articles 2 and 6 which exceeds the amounts laid down in Article 4 (2) increased, where appropriate, by the aid referred to in the second indent of Article 7 (2), are hereby prohibited, with the exception of aid :

- for the construction of farm buildings,
- for the relocation of farm buildings where this is done in the public interest,
- for land improvement operations,
- for investments for the purposes of environmental protection and improvement,

provided that the granting of these higher amounts does not infringe the provisions of Article 3 of this Regulation and Articles 92 to 94 of the EEC Treaty.';

(ii) the second indent in paragraph 2 is deleted ;

(iii) the first indent in the second subparagraph of paragraph 4 is deleted ;

(iv) the following fifth indent is added in paragraph 5 :

'— aid for investment in the protection and improvement of the environment, provided that it does not entail an increase in production,'.

5. In Article 12 (5), '12 000 ECU' is replaced by '36 000 ECU'.

6. In Article 15 :

(i) the following sentence is added to the first subparagraph of point (a) in paragraph 1 :

'However, in less-favoured agricultural areas in which the severity of the permanent natural handicaps is great enough so to justify, the total allowance granted may be increased to 120 ECU per livestock unit (LU) and per hectare.'

(ii) point (b) of paragraph 1 is replaced by the following :

'(b) In the case of production other than of cattle, equines, sheep and goats, the allowance shall be proportional to the area farmed, less that devoted to the feeding of livestock and :

- (i) in all less-favoured agricultural areas, less that given over to wheat growing :

— except areas given over to the growing of durum wheat, in areas not being areas referred to in Regulation (EEC) No 3103/76 (1),

— except areas given over to the growing of common wheat, in areas the average yield from which does not exceed 2,5 tonnes per hectare used for this product ;

(ii) in all less-favoured agricultural areas, less any areas which are full plantations of apple, pear or peach trees exceeding 0,5 hectares per holding,

(iii) in the less-favoured agricultural areas referred to in Article 3 (4) and (5), less any areas assigned to the production of wine, apart from vineyards the yield from which does not exceed 20 hectolitres per hectare, or the production of sugarbeet or intensive crops.

The allowance may not exceed 101 ECU per hectare. However in less-favoured agricultural areas in which the severity of the permanent natural handicaps is great enough so to justify, the total amount granted may be increased to 120 ECU per hectare.

(1) OJ No L 351, 21. 12. 1986, p. 1.';

(iii) the following is added to paragraph 1 :

'(c) Member States may vary the compensatory allowance on the basis of the economic situation of the holding and of the income of the farmer qualifying for the compensatory allowance.';

(iv) paragraph 3 is replaced by the following :

'3. Where the beneficiary of a compensatory allowance afforests some or all of the hectares used as the basis for the calculation of the allowance, Member States may grant a compensatory allowance, calculated on the basis of the number of hectares of usable and afforested farmland for up to 20 years from the time of the afforestation, provided that the allowance does not exceed the maximum referred to in paragraph 1 (a).';

(v) the following paragraph is added :

'4. The maximum amount eligible under the Fund for the compensatory allowance paid under this Article shall be 50 % of the reference income per MWU, fixed under Article 2 (3).'

7. Title V is replaced by the following :

'TITLE V

Aid in areas sensitive as regards protection of the environment and of natural resources and as regards preservation of the landscape and the countryside

Article 19

In order to contribute towards the introduction or the maintenance of farming practices compatible with the requirements of the protection of the environment and of natural resources or with the requirements of the maintenance of the landscape and the countryside, and thus to contribute to the adaptation and the guidance of agricultural production according to market needs, and having the regard to agricultural income losses resulting from this, Member States may introduce a specific aid scheme for areas which are particularly sensitive from these points of view.

Article 19a

The aid scheme referred to in Article 19 shall consist of an annual premium per hectare granted to farmers in the areas referred to in Article 19 who undertake, under a specific programme for the area concerned, to introduce or maintain, for at least five years, farming practices compatible with the requirements of the protection of the environment and of natural resources or with the requirements of the maintenance of the landscape and of the countryside.

Article 19b

Member States shall determine the areas referred to in Article 19. In the light of the objective to be achieved, they shall define those production practices compatible with the requirements of the protection of the environment and of natural resources or with the requirements of the maintenance of the landscape and of the countryside. They shall also lay down rules and criteria to be complied with as regards production practices referred to in Article 19a, in particular with regard to the maintenance or the reduction of the intensity of farming and/or the required density of livestock. They shall fix the amount and duration of the premium, which must depend on the undertaking entered into by the farmer under the programme.

Article 19c

The maximum amount of the annual premium per hectare specified in Article 19a eligible under the Fund shall be 100 ECU per hectare covered by the undertaking mentioned in Article 19a. In cases where the annual premium is granted to a beneficiary of the compensatory allowance referred to in Article 15, the maximum amount of the annual premium eligible for aid from the Fund shall be 60 ECU per hectare.

8. In Article 20 :

- (i) the following subparagraph is inserted after the first subparagraph of paragraph 1 :

'The afforestation aid referred to in the first subparagraph may also be paid to farmers receiving the extensification aid provided for in Article 1a and to forestry associations or cooperatives or communities which afforest agricultural areas belonging to the categories of farmer covered by this Article.';

- (ii) in paragraph 2, '1 400 ECU' is replaced by '1 800 ECU'.

9. In Article 21 :

- (i) the following is added to the first indent of the second subparagraph in paragraph 1 :

'... and courses of additional training for such persons, intended to prepare them for qualitative reorientation of production; the application of production practices compatible with protection of the landscape and acquisition of skills needed to enable them to manage their woodlands.';

- (ii) the first sentence of paragraph 3 is replaced by the following :

'3. The expenditure incurred by Member States in granting the aid referred to in paragraph 2 (a) and (b) shall be eligible for assistance from the Fund up to a maximum amount of 7 000 ECU per person completing a course of instruction or training. Of this amount, 2 500 ECU must have been given for further courses on reorientation of production, with regard to production practices compatible with landscape protection and management of woodlands.'

10. In Article 26 :

- (i) paragraphs 1 and 2 are replaced by the following :

'1. Expenditure incurred by Member States on the measures provided for in Articles 1a and 1b, 3 to 7, 9 to 17 and 19 to 21 shall be eligible for aid from the Fund.

2. The Fund shall reimburse to the Member States 25 % of the eligible expenditure under measures provided for in Articles 1a and 1b, 3 to 7, 13 to 17, 19 and 20. The rate shall be :

- 50 % for aid to the investments referred to in Articles 3 and 4 concerning the less-favoured areas of the west of Ireland, Greece and the Mezzogiorno region of Italy, including the Islands, and all of Portugal,
- 50 % for the special aid to farmers, under 40 years of age, referred to in Article 7,
- 50 % for the aid referred to in Articles 14 and 17, concerning the regions of Greece, Ireland, Italy, Portugal and the French Overseas Departments.

In addition, the Fund may reimburse to the Member States up to 25 % of the eligible expenditure under measures provided for in Articles 9 to 12 and 21; in the regions, within the meaning of Article 13 (1), of Greece, Ireland, Italy, the French Overseas Departments and all of Portugal, the rate may be raised to 50 % of eligible expenditure for the measure referred to in Article 21.';

(ii) paragraph 4 is replaced by the following:

'4. When adopting for Spain the list of less-favoured farming areas as defined in Article 3 of Council Directive 75/268/EEC, the Council shall determine those for which the rate of reimbursement under the measures referred to in Articles 3, 4, 14, 17 and 21 is to be raised to 50 %.'

11. Article 31 is replaced by the following:

Article 31

1. This Regulation shall be without prejudice to the right of Member States to adopt additional aid measures in the areas covered by this Regulation, with the exception of those covered by Articles 3 to 6, Article 7, second paragraph point 2, Article 8 (2), (3) and (4) and Article 13 on terms differing from or in amounts exceeding the ceilings laid down in this Regulation, provided that Articles 92, 93 and 94 of the EEC Treaty are not infringed.

2. The provisions of Articles 92, 93 and 94 of the EEC Treaty, with the exception of Article 92 (2), shall not apply to the aid measures governed by Articles 3 to 6, Article 7, second paragraph point 2, Article 8 (2), (3) and (4) and Article 13.'

Article 2

Regulation (EEC) No 270/79 is hereby amended as follows:

1. The following text is added to Article 2 (1) (a):

'... or provided by agricultural organizations recognized by the State for the training of farm advisers'.

2. In Article 3:

(i) the following is inserted in point 1:

'(b) (a) the agricultural organizations recognized by the State for the training of farm advisers';

(ii) point 2 (c) is replaced by the following:

'(c) the advisory services, including those of the farming organizations, to which the advisers

are attached, and the control procedures applicable to them';

(iii) point 2 (d) ends as follows:

'... by the services or organizations referred to in (c).'

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

'1. The training courses referred to in Article 3 (1) (d) shall enable persons meeting the requirements set out in Article 6 to acquire adequate knowledge corresponding to their tasks, in the following areas in particular:

- the provision of advice to farmers,
- farm management techniques,
- the preparation of plans for materially improving holdings as specified in Regulation (EEC) No 797/85 ⁽¹⁾,
- techniques and methods for improving production quality,
- production practices compatible with environmental and natural resource protection requirements,
- preparation and implementation of the programmes and measures mentioned in Article 3 (2) (a) and other measures related thereto,
- psychology and rural sociology,
- techniques for using new computer technology or telematic technology for agricultural information and advice.

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.'

4. Article 8 is replaced by the following:

Article 8

1. Advisers given the training specified in Article 7 shall be used for the implementation of the programmes and measures specified in Article 3 (2) (a).

2. Italy shall ensure that at least 60 % of the advisers given the training specified in Article 7 (1) work in the Mezzogiorno. Italy shall also ensure that the training advisers are properly distributed in the various areas on the basis of the actual requirements for advisory services.

3. Italy shall notify, where appropriate every year:

- the action taken to ensure that the activities of the advisers are wholly devoted to the provision of advice, to the exclusion of all administrative or other unrelated work,
- the distribution, to the different areas, of the advisers trained each year, with separate figures for general advisers, specialist advisers and advisory service managers.

4. The Commission shall, in accordance with the procedure laid down in Article 14, issue an opinion on the action taken in the areas covered by paragraph 3.'

