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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1912/87

of 2 July 1987

fixing, for the 1987/88 marketing year, certain sugar prices and the standard quality of beet

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in the sugar sector ⁽¹⁾, at last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Articles 2 (3), 3 (4) and 4 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when sugar prices are fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community intends to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are in particular to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and ensure that they reach consumers at reasonable prices;

Whereas, in order to attain these objectives, the target price for sugar must be fixed at a level which, taking into account in particular the resultant level of the intervention price, ensures a fair remuneration for beet and sugar cane producers while at the same time respecting consumers' interests, and which is likely to maintain the balance between the prices of the principal agricultural products;

Whereas, as a result of the characteristics of the sugar market, the risks involved in this trade are relatively slight; whereas, consequently, when the intervention price for sugar is being fixed, the difference between the target price and the intervention price may be fixed at a relatively low level;

Whereas the basic price for beet must take account of the intervention price and of the costs of processing and delivering the beet to factories and be based on an estimated Community yield of 130 kilograms of white sugar per tonne of beet at 16 % sugar content,

HAS ADOPTED THIS REGULATION:

Article 1

1. The target price for white sugar shall be 57,03 ECU per 100 kilograms.

2. The intervention price for white sugar shall be 54,18 ECU per 100 kilograms for the non-deficit areas of the Community with the exception of Spain.

Article 2

The basic price for beet, applicable in the Community with the exception of Spain and Portugal, shall be 40,89 ECU per tonne delivered at the collection centre.

Article 3

Standard quality beet shall:

- (a) be of sound and fair merchantable quality;
- (b) have a sugar content of 16 % at the reception point.

Article 4

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

It shall apply for the 1987/88 marketing year.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 15.

⁽⁴⁾ OJ No C 156, 15. 6. 1987.

⁽⁵⁾ OJ No C 150, 9. 6. 1987, p. 8.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

COUNCIL REGULATION (EEC) No 1913/87

of 2 July 1987

fixing, for the 1987/88 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Articles 3 (5), 5 (5), 8 (4), 14 (5) and 28 (5) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas Council Regulation (EEC) No 1912/87 of 2 July 1987 fixing, for the 1987/88 marketing year, certain sugar prices and the standard quality of beet ⁽⁴⁾ fixed the intervention price for white sugar at 54,18 ECU per 100 kilograms;

Whereas Article 3 (1) of Regulation (EEC) No 1785/81 provides that derived intervention prices for white sugar are to be fixed for each of the deficit areas; whereas, for such fixing, it is appropriate that account be taken of the regional variations which, given a normal harvest and free movement of sugar, might be expected to occur in the price of sugar under natural conditions of price formation on the market;

Whereas a deficit supply situation is to be foreseen in the areas of production in Italy, Ireland and the United Kingdom;

Whereas Article 3 (5) of Regulation (EEC) No 1785/81 provides that an intervention price for raw sugar shall be fixed; whereas such price should be established on the basis of the intervention price for white sugar;

Whereas Regulation (EEC) No 1912/87 fixed the basic price for beet at 40,89 ECU per tonne; whereas Article 5 (2) of Regulation (EEC) No 1785/81 provides that the minimum price to be fixed for A beet shall be 98 % of the basic price of the beet;

Whereas Article 28 (3) and (4) of Regulation (EEC) No 1785/81 provides that losses resulting from undertakings to export surpluses of Community sugar are to be covered by production levies charged on the quantities of A and B sugar and of A and B isoglucose produced within certain ceiling limits; whereas the third subparagraph of Article 28 (5) of that Regulation permits, as from the 1986/87 marketing year, a revision of the application of a ceiling to the B levy up to a limit of 37,5 % of the intervention price for white sugar;

Whereas, for the 1987/88 marketing year, the levy amount to be collected will not be sufficient, according to estimates, to entirely cover the overall loss due to these undertakings;

Whereas it is therefore necessary to increase, for the 1987/88 marketing year, the maximum amount for the B levy to 37,5 % of the intervention price for white sugar and to fix as a consequence the minimum price for B beet at 60,5 % of the basic price for beet;

Whereas Article 14 (2) of Regulation (EEC) No 1785/81 provides that the threshold price for white sugar shall be equal to the target price, plus costs, calculated at a flat rate, of transport from the Community area having the largest surplus to the most distant deficit consumption area in the Community, plus a flat-rate amount which takes into account the storage levy; whereas, given the state of supplies within the Community, account should be taken of transport charges between the departments of northern France and Palermo;

Whereas the threshold price for raw sugar is to be derived from the threshold price for white sugar by reference to a processing margin and a standard yield;

Whereas the threshold price for molasses should be fixed in such a way that the receipts from sales of molasses may reach the level of receipts of undertakings taken into account in the fixing of basic prices for beet;

Whereas Article 5 of Regulation (EEC) No 1358/77 ⁽⁵⁾ provides that the amount of repayment in the context of the compensation for storage costs shall be fixed per month and per unit of weight, taking account of financing, insurance and specific storage costs;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 16.

⁽⁴⁾ See page 1 of this Official Journal.

⁽⁵⁾ OJ No L 156, 25. 6. 1977, p. 4.

Whereas, when fixing the prices to be applied in Spain and Portugal, the prices fixed for those Member States for the 1986/87 marketing year should be aligned with the common prices in accordance with Articles 70 and 238 of the Act of Accession,

HAS ADOPTED THIS REGULATION:

Article 1

For the deficit areas of the Community other than Portugal, the derived intervention price for white sugar shall be fixed, per 100 kilograms, at:

- (a) 55,39 ECU for all the areas in the United Kingdom;
- (b) 55,39 ECU for all the areas in Ireland;
- (c) 56,12 ECU for all the areas in Italy.

Article 2

The intervention price for 100 kilograms of raw sugar shall be 44,92 ECU.

Article 3

- 1. The minimum price for A beet, applicable in the Community with the exception of Spain and Portugal, shall be 40,07 ECU per tonne.
- 2. The minimum price for B beet, applicable in the Community with the exception of Spain and Portugal, shall be 24,74 ECU per tonne.

Article 4

- 1. The sugar prices to be applied in Spain and Portugal shall be as follows:

— Spain:

- (a) the intervention price for white sugar shall be 62,78 ECU per 100 kilograms;
- (b) the prices for beet shall be:
 - 47,98 ECU per tonne for the basic price,
 - 47,16 ECU per tonne for the minimum price for A beet,
 - 31,83 ECU per tonne for the minimum for B beet;

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

Done at Brussels, 2 July 1987.

— Portugal:

- (a) the intervention price for white sugar shall be 51,00 ECU per 100 kilograms;
- (b) the prices for beet shall be:
 - 43,72 ECU per tonne for the basic price,
 - 42,90 ECU per tonne for the minimum price for A beet,
 - 27,57 ECU per tonne for the minimum price for B beet.

- 2. The beet prices referred to in paragraph 1 shall be for delivery at the collection centre and shall apply to beet of standard quality as defined in Article 3 of Regulation (EEC) No 1912/87.

Article 5

The threshold price shall be:

- (a) 67,03 ECU per 100 kilograms of white sugar;
- (b) 57,40 ECU per 100 kilograms of raw sugar;
- (c) 6,90 ECU per 100 kilograms of molasses.

Article 6

- 1. For the 1987/88 marketing year, the maximum amount referred to in Article 28 (4), second subparagraph, first indent of Regulation (EEC) No 1785/81 shall be increased to 37,5 % of the intervention price for white sugar.
- 2. For the 1987/88 marketing year, the minimum price for B beet referred to in the second subparagraph of Article 5 (2) of Regulation (EEC) No 1785/81 shall be 60,5 % of the basic price for beet.

Article 7

The amount of the reimbursement referred to in Article 8 of Regulation (EEC) No 1785/81 shall be 0,49 ECU per month per 100 kilograms of white sugar.

Article 8

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

It shall apply for the 1987/88 marketing year.

