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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2177/87

of 20 July 1987

amending Regulations (EEC) No 4043/86, (EEC) No 4022/86 and (EEC) No 3513/86 opening, allocating and providing for the administration of Community tariff quotas for fish and fish fillets originating in Norway or Sweden

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas, by Regulations (EEC) No 4043/86 ⁽¹⁾, (EEC) No 4022/86 ⁽²⁾ and (EEC) No 3513/86 ⁽³⁾, the Council opened and allocated among the Member States Community tariff quotas for certain fishery products originating in Norway or Sweden;

Whereas, in order to contribute to the development of trade, as stipulated under the preferential arrangements between the Community, on the one hand, and Norway and Sweden, on the other, the volume of certain tariff quotas opened for Norway and Sweden should be increased unilaterally by quantities that will not affect traditional trade flows; whereas the Regulations referred to above should be amended accordingly;

Whereas, in view of the small quantities involved in the proposed increases and in order to safeguard the Community nature of the quotas concerned, they should not be allocated among the Member States without prejudice to the drawing, by the Member States, against the quota volumes of such quantities as they may need, under the conditions and according to the procedure provided for in the Regulations in question,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 4043/86 is hereby amended as follows:

1. The table given in Article 1 (1) shall be replaced by the following:

'Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
	03.02	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process:		
		A. Dried, salted or in brine		
		I. Whole, headless or in pieces:		
		ex b) Cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>)		
09.0703		— Dried and salted	13 250	0
09.0705		— Wet, salted or in brine	13 000	0
09.0707		— Dried and unsalted	4 400	0'

⁽¹⁾ OJ No L 377, 31. 12. 1986, p. 4.

⁽²⁾ OJ No L 375, 31. 12. 1986, p. 16.

⁽³⁾ OJ No L 325, 20. 11. 1986, p. 1.

2. Article 2 (3) shall be replaced by the following :

'3. The second instalment of each quota, being respectively 1 100, 2 000 and 4 500 tonnes, shall constitute the corresponding reserve.'

Article 2

Regulation (EEC) No 4022/86 is hereby amended as follows :

1. The table given in Article 1 (1) shall be replaced by the following :

Order No	CCT heading No	Description	Amount of tariff quota (tonnes)	Rate of duty (%)
09.0709	03.02	Fish, dried, salted or in brine ; smoked fish, whether or not cooked before or during the smoking process : A. Dried, salted or in brine II. Fillets : a) of cod (<i>Gadus morhua</i> , <i>Boreogadus saida</i> , <i>Gadus ogac</i>)	3 250	0'

2. Article 2 (3) shall be replaced by the following :

'3. The second instalment of the quota, being 850 tonnes, shall constitute the reserve.'

Article 3

Regulation (EEC) No 3513/86 is hereby amended as follows :

1. In Article 1 (1) the volume of 3 500 tonnes given against Order No 09.0601 shall be replaced by 9 500 tonnes.
2. In the first indent of Article 2 (3) the volume of 1 400 tonnes shall be replaced by 7 400 tonnes.

Article 4

This Regulation shall enter into force on the day following that 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, 20 July 1987.

For the Council

The President

U. ELLEMANN-JENSEN

COMMISSION REGULATION (EEC) No 2178/87

of 23 July 1987

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1900/87 ⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1944/87 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 22 July 1987;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1944/87 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 38.

ANNEX

to the Commission Regulation of 23 July 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne)	
		Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	—	181,25
10.01 B II	Durum wheat	31,88	237,88 ⁽¹⁾ ⁽²⁾
10.02	Rye	26,16	156,39 ⁽⁶⁾
10.03	Barley	24,47	171,42
10.04	Oats	80,78	125,98
10.05 B	Maize, other than hybrid maize for sowing	5,29	179,40 ⁽³⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	24,47	112,43
10.07 B	Millet	24,47	105,41 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	29,71	182,88 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	24,47	26,67 ⁽⁵⁾
11.01 A	Wheat or meslin flour	10,54	266,75
11.01 B	Rye flour	49,63	231,95
11.02 A I a)	Durum wheat groats and meal	62,41	381,66
11.02 A I b)	Common wheat groats and meal	11,39	288,09

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2179/87

of 23 July 1987

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1900/87⁽²⁾, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1945/87⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 22 July 1987;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt originating in Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 41.