5. Article 9 is hereby repealed.

6. In Article 11 :

(i) the following is added to the end of the second indent in point (b) of paragraph 1 :

'..., trained by the centres or organizations mentioned in Article 2 (1) (a).';

(ii) the first sentence of paragraph 3 is replaced by the following :

'3. The Fund shall reimburse Italy for the costs of employing the advisers on the following terms :

the maximum qualifying amount per adviser trained as specified in Article 7 (1) and newly installed as specified in Article 8 shall be 12 500 ECU ;'.

Article 3

Regulation (EEC) No 1360/78 is hereby amended as follows :

1. In Article 6 :

(i) the first indent of point (b) of paragraph 1 is replaced by the following :

'— common rules on production, in particular on product quality or use of biological practices ;'

(ii) point (c) of paragraph 1 is replaced by the following :

'(c) the articles of association shall at least require producers who are members of groups and recognized producer groups that are members of the association to place on the market all of the production for marketing of the products in respect of which they belong to the group or association, in accordance with the rules on supply and placing on the market drawn up and supervised by the group or by the association.

Member States may authorize this obligation to be replaced by an obligation to have all the production for marketing of the products in respect of which they are recognized placed on the market by the group or by the association either in their name and on their behalf, or on their behalf but in the name of the group or the association, or in the name and on behalf of the group or the association. The group or association may however authorize

its members to place part of their production on the market in the manner specified in the first subparagraph.

As far as producer groups are concerned, these obligations shall not apply to that part of their production for which producers have included sales contracts or granted options before they join the group, provided that the group was informed before they joined of the scope and the duration of the obligations contracted ;'

(iii) in paragraph 3 the second indent is replaced by the following :

'— the minimum cultivated area, turnover or volume of production for the product or product group in question coming from the members whom, under the terms of paragraph 1 (a), the groups are to represent, and if necessary the minimum number of members they must have,

— the area covered, including the minimum crop area, turnover and proportion of the national volume of production for the product or product group in question coming from the groups which the associations are to represent, and, if necessary, the minimum number of producer groups in the membership.'

2. The following new paragraph is inserted in Article 10 :

'2 (a). However, the aid granted to producer groups recognized after 1 July 1985 for the first five years following the date on which they are recognized :

— shall, for the first, second, third, fourth and fifth years be respectively a maximum of 5 %, 5 %, 4 %, 3 % and 2 % of the value of the products coming from the members, as defined in the second indent of Article 5 (1), in respect of which they are recognized and which are marketed,

— may not exceed the actual cost of setting up and running the group,

— shall be paid in annual instalments over at the most seven years following the date of recognition.'

3. Article 13 (1) is replaced by the following :

'1. The period anticipated for implementation of the common measure shall run to 31 December 1991.'

Article 4

Article 10 of Regulation (EEC) No 355/77 is hereby completed as follows :

'Conditions (a) and (c) need not, however, be met if the project is for the marketing or processing of organically grown products and is a pilot or experimental project.'

Article 5

Member States shall bring into force the measures needed to comply with this Regulation within nine months of the date of its entry into force.

Article 6

The measures referred to in Article 1, point 2, as far as extensification is concerned, and in points 6 and 7, shall apply for a period of three years from the entry into force of the Regulation.

Before the end of the third year, the Commission shall place before the Council a report on the application of the measures, including trends in expenditure.

Acting on a proposal from the Commission by a qualified majority, the Council shall decide before that period elapses whether the measures are to be extended.

In the absence of a decision by that date, the period of application of the measures shall be extended by two years.

Article 7

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 Luxembourg, 15 June 1987.

For the Council

The President

P. DE KEERSMAEKER

COUNCIL REGULATION (EEC) No 1761/87

of 22 June 1987

amending Regulation (EEC) No 2176/84 on protection against dumped or subsidized imports from countries not members of the European Economic Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽¹⁾,

Whereas experience gained from the implementation of Regulation (EEC) No 2176/84 ⁽²⁾ has shown that assembly in the Community of products whose importation in a finished state is subject to anti-dumping duty may give rise to certain difficulties;

Whereas in particular:

- where assembly or production is carried out by a party which is related or associated to any of the manufacturers whose exports of the like product are subject to an anti-dumping duty, and
- where the value of the parts or materials used in the assembly or production operation and originating in the country of origin of the product subject to an anti-dumping duty exceeds the value of all other parts or materials used,

such assembly or production is considered likely to lead to circumvention of the anti-dumping duty;

Whereas, in order to prevent circumvention, it is necessary to provide for the collection of an anti-dumping duty on products thus assembled or produced;

Whereas it is necessary to lay down the procedures and conditions for the collection of duty in such circumstances;

Whereas the amount of anti-dumping duty collected should be limited to that necessary to prevent circumvention,

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph is hereby added to Article 13 of Regulation (EEC) No 2176/84:

- '10 (a) Definitive anti-dumping duties may be imposed, by way of derogation from the second sentence of paragraph 4 (a), on products that are introduced into the

commerce of the Community after having been assembled or produced in the Community provided that:

- assembly or production is carried out by a party which is related or associated to any of the manufacturers whose exports of the like product are subject to a definitive anti-dumping duty,
- the assembly or production operation was started or substantially increased after the opening of the anti-dumping investigation,
- the value of parts or materials used in the assembly or production operation and originating in the country of exportation of the product subject to the anti-dumping duty exceeds the value of all other parts or materials used by at least 50 %.

In applying this provision, account shall be taken of the circumstances of each case, and, *inter alia*, of the variable costs incurred in the assembly or production operation and of the research and development carried out and the technology applied within the Community.

In that event the Council shall, at the same time, decide that parts or materials suitable for use in the assembly or production of such products and originating in the country of exportation of the product subject to the anti-dumping duty can only be considered to be in free circulation in so far as they will not be used in an assembly or production operation as specified in the first subparagraph.

- (b) Products thus assembled or produced shall be declared to the competent authorities before leaving the assembly or production plant for their introduction into the commerce of the Community. For the purposes of levying an anti-dumping duty, this declaration shall be considered to be equivalent to the declaration referred to in Article 2 of Directive 79/695/EEC.
- (c) The rate of the anti-dumping duty shall be that applicable to the manufacturer in the country of origin of the like product subject to an anti-dumping duty to which the party in the Community carrying out the assembly or production is related or associated. The amount of duty collected shall be proportional to that resulting from the application of the

⁽¹⁾ OJ No C 67, 14. 3. 1987, p. 20.

⁽²⁾ OJ No L 201, 30. 7. 1984, p. 1.

rate of the anti-dumping duty applicable to the exporter of the complete product on the cif value of the parts or materials imported; it shall not exceed that required to prevent circumvention of the anti-dumping duty;

- (d) The provisions of this Regulation concerning investigation, procedure, and undertakings

apply to all questions arising under this paragraph.

Article 2

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

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

Done at Luxembourg, 22 June 1987.

For the Council

The President

L. TINDEMANS

COMMISSION REGULATION (EEC) No 1762/87

of 25 June 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 last amended by Regulation (EEC) No 1636/87 ⁽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 24 June 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 26 June 1987.

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

Done at Brussels, 25 June 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 17, 20. 1. 1987, p. 1.

ANNEX

to the Commission Regulation of 25 June 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	19,24	200,17
10.01 B II	Durum wheat	55,79	256,63 ⁽¹⁾ ⁽²⁾
10.02	Rye	47,79	173,98 ⁽³⁾
10.03	Barley	46,08	197,26
10.04	Oats	103,68	151,84
10.05 B	Maize, other than hybrid maize for sowing	7,41	177,84 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	46,08	137,13
10.07 B	Millet	46,08	147,10 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	32,13	186,68 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	(7)	(7)
10.07 D II	Canary seed; other cereals	46,08	52,95 ⁽⁵⁾
11.01 A	Wheat or meslin flour	42,63	295,93
11.01 B	Rye flour	82,60	260,08
11.02 A I a)	Durum wheat groats and meal	100,31	411,61
11.02 A I b)	Common wheat groats and meal	43,08	317,42

⁽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 Council 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 1763/87

of 25 June 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 last amended by Regulation (EEC) No 1636/87⁽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 24 June 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 26 June 1987.

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

Done at Brussels, 25 June 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 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 25 June 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 6	1st period 7	2nd period 8	3rd period 9
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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 1764/87

of 25 June 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⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾, 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⁽³⁾, as last amended by Regulation (EEC) No 798/87⁽⁴⁾, 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⁽⁵⁾, as last amended by Regulation (EEC) No 799/87⁽⁶⁾, 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⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, 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⁽⁹⁾, as last amended by Regulation (EEC) No 800/87⁽¹⁰⁾, 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⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ 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⁽¹³⁾ specifies 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 application of the rules recalled above to the levy rates indicated by tenderers on 22 and 23 June 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 26 June 1987.

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.⁽¹³⁾ 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, 25 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

CCT heading No	Non-member countries
15.07 A I a)	60,00 ⁽¹⁾
15.07 A I b)	60,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	70,00 ⁽²⁾
15.07 A II b)	96,00 ⁽³⁾

⁽¹⁾ 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) Tunisia : 12,69 ECU/100 kg, 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) Turkey : 22,36 ECU/100 kg, 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 ;

(d) Algeria and Morocco : 24,78 ECU/100 kg, 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.

⁽²⁾ 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.

⁽³⁾ 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

CCT heading No	Non-member countries
07.01 N II	13,20
07.03 A II	13,20
15.17 B I a)	30,00
15.17 B I b)	48,00
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 1765/87

of 24 June 1987

amending and supplementing Regulations (EEC) No 1769/86 and (EEC) No 1971/86 regarding the Turkish Garment Exporters Associations

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

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, and in particular Article 10 thereof,

After consultation within the Advisory Committee set up by Article 5 of that Regulation,

Whereas, Commission Regulation (EEC) No 2819/79 ⁽²⁾, as last amended by Regulation (EEC) No 3980/86 ⁽³⁾, makes imports of certain textile products originating in certain non-member countries subject to Community surveillance;

Whereas a system of administrative cooperation has been established between the European Economic Community and Turkey with regard to trade in certain textile products; whereas in consequence Commission Regulation (EEC) No 1769/86 ⁽⁴⁾ and Regulation (EEC) No 1971/86 ⁽⁵⁾, extended by Regulation (EEC) No 3981/86 ⁽⁶⁾, stipulate that the importation document referred to in Article 2 of Regulation (EEC) No 2819/79 be issued or

endorsed only on presentation of an 'exportation information document' issued by the Istanbul, Izmir and Çukurova Garment Exporters Associations;

Whereas it is necessary to add to the list of exporters, associations mentioned in these Regulations,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (2) of Regulations (EEC) No 1769/86 and (EEC) No 1971/86 is replaced by the following text:

'These documents shall be issued by the Istanbul, Izmir, Çukurova and Bursa Garment Exporters Associations.'