For the Council

The President

K. E. TYGESEN

COUNCIL REGULATION (EEC) No 1914/87

of 2 July 1987

introducing a special elimination levy in the sugar sector for the 1986/87 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽⁴⁾, as last amended by Regulation (EEC) No 229/87 ⁽⁵⁾, provides for the application of production quota arrangements for the 1986/87 to 1990/91 marketing years and fixes the basic quantities of A and B production for the 1986/87 and 1987/88 marketing years; whereas the basic quantities of A and B production and the charges to which producers will be liable under these arrangements for the 1988/89 to 1990/91 marketing years must be determined by 1 January 1988;

Whereas the aim of the production quota arrangements in the sugar sector is to convert production to the possibilities for disposal and ensure that all losses resulting from the Community's surplus production are covered by the producers' financial contributions; whereas these contributions are made by collecting a levy on basic production that applies to all production of A and B sugar but which may not exceed 2 % of the intervention price for white sugar and a B levy on production of B sugar which may not exceed 37,5 % of the intervention price; whereas manufacturers of isoglucose share in these contributions under certain conditions;

Whereas the estimates made pursuant to Article 28 (1) of Regulation (EEC) No 1785/81 as regards consumption, production, exportable surpluses and total losses for the 1986/87 marketing year suggest with virtual certainty that not only will overall losses not be covered as a result of the limits placed on such contributions, but that the

scale of the likely deficit for just the first year of implementation is such as to call into question the implementation of the self-financing principle in this sector; whereas, moreover, because of the severe budgetary constraints on the Community, it is out of the question for the Community to stand in for the producers in question and assume responsibility, even on a temporary basis, for the abovementioned deficit;

Whereas it is desirable, until sufficient time has elapsed, not to call into question before the date laid down the production quota arrangements that must, in any case, apply to the 1986/87 and 1987/88 marketing years; whereas, however, owing to the likely scale of the loss not covered by the producers' contributions for the 1986/87 marketing year, this loss should be eliminated by making provision for the introduction of a special elimination levy for the 1986/87 marketing year; whereas, in such circumstances, this special elimination levy should be collected at the same time as the payment of the balance of the production levies for the 1986/87 marketing year, namely before 15 December 1987;

Whereas the special elimination levy should be drawn up for each undertaking on the basis of its share in the revenue derived from the production levies that it will have paid in respect of the 1986/87 marketing year; whereas, for this purpose, a coefficient valid for the Community as a whole and representing, for the 1986/87 marketing year, the ratio between, on the one hand, the total loss recorded pursuant to Article 28 (1) of Regulation (EEC) No 1785/81 and, on the other hand, all the revenue derived from the production levies in question should be determined; whereas provision should also be made for the sellers of beet and the sellers of cane to share in the elimination of the outstanding loss for the 1986/87 marketing year;

Whereas the participation of sugar-beet sellers and sugar-cane sellers in the elimination of the loss not covered by the 1986/87 marketing year may be hindered in particular when not only the sugar-beet delivered during that year has been entirely paid for by the manufacturers but also the bulk of the sugar-beet delivered during the 1987/88 year; whereas sugar-beet growers or sugar-cane growers should therefore be enabled to pay their part of the levy in respect of the sugar-beet delivered during the 1986/87 or the 1987/88 marketing year; whereas irrespective of the marketing year adopted for such participation, the latter should not exceed that resulting from the 1986/87 marketing year,

⁽¹⁾ OJ No C 89, 3. 4. 1987, p. 18.

⁽²⁾ OJ No C 156, 15. 6. 1987.

⁽³⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁴⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽⁵⁾ OJ No L 25, 28. 1. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to Title III and Title III a of Regulation (EEC) No 1785/81, a special elimination levy shall be charged to manufacturers of sugar and isoglucose if the total loss for the 1986/87 marketing year recorded pursuant to Article 28 (1) of the said Regulation is not entirely covered by the revenue from the production levies owed by those manufacturers. This levy shall be collected in order to fully eliminate that part of the total loss in question that is not covered by the revenue from the production levies.

For the purpose of the calculation referred to in Article 28 (2) of Regulation (EEC) No 1785/81, account shall be taken of the revenue derived from the collection of the special levy within the meaning of the first subparagraph.

2. The special elimination levy shall be calculated for each sugar-producing undertaking and each isoglucose-producing undertaking by multiplying the amount owed by the undertaking as a production levy for the 1986/87 marketing year by a coefficient to be determined. This coefficient shall represent for the Community the ratio between the total loss recorded for the 1986/87 marketing year pursuant to Article 28 (1) of Regulation (EEC) No 1785/81 and the revenue from the production levies owed by the sugar and isoglucose manufacturers in

respect of the 1986/87 marketing year; this ratio shall be reduced by a factor of 1.

The special elimination levy shall be paid before 15 December 1987.

3. Without prejudice to the second paragraph, sugar manufacturers may require, depending on the case, from sellers of beet or of cane grown in the Community, reimbursement up to 60 % of the special elimination levy in question. Reimbursement shall be made in respect of beet delivered during the 1986/87 or 1987/88 marketing years.

Irrespective of the abovementioned marketing year during which reimbursement as referred to in the first paragraph is made, it shall at most be equal to the amount of the beet or cane sellers' participation in the payment of the production levies provided for in Regulation (EEC) No 1785/81 for the 1986/87 marketing year multiplied by the coefficient referred to in paragraph 2.

4. Detailed rules for the application of this Article and of the coefficient referred to in paragraph 2 shall be adopted according to the procedure provided for in Article 41 of Regulation (EEC) No 1785/81.

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, 2 July 1987.

For the Council

The President

K. E. TYGESEN

COUNCIL REGULATION (EEC) No 1915/87

of 2 July 1987

amending Regulation No 136/66/EEC on the establishment of a common organization of
the market in oils and fats

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas aid for production of olive oil is designed to provide a fair income for producers; whereas, however, in view of the prospects for the disposal of olive oil produced in the Community, there should be a disincentive to produce whenever production exceeds a quantity which is determined in the light of the market situation; whereas the unit amount of aid payable should therefore be reduced when production exceeds the maximum quantity laid down; whereas the provision which, to the same end, limits olive-growing areas, whose production is eligible for production aid, should therefore be deleted;

Whereas the reduction in the aid should not apply in the case of small producers since these do not normally market their olive oil and do not, therefore, contribute to market surpluses; whereas such a measure is also called for on grounds of sound management; whereas it should also be made possible to set a higher level of aid for these producers;

Whereas experience has shown that, given the situation on the olive oil market, instead of encouraging the marketing of olive oil in the light of market requirements, the system of monthly increases hinders the normal disposal of production; whereas monthly increases should therefore be discontinued;

Whereas intervention should provide a means of underpinning producers' incomes when market mechanisms cannot operate effectively; whereas allowing intervention to operate for the entire marketing year hinders the normal disposal of the product on the market; whereas intervention should therefore be limited to a certain part of the marketing year;

Whereas, pursuant to Article 12 (2) of Regulation No 136/66/EEC ⁽⁴⁾, as last amended by Regulation (EEC) No 1454/86 ⁽⁵⁾, olive oil bought in by intervention agencies must be offered for sale on the Community market; whereas experience has shown that provision should be made for allowing the oil to be disposed of by way of gift as part of specific emergency food-aid operations;

Whereas in order to be effective such operations must be implemented rapidly; whereas provision should therefore be made for applying the most suitable procedure in such cases;

Whereas, under present market conditions, the rape and sunflower seed produced should only exceptionally be sold into intervention; whereas, in the interests of sound market management, it is advisable to encourage the selling of that production to processors and to avoid the costs incurred by the Community as a result of speculative transactions; whereas buying in should therefore be restricted to the last few months of the marketing year;

Whereas, under the system of maximum guaranteed quantities for rape and sunflower seed referred to in Article 27a of Regulation No 136/66/EEC, exceeding the said quantities only slightly may substantially reduce the amount of aid payable; whereas placing a ceiling on the reduction may run counter to the system's objectives and serve to increase production; whereas in order to improve the system's effectiveness it is advisable to increase this reduction for the 1987/88 marketing year;

Whereas, in order to facilitate the marketing of olive oil in practice, it is advisable to adjust the descriptions and definitions given in the Annex to Regulation No 136/66/EEC; whereas, however, there should be a transitional period for the introduction of the new provisions;

Whereas in order to improve the marketing of oils and fats and increase their profitability, provision should be made for introducing marketing standards; whereas Member States should introduce control measures with a view to ensuring that those standards are complied with,

⁽¹⁾ OJ No C 89, 3. 4. 1987, p. 19.

⁽²⁾ OJ No C 156, 15. 6. 1987.

⁽³⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁴⁾ OJ No 172, 30. 8. 1966, p. 3025/66.

⁽⁵⁾ OJ No L 133, 21. 5. 1986, p. 8.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 136/66/EEC is hereby amended as follows:

1. Article 5 (1) and (2) is replaced by the following:

'1. Aid for the production of olive oil shall be introduced. The aid is designed to contribute towards the establishment of a fair income for producers.

Before 1 August each year the Council shall, in respect of the marketing year which begins in the following calendar year, fix the unit amount of production aid in accordance with the procedure laid down in Article 43 (2) of the Treaty. A separate unit amount may be fixed for producers whose average production does not exceed 200 kilograms of oil per year.