ANNEX

to the Commission Regulation of 23 July 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 7	1st period 8	2nd period 9	3rd period 10
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	3,97
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0,32
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2180/87

of 23 July 1987

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1915/87⁽²⁾, and in particular Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 798/87⁽⁴⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 799/87⁽⁶⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 800/87⁽¹⁰⁾, and in particular Article 10 (2) thereof,Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 20 and 21 July 1987 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 24 July 1987.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 183, 3. 7. 1987, p. 7.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CCT heading No	Non-member countries
15.07 A I a)	60,00 ⁽¹⁾
15.07 A I b)	60,00 ⁽¹⁾
15.07 A I c)	60,00 ⁽¹⁾
15.07 A II a)	70,00 ⁽²⁾
15.07 A II b)	96,00 ⁽²⁾

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

- (a) Lebanon : 0,60 ECU/100 kg ;
- (b) Tunisia : 12,69 ECU/100 kg, provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : 22,36 ECU/100 kg, provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : 24,78 ECU/100 kg, provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽²⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this tariff subheading :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CCT heading No	Non-member countries
07.01 N II	13,20
07.03 A II	13,20
15.17 B I a)	30,00
15.17 B I b)	48,00
23.04 A II	4,80

COMMISSION REGULATION (EEC) No 2181/87
of 23 July 1987
fixing the specific levies on beef and veal from Portugal

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

Having regard to the Act of Accession of Spain and Portugal and in particular Article 272 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 467/87 ⁽²⁾, and in particular Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 1852/87 ⁽⁴⁾, lays

down detailed implementing rules for the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 August 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 174, 1. 7. 1987, p. 43.

ANNEX

Special levies on imports of beef and veal from Portugal

CCT heading No	Description	Amount of the special levies
01.02 A II	Live animals, including animals of the buffalo species, of domestic bovine species other than pure-bred breeding animals	24,33
02.01 A II a)	Fresh or chilled meat of bovine animals	
	1. Carcases, half-carcases or 'compensated' quarters	45,90
	2. Separated or unseparated forequarters	36,72
	3. Separated or unseparated hindquarters	55,08
	4. Other :	
	aa) Unboned (bone-in)	68,85
	bb) Boned or boneless	78,95
02.01 A II b)	Frozen meat of bovine animals :	
	1. Carcases, half-carcases, or 'compensated' quarters	41,31
	2. Separated or unseparated forequarters	33,05
	3. Separated or unseparated hindquarters	51,41
	4. Other :	
	aa) Unboned (bone-in)	61,97
	bb) Boned or boneless :	
	11. Forequarters, whole or cut into a maximum of five pieces, each quarter being in a single block ; 'compensated' quarters in two blocks, one of which contains the forequarter, whole or cut into a maximum of five pieces, and the other, the hindquarter, excluding the tenderloin, in one piece	51,41
	22. Crop, chuck and blade and brisket cuts (a)	51,41
	33. Other	71,15
02.06 C I a)	Meat of bovine animals, salted, in brine, dried or smoked :	
	1. Unboned (bone-in)	68,85
	2. Boned or boneless	78,95
16.02 B III b) 1 aa)	Other prepared or preserved meat or meat offal containing bovine meat or offal, either uncooked or a mixture of cooked meat or offal and uncooked meat or offal	78,95

(a) Entry under this subheading is subject to the production of a certificate issued in accordance with the conditions laid down by the competent authorities of the European Communities.