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, 24 June 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 320, 15. 12. 1979, p. 9.

⁽³⁾ OJ No L 370, 30. 12. 1986, p. 21.

⁽⁴⁾ OJ No L 153, 7. 6. 1986, p. 26.

⁽⁵⁾ OJ No L 170, 27. 6. 1986, p. 27.

⁽⁶⁾ OJ No L 370, 30. 12. 1986, p. 25.

COMMISSION REGULATION (EEC) No 1766/87

of 24 June 1987

concerning the stopping of fishing for horse mackerel by vessels flying the flag
of a Member State apart from Spain and Portugal

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

Having regard to Council Regulation (EEC) No 2057/82
of 29 June 1982 establishing certain control measures for
fishing activities ⁽¹⁾, as last amended by Regulation (EEC)
No 4027/86 ⁽²⁾, and in particular Article 10 (3) thereof,
Whereas Council Regulation (EEC) No 4034/86 of 22
December 1986 fixing, for certain fish stocks and groups
of fish stocks, total allowable catches for 1987 and certain
conditions under which they may be fished ⁽³⁾, as
amended by Regulation (EEC) No 1365/87 ⁽⁴⁾, provides
for horse mackerel quotas for 1987;

Whereas Council Regulation (EEC) No 4041/86 of 22
December 1986 fixing the flat-rate amounts of hake,
horse mackerel and blue whiting allocated to Spain for
1987 ⁽⁵⁾, provides for a flat-rate quantity of horse mackerel
allocated to Spain;

Whereas Council Regulation (EEC) No 4033/86 of 18
December 1986 establishing, for 1987, certain measures
for the conservation and management of fishing resources
applicable to vessels flying the flag of Portugal in waters
falling under the sovereignty or within the jurisdiction of
other Member States, apart from Spain and Portugal ⁽⁶⁾,
provides for a quantity of horse mackerel allocated to
Portugal;

Whereas, in order to ensure compliance with the provi-
sions relating to the quantitative limitations on catches of
stocks subject to quotas, it is necessary for the Commis-
sion to fix the date by which catches made by vessels
flying the flag of a Member State are deemed to have
exhausted the quota allocated;

Whereas, according to the information communicated to
the Commission, catches of horse mackerel in the waters

of ICES division VIII except VIII c by vessels flying the
flag of a Member State apart from Spain and Portugal or
registered in a Member State apart from Spain and
Portugal have reached the quota allocated to the Member
States apart from Spain and Portugal for 1987;

Whereas catches of horse mackerel in the waters of ICES
divisions V b, VI, VII and VIII a, b, d by vessels flying the
flag of Spain or Portugal or registered in Spain or Portugal
have not reached the flat-rate quantity allocated to Spain
or the quantity allocated to Portugal,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of horse mackerel in the waters of ICES division
VIII except VIII c by vessels flying the flag of a Member
State apart from Spain and Portugal or registered in a
Member State apart from Spain and Portugal are deemed
to have exhausted the quota allocated to the Community
apart from Spain and Portugal for 1987.

Fishing for horse mackerel in the waters of ICES division
VIII except VIII c by vessels flying the flag of a Member
State apart from Spain and Portugal or registered in a
Member State apart from Spain and Portugal is prohi-
bited, as well the retention on board, the transhipment
and the landing of such stock captured by the abovementioned
vessels after the date of entry into force of this
Regulation.

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, 24 June 1987.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 220, 29. 7. 1982, p. 1.

⁽²⁾ OJ No L 376, 31. 12. 1986, p. 4.

⁽³⁾ OJ No L 376, 31. 12. 1986, p. 39.

⁽⁴⁾ OJ No L 129, 19. 5. 1987, p. 15.

⁽⁵⁾ OJ No L 376, 31. 12. 1986, p. 109.

⁽⁶⁾ OJ No L 376, 31. 12. 1986, p. 37.

COMMISSION REGULATION (EEC) No 1767/87

of 25 June 1987

opening an invitation to tender for the sale for export of baled tobacco held by
the Greek intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 1576/86 ⁽²⁾, and in particular Article 7 (4) thereof,

Whereas Commission Regulation (EEC) No 3389/73 ⁽³⁾, as last amended by Regulation (EEC) No 3263/85 ⁽⁴⁾, lays down the procedure and conditions for the sale of tobacco held by intervention agencies;

Whereas, on account of the problems caused by the storage of baled tobacco, and in particular the costs of storage, an invitation to tender should be opened for the sale of the tobacco in lots; whereas this tobacco should be intended for export, without refund;

Whereas payment for all these lots is made before the tobacco is removed; whereas it should be provided that, at the request of the successful tenderer, the security should be released progressively as the quantities of tobacco are exported;

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

HAS ADOPTED THIS REGULATION:

Article 1

Five lots of baled raw tobacco from the 1985 harvest, held by the Greek intervention agency, with a total weight of 7 373 531 kilograms divided by varieties as shown in the Annex hereto, shall be sold for export.

Article 2

The sale shall take place in accordance with the tendering procedure provided for in Regulation (EEC) No 3389/73.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 1.

⁽³⁾ OJ No L 345, 15. 12. 1973, p. 47.

⁽⁴⁾ OJ No L 311, 22. 11. 1985, p. 22.

Article 3

The deadline for the submission of tenders at the headquarters of the Commission of the European Communities shall be at 3 p.m. local time, on 11 September 1987.

Article 4

The closing date referred to in Article 9 (1) of Regulation (EEC) No 3389/73 for removal of the tobacco by the successful tenderer shall be:

- (a) at the end of the fourth month following the date of publication of the result of the tendering procedure in the *Official Journal of the European Communities*, in respect of at least one-third of the lots;
- (b) at the end of the sixth month following the said date for the remaining tobacco.

Article 5

1. The security specified in Article 5 of Regulation (EEC) No 3389/73 must be lodged with and by the Ypiresia Diachirisis Agoron Georgikon Proionton (YDAGEP) Acharnon 5, GR-Athens 108.

2. The Commission shall inform the relevant intervention agency forthwith of the result of the sale by tender. The agency shall immediately release the securities of tenderers whose tenders were inadmissible or who were unsuccessful.

Save as otherwise provided in the second subparagraph of Article 7 of Regulation (EEC) No 3389/73, the securities of the successful tenderer or tenderers shall be released once the conditions laid down in Article 7 (c) of that Regulation have been fulfilled.

3. On application by the person concerned, the security shall be released by instalments in proportion to the quantities of tobacco in respect of which the proof referred to in Article 7 (c) of the said Regulation has been furnished.

Article 6

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, 25 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Lot No	Variety	Harvest	Weight (kilograms)
1	Burley	1985	1 474 700
2	Burley	1985	1 474 700
3	Burley	1985	1 474 700
4	Burley	1985	1 474 700
5	Burley	1985	1 474 731
		Total	7 373 531

COMMISSION REGULATION (EEC) No 1768/87

of 25 June 1987

fixing the time limit for the submission of applications for private storage aid in respect of pigmeat

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1475/86⁽²⁾, and in particular Article 4 (6) thereof,

Whereas private storage aid granted pursuant to Commission Regulation (EEC) No 107/87 of 15 January 1987 on special conditions for the granting of private storage aid for pigmeat⁽³⁾, as amended by Regulation (EEC) No 1259/87⁽⁴⁾, has had a favourable effect on the pigmeat market; whereas an actual stabilization of prices is expected; whereas the granting of private storage aid for pigmeat should therefore be suspended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The time limit for the submission of applications for private storage aid for pigmeat shall be 29 June 1987.

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, 25 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 39.

⁽³⁾ OJ No L 14, 16. 1. 1987, p. 8.

⁽⁴⁾ OJ No L 119, 7. 5. 1987, p. 9.

COMMISSION REGULATION (EEC) No 1769/87

of 25 June 1987

re-establishing the levying of customs duties on sacks and bags, of a kind used for the packing of goods, products of category 33 (code 40.0330), originating in Brazil, 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 Regulation (EEC) No 3925/86 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 sacks and bags, of a kind used for the packing of goods, of category 33, the relevant ceiling amounts to 15,2 tonnes; whereas on 1 June 1987 imports of the products in question into the Community, originating in Brazil, a country covered by preferential tariff arrangements, reached and were charged against that ceiling; whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 29 June 1987, the levying of customs duties suspended in pursuance of Regulation (EEC) No 3925/86 shall be re-established in respect of the following products, imported into the Community and originating in Brazil:

Code	Category	CCT heading No	NIMEXE code (1986)	Description
	(1)	(2)	(3)	(4)
40.0330	33	51.04 ex A		Woven fabrics of man-made fibres (continuous), including woven fabrics of monofil or strip falling within heading No 51.01 or 51.02:
		62.03 ex B		A. Woven fabrics of synthetic textile fibres:
				Sacks and bags, of a kind used for the packing of goods:
				B. Of other textile materials:
				II. Other:
			51.04-06	Woven fabrics of synthetic filament yarn, obtained from strip or the like of polyethylene or polypropylene, less than 3 m wide:
			62.03-51, 59	Sacks and bags, of a kind used for the packing of goods, not knitted or crocheted, obtained from strip or the like

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 68.