In accordance with that procedure the Council shall, in respect of a specified period, the first such period being that covered by the marketing years from 1987/88 to 1990/91, fix the maximum quantity of olive oil for which the aid shall be payable. The maximum quantity shall be fixed at the same time as the aid for the first marketing year of the period concerned.

The aid shall be fixed taking account of the effect of the consumption aid referred to in Article 11 on a part of production only. The maximum quantity of olive oil for which the aid is payable shall take account in particular of average production during a reference period and the quantitative level which, it is felt, production should achieve.

If the actual quantity produced during the marketing year:

- (a) is less than the maximum quantity laid down for that marketing year plus any quantity carried over as described below, the difference shall be carried over and added to the maximum quantity for which the unit amount of aid shall be payable the following marketing year;
- (b) exceeds the maximum quantity laid down for that marketing year plus any quantity carried over, the unit amount of aid payable per 100 kilograms of oil actually produced shall be multiplied by a coefficient obtained by dividing the maximum quantity, plus any quantity carried over as described above, by the actual quantity eligible for aid.

However, the unit amount of aid payable to producers whose average production of olive oil is 200 kilograms or less per marketing year shall not be multiplied by that coefficient.

2. The aid shall be granted:

- to growers who are members of a producer group recognized pursuant to this Regulation, and who have an average production of at least 200 kilograms of olive oil per marketing year, on the basis of the quantity of olive oil actually produced by them,
- to other growers, on the basis of the number and production potential of the olive trees cultivated by them and of the yields of such trees, as determined according to a standard method, and provided that the olives produced have actually been harvested.'

2. Article 10 is deleted.

3. In Article 12 (1) the first sentence is replaced by the following:

'The intervention agencies designated by the producer Member States shall, in July, August, September and October of each marketing year, buy in, in accordance with the rules adopted under paragraph 4, olive oil of Community origin which is offered to them by producers or producers' groups and associations thereof recognized pursuant to Regulation (EEC) No 1360/78 at intervention centres in production areas.'

4. The following paragraph is inserted in Article 12:

'2a. Notwithstanding the provisions of paragraph 2 it may be decided that certain quantities of olive oil in intervention storage should be disposed of by way of gift, as part of specific emergency relief operations. The decision concerned may also specify the conditions applicable with regard to processing and supply to the beneficiaries.'

5. Article 12 (4) is replaced by the following:

'4. The detailed rules for the application of this Article in particular those regarding the decision referred to in paragraph 2a and the designation of the intervention centres shall be laid down in accordance with the procedure provided for in Article 38.'

6. The first paragraph of Article 25 is replaced by the following:

'To enable sales to be staggered, the target price and the intervention price shall be increased each month, for a period of at least five months beginning with the fifth month of the marketing year for colza and rape seed and with the fourth month for sunflower seed, by an amount which shall be the same for both prices.'

7. The first subparagraph of Article 26 (1) is replaced by the following:

'1. Where the Community market price for the seeds in question is less than the intervention price, or, where appropriate, reduced pursuant to Article

27a, an intervention agency shall, from 1 October and until 31 May and under conditions to be laid down in accordance with paragraphs 2 and 3, buy in seeds of Community origin offered to it at intervention centres. The intervention agency shall, without prejudice to the provisions of Article 27a, buy in at 94 % of the intervention price.'

8. Article 27a is replaced by the following:

'Article 27a

1. The Council shall, acting in accordance with the procedure laid down in Article 43 (2) of the Treaty, fix, for each marketing year beginning with 1986/87, maximum guaranteed quantities for rape seed produced in the Community and for sunflower seed produced in the Community.

2. The maximum guaranteed quantities for rape and sunflower seed shall be determined in the light of the quantities produced during a reference period and the anticipated level of demand.

3. Where the estimate of rape or sunflower seed production made before the start of the marketing year exceeds, in respect of the marketing year in question, the maximum guaranteed quantity for the seed concerned, the aid shall be reduced by an amount equal to the effect on the target price of a coefficient reflecting the extent of the difference.

However, for the 1987/88 marketing year, this reduction in the amount of production aid may not be greater than 10 % of the target price.

Whereas the provisions of the first subparagraph would not reduce the aid by the same amount, if they were applied to the quantity actually produced instead of to the estimate made at the start of the marketing year, the maximum guaranteed quantity for the following marketing year shall be adjusted accordingly.

4. Where the provisions of paragraph 3 are applied, the buying-in price shall be reduced by the same amount as the aid.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the rules for determining the coefficient referred to in the first subparagraph of paragraph 3.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38.'

9. Article 35 is replaced by the following:

'Article 35

1. The use of the descriptions and definitions of olive oil and olive-pomace oil set out in the Annex shall be compulsory as regards the marketing of the products concerned within each Member State, in intra-Community trade and in trade with third countries.

2. Only oil as referred to in points 1 (a) and (b), 3 and 6 of the Annex may be marketed at the retail stage.

3. Until 31 December 1989, Member States may authorize:

- for the purposes of the marketing of olive oil and olive-pomace oil within their territory, the use of definitions and descriptions which are practised within each Member State at 31 October 1987,
- in the case of the oil referred to in point 3 of the Annex, intended for export, the use of 'pure olive oil'.

4. The Council, acting by a qualified majority on a proposal from the Commission, may amend the descriptions and definitions set out in the Annex.

5. If difficulties arise for the marketing within the Community of the products referred to in the Annex, a decision may be taken in accordance with the procedure laid down in Article 38 to extend for one or several of the products in question the date of 31 December 1989 laid down in paragraph 3. Such extension may not exceed two years.

10. The following Article is inserted:

'Article 35a

1. Marketing standards covering in particular quality grading, packaging and presentation may be laid down in respect of the products referred to in Article 1.

Where such standards are laid down, the products to which they apply may be marketed only in accordance with those standards.

2. Member States shall, in the case of products which are the subject of marketing standards, check whether those products conform to the said standards. They shall notify the Commission of the arrangements they have introduced for the purpose of applying this paragraph.

3. The marketing standards shall be adopted in accordance with the procedure laid down in Article 38. They shall take into account technical

production and marketing requirements and changes in the methods used for determining the physical, chemical and organoleptic characteristics of the products referred to in Article 1. Detailed rules for the application of this Article and, where applicable, the methods of analysis to be used, shall be adopted in accordance with the same procedure.'

11. The Annex is hereby replaced by the Annex to this Regulation.

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

Done at Brussels, 2 July 1987.

Article 2

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

It shall apply from:

- 1 July 1987 in the case of rape seed,
- 1 August 1987 in the case of sunflower seed,
- 1 November 1987 in the case of olive oil.

For the Council

The President

K. E. TYGESEN

ANNEX

Descriptions and definitions of olive oils and olive-pomace oils referred to in Article 35

1. *Virgin olive oils*: oils which are obtained from the fruit of the olive tree solely by mechanical or other physical means under conditions, particularly thermal conditions, that do not lead to deterioration of the oil, and which have undergone no treatment other than washing, decantation, centrifugation and filtration, excluding oils obtained by means of solvents or re-esterification and mixtures of olive oil with other oils.

Their classification and description are as follows:

- (a) extra virgin olive oil: virgin olive oil of absolutely perfect flavour, with an acid content, expressed as oleic acid, of not more than 1 g per 100 g;
 - (b) virgin olive oil (the expression 'fine' may be used at the production and wholesale stage): virgin olive oil of perfect flavour, with an acid content, expressed as oleic acid, of not more than 2 g per 100 g;
 - (c) ordinary virgin olive oil: virgin olive oil of good flavour, with an acid content, expressed as oleic acid, of not more than 3,3 g per 100 g;
 - (d) lampante virgin olive oil: virgin olive oil with an off-flavour or with an acid content expressed as oleic acid, of more than 3,3 per 100 g.
2. *Refined olive oil*: olive oil obtained by refining virgin olive oils, with an acid content, expressed as oleic acid, of not more than 0,5 g per 100 g.
 3. *Olive oil*: oil consisting of a blend of refined olive oil and virgin olive oils, other than lampante virgin olive oil, with an acid content, expressed as oleic acid, of not more than 1,5 g per 100 g.
 4. *Crude olive-pomace oil*: oil obtained by treating olive residue with solvents, but excluding oils obtained by re-esterification and mixtures of crude olive-pomace oil and other oils.
 5. *Refined olive-pomace oil*: oil obtained by refining crude olive-pomace oil with an acid content, expressed as oleic acid, of not more than 0,5 g per 100 g.
 6. *Olive-pomace oil*: oil consisting of a blend of refined olive-pomace oil and virgin olive oils other than lampante virgin olive oil, with an acid content expressed as oleic acid, of not more than 1,5 g per 100 g.
-