COMMISSION REGULATION (EEC) No 2182/87

of 23 July 1987

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 794/87 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1860/86 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 29 June 1987, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

Whereas it follows from the application of the rules laid down in Article 9 (1) of Regulation (EEC) No 1837/80 and in Article 4 (1), (3) and (4) of Regulation (EEC) No

1633/84 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving region 5 of the aforesaid Member State during the week beginning 29 June 1987, shall be set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 29 June 1987 the level of the premium is fixed at 84,441 Ecu/100 kg of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80 which left the territory of region 5 during the week beginning 29 June 1987, the amounts to be charged shall be equivalent to those fixed in Annex hereto.

Article 3

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

It shall apply with effect from 29 June 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

ANNEX

Amount to be charged for products leaving region 5 during the week commencing
29 June 1987

(ECU/100 kg)

CCT heading No	Description	Amounts		
		A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified at the second, third and fourth indents of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (1)	C. Products specified at the first indent of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (1)
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight	Live weight	Live weight
		39,687	19,844	3,969
		Net weight	Net weight	Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :			
	1. Carcases or half-carcases	84,441	42,221	8,444
	2. Short forequarters	59,109		
	3. Chines and/or best ends	92,885		
	4. Legs	109,773		
	5. Other :			
02.01 A IV b)	aa) Unboned (bone-in)	109,773		
	bb) Boned or boneless	153,683		
	Meat of sheep or goats, frozen :			
	1. Carcases or half-carcases	63,331		
	2. Short forequarters	44,332		
	3. Chines and/or best ends	69,664		
02.06 C II a)	4. Legs	82,330		
	5. Other :			
	aa) Unboned (bone-in)	82,330		
	bb) Boned or boneless	115,262		
	Meat of sheep or goats, salted in brine, dried or smoked :			
	1. Unboned (bone-in)	109,773		
ex 16.02 B III b) 2 aa) 11)	2. Boned or boneless	153,683		
	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :			
	— unboned (bone-in)	109,773		
	— boned or boneless	153,683		

(1) Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 2183/87

of 22 July 1987

on the sale at a price fixed in advance of unprocessed currants from the 1986
harvest held by Greek storage agencies

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

Having regard to Council Regulation (EEC) No 426/86 of
24 February 1986 on the common organization of the
market in products processed from fruit and vegetables ⁽¹⁾,
as last amended by Regulation (EEC) No 1928/87 ⁽²⁾, and
in particular Article 8 (8) thereof,

Having regard to Council Regulation (EEC) No 1277/84
of 8 May 1984 laying down general rules for the system of
production aid for processed fruit and vegetables ⁽³⁾, and
in particular Article 6 (1) thereof,

Whereas the Greek storage agencies have, pursuant to
Commission Regulation (EEC) No 626/85 of 12 March
1985 on the purchasing, selling and storage of unpro-
cessed dried grapes and figs by storage agencies ⁽⁴⁾, as
amended by Regulation (EEC) No 344/86 ⁽⁵⁾, purchased
unprocessed currants from the 1986 harvest; whereas in
the light of the situation on the market in dried grapes
the currants should be offered for sale at prices fixed in
advance for processing within the Community for
consumption; whereas the selling shall take place in
accordance with the provisions of Regulation (EEC) No
626/85;

Whereas when fixing the sale price it must be taken into
consideration that the products are no longer eligible for
production aid;

Whereas the processing security provided for in Article 6
(1) of Regulation (EEC) No 626/85 shall be fixed at such a
level that any abuse can be avoided;

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

Committee for Products processed from Fruit and
Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agencies listed in Annex I shall
undertake the sale of unprocessed currants from the 1986
harvest, the qualities and prices of which are stated in
Annex II.

2. Applications to purchase shall be submitted in
writing to each storage agency in question at the head-
quarters of Idagep, 241 Acharnon Street, GR-Athens.

3. Informations on the quantities and the places where
the products are stored may be obtained by those
concerned from the addresses given in Annex I.

Article 2

The processing security provided for in Article 6 (1) of
Regulation (EEC) No 626/85 shall be 20 ECU per 100
kilograms net.

Article 3

This Regulation shall enter into force on 1 September
1987.

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

Done at Brussels, 22 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 183, 3. 7. 1987, p. 32.

⁽³⁾ OJ No L 123, 9. 