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, 25 June 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1770/87

of 25 June 1987

re-establishing the levying of customs duties on stockings, socks, outer and under garments falling under subheadings ex 60.03, 60.04 ex A, 60.05 A ex II, 61.02 A I, 61.04 A and 61.11 A, products of category 68 (code 40.0680), originating in Thailand, 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 Regulation (EEC) No 3925/86 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 stockings, socks, outer and under garments falling under subheadings ex 60.03, 60.04 ex A, 60.05 A ex e II, 61.02 A I, 61.04 A and 61.11 A (category 68), the relevant ceiling amounts to 8,7 tonnes; whereas on 1 June 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-establish the levying of customs duties for the products in question with regard to Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 29 June 1987 the levying of customs duties, suspended in pursuance of 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 (1986)	Description
	(1)	(2)	(3)	(4)
40.0680	68	ex 60.03	60.03-01, 03, 05, 09	Stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, not elastic or rubberized:
		60.04 ex A	60.04-02, 03, 04, 06, 07, 08, 10, 11, 12, 14	Under garments, knitted or crocheted not elastic or rubberized:
		60.05 A ex II	60.05-06, 07, 08, 09, 91	A. Babies' garments, girls' garments up to and including commercial size 86
				Outer garments and other articles, knitted or crocheted, not elastic or rubberized:
				A. Outer garments and clothing accessories:
				II. Other:
				b) Other:
				1. Babies' garments; girls' garments up to and including commercial size 86
		61.02 A I	61.02-01, 03	Women's, girls' and infants' outer garments:
				A. Babies' garments; girls' garments up to and including commercial size 86

⁽¹⁾ OJ No L 373, 31. 12. 1986, p. 68.

Code	Category	CCT heading No	NIMEXE code (1986)	Description
	(1)	(2)	(3)	(4)
		61.04 A	61.04-01, 09	Women's, girls' and infants' under garments : A. Babies' garments ; girls' garments up to and including commercial size 86 :
		61.11 A	61.11-00	Babies' garments and other articles, excluding gloves, knitted or crocheted, included in category 10, babies garments and accessories excluding gloves, mittens and mitts for babies of categories 10 and 87 and woven stockings, socks and sockettes of category 88

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, 25 June 1987.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1771/87

of 25 June 1987

fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 773/87 ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade 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 Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and

— the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁶⁾, provides that the refund on products falling within subheading 04.02 B is equal to the sum of two components, the first representing the quantity of milk products and the second representing the quantity of added sucrose; whereas, however, the latter component applies only if the added sucrose was produced from beet or cane harvested within the Community;

Whereas for the products falling within subheading 04.02 B II a) or 04.02 B II b) 1 with a fat content not exceeding 9,5 % by weight, the first component referred to above is fixed for 100 kilograms of the whole product; whereas, for the other products falling within subheading 04.02 B, this component is calculated by multiplying the basic amount by the milk product content of the product in question; whereas this basic amount is the refund on one kilogram of milk products contained in the product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 3.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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⁽³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for these products which fall within heading No 04.04;

Whereas Commission Regulation (EEC) No 896/84⁽⁴⁾, as amended by Regulation (EEC) No 2881/84⁽⁵⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for different refunds according to the date of manufacture of the products;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk products, and in particular to prices for these products within the Community and on the world market, that the refund 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex hereto.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 04.01, 04.02, 04.03 and 23.07 of the Common Customs Tariff.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 26 June 1987.

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

Done at Brussels, 25 June 1987.

For the Commission

Frans ANDRIESEN

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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁵⁾ OJ No L 272, 13. 10. 1984, p. 16.

ANNEX

to the Commission Regulation of 25 June 1987 fixing the export refunds on milk and milk products

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01	Milk and cream, fresh, not concentrated or sweetened :		
	ex A. Other than whey, of a fat content, by weight, not exceeding 6 % (1) :		
	I. Yoghourt, kephir, curdled milk, buttermilk and other fermented or acidified milk :		
	a) In immediate packings of a net capacity of two litres or less :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 05	8,95
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 15	12,62
	(3) Of a fat content, by weight, exceeding 3 %	0110 20	16,07
	b) Other :		
	(1) Of a fat content, by weight, not exceeding 1,5 %	0110 25	8,95
	(2) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0110 35	12,62
	(3) Of a fat content, by weight, exceeding 3 %	0110 40	16,07
	II. Other :		
	a) In immediate packings of a net capacity of two litres or less and of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0130 10	8,95
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0130 22	12,62
	(cc) Of a fat content, by weight, exceeding 3 %	0130 31	16,07
	2. Exceeding 4 %	0140 00	18,37
	b) Other, of a fat content, by weight :		
	1. Not exceeding 4 % :		
	(aa) Of a fat content, by weight, not exceeding 1,5 %	0150 10	8,95
	(bb) Of a fat content, by weight, exceeding 1,5 % but not exceeding 3 %	0150 21	12,62
	(cc) Of a fat content, by weight, exceeding 3 %	0150 31	16,07
	2. Exceeding 4 %	0160 00	18,37

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight⁽¹⁾ : ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	22,94 34,18 50,23 59,40 91,50 100,67 114,44 167,17 194,68
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar⁽²⁾ : II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 %	0620 00 0720 00 0720 20 0720 30 0720 40 0820 20 0820 30	105,00 105,00 128,62 137,17 149,00 150,36 151,95

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	0920 10	154,20
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	0920 30	167,67
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	0920 40	172,34
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	0920 50	188,78
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	0920 60	200,16
	(ff) Of a fat content, by weight, exceeding 79 %	0920 70	211,84
	b) Other, of a fat weight content :		
	1. Not exceeding 1,5 %	1020 00	105,00
	2. Exceeding 1,5 % but not exceeding 27 % :		
	(aa) Of a fat content, by weight, not exceeding 11 %	1120 10	105,00
	(bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 %	1120 20	128,62
	(cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 %	1120 30	137,17
	(dd) Of a fat content, by weight, exceeding 25 %	1120 40	149,00
	3. Exceeding 27 % but not exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 28 %	1220 20	150,36
	(bb) Of a fat content, by weight, exceeding 28 %	1220 30	151,95
	4. Exceeding 29 % :		
	(aa) Of a fat content, by weight, not exceeding 41 %	1320 10	154,20
	(bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 %	1320 30	167,67
	(cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 %	1320 40	172,34
	(dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 %	1320 50	188,78
	(ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 %	1320 60	200,16
	(ff) Of a fat content, by weight, exceeding 79 %	1320 70	211,84

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	III. Milk and cream, other than in powder or granules :		
	a) In immediate packings of a net content of 2,5 kg or less and of a fat content by weight not exceeding 11 % :		
	1. Of a fat content, by weight, not exceeding 8,9 % and of a non-fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 12	—
	(22) Exceeding 3 %, by weight	1420 22	16,07
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1420 50	25,68
	(22) Exceeding 3 %, by weight, but not exceeding 7,4 %	1420 60	32,56
	(33) Exceeding 7,4 %	1420 70	40,57
	2. Other, of a non fat lactic dry matter content :		
	(aa) Of less than 15 %, by weight	1520 10	29,59
	(bb) Of 15 % or more, by weight	1520 20	48,10
	b) Other, of a fat content, by weight :		
	1. Not exceeding 45 % and of a non fat lactic dry matter content :		
	(aa) Of less than 15 % and of a fat content :		
	(11) Not exceeding 3 %, by weight	1620 70	—
	(22) Exceeding 3 %, by weight, but not exceeding 8,9 %	1630 00	16,07
	(33) Exceeding 8,9 %, by weight, but not exceeding 11 %	1630 10	29,59
	(44) Exceeding 11 %, by weight, but not exceeding 21 %	1630 20	36,47
	(55) Exceeding 21 %, by weight, but not exceeding 39 %	1630 30	59,40
	(66) Exceeding 39 %	1630 40	100,67
	(bb) Of 15 % or more and of a fat content :		
	(11) Not exceeding 3 %, by weight	1630 50	25,68
	(22) Exceeding 3 %, by weight, but not exceeding 7,4 %	1630 60	32,56
	(33) Exceeding 7,4 %, by weight, but not exceeding 8,9 %	1630 70	40,57
	(44) Exceeding 8,9 %	1630 80	48,10
	2. Exceeding 45 %	1720 00	114,44

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2,5 kilo-grams or less and of a fat content, by weight : (aa) Not exceeding 1,5 % (bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % (cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 % 2. Other, of a fat content, by weight : (aa) Not exceeding 1,5 % (bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % (cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 %	2220 00 2320 10 2320 20 2320 30 2320 40 2420 10 2420 20 2520 00 2620 10 2620 20 2620 30 2620 40 2720 10 2720 20	1,0500 (*) per kg 1,0500 (*) per kg 1,2862 (*) per kg 1,3717 (*) per kg 1,4900 (*) per kg 1,5036 (*) per kg 1,6767 (*) per kg 1,0500 (*) per kg 1,0500 (*) per kg 1,2862 (*) per kg 1,3717 (*) per kg 1,4900 (*) per kg 1,5036 (*) per kg 1,6767 (*) per kg

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	ex II. Milk and cream, excluding whey other than in powder or granules : ex a) In immediate packings of a net capacity of 2,5 kg or less and of a fat content by weight not exceeding 9,5 % : (1) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content : (aa) Of less than 15 % and of a fat content : (11) Not exceeding 3 %, by weight (22) Exceeding 3 % by weight (bb) Of 15 % or more (2) Of a fat content, by weight, exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more b) Other, of a fat content, by weight : ex 1. Not exceeding 45 % : (aa) Of a fat content, by weight, not exceeding 6,9 % and of a non fat lactic dry matter content, by weight, of 15 % or more (bb) Of a fat content, by weight, exceeding 6,9 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, of 15 % or more (cc) Of a fat content by weight, exceeding 9,5 % but not exceeding 21 % and of a non fat lactic dry matter content, by weight, less than 15 % (dd) Of a fat content, by weight, exceeding 21 % but not exceeding 39 % (ee) Of a fat content, by weight, exceeding 39 % 2. Exceeding 45 %	2810 11 2810 12 2810 15 2810 20 2910 70 2910 76 2910 80 2910 85 2910 90 3010 00	— (*) per kg 0,1607 (*) per kg 29,63 (*) 50,07 (*) 29,63 (*) 50,07 (*) 0,3189 (*) per kg 0,5940 (*) per kg 1,0067 (*) per kg 1,1444 (*) per kg
04.03	Butter : ex A. Of a fat content, by weight, not exceeding 85 % : (I) Of a fat content, by weight, of 62 % or more, but less than 78 % (II) Of a fat content, by weight, of 78 % or more but less than 80 %	3110 03 3110 16	159,91 ⁽¹⁰⁾ 201,18 ⁽¹⁰⁾