COUNCIL REGULATION (EEC) No 1916/87

of 2 July 1987

fixing the production target price, the production aid and the intervention price for olive oil for the 1987/88 marketing year, as well as the maximum quantity referred to in Article 5 (1) of Regulation No 136/66/EEC

THE COUNCIL OF THE EUROPEAN COMMUNITIES —

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1), 92 (3), 234 (2) and 290 (3) thereof,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the common organization of the market in oils and fats (1), as last amended by Regulation (EEC) No 1915/87 (2), and in particular Articles 4 (4) and 5 (1) thereof,

Having regard to the proposal from the Commission (3),

Having regard to the opinion of the European Parliament (4),

Having regard to the opinion of the Economic and Social Committee (5),

Whereas, when the production target price for olive oil is fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the target price referred to above must be fixed in accordance with the criteria laid down in Articles 4 and 6 of Regulation No 136/66/EEC;

Whereas, if the producer is to receive a fair income, production aid must be fixed in the light of the impact which the consumption aid has on part only of the production;

Whereas, pursuant to Article 5 (1) of Regulation No 136/66/EEC, the maximum quantity that may be eligible for the unitary production aid fixed for each of the marketing years in question is to be fixed; whereas, pursuant to the criteria referred to in the said paragraph, the maximum quantity for each of the 1987/88, 1988/89, 1989/90 and 1990/91 marketing years should be as set out below;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 8 of Regulation No 136/66/EEC;

Whereas, as a result of the application of Articles 68 and 236 of the Act of Accession, the intervention price for olive oil in Spain and Portugal differs from the common prices; whereas, under Articles 92 (2) and 290 (2) of the Act of Accession, the intervention prices for olive oil applicable in Spain and Portugal must, as from the entry into force of the adjustment of the *acquis communautaire* with relation to vegetable oils and fats, be aligned on the common prices in accordance with the detailed rules specified in the second indent of the said paragraphs; whereas the prices should be aligned in accordance with those detailed rules from the beginning of the marketing year following that in which it is established that the *acquis communautaire* has been adjusted;

Whereas, following the entry into force of Regulation (EEC) No 1915/87 the adjustment of the *acquis communautaire* should be established as having taken place; whereas, accordingly, the intervention prices applicable in Spain and Portugal in 1987/88 should be fixed in accordance with the second indent of articles 92 (2) and 290 (2) of the Act of Accession;

Whereas Articles 95 and 293 of the Act of Accession provide for the granting of Community aid for the production of olive oil in Spain and in Portugal; whereas, pursuant to Articles 79 and 246 of that Act, the amounts of the Community aid in Spain and Portugal should be aligned on the common aid at the beginning of the marketing year; whereas the rules on this alignment result in the Spanish and Portuguese aid rates shown below;

Whereas the production target price and the intervention price are fixed for a specific standard quality; whereas the reasons which led to the determination of the standard quality for the 1981/82 marketing year are still valid; whereas that standard quality should therefore remain unchanged;

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

(2) See page 7 of this Official Journal.

(3) OJ No C 89, 3. 4. 1987, p. 23.

(4) OJ No C 156, 15. 6. 1987.

(5) OJ No C 150, 9. 6. 1987, p. 8.

Whereas, pursuant to Article 5 (4) of Regulation No 136/66/EEC, a percentage of the production earmarked for producers may be allocated to the financing of regional measures to improve the quality of olive oil production; whereas such measures are necessary, in particular for plant health reasons, in certain production regions; whereas some of the said aid should therefore be allocated to the financing of such measures;

Whereas, in accordance with Article 20 (d) (1) of Regulation No 136/66/EEC, the percentage of the production aid that may be withheld for recognized organizations of olive oil producers or associations thereof should be fixed;

Whereas, however, taking into account the fact that it appears opportune to re-examine the tasks which must be entrusted to those organizations, the fixing of the percentage of production aid for the 1987/88 marketing year should be suspended —

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year, the production target price, the production aid and the intervention price of olive oil shall be as follows:

- (a) production target price: 322, 56 ECU/100 kg;
- (b) production aid:
 - for Spain: 20,83 ECU/100 kg,
 - for Portugal: 14,19 ECU/100 kg,
 - for the Community of Ten: 70,95 ECU/100 kg;
- (c) production aid for growers whose average production does not exceed 200 kilograms of olive oil per year:
 - for Spain: 21,95 ECU/100 kg,
 - for Portugal: 15,31 ECU/100 kg,
 - for the Community of Ten: 80,95 ECU/100 kg;

(d) intervention price:

- for Spain: 144,81 ECU/100 kg,
- for Portugal: 201,72 ECU/100 kg,
- for the Community of Ten: 216,24 ECU/100 kg.

Article 2

The prices specified in Article 1 shall relate to ordinary virgin olive oil with a free fatty acid content, expressed as oleic acid, of 3, 3 grams per 100 grams.

Article 3

1. For the 1987/88 marketing year, 2 % of the production aid earmarked for olive oil producers shall be allocated to the financing of specific measures to improve the quality of olive oil in each producer Member State.

2. Notwithstanding Article 20 (d) (1) of Regulation No 136/66/EEC, the percentage of the amount of production aid which may be adopted for organizations of olive oil producers or associations thereof recognized under the said Regulation, may be fixed for the 1987/88 marketing year not later than 1 November 1987.

Article 4

The maximum production of olive oil referred to in Article 5 (1) of Regulation No 136/66/EEC shall be 1 350 000 tonnes for each of the 1987/88, 1988/89, 1989/90 and 1990/91 marketing years.

Article 5

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

It shall apply from 1 November 1987.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

COUNCIL REGULATION (EEC) No 1917/87

of 2 July 1987

fixing the target prices and intervention prices for colza, rape and sunflower seed for the 1987/88 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

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 1915/87 ⁽²⁾, and in particular Articles 22 (4) and 24a (2) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the target prices and intervention prices for colza, rape and sunflower seed are fixed, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to ensure that supplies are available and that they reach consumers at reasonable prices;

Whereas the intervention price must be fixed in accordance with the criteria laid down in Article 24 (1) of Regulation No 136/66/EEC;

Whereas the prices of colza, rape and sunflower seed must be fixed for specific standard qualities; whereas the latter should be laid down in relation to the average qualities of the seeds harvested in the Community;

whereas, for colza and rape seed, the quality laid down for the 1986/87 marketing year meets these requirements and can accordingly be used for the 1987/88 marketing year; whereas, for sunflower seed, the quality laid down for the 1986/87 marketing year can be retained for 1987/88, except that the moisture content must be reduced;

Whereas, on the basis of these criteria, the target and intervention prices for colza, rape and sunflower seed should be fixed at the levels given below;

Whereas the supplement to be applied to the target and intervention prices for 'double zero' colza and rape seed must be fixed in accordance with the criteria laid down in Article 24a of Regulation No 136/66/EEC;

Whereas, pursuant to Article 68 of the Act of Accession, prices in Spain have been set at a level different from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the criteria envisaged for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year, the target prices and the intervention prices for colza, rape and sunflower seed shall be as follows:

(a) target price for colza and rape seed:

— 40,26 ECU/100 kg for Spain,

— 45,02 ECU/100 kg for the other Member States;

(b) intervention price for colza and rape seed:

— 36,00 ECU/100 kg for Spain,

— 40,76 ECU/100 kg for the other Member States;

(c) target price for sunflower seed:

— 44,55 ECU/100 kg for Spain,

— 58,35 ECU/100 kg for the other Member States;

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

⁽²⁾ See page 7 of this Official Journal.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 28.

⁽⁴⁾ OJ No C 156, 15. 6. 1987.

⁽⁵⁾ OJ No C 150, 9. 6. 1987, p. 8.

(d) intervention price for sunflower seed:

- 39,67 ECU/100 kg for Spain,
- 53,47 ECU/100 kg for the other Member States;

Article 2

The prices referred to in Article 1 shall relate to seeds in bulk which are of sound and fair merchantable quality:

- (a) with an impurity content of 2 % and, for seeds as such, moisture and oil contents of 9 % and 40 % respectively in the case of colza and rape seed;
- (b) with an impurity content of 2 % and, for seeds as such, moisture and oil contents of 9 % and 44 % respectively in the case of sunflower seed.

Article 3

For the 1987/88 marketing year, the supplement to be applied to the target and intervention prices for 'double zero' colza and rape seed shall be 2,50 ECU per 100 kg.

Article 4

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

It shall apply:

- from 1 July 1987 as regards colza and rape seed,
- from 1 August 1987 as regards sunflower seed.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

COUNCIL REGULATION (EEC) No 1918/87

of 2 July 1987

fixing for the 1987/88 marketing year the monthly increases in the target and intervention prices for colza and rape seed and sunflower seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 1915/87 ⁽²⁾, and in particular Article 25 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with Article 25 of Regulation No 136/66/EEC, the amount by which the target and intervention prices for colza, rape seed and sunflower seed are increased monthly from the beginning of the fifth month of the marketing year for colza and rape seed and from the beginning of the fourth month of the marketing year for sunflower seed should be fixed for the 1987/88 marketing year, and the number of months during which such increases are to be applied should be determined; whereas this amount must be the same for both prices;

Whereas such increases must be the same for each month and be fixed by reference to average storage and interest charges recorded in the Community; whereas average storage charges should be determined on the basis of the cost of storing the seed in suitable premises and of the handling charges necessary to keep the seed in good condition; whereas interest charges may be calculated on the basis of the rate considered normal for the production areas,

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

Done at Brussels, 2 July 1987.

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1987/88 marketing year, the amount of the monthly increases in the target and intervention prices for colza and rape seed shall be 0,397 ECU per 100 kilograms.

2. The increases referred to in paragraph 1 shall apply for seven months.

Article 2

1. For the 1987/88 marketing year, the amount of the monthly increases in the target and intervention prices for sunflower seed shall be 0,473 ECU per 100 kilograms.

2. The increases referred to in paragraph 1 shall apply for seven months.

Article 3

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

It shall apply:

- from 1 July 1987 as regards colza and rape seed,
- from 1 August 1987 as regards sunflower seed.

*For the Council**The President*

K. E. TYGESEN

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

⁽²⁾ See page 7 of this Official Journal.

COUNCIL REGULATION (EEC) No 1919/87

of 2 July 1987

fixing for the 1987/88 marketing year the guaranteed maximum quantities for colza, rape
and sunflower seed

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 89 (1) and 234 (2) thereof,

Having regard to Council Regulation (EEC) 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 1915/87 ⁽²⁾, and in particular Article 27a (1) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, in accordance with Article 27a of Regulation No 136/66/EEC, guaranteed maximum quantities should be fixed for colza, rape and sunflower seed;

Whereas, in the light of the medium-term outlook and the levels of production in recent years, the said quantities for the 1987/88 marketing year should be fixed at the levels set below;

Whereas, pursuant to Articles 96 and 294 of the Act of Accession, as adjusted by Regulation (EEC) No 1455/86 ⁽⁶⁾, guaranteed maximum quantities must be fixed specifically for Spain and Portugal; whereas the said quantities should be fixed at the levels shown below,

Article 1

For the 1987/88 marketing year the guaranteed maximum quantities referred to in Article 27a of Regulation No 136/66/EEC are hereby fixed:

(a) for colza and rape seed, at:

- 3 500 000 tonnes for the Community as constituted at 31 December 1985,
- 10 000 tonnes for Spain,
- 1 000 tonnes for Portugal;

(b) for sunflower seed, at:

- 1 700 000 tonnes for the Community as constituted at 31 December 1985,
- 1 200 000 tonnes for Spain,
- 53 500 tonnes for Portugal.

Article 2

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

It shall apply:

- from 1 July 1987 as regards colza and rape seed,
- from 1 August 1987 as regards sunflower seed.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

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

⁽²⁾ See page 7 of this Official Journal.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 29.

⁽⁴⁾ OJ No C 156, 15. 6. 1987.

⁽⁵⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁶⁾ OJ No L 133, 21. 5. 1986, p. 10.

COUNCIL REGULATION (EEC) No 1920/87

of 2 July 1987

providing for the granting of special aid for sunflower seeds produced and processed in Portugal and amending Regulation (EEC) No 476/86 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Portugal

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 234 (2) thereof,

Having regard to the proposal from the Commission,

Whereas the disposal difficulties encountered by Portuguese sunflower production during the 1986/87 marketing year, in particular because of the structure of the Portuguese sunflower-seed crushing industry and the lack of aid, resulting from the Act of Accession, for seeds which are harvested and processed in Portugal and the oil of which is intended for consumption on the home market; whereas it is desirable, in order to allow the harvest to be disposed of normally, to make provision for the grant of special aid for sunflower seeds produced and processed in Portugal;

Whereas such aid must be limited to the period of application, in Portugal, of the mechanism for control referred to in Article 292 of the Act of Accession, at the end of which the common provisions on aid will be applicable;

Whereas Article 12 of Regulation (EEC) No 476/86 ⁽¹⁾ provides for the granting of compensatory aid for sunflower seeds which are produced and processed in Portugal and the oil of which is intended for export; whereas the special aid provided for by this Regulation will be granted for sunflower seeds the oil of which is

intended both for the Portuguese home market and for export; whereas the said compensatory aid should be abolished in order to avoid a situation where sunflower seeds benefit unduly from both types of aid,

HAS ADOPTED THIS REGULATION:

Article 1

Until 31 December 1990, sunflower seeds produced and processed in Portugal shall be eligible for special aid equal to the difference between the target price of such seeds in Portugal and the world market price, less the amount of the customs duties charged on the import of sunflower seeds into Portugal.

Article 2

Article 12 of Regulation (EEC) No 476/86 shall be deleted.

Article 3

The rules for applying this Regulation shall be those provided for by Commission Regulation (EEC) No 2681/83 ⁽²⁾. Should the need arise, additional rules of application shall be adopted according to the procedure provided for in Article 38 of Regulation No 136/66/EEC ⁽³⁾.

Article 4

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, 2 July 1987.

For the Council

The President

K. E. TYGESEN

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 51.

⁽²⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

COUNCIL REGULATION (EEC) No 1921/87

of 2 July 1987

amending Regulation (EEC) No 1491/85 laying down special measures in respect of soya beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission ⁽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 production of soya beans in the Community has grown at an exceptionally high rate in recent years; whereas more modest and regular growth in the production of the said beans seems desirable; whereas, to attain this objective, arrangements should be made that, where a certain maximum guaranteed quantity is exceeded, the amount of the aid and the minimum price are to be reduced by an amount that takes account of the scale by which this quantity is exceeded; whereas Regulation (EEC) No 1491/85 ⁽⁴⁾ should accordingly be amended,

HAS ADOPTED THIS REGULATION:

Article 1

The following Article is hereby added to Regulation (EEC) No 1491/85:

Article 3a

1. The Council, acting in accordance with the procedure laid down in Article 43 (2) of the Treaty, shall fix each year, and for the first time for the 1987/88 marketing year, a maximum guaranteed quantity for soya beans produced in the Community.
2. The maximum guaranteed quantity for soya beans shall be determined taking account of

production during a reference period and of the likely trend in demand.

3. Where the production of soya beans, as estimated before the beginning of the marketing year, exceeds the maximum guaranteed quantity for the beans concerned and for the marketing year in question, the amount of the aid shall be reduced by the incidence on the guide price of a coefficient that is related to the extent to which this quantity is exceeded.

However, for the 1987/88 marketing year, this reduction in the amount of aid may not be greater than 10% of the guide price.

Where the first subparagraph, when applied to actual production instead of estimated production at the beginning of the marketing year, would lead to a different reduction in the amount of the aid than that actually applied, the maximum guaranteed quantity for the following marketing year shall be adjusted to take account of that situation.

4. Where paragraph 3 is applied, the minimum price shall be reduced by the same amount by which the amount of the aid was reduced.

5. The Council, acting by a qualified majority on a proposal from the Commission, shall adopt the rules for determining the coefficient referred to in the first subparagraph of paragraph 3.

6. Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC.

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, 2 July 1987.

For the Council

The President

K. E. TYGESEN

⁽¹⁾ OJ No C 89, 3. 4. 1987, p. 30.

⁽²⁾ OJ No C 156, 15. 6. 1987.

⁽³⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁴⁾ OJ No L 151, 10. 6. 1985, p. 15.