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.03 (cont'd)	(III) Of a fat content, by weight, of 80 % or more, but less than 82 %	3110 22	206,34 ⁽¹⁰⁾
	(IV) Of a fat content, by weight, of 82 % or more	3110 32	211,50 ⁽¹⁰⁾
	B. Other, of a fat content, by weight :		
	(I) Not exceeding 99,5 %	3210 10	211,50 ⁽¹⁰⁾
	(II) Exceeding 99,5 %	3210 20	262,75 ⁽¹⁰⁾
04.04	Cheese and curd ⁽⁶⁾ :		
	ex A. Emmentaler and Gruyère, not grated or powdered :		
	(I) Pieces packed in vacuum or in inert gas, of a net weight of less than 7,5 kg	3800 40	
	For exports to :		
	— Zone E		50,00
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		162,18
	(II) Other	3800 60	
	For exports to :		
	— Zone E		50,00
	— Canada		—
	— Norway and Finland		—
	— Liechtenstein and Switzerland		—
	— Austria		—
	— Other destinations		162,18
	ex C. Blue-veined cheese, not grated or powdered, other than Roquefort	4000 00	
	for exports to :		
	— Austria		—
	— Zone E		45,00
	— Canada		—
	— Norway and Finland		—
	— Australia		78,65
	— Other destinations		131,51
	D. Processed cheese, not grated or powdered, of a fat content, by weight :		
	I. Not exceeding 36 % and of a fat content, by weight, in the dry matter :		
	ex a) Not exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 27 % or more but less than 33 %	4410 05	
	for exports to :		
	— Austria		—
	— Zone E		8,65
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		25,36

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Of 33 % or more but less than 38 % for exports to :	4410 10	
	— Austria		—
	— Zone E		18,81
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		55,06
	(3) Of 38 % or more but less than 43 % and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 20	
	for exports to :		
	— Austria		—
	— Zone E		18,81
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		55,06
	(bb) Of 20 % or more	4410 30	
	for exports to :		
	— Austria		—
	— Zone E		27,66
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		80,13
	(4) Of 43 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 20 %	4410 40	
	for exports to :		
	— Austria		—
	— Zone E		18,81
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		55,06
	(bb) Of 20 % or more but less than 40 %	4410 50	
	for exports to :		
	— Austria		—
	— Zone E		27,66
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		80,13
	(cc) Of 40 % or more	4410 60	
	for exports to :		
	— Austria		—
	— Zone E		40,23
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		117,74

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	ex b) Exceeding 48 % and of a dry matter content, by weight :		
	(1) Of 33 % or more but less than 38 %	4510 10	
	for exports to :		
	— Austria		—
	— Zone E		18,81
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		55,06
	(2) Of 38 % or more but less than 43 %	4510 20	
	for exports to :		
	— Austria		—
	— Zone E		27,66
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		80,13
	(3) Of 43 % or more but less than 46 %	4510 30	
	for exports to :		
	— Austria		—
	— Zone E		40,23
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		117,74
	(4) Of 46 % or more and of a fat content, by weight, in the dry matter :		
	(aa) Less than 55 %	4510 40	
	for exports to :		
	— Austria		—
	— Zone E		40,23
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		117,74
	(bb) Of 55 % or more	4510 50	
	for exports to :		
	— Austria		—
	— Zone E		47,74
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		139,67
	II. Exceeding 36 %	4610 00	
	for exports to :		
	— Austria		—
	— Zone E		47,74
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		139,67

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	E. Other :		
	I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter :		
	ex a) Not exceeding 47 % :		
	(1) Grana Padano, Parmigiano Reggiano	4710 11	
	for exports to :		
	— Zone E		150,00
	— Canada		100,00
	— Norway and Finland		—
	— Switzerland		90,00
	— Other destinations		200,06
	(2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk	4710 17	
	for exports to :		
	— Zone E		200,00
	— Canada		128,15
	— Norway and Finland		—
	— Switzerland		105,03
	— Other destinations		227,18
	(3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more	4710 22	
	for exports to :		
	— Zone E		80,00
	— Canada		60,00
	— Norway and Finland		—
	— Switzerland		60,00
	— Other destinations		151,60
	b) Exceeding 47 % but not exceeding 72 % :		
	ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more	4850 00	
	for exports to :		
	— Austria		—
	— Zone E		40,00
	— Canada		—
	— Norway and Finland		—
	— Australia		133,89
	— Switzerland		—
	— Other destinations		177,25
	ex 2. Other, of a fat content, by weight, in the dry matter (7) :		
	(aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 12	
	for exports to :		
	— Austria		—
	— Zone E		37,69
	— Canada		—
	— Norway and Finland		13,50
	— Switzerland		—
	— Other destinations		99,96

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Of 5 % or more but less than 19 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey)	5120 16	
	for exports to :		
	— Austria		—
	— Zone E		41,56
	— Canada		—
	— Norway and Finland		20,00
	— Switzerland		—
	— Other destinations		110,21
	(cc) Of 19 % or more but less than 39 % and of a water content, calculated by weight, of the non-fatty matter not exceeding 62 % (excluding cheeses produced from whey)	5120 22	
	for exports to :		
	— Austria		—
	— Zone E		47,24
	— Canada		—
	— Norway and Finland		24,00
	— Switzerland		—
	— Other destinations		125,21
	(dd) Of 39 % or more :		
	(11) Asiago, Caciocavallo, Montasio, Provolone, Ragusano :		
	(aaa) Provolone	5120 32	
	for exports to :		
	— Zone E		145,00
	— Canada		90,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		163,54
	(bbb) Others	5120 36	
	for exports to :		
	— Zone E		15,00
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		138,50
	(22) Danbo, Edam, Fontal, Fontina, Fynbo, Gouda, Havarti, Maasdam, Maribo, Samsø, Tilsit	5120 44	
	for exports to :		
	— Austria		—
	— Zone E		15,00
	— Canada		—
	— Norway and Finland		—
	— Australia		115,20
	— Switzerland		—
	— Other destinations		153,00

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(33) Butterkäse, Esrom, Italico, Kernhem, Saint-Nectaire, Saint-Paulin, Taleggio	5120 54	
	for exports to :		
	— Austria		—
	— Zone E		14,00
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		119,71
	(44) Cantal, Cheshire, Wensleydale, Lancashire, Double Gloucester, Blarney	5120 58	
	for exports to :		
	— Austria		—
	— Zone E		48,00
	— Canada		—
	— Norway and Finland		—
	— Australia		108,40
	— Switzerland		—
	— Other destinations		139,37
	(55) Salted ricotta, of a fat content, by weight, of 30 % or more :		
	(aaa) Manufactured exclusively from sheep's milk	5120 60	
	for exports to :		
	— Zone E		21,11
	— Canada		—
	— Norway and Finland		—
	— Other destinations		55,88
	(bbb) Other	5120 65	
	for exports to :		
	— Zone E		21,11
	— Canada		—
	— Norway and Finland		—
	— Other destinations		55,88
	(66) Feta ⁽³⁾ :		
	(aaa) Manufactured exclusively from sheep's and/or goats' milk	5120 80	
	for exports to :		
	— Zone E		38,59
	— Austria		15,00
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		102,26
	(bbb) Other	5120 81	
	for exports to :		
	— Zone E		38,59
	— Austria		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		102,26
	(77) Colby, Monterey	5120 83	
	for exports to :		
	— Austria		—
	— Zone E		40,00
	— Canada		—
	— Norway and Finland		—
	— Australia		108,40
	— Switzerland		—
	— Japan		150,00
	— Other destinations		139,37

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(88) Kefalotyri, Kefalograviera, Kasseri, Idiazabal, Manchego, Roncal, manufactured exclusively from sheep's and/or goats' milk	5120 84	
	for exports to :		
	— Zone E		145,00
	— Canada		90,00
	— Norway and Finland		—
	— Switzerland		42,66
	— Other destinations		163,54
	(99) Other (excluding cheeses produced from whey), of a water content, calculated by weight, of the non-fatty matter :		
	(aaa) Exceeding 47 % but not exceeding 52 %	5120 87	
	for exports to :		
	— Austria		—
	— Zone E		48,00
	— Canada		—
	— Norway and Finland		—
	— Australia		108,40
	— Switzerland		—
	— Japan		150,00
	— Other destinations		139,37
	(bbb) Exceeding 52 % but not exceeding 62 %	5120 92	
	for exports to :		
	— Austria		—
	— Zone E		15,00
	— Canada		—
	— Norway and Finland		27,50
	— Australia		115,20
	— Switzerland		—
	— Other destinations		153,00
	ex c) Exceeding 72 % (excluding cheeses produced from whey) (7) :		
	1. In immediate packings of a net capacity not exceeding 500 grams :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 11	
	For exports to :		
	— Austria		—
	— Zone E		14,52
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		26,95
	(bb) Cream cheese of a water content, calculated by weight, of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(11) Of 60 % or more but less than 69 %	5121 20	
	For exports to :		
	— Austria		—
	— Zone E		25,41
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		40,37
	(22) Of 69 % or more	5121 30	
	For exports to :		
	— Austria		—
	— Zone E		31,03
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		49,31
	(cc) Other :		
	(11) Feta ⁽³⁾ , with a dry matter content, by weight, of 40 % or more and a fat content by weight, in the dry matter of 50 % or more :		
	(aaa) Manufactured exclusively from sheep's and/or goats' milk	5121 41	
	For exports to :		
	— Zone E		36,08
	— Austria		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		95,58
	(bbb) Other	5121 42	
	For exports to :		
	— Zone E		36,08
	— Austria		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		95,58
	(22) Other	5121 45	—
	2. Other :		
	(aa) Cottage cheese of a fat content, by weight in the dry matter, not exceeding 25 %	5121 51	
	For exports to :		
	— Austria		—
	— Zone E		14,52
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		26,95