COUNCIL REGULATION (EEC) No 1922/87

of 2 July 1987

fixing for the 1987/88 marketing year the maximum guaranteed quantity for soya beans

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as amended by Regulation (EEC) No 1921/87 ⁽²⁾, and in particular Article 3a (1) thereof,Having regard to the proposal from the Commission ⁽³⁾,Having regard to the opinion of the European Parliament ⁽⁴⁾,Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, in accordance with Article 3a of Regulation (EEC) No 1491/85, a maximum guaranteed quantity should be fixed for soya beans;

Whereas, in view of the medium-term outlook and of the levels of production in recent years, the maximum guaranteed quantity for the 1987/88 marketing year should be fixed at the level shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year the maximum guaranteed quantity referred to in Article 3a of Regulation (EEC) No 1491/85 is hereby fixed at 1 100 000 tonnes.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 September 1987.

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

Done at Brussels, 2 July 1987.

*For the Council**The President*

K. E. TYGESEN

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.⁽²⁾ See page 19 of this Official Journal.⁽³⁾ OJ No C 89, 3. 4. 1987, p. 31.⁽⁴⁾ OJ No C 156, 15. 6. 1987.⁽⁵⁾ OJ No C 150, 9. 6. 1987, p. 8.

COUNCIL REGULATION (EEC) No 1923/87

of 2 July 1987

fixing the guide price for soya beans for the 1987/88 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures for soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1921/87 ⁽²⁾, and in particular Article 1 (1) and (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the guide price for soya beans is fixed on an annual basis, account should be taken of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the second subparagraph of Article 1 (1) of Regulation (EEC) No 1491/85 provides more specifically that this price shall be fixed at a fair level for producers, having regard to the supply requirements of the Community; whereas, to this end, a balanced relationship should be maintained between this price and the price of other oil seeds;

Whereas, in accordance with those criteria, the guide price should be set at the levels indicated below;

Whereas the guide price must be set for a standard quality to be determined by reference to the average quality of beans harvested in the Community; whereas the quality laid down for the 1986/87 marketing year meets this requirement and can accordingly be used for the next marketing year;

Whereas, pursuant to Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year, the guide price for soya beans shall be:

- (a) 42,71 ECU/100 kilograms for Spain;
- (b) 55,85 ECU/100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall relate to beans:

- in bulk, of sound and fair merchantable quality, and
- with an impurity content of 2 % and, for beans as such, humidity and oil contents of 14 % and 18 % respectively.

Article 3

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

It shall apply from 1 September 1987.

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

Done at Brussels, 2 July 1987.

For the Council
The President
K. E. TYGESEN

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ See page 19 of this Official Journal.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 31.

⁽⁴⁾ OJ No C 156, 15. 6. 1987.

⁽⁵⁾ OJ No C 150, 9. 6. 1987, p. 8.

COUNCIL REGULATION (EEC) No 1924/87

of 2 July 1987

fixing the minimum price for soya beans for the 1987/88 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 1921/87 ⁽²⁾, and in particular Article 2 (6) thereof,Having regard to the proposal from the Commission ⁽³⁾,

Whereas Article 2 (6) of Regulation (EEC) No 1491/85 provides that the Council shall fix each year a minimum price for soya beans; whereas the price is fixed so as to guarantee sales for bean producers at a price as close as possible to the guide price, taking into account market fluctuations and the cost of transporting the beans from the production areas to the processing areas;

Whereas, in order to achieve the abovementioned objective, this minimum price must be fixed for a well-defined standard quality and marketing stage;

Whereas, pursuant to Article 68 of the Act of Accession, prices in Spain were set at levels differing from that of the common prices; whereas, pursuant to Article 70 (1) of that Act, the Spanish prices should be aligned on the

common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year, the minimum price for soya beans referred to in Article 2 (6) of Regulation (EEC) No 1491/85 shall be:

- (a) 35,80 ECU per 100 kilograms for Spain;
- (b) 48,94 ECU per 100 kilograms for the other Member States.

*Article 2*The price referred to in Article 1 shall apply to beans which meet the criteria referred to in Article 2 of Council Regulation (EEC) No 1923/87 of 2 July 1987 fixing the guide price for soya beans for the 1987/88 marketing year ⁽⁴⁾.

The said price shall relate to goods ready for dispatch from the production areas.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from 1 September 1987.

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

Done at Brussels, 2 July 1987.

*For the Council**The President*

K. E. TYGESEN

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.⁽²⁾ See page 19 of this Official Journal.⁽³⁾ OJ No C 89, 3. 4. 1987, p. 32.⁽⁴⁾ See page 21 of this Official Journal.

COUNCIL REGULATION (EEC) No 1925/87

of 2 July 1987

fixing the guide price for flax seed for the 1987/88 marketing year

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (2) thereof,

Having regard to Council Regulation (EEC) No 569/76 of 15 March 1976 laying down special measures for flax seed ⁽¹⁾, as last amended by Regulation (EEC) No 1071/77 ⁽²⁾, and in particular Article 1 (1) and (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Having regard to the opinion of the European Parliament ⁽⁴⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁵⁾,

Whereas, when the guide price for flax seed is fixed every year, account has to be taken both of the objectives of the common agricultural policy and of the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community and to ensure that supplies are available and reach consumers at reasonable prices;

Whereas the first subparagraph of Article 1 (1) of Regulation (EEC) No 569/76 provides more specifically that this price shall be fixed at a level which is fair to producers, account being taken of the supply requirements of the Community; whereas to this end a balanced relationship should be maintained between this price and the price of other oil seeds;

Whereas, pursuant to Article 68 of the Act of Accession, a price level differing from that of the common prices

has been applied in Spain; whereas, pursuant to Article 70 (1) of the Act of Accession, the Spanish prices should be aligned on the common prices each year at the beginning of the marketing year; whereas the rules laid down for this alignment give the Spanish prices set out below;

Whereas the guide price must be fixed for a standard quality to be determined by reference to the average quality of seeds harvested in the Community; whereas the quality laid down for the 1987/88 marketing year meets this requirement and can accordingly be used for the following marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year, the guide price for flax seed shall be:

- (a) 47,77 ECU/100 kilograms for Spain;
- (b) 55,41 ECU/100 kilograms for the other Member States.

Article 2

The price referred to in Article 1 shall relate to seed:

- in bulk, of sound and fair merchantable quality, and
- with an impurity content of 2 % and, for seeds as such, humidity and oil contents of 9 % and 38 % respectively.

Article 3

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

It shall apply from 1 August 1987.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

⁽¹⁾ OJ No L 67, 15. 3. 1976, p. 29.

⁽²⁾ OJ No L 129, 17. 5. 1977, p. 7.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 33.

⁽⁴⁾ OJ No C 156, 15. 6. 1987.

⁽⁵⁾ OJ No C 150, 9. 6. 1987, p. 8.

COUNCIL REGULATION (EEC) No 1926/87

of 2 July 1987

amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (2) 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 a very large proportion of the production of fresh tomatoes is used by the processing industry; whereas this proportion is considerably greater than for any other product of the fruit and vegetables sector covered by the intervention system;

Whereas since there are appreciable variations both in the quantities produced from one harvest to another and in the quantities used by the processing industry, considerable quantities delivered to factories may be rereleased onto the market in fresh fruit and vegetables in August and September; whereas the products released onto the market under these circumstances do not meet the quality standards for packaging and presentation which are required if the product is to be delivered fresh to the consumer and which must be complied with if the withdrawal measures provided for in Article 15 of Council Regulation (EEC) No 1035/72 ⁽⁴⁾, as last amended by Regulation (EEC) No 1351/86 ⁽⁵⁾, are to be applied;

Whereas it should therefore be provided that, in certain cases, products delivered in packages of more than 15 kilograms transported in bulk may be withdrawn from the market; whereas such withdrawal should, nevertheless, be subject to price conditions which take account of the conditions for intervention purchasing;

Whereas, in order to improve the management of the market in tomatoes, and in particular to improve the pattern of production, growers should be made more aware of the real requirements of the market and of the processing industry in particular; whereas proper control by growers of their production implies that the quantities of tomatoes withdrawn from the market and bought in must be restricted to only those quantities which may result from seasonal variations in production levels; whereas this may be encouraged by fixing, for the Community as a whole, a maximum quantity of tomatoes which may be the subject of intervention measures and which, if exceeded, will entail a reduction in prices for the following marketing year; whereas the abovementioned quantity may be estimated at 10 % of the average quantity of fresh product placed on the market during the last five years, excluding the quantities delivered to the processing industry;

Whereas, during the first stage of accession, known as the verification of convergence stage, the Spanish market in the products concerned is not integrated into the market of the Community of Ten and Spain fixes institutional prices in accordance with a price discipline defined in Article 135 of the Act of Accession, whereby price increases may not exceed in value the increase in common prices; whereas, by reason of this special situation of the market in Spain, the reduction of common prices under the abovementioned measures must not affect the level at which prices are fixed in Spain;

Whereas, in so far as intervention operations are carried out for tomatoes in Spain and involve Community financing in accordance with Article 133 (3) of the Act, a quantity of tomatoes should be fixed which, if exceeded, will result in a reduction in prices in Spain for the following marketing year;

Whereas, in view of the special provisions of the Act and in particular Article 265 thereof, no similar measures need be applied in respect of Portugal during the first stage of transition;

Whereas, in the interests of proper market management, it is essential that the market situation, and in particular the conditions under which intervention operations are carried out, should be notified swiftly; whereas, for this purpose, absolute deadlines should be fixed for the most important communications which producer organizations are required to make in connection with the withdrawal system and failure to comply with these deadlines should be penalized by partial or total loss, as appropriate, of the right to financial compensation,

⁽¹⁾ OJ No C 89, 3. 4. 1987, p. 55.

⁽²⁾ OJ No C 156, 15. 6. 1987.

⁽³⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁵⁾ OJ No L 119, 8. 5. 1986, p. 46.

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1035/72 is hereby amended as follows:

1. The following paragraph is added to Article 15:

'3. For tomatoes, the withdrawal operations referred to in paragraph 1 may, during August and September, be carried out in respect of products which do not satisfy the requirements of the quality standards as regards packaging and presentation; withdrawals may relate to products presented in packages of more than 15 kilograms or transported in bulk. In such cases, the prices at which the products are withdrawn shall be calculated by applying conversion factors fixed according to the procedure laid down in Article 33.'

2. The following paragraphs are inserted in Article 16:

'3a. Where, in the case of tomatoes, the quantities which have been the subject of intervention measures pursuant to Articles 15 and 19a in the course of a given marketing year exceed 390 000 tonnes for the Community as constituted on 31 December 1985, the basic and buying-in prices fixed for the following marketing year in respect of this product in accordance with the criteria laid down in paragraphs 2 and 3 shall be reduced by 1 % for every 10 000 tonnes in excess of that quantity. The application of this provision may not, however, result in a reduction of more than 20 % in those prices.

The reduction resulting from application of the first subparagraph shall not be taken into account when the basic buying-in prices are fixed for subsequent marketing years in accordance with the criteria laid down in paragraphs 2 and 3.

3b. Where, in the case of Spain, intervention operations are carried out during the verification of

convergence stage in accordance with the provisions applicable, the Council, acting by a qualified majority on a proposal from the Commission, shall fix a maximum quantity of products which may be subject to intervention measures and which, if exceeded, will entail a reduction in Spanish institutional prices for the following marketing year.

3c. The reduction in the prices to be applied in the Community as constituted on 31 December 1985 provided for in the first subparagraph of paragraph 3a shall not be taken into consideration for the purposes of applying, in Spain and Portugal, the price discipline provided for in Article 135 (1) and 265 (1) of the Act of Accession.'

3. The following paragraphs are added to Article 18:

'4. The financial compensation shall be paid in its entirety to producers' organization which have, in respect of a given product, submitted an application to the competent authority of the Member State no later than the 30th day following the end of the period during which the basic and buying-in prices for that product are applicable. Where an application is submitted later but not more than 30 days after the abovementioned date, 20 % of the compensation shall be withheld. In the case of still later applications but where the delay does not exceed 60 days, 50 % of the compensation shall be withheld. No financial compensation shall be granted where the delay exceeds 60 days.

5. In accordance with the procedure laid down in Article 33, the Commission shall, as necessary, adopt detailed rules for the application of this Article.'

Article 2

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

It shall apply with effect from 1 July 1987.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

COUNCIL REGULATION (EEC) No 1927/87

of 2 July 1987

fixing, for the 1987/88 marketing year, certain prices and other amounts applicable in the fruit and vegetables sector

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Act of Accession of Greece, and in particular Article 72 (1) thereof,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 89 (1) thereof,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1926/87 ⁽²⁾, and in particular Article 16 (1) thereof,

Having regard to Council Regulation (EEC) No 2511/69 of 9 December 1969 laying down special measures for improving the production and marketing of Community citrus fruit ⁽³⁾, as last amended by Regulation (EEC) No 3130/86 ⁽⁴⁾, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission ⁽⁵⁾,

Having regard to the opinion of the European Parliament ⁽⁶⁾,

Having regard to the opinion of the Economic and Social Committee ⁽⁷⁾,

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price are to be fixed for each marketing year for each of the products listed in Annex II to the said Regulation; whereas, in accordance with Article 1 (3) of the above Regulation, the marketing years for the products in question are as follows:

— for cauliflowers, from 1 May to 30 April,

— for tomatoes, from 1 January to 31 December,

— for peaches, from 1 May to 31 October,

— for lemons, from 1 June to 31 May,

— for pears, from 1 June to 31 May,

— for table grapes, from 1 May to 30 April,

— for apples, from 1 July to 30 June,

— for mandarins, from 1 October to 15 May,

— for oranges, from 1 October to 15 July,

— for aubergines, from 1 January to 31 December,

— for apricots, from 1 May to 31 August;

Whereas, however, pursuant to the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price need be fixed for the slack marketing periods at the beginning and at the end of the marketing year;

Whereas, when the basic prices and buying-in prices for fruit and vegetables are fixed, account should be taken of the aims of the common agricultural policy and the contribution which the Community desires to make to the harmonious development of world trade; whereas the objectives of the common agricultural policy are, in particular, to ensure a fair standard of living for the agricultural community, to assure the availability of supplies and to ensure that supplies reach consumers at reasonable prices;

Whereas the basic prices must be fixed by reference to the trend in the average prices recorded during the three preceding years on the most representative producer markets within the Community for a product with defined commercial characteristics, such as a variety or type, quality class, size and packaging; whereas the buying-in prices must be fixed by reference to the basic price in accordance with Article 16 (3) of Regulation (EEC) No 1035/72;

Whereas provision should be made that the fixed prices apply as from 1 July 1987; whereas in fact, pending the Council's decision, the Commission has been moved to take by means of Regulations (EEC) No 1213/87 ⁽⁸⁾ and (EEC) No 1503/87 ⁽⁹⁾ interim protective measures to ensure the continuity of the intervention arrangements for products for which the period of application of basic prices and buying-in prices begin either in May or June;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 24 of this Official Journal.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 1.

⁽⁴⁾ OJ No L 292, 16. 10. 1986, p. 1.

⁽⁵⁾ OJ No C 89, 3. 4. 1987, p. 57.

⁽⁶⁾ OJ No C 156, 15. 6. 1987.

⁽⁷⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁸⁾ OJ No L 115, 1. 5. 1987, p. 33.

⁽⁹⁾ OJ No L 141, 30. 5. 1987, p. 13.

Whereas, as regards Greece, in accordance with Article 74 of the Act of Accession, moves towards the final alignment of basic prices and buying-in prices applicable in that Member State should be made in accordance with Article 59 (2) (a), (3) (a) and (b) of that Act;

Whereas the Kingdom of Spain, during the first phase, and the Portuguese Republic, during the first stage, are authorized to maintain, with respect to fruit and vegetables, the national arrangements previously in force for the organization of their domestic agricultural markets, subject to the conditions laid down in Articles 133 to 135 and 262 to 265, respectively, of the Act of Accession; whereas the prices and amounts fixed by this Regulation are therefore applicable only in the Community of Ten;

Whereas the amount of the financial compensation for oranges and mandarins must be fixed in accordance with the criteria laid down in Article 7 (2) of Regulation (EEC) No 2511/69,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1987/88 marketing year, the basic prices and the buying-in prices for fruit and vegetables, the periods during which they apply and the standard qualities to which they relate shall be as set out in Annex I.

Article 2

For the 1987/88 marketing year, the financial compensation for oranges and mandarins shall be as set out in Annex II.

Article 3

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

It shall apply from 1 July 1987.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

ANNEX I

BASIC PRICES AND BUYING-IN PRICES

CAULIFLOWERS

For the period from 1 July 1987 to 30 April 1988

	(ECU/100 kg net)	
	Basic price	Buying-in price
July	22,18	9,55
August	22,18	9,55
September	23,95	10,19
October	24,84	10,56
November	29,87	12,92
December	29,87	12,92
January	29,87	12,92
February	27,87	12,02
March	29,31	12,56
April	29,67	12,92

These prices relate to packed 'trimmed' cauliflowers of Quality Class I.