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(bb) Cream cheese of a water content, calculated by weight of the non-fatty matter, exceeding 77 % but not exceeding 82 % and of a fat content, by weight in the dry matter :		
	(11) Of 60 % or more but less than 69 %	5121 60	
	For exports to :		
	— Austria		—
	— Zone E		25,41
	— Canada		—
	— Norway and Finland		7,50
	— Switzerland and Liechtenstein		—
	— Other destinations		40,37
	(22) Of 69 % or more	5121 70	
	For exports to :		
	— Austria		—
	— Zone E		31,03
	— Canada		—
	— Norway and Finland		—
	— Switzerland and Liechtenstein		—
	— Other destinations		49,31
	(cc) Other :		
	(11) Feta ⁽³⁾ , with a dry matter content, by weight, of 40 % or more and a fat content by weight, in the dry matter of 50 % or more :		
	(aaa) Manufactured exclusively from sheep's and/or goats' milk	5121 81	
	For exports to :		
	— Zone E		36,08
	— Austria		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		95,58
	(bbb) Other	5121 82	
	For exports to :		
	— Zone E		36,08
	— Austria		—
	— Canada		—
	— Norway and Finland		—
	— Switzerland		—
	— Other destinations		95,58
	(22) Other	5121 85	—
	ex II. Other (excluding cheeses produced from whey):		
	ex a) Grated or powdered of a fat content, by weight, exceeding 20 %, of a lactose content, by weight, less than 5 % and of a dry matter content, by weight :		
	(1) Of 60 % or more but less than 80 %	5310 05	
	For exports to :		
	— Zone E		45,00
	— Canada		—
	— Norway and Finland		—
	— Other destinations		91,14

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	(2) Of 80 % or more but less than 85 %	5310 11	
	For exports to :		
	— Zone E		60,00
	— Canada		—
	— Norway and Finland		—
	— Other destinations		121,52
	(3) Of 85 % or more but less than 95 %	5310 22	
	For exports to :		
	— Zone E		63,75
	— Canada		—
	— Norway and Finland		—
	— Other destinations		129,12
23.07	(4) Of 95 % or more	5310 31	
	For exports to :		
	— Zone E		71,25
	— Canada		—
	— Norway and Finland		—
	— Other destinations		144,31
	Sweetened forage ; other preparations of a kind used in animal feeding :		
	ex B. Other, containing starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, or milk products, excluding special compound feedingstuffs ^(*) :		
	I. Containing starch, or glucose or glucose syrup, or maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II :		
	a) Containing no starch or containing 10 % or less, by weight, of starch :		
	(3) Containing 50 % or more but less than 75 %, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of ^(*) :		
	(aa) Less than 30 %	5700 13	—
	(bb) 30 % or more but less than 40 %	5700 23	7,50
	(cc) 40 % or more but less than 50 %	5700 33	10,00
	(dd) 50 % or more but less than 60 %	5700 42	12,50
	(ee) 60 % or more but less than 70 %	5700 52	15,00
	(ff) 70 % or more	5700 62	17,50

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
23.07 (cont'd)	(4) Containing 75 % or more, by weight, of milk products and a content of milk in powder or granules (excluding whey), by weight, of ⁽¹⁾ :		
	(aa) Less than 30 %	5800 13	—
	(bb) 30 % or more but less than 40 %	5800 23	7,50
	(cc) 40 % or more but less than 50 %	5800 32	10,00
	(dd) 50 % or more but less than 60 %	5800 42	12,50
	(ee) 60 % or more but less than 70 %	5800 52	15,00
	(ff) 70 % or more but less than 75 %	5800 62	17,50
	(gg) 75 % or more but less than 80 %	5800 72	18,75
	(hh) 80 % or more	5800 82	20,00
	ex II. Containing no starch, glucose or glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 17.02 B and 21.07 F II, and containing 50 % or more milk products, by weight, and with a milk content in powder or granules (excluding whey), by weight, of ⁽²⁾ :		
	(a) 30 % or more but less than 40 %	5900 01	31,50
	(b) 40 % or more but less than 50 %	5900 05	42,00
	(c) 50 % or more but less than 60 %	5900 12	52,50
	(d) 60 % or more but less than 70 %	5900 22	63,00
	(e) 70 % or more but less than 80 %	5900 32	73,50
	(f) 80 % or more but less than 88 %	5900 42	84,00
	(g) 88 % or more	5900 52	92,40

⁽¹⁾ When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

⁽²⁾ The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates, shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

— the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kg of finished product, and, in particular,

— the lactose content of the added whey.

⁽³⁾ When the product contains casein and/or caseinates that were added before or at the time of processing, no refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added.

- (⁴) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculating the fat content, by weight.

The refund per 100 kg of product falling within this subheading shall be equal to the sum of the following components:

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kg of product; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added casein and/or added caseinates, contained in 100 kg of product;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁵) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements:

- (a) the amount per 100 kg shown; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per 100 kg shown shall be:
- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kg of product, and then
 - divided by the weight of the lactic part contained in 100 kg of product;

- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:

- the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kg of finished product, and, in particular,
- the lactose content of the added whey.

- (⁶) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund and the monetary compensatory amount, in the exporting Member State, is less than 140 ECU per 100 kilograms. This limitation to 140 ECU per 100 kilograms does not apply to cheeses falling within subheading 04.04 E I ex c) of the Common Customs Tariff.

- (⁷) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.

- (⁸) When completing customs formalities, the applicant shall state on the declaration provided for this purpose:

- the skimmed-milk powder content, by weight,
- whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case:
- the content by weight of the added whey and/or added lactose and/or added casein and/or added caseinates, and
 - the lactose content of the added whey
- per 100 kg of finished product.

- (⁹) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 g of iron and/or more than 1,2 g of copper in 100 kg of product.

- (¹⁰) On the export of such products under Regulation (EEC) No 765/86:

- the amount of the refund shall be that applying on 16 October 1986 in respect of products for which the export licence with advance fixing of the refund was issued before 1 January 1987;
- no refund is to apply in respect of products for which the export licence was issued on or after 1 January 1987.

N.B.: Zones A, B, C and E are those defined in Regulation (EEC) No 1098/68, as last amended by Regulation (EEC) No 2283/81.

The weight of non-milk fat should be disregarded for the purposes of calculating fat content, by weight.

COMMISSION REGULATION (EEC) No 1772/87

of 25 June 1987

suspending the buying-in of butter by the intervention agencies

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 the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87 of 16 March 1987 modifying the intervention arrangements for butter and skimmed-milk powder ⁽³⁾ lays down the criteria on which basis, until the end of the fifth 12-month period of the application of the supplementary levy arrangements provided for in Article 5c of Regulation (EEC) No 804/68, the buying-in of butter by the intervention agencies may be suspended or must be re-established; whereas Commission Regulation (EEC) No 1547/87 ⁽⁴⁾ lays down detailed rules for applying that Regulation;

Whereas the condition laid down in Article 1 (1) of Regulation (EEC) No 777/87 governing suspension of the

buying-in of butter pursuant to Article 6 (1) of Regulation (EEC) No 804/68 is fulfilled;

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

The buying-in of butter provided for in Article 6 (1) of Regulation (EEC) No 804/68 is hereby suspended throughout the Community.

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, 25 June 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 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 144, 4. 6. 1987, p. 12.

COMMISSION REGULATION (EEC) No 1773/87

of 25 June 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, 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 ⁽³⁾, provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the 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 ⁽⁴⁾, as amended by Regulation (EEC) No 1607/71 ⁽⁵⁾;

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 ⁽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 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 26 June 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 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ 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, 25 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 June 1987 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — third countries	25,00
10.01 B II	Durum wheat for exports to : — third countries	25,00 ⁽³⁾
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 25,00
10.03	Barley for exports to : — third countries	25,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing for exports to : — Switzerland, Austria and Liechtenstein — Canary Islands — other third countries	0 0 0
10.07 B	Millet	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	112,00 112,00 90,00 78,00 67,00 52,00
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	112,00 112,00 112,00 112,00

CCT heading No	Description	(ECU/tonne) Refund
11.02 A I a)	Durum wheat groats and meal — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	260,00 ⁽³⁾ 242,00 ⁽³⁾ 209,00 ⁽³⁾ 193,00 ⁽³⁾
ex 11.02 A I b)	Common wheat groats and meal: — of an ash content of 0 to 520	112,00

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

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

⁽³⁾ 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 1774/87

of 25 June 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⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of 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⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the 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⁽⁴⁾, as last amended by Regulation (EEC) No 1588/86⁽⁵⁾, 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 destination;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (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 26 June 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 139, 24. 5. 1986, p. 47.

⁽⁶⁾ 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, 25 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 June 1987 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
CCT heading No	Refund
11.07 A I b)	63,50
11.07 A II b)	118,35
11.07 B	154,49

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 18 June 1987

on the acceptance for breeding purposes of pure-bred breeding animals of the bovine species

(87/328/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Directive 77/504/EEC of 25 July 1977 on pure-bred breeding animals of the bovine species⁽¹⁾, as last amended by Regulation EEC No 3768/85⁽²⁾ and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas Directive 77/504/EEC was intended gradually to liberalize intra-Community trade in pure-bred breeding animals of the bovine species; whereas, for this purpose, additional harmonization with regard to the acceptance of such animals and their semen for breeding purposes is necessary;

Whereas, in this respect, it is necessary to prevent national provisions relating to the acceptance for breeding purposes of pure-bred breeding animals of the bovine species and their semen from constituting a prohibition, restriction or impediment to intra-Community trade either in the case of natural service or artificial insemination;

Whereas there must be no prohibition, restriction or impediment on pure-bred female animals of the bovine species for breeding purposes;

Whereas artificial insemination constitutes an important technique for increasing the use of the best breeders and, hence, for improving the bovine species; whereas in so doing, however, any impairment of the pedigree must be avoided, particularly with regard to male breeders, which must possess all guarantees of their genetic value and of their freedom from hereditary defects;

Whereas it is necessary to make a distinction between the acceptance for artificial insemination of pure-bred bulls and their semen which have undergone all the official tests laid down for their breed in a Member State and the acceptance of bulls and their semen accepted solely for the purposes of testing;

Whereas it is useful to establish a procedure for solving, in particular, difficulties that may arise in the assessment of the results of tests;

Whereas the provision that semen must come from officially approved centres responsible for artificial insemination is capable of providing the guarantees necessary for attaining the desired end;

Whereas it is desirable that pure-bred bulls and their semen be identified by blood grouping or any other appropriate methods;

Whereas it is useful to provide for the designation of certain bodies for collaborating in the harmonization of testing methods and of the assessment of results;

Whereas in the light of particular conditions currently existing in Spain and Portugal it is necessary to provide for an additional prolongation for the implementation of this Directive,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Member States shall ensure that, without prejudice to animal health rules, there is no prohibition, restriction or impediment on the acceptance of pure-bred female animals of the bovine species for breeding purposes and the acceptance of pure-bred bulls for natural service.