TOMATOES

For the period from 1 July to 30 November 1987

	(ECU/100 kg net)	
	Basic price	Buying-in price
July	23,38	8,68
August	20,97	7,79
September	22,24	8,29
October	23,57	8,69
November	28,32	11,34

These prices relate to packed 'round' and 'ribbed' tomatoes of Quality Class I, size 57/67 mm.

AUBERGINES

For the period from 1 July to 31 October 1987

	(ECU/100 kg net)	
	Basic price	Buying-in price
July to October	17,77	7,12

These prices relate to the following packed products:

- elongated aubergines of Quality Class I, size over 40 mm,
- globus aubergines of Quality Class I, size over 70 mm.

PEACHES

(excluding nectarines)

For the period from 1 July to 30 September 1987

		(ECU/100 kg net)	
	Basic price	Buying-in price	
July to September	42,99	24,08	

These prices relate to packed peaches of the Amsden, Cardinal, Charles Ingouf, Dixired, Jeronimo, J. H. Hale, Merrill Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of Quality Class I, size 61/67 mm.

APRICOTS

For the period from 1 July to 31 July 1987

		(ECU/100 kg net)	
	Basic price	Buying-in price	
July	41,75	23,78	

These prices relate to packed products of Quality Class I of a size over 30 mm.

LEMONS

For the period from 1 July 1987 to 31 May 1988

		(ECU/100 kg net)	
	Basic price	Buying-in price	
July	44,73	26,32	
August	44,30	26,19	
September	39,92	24,79	
October	37,75	24,54	
November	36,74	21,49	
December	36,11	21,24	
January	37,12	21,75	
February	35,86	21,12	
March	37,25	21,75	
April	38,90	22,76	
May	39,78	23,27	

These prices relate to packed lemons of Quality Class I, size 53/62 mm.

PEARS

(other than perry pears)

For the period from 1 July 1987 to 30 April 1988

	<i>(ECU/100 kg net)</i>	
	Basic price	Buying-in price
July	28,67	14,75
August	26,77	14,36
September	25,62	13,74
October	26,64	13,74
November	27,03	13,99
December	27,40	14,36
January to April	27,65	14,62

These prices relate to the following packed products:

- pears of the Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis (Beurré Napoléon, Blanquilla, Tsakonika), Dr Jules Guyot (Limonera) varieties of Quality Class I, size 60 mm or more,
- pears of the Empéreur Alexandre (Kaiser Alexander Bosc) variety of Quality Class I, size 70 mm or more.

TABLE GRAPES

For the period from 1 August to 31 October 1987

	<i>(ECU/100 kg net)</i>	
	Basic price	Buying-in price
August	36,31	23,35
September and October	32,51	19,92

These prices relate to packed table grapes of the Regina dei Vigneti, Sultanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo and Ohanes (Almeria) varieties of Quality Class I.

APPLES

(other than cider apples)

For the period from 1 August 1987 to 31 May 1988

	<i>(ECU/100 kg net)</i>	
	Basic price	Buying-in price
August	26,51	13,51
September	26,51	13,51
October	26,51	13,63
November	27,22	14,06
December	29,61	15,17
January to May	32,01	16,27

These prices relate to the following packed products:

- apples of the Reine des reinettes and Verde Doncella varieties of Quality Class I, size 65 mm or more,
- apples of the Delicious Pilafa, Golden Delicious, James Grieve, Red Delicious, Reinette grise du Canada and Starking Delicious varieties of Quality Class I, size 70 mm or more.

MANDARINS

For the period from 16 November 1987 to 29 February 1988

	(ECU/100 kg net)	
	Basic price	Buying-in price
16 to 30 November	43,09	27,53
December	42,71	27,02
January	42,21	26,26
February	40,55	25,75

These prices relate to packed mandarins of Quality Class I, size 54/69 mm.

SWEET ORANGES

For the period from 1 December 1987 to 31 May 1988

	(ECU/100 kg net)	
	Basic price	Buying-in price
December	40,10	25,34
January	36,55	23,57
February	37,17	24,08
March	39,08	24,33
April and May	39,71	24,58

These prices refer to packed oranges of the Moro, Navel, Navellina, Salustiana, Sanguinello and Valencia late varieties of Quality Class I, size 67/80 mm.

NB: The prices quoted in this Annex do not include the cost of packaging in which the product is presented.

ANNEX II

AMOUNT OF FINANCIAL COMPENSATION

For the 1987/88 marketing year

- 15,38 ECU per 100 kilograms net for oranges of the Moro, Tarocco, Ovale Calabrese, Belladonna, Navel and Valencia late varieties,
- 13,20 ECU per 100 kilograms net for oranges of the Sanguinello variety,
- 8,69 ECU per 100 kilograms net for oranges of the Sanguigno and Biondo commune varieties,
- 12,95 ECU per 100 kilograms net for mandarins.

NB: Financial compensation is granted only in respect of products belonging to Quality Classes Extra and I.

COUNCIL REGULATION (EEC) No 1928/87

of 2 July 1987

amending Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

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

Whereas taking into consideration the characteristics of the market in tomatoes, the conclusion of contracts referred to in Article 3 (1) of Regulation (EEC) No 426/86 ⁽⁴⁾, as amended by Regulation (EEC) No 1838/86 ⁽⁵⁾, between producers' groups and processors' groups should be encouraged because such contracts are likely to contribute to the attainment of the objectives of the common organization of the market, in particular improving the controlling of the quantities of tomatoes grown for processing and ensuring outlets for the producers' products;

Whereas one of the aims of a producers' organization is to promote the concentration of supply; whereas in cases where the processors conclude contracts with the producers' organization, each contract could cover considerable quantities;

Whereas a premium should be granted to processors having concluded contracts with such organizations for sizeable quantities of fresh tomatoes; whereas for Spain and Portugal these quantities must be assessed in accordance with a specific percentage, taking into account the still limited role played by the producers' groups and associations in both those Member States; whereas such premium should be granted only if the

processor has taken over the total quantity stipulated in the contracts,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 3 of Regulation (EEC) No 426/86 the following paragraph is inserted:

'1a. When for fresh tomatoes the contracts referred to in paragraph 1 have been concluded between a processor or a processors' group or associations thereof, on the one hand, and a recognized producers' group or association thereof, on the other hand, the processor shall be granted a premium equal to 2 % of the production aid payable for the quantity of finished products obtained from the quantity of fresh tomatoes supplied under such contracts.

The premium shall be paid only in cases where the processor or the processors' group or association thereof has taken over the total quantity of fresh tomatoes covered by such contracts and where the quantities covered are at least equal to a significant specific percentage of the total quantity of tomatoes processed by that processor. For Spain during the verification phase of convergence and during the first stage for Portugal, a specific percentage may be fixed. These percentages shall be determined in accordance with the procedure referred to in paragraph 3.'

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, 2 July 1987.

For the Council

The President

K. E. TYGESEN

⁽¹⁾ OJ No C 89, 3. 4. 1987, p. 62.

⁽²⁾ OJ No C 156, 15. 6. 1987.

⁽³⁾ OJ No C 150, 9. 6. 1987, p. 8.

⁽⁴⁾ OJ No L 49, 22. 2. 1986, p. 1.

⁽⁵⁾ OJ No L 159, 14. 6. 1986, p. 1.

COUNCIL REGULATION (EEC) No 1929/87

of 2 July 1987

amending Regulation (EEC) No 1320/85 on temporary measures for production aid to processed tomato products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾ as amended by Regulation (EEC) No 1928/87 ⁽²⁾, and in particular Article 2 (3) thereof,

Having regard to the proposal from the Commission ⁽³⁾,

Whereas Article 2 (1) of Regulation (EEC) No 1320/85 ⁽⁴⁾, as amended by Regulation (EEC) No 2939/85 ⁽⁵⁾, laid down that where, in a Member State, production is limited by an interprofessional agreement or a national measure, the quantities allocated to the undertakings may be increased by a maximum of 20 %;

Whereas the present situation on the market no longer justifies such an increase in the quantities of tomatoes that may qualify for the grant of processing aid; whereas, therefore, whilst leaving a certain flexibility in the arrangements in force, the increase provided for should be restricted to 10 %,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (1) of Regulation (EEC) No 1320/85, '20 %' is hereby replaced by '10 %'.

Article 2

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

It shall apply with effect from the beginning of the 1987/88 marketing year.

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

Done at Brussels, 2 July 1987.

For the Council

The President

K. E. TYGESEN

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ See page 32 of this Official Journal.

⁽³⁾ OJ No C 89, 3. 4. 1987, p. 62.

⁽⁴⁾ OJ No L 137, 27. 5. 1985, p. 41.

⁽⁵⁾ OJ No L 283, 24. 10. 1985, p. 1.