⁽¹⁾ OJ No L 206, 12. 8. 1977, p. 8.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

Article 2

1. A Member State may not prohibit, restrict or impede:

- the acceptance for official testing of pure-bred bulls or the use of their semen within the limits of the quantities necessary for approved organizations or associations to carry out such official tests,
- the acceptance for artificial insemination within its territory of pure-bred bulls or the use of their semen when those bulls have been accepted for artificial insemination in a Member State on the basis of tests carried out in accordance with Decision 86/130/EEC⁽¹⁾.

2. Where implementation of these provisions would give rise to disputes, particularly with regard to interpretation of the tests, operators shall have the right to seek the opinion of an expert.

In the light of the expert's opinion, measures may be adopted at the request of a Member State in accordance with the procedure laid down in Article 8 of Directive 77/504/EEC.

3. The general rules for implementing paragraph 2 shall be adopted in accordance with the procedure set out in Article 8 of Directive 77/504/EEC.

Article 3

Member States shall ensure that the use of pure-race bulls and their semen referred to in Article 2 is subject to identification of the bulls concerned by analysis of the blood group or by any other appropriate method adopted in accordance with the procedure of Article 8 of Directive 77/504/EEC.

Article 4

Member States shall ensure that, for intra-Community trade, the semen referred to in Article 2 is collected, treated and stored in an officially approved artificial insemination centre.

Article 5

The Council acting by a qualified majority on a proposal from the Commission, shall designate one or more reference centres as being responsible for collaborating in the harmonization of the testing methods and of the assessment of the results.

Article 6

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1989. They shall forthwith inform the Commission thereof.

However the Kingdom of Spain and the Portuguese Republic shall have an additional period of time of three years within which to comply with this Directive.

Article 7

This Directive is addressed to the Member States.

Done at Luxembourg, 18 June 1987.

For the Council

The President

P. DE KEERSMAEKER

⁽¹⁾ OJ No L 101, 17. 4. 1986, p. 37.

COMMISSION

COMMISSION DECISION

of 29 April 1987

on the guidelines for the management of the European Social Fund in the financial years 1988 to 1990

(87/329/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 83/516/EEC of 17 October 1983 on the tasks of the European Social Fund ⁽¹⁾, modified by Decision 85/568/EEC ⁽²⁾, and in particular Article 6 thereof,

Having regard to the opinion of the Committee of the European Social Fund,

Whereas the Commission adopts, before 1 May of each year and for the three following financial years, the Fund management guidelines for determining those operations which reflect Community priorities as defined by the Council, and in particular the action programmes in the area of employment and vocational training;

Whereas the Member States have been consulted and the European Parliament has expressed its views in the resolution of 13 March 1987 ⁽³⁾,

HAS DECIDED :

Sole Article

The guidelines for the management of the European Social Fund for 1988 to 1990 are annexed to the present Decision.

Done at Brussels, 29 April 1987.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 289, 22. 10. 1983, p. 38.

⁽²⁾ OJ No L 370, 31. 12. 1985, p. 40.

⁽³⁾ OJ No C 99, 13. 4. 1987, p. 195.

ANNEX**1. General**

- 1.1. Fund assistance will be concentrated on operations to further employment in :
 - 1.1.1. the absolute priority regions as defined in Article 7 (3) of Council Decision 83/516/EEC ;
 - 1.1.2. areas of industrial and sectoral restructuring as at 31 December 1987 made up of zones assisted from the non-quota section of the European Regional Development Fund or assisted under Article 56 of the ECSC Treaty (see attached guide list) ;
 - 1.1.3. areas of high and long-term unemployment drawn up by reference to unemployment rates and *per capita* gross domestic product (see attached list).
- 1.2. Priority operations limited to the absolute priority regions are indicated by the letters 'AR' ; those limited to these regions and the regions in the attached list are marked 'R' ; priority operations without regional limitation are marked 'N'.
- 1.3. Persons unemployed for more than 12 months are considered to be long-term unemployed.
- 1.4. Priority will be given to vocational training operations which :
 - 1.4.1. equip trainees with the skills required for one or more specific types of job ;
 - 1.4.2. have a minimum duration of 200 hours apart from whatever phases of preparatory training may be included ;
 - 1.4.3. include 40 hours devoted to training broadly related to new technologies, which are counted in the calculation of the minimum duration of training ; this will not apply to operations for the mentally disabled ;
 - 1.4.4. in the case of operations intended to further employment in Greece and Portugal, the minimum duration laid down in 1.4.2 shall be reduced to 100 hours and the requirement related to new technologies in 1.4.3 shall not apply.
- 1.5. As far as operations of the apprenticeship type are concerned, only theoretical training is priority, and this only in the regions of absolute priority, or elsewhere where the employment of handicapped persons or members of the families of migrant workers is concerned.
- 1.6. Assistance for the salary costs of public agents who are to be instructors or development agents cannot be priority.
- 1.7. Applications will be approved by budget item. Where appropriations are insufficient to cover priority operations, a linear reduction will be applied, calculated in proportion to the financial volume of remaining applications by each Member State. Where appropriations are sufficient to finance priority applications, this reduction is applied to non-priority applications. In the application of the reduction, preference will be given to :
 - 1.7.1. operations forming part of an integrated programme involving assistance from two or more Community financial instruments, in particular Integrated Mediterranean Programmes (N) ;
 - 1.7.2. operations of vocational training leading directly to specific jobs in enterprises employing less than 500 persons and linked with the application of new technology which is the subject of Community programmes of Research and Development (N) ;
 - 1.7.3. operations particularly dependent on Fund assistance for their implementation (N).
- 1.8. Decisions on applications for assistance will be consistent with Community policies and will take account of compliance with Community rules.
- 1.9. When implementing the guidelines, the Commission shall take account of the economic and social situation of Portugal.

2. Priority operations for young people under 25

- 2.1. Vocational training for persons under 18 years of at least 800 hours duration including work experience of at least 200 hours but not exceeding 400 hours and offering substantial prospects of employment (R) ; for operations intended to further employment in Greece and Portugal, the minimum work experience required shall be 100 hours.
- 2.2. Vocational training for persons whose qualifications have through experience proved to be inadequate or inappropriate preparing them for skilled jobs requiring the use of new technology (N) or in occupations offering substantial prospects of employment (AR). The requirement for new technology shall not apply in 1988 for Spain.
- 2.3. Recruitment to or setting up of additional jobs of indeterminate duration (R) or placement in additional jobs of at least six months duration which fulfil a public need (AR).

- 2.4. Vocational training through employment initiatives taken by local groups, with the assistance, as appropriate, of local or regional authorities, and in the context of a local expansion of employment opportunities (N).
3. **Priority operations for persons over 25**
 - 3.1. Vocational training for staff undertakings with fewer than 500 employees requiring retraining with a view to the introduction of new technology or improvement of management techniques (R); by derogation from 1.4.2 a minimum duration of 100 hours will be required.
 - 3.2. Recruitment or setting up of the long-term unemployed to additional jobs of indeterminate duration or placement in additional jobs of at least six months duration which fulfil a public need (AR).
 - 3.3. Vocational training through employment initiatives taken by local groups, with the assistance, as appropriate, of local or regional authorities, and in the context of a local expansion of employment opportunities (R).
4. **Priority operations which have no age requirements**
 - 4.1. Operations forming part of an integrated programme involving assistance from two or more Community financial instruments (N).
 - 4.2. Operations carried out jointly by bodies in two or more Member States (N).
 - 4.3. Vocational training linked to operations to restructure industrial undertakings because of technological modernization or fundamental changes in demand in the sector concerned; the restructuring must substantially affect the skills requirements and affect at least 15 % of the workforce within a period of two years. The training may relate to workers being retrained for continued employment in the undertaking, or those becoming redundant and needing jobs elsewhere (R). Priority will be given outside the priority regions where the restructuring affects the vocational skills requirements of at least 25 % of the workforce and is located in an area of particularly high unemployment or where the public authorities have introduced exceptional measures to support vocational training or job creation (N).
 - 4.4. Operations of vocational training leading directly to specific jobs in enterprises employing fewer than 500 persons and linked with the application of new technology which is the subject of Community programmes of Research and Development (N).
 - 4.5. Vocational training of the long-term unemployed geared to their needs and including motivation and guidance and offering substantial prospects of employment (R).
 - 4.6. Vocational training, recruitment to or setting up of additional jobs for women in occupations in which they are under-represented (N).
 - 4.7. Operations for migrant workers and members of their families :
 - 4.7.1. to assist their integration into the host country with vocational training combined with language training (N); for persons over 25 years, this training is limited to the three years following immigration;
 - 4.7.2. to maintain knowledge of the mother-tongue and provide vocational training combined, if necessary, with refresher language courses when they wish to return to the labour market of their country of origin, this applying solely to nationals of Member States (N).
 - 4.8. Operations for disabled people capable of working in the open labour market (R),
 - 4.9. Vocational training of at least 400 hours duration for persons with a minimum of three years work experience for employment as instructors or development agents (for the promotion of local initiatives) (AR).
5. **Specific innovatory operations**

Innovatory operations limited to 100 persons which represent a potential basis for future Fund assistance in the framework of the labour market policies of the Member States. These should test new approaches to content, methods or organization of operations eligible for Fund assistance (N). The limitation of 100 persons will not apply to operations coming within Integrated Mediterranean Programmes.

LIST OF AREAS OF HIGH AND LONG-TERM UNEMPLOYMENT AND/OR INDUSTRIAL AND SECTORAL RESTRUCTURING

BELGIQUE/BELGIË

Arrondissements/arrondissementen: Aalst, Arlon, Ath, Bastogne, Brussel/Bruxelles, Charleroi, Dinant, Hasselt, Huy, Liège, Maaseik, Marche-en-Famenne, Mons, Mouscron, Namur, Neufchâteau, Nivelles, Oude-naarde, Philippeville, Soignies, Thuin, Tongeren, Tournai, Verviers, Virton, Waremme.

DANMARK

Amtskommunerne: Bornholm, Frederiksborg.

Thyborøn-Harboøre, Thyholm, Lemvig, Ulborg-Vemb, Ringkøbing, Holmsland, Skjern, Egvad (Ringkøbing Amtskommune), Hanstholm, Thisted, Sydthy, Morsø, Sallingsund, Sundsøre (Viborg Amtskommune); Gundsø, Roskilde, Lejre, Bramsnæs (Roskilde Amtskommune); Kommuner nord for Limfjorden, når bortses fra Ålborg Kommune (Nordjylland Amtskommune).

DEUTSCHLAND

Länder: Berlin, Saarland.

Arbeitsmarktregionen: Aachen, Ahaus, Amberg, Bochum, Braunschweig-Salzgitter, Bremen, Bremerhaven, Cuxhaven, Dortmund-Lüdinghausen, Duisburg, Essen, Fulda, Gelsenkirchen, Hagen, Lübeck-Ostholstein, Mülheim, Oberhausen, Osnabrück, Recklinghausen, Schwandorf, Siegen, Steinfurt, Wesel-Moers.

Gebietsteile der Arbeitsmarktregion Bayreuth, die im Rahmen der Gemeinschaftsaufgabe „Verbesserung der regionalen Wirtschaftsstruktur“ Fördergebiete sind, und die Gebietsteile von Rheinland-Pfalz, die an das Saarland angrenzen⁽¹⁾.

ESPAÑA

Comunidades Autónomas/provincias: Álava, Alicante, Asturias, Baleares, Barcelona, Cantabria, Castellón de la Plana, Gerona, Guipúzcoa, Huesca, Lérida, Madrid, Navarra, Rioja, Tarragona, Teruel, Valencia, Vizcaya, Zaragoza.

FRANCE

Départements: Allier, Ardennes, Ariège, Aude, Bouches-du-Rhône, Calvados, Cantal, Charente, Charente-Maritime, Corrèze, Corse du Sud, Haute-Corse, Côtes-du-Nord, Creuse, Dordogne, Finistère, Gard, Gironde, Hérault, Indre-et-Loire, Loire, Haute-Loire, Loire-Atlantique, Manche, Marne, Meurthe-et-Moselle, Morbihan, Moselle, Nord, Pas-de-Calais, Pyrénées-Atlantiques, Hautes-Pyrénées, Pyrénées-Orientales, Haute-Saône, Sarthe, Seine-Maritime, Tarn, Tarn-et-Garonne, Var, Vaucluse, Vosges.

Les cantons du Catelet et de Bohain-en-Vermandois dans l'Aisne; les zones aidées dans l'Ardèche et la Somme et les zones aidées limitrophes aux Vosges dans le Bas-Rhin et le Haut-Rhin⁽²⁾; dans la Meuse, est du fleuve Meuse; les arrondissements d'Autun et de Charolles dans la Saône-et-Loire; l'arrondissement d'Albertville dans la Savoie.

ITALIA

Province: Alessandria, Ancona, Brescia, Ferrara, Forlì, Genova, Gorizia, Grosseto, La Spezia, Livorno, Lucca, Massa-Carrara, Pavia, Perugia, Pesaro e Urbino, Piacenza, Pisa, Pistoia, Pordenone, Ravenna, Rieti, Roma, Rovigo, Savona, Siena, Terni, Torino, Trieste, Valle d'Aosta, Venezia, Viterbo.

Zone assistite nelle province di Arezzo, Como, Treviso, Vercelli⁽³⁾; Milano (eccetto il Centro ma compresa la periferia industriale).

LUXEMBOURG

⁽¹⁾ Dreizehnter Rahmenplan der Gemeinschaftsaufgabe „Verbesserung der regionalen Wirtschaftsstruktur“, Deutscher Bundestag, Drucksache 10/1279 vom 11. 4. 1984, S. 150.

⁽²⁾ Décret 82/379 du 6 mai 1982 relatif à la prime d'aménagement du territoire, *Journal officiel de la République française* du 7. 5. 1982, p. 1294.

⁽³⁾ — Comitato interministeriale per il coordinamento della politica industriale; deliberazione del 27. 3. 1980, *Gazzetta ufficiale della Repubblica italiana* n. 104 del 16. 4. 1980, pag. 3386 — 3390.
— Decreto n. 902 del 9. 11. 1976, *Gazzetta ufficiale della Repubblica italiana* dell'11. 1. 1977;
— Decreto del 16. 5. 1986, *Gazzetta ufficiale della Repubblica italiana* del 14. 7. 1986.

NEDERLAND

Gebieden vastgesteld door de Commissie voor de Regionale Ontwikkelingsprogrammering: agglomeratie Haarlem, Alkmaar en omgeving, Arnhem/Nijmegen, IJmond, Kop van Noord-Holland, Oost-Groningen, Twente, Zaanstreek, Zuid-Limburg.

In Zuidoost-Noord-Brabant de textielzone Helmond.

UNITED KINGDOM

Counties/local authority areas: Central, Cleveland, Clwyd, Cornwall, Durham, Fife, Gwent, Gwynedd, Highlands, Humberside, Isle of Wight, Lothian, Merseyside, Mid Glamorgan, Northumberland, Nottinghamshire, South Glamorgan, South Yorkshire, Staffordshire, Strathclyde, Tayside, Tyne and Wear, West Glamorgan, West Midlands.

Travel-to-work-areas: Part of Wrexham in Cheshire; Workington in Cumbria; part of Sheffield in Derbyshire; Llanelli in Dyfed; Ashton-Under-Lyme, Bolton, Bury, Leigh, Oldham, Rochdale and Wigan in Greater Manchester; Accrington, Blackburn, Burnley, Lancaster, Nelson, Rossendale and Blackpool in Lancashire; Coalville in Leicestershire; parts of Grimsby, of Hull and of Scunthorpe in Lincolnshire; Corby in Northamptonshire; Bradford, Castleford, Dewsbury, Halifax, Huddersfield, Leeds, Keighley, Todmorden and Wakefield in West Yorkshire.

COMMISSION DECISION**of 25 May 1987**

authorizing Ireland to apply intra-Community surveillance to imports of certain nitrogenous chemical fertilisers originating in certain third countries which have been put into free circulation in other Member States

(Only the English text is authentic)

(87/330/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 80/47/EEC of December 1979 on surveillance and protective measures which Member States may be authorized to take in respect of imports of certain products originating in third countries and put into free circulation in another Member State ⁽¹⁾, and in particular Articles 1 and 2 thereof,

Whereas Decision 80/47/EEC requires Member States to have prior authorization from the Commission before introducing intra-Community surveillance of the imports concerned;

Whereas the Irish Government has applied to the Commission of the European Communities under Article 2 of Decision 80/47/EEC for authorization to apply intra-Community surveillance to certain nitrogenous chemical fertilizers falling within heading ex 31.02 of the Common Customs Tariff, originating in Albania, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR and put into free circulation in the other Member States;

Whereas, pursuant to Article 9 (4) of Council Regulation (EEC) No 3420/83 ⁽²⁾, the Commission decided on 9 May 1987 to amend the arrangements for imports into Ireland of nitrogenous chemical fertilizers and consequently subjected imports of such products into Ireland to quantitative restrictions until 31 December 1987;

Whereas there are disparities in the conditions governing imports of the products in question in different Member States;

Whereas such disparities are likely to lead to deflections of trade;

Whereas the Irish authorities have claimed that such deflections are likely to give rise to and intensify economic difficulties for the industry concerned;

Whereas the information which the Commission has received concerning the situation of the national industry concerned shows that there were no imports into Ireland of urea originating in non-member countries until 1985, but that such imports reached 32 774 tonnes in the period July 1985 to June 1986 and 25 422 tonnes in the second half of 1986;

Whereas imports of mixtures of ammonium nitrate and calcium carbonate originating in non-member countries increased from 37 016 tonnes in 1982 to 71 479 tonnes in 1986;

Whereas urea production stagnated at some 287 000 tonnes between 1982 and 1986; whereas production of mixtures of ammonium nitrate and calcium carbonate fell from 435 000 tonnes to 378 000 tonnes over the same period; whereas these products' share of the domestic market fell from 83 % to 54 % in the case of urea and from 79 % to 62 % in the case of mixtures of ammonium nitrate and calcium carbonate;

Whereas the prices of the imports concerned are considerably lower than those of similar products manufactured in Ireland;

Whereas Community imports of urea originating in the State-trading countries increased from 120 000 tonnes in 1984 to 530 239 tonnes in 1986;

Whereas, in view of the above, and in particular the trend of imports into Ireland and the rest of the Community of the products concerned and the very low prices of those imports, there is a danger of unpredictable and substantial deflections of trade which are liable to give rise to economic difficulties;

Whereas, under these conditions, foreseeable intra-Community imports should be monitored closely so that any dangerous trend may be detected and, where appropriate, all necessary measures taken; whereas imports of the products concerned originating in the third countries concerned should therefore be subject to prior intra-Community surveillance in accordance with Article 2 of Decision 80/47/EEC;

⁽¹⁾ OJ L No 16, 22. 1. 1980, p. 14.

⁽²⁾ OJ L No 346, 8. 12. 1983, p. 6.

HAS ADOPTED THIS DECISION:

Article 2

This Decision is addressed to Ireland.

Article 1

Ireland is hereby authorized to apply intra-Community surveillance in accordance with Article 2 of Decision 80/47/EEC until 31 December 1987 to imports of the products specified in the Annex hereto originating in Albania, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the USSR and put into free circulation in another Member State.

Done at Brussels, 25 May 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

ANNEX

CCT heading No	NIMEXE Code	Description
ex 31.02	31.02-15, 80 31.02-30	Urea Mixture of ammonium nitrate and calcium cabonate

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2473/86 of 24 July 1986 on outward processing relief arrangements and the standard exchange system

(Official Journal of the European Communities No L 212 of 2 August 1986)

On page 1, fourth recital:

for: '...compensating products on goods...',

read: '...compensating products or goods...'

On page 2, Article 1 (3) (a):

for: 'temporarily exported goods'

read: 'temporary export goods'. (This being the 'definition clause', *passim* throughout).

Article 2 (1), second indent, line 4:

for: '...relief...',

read: '...duty-free admissions...'

On page 3, Article 5 (1) (c):

for: 'where it is possible...',

read: 'where it will be possible...'

On page 4, Article 10 (3), line 2 shall read as follows:

'yield of the operation or, where necessary, the method of.'

Article 11, line 3:

for: '...proessing...',

read: '...processing...'

Article 13 (2), second subparagraph, line 2:

for: '...consideratin...',

read: '...consideration...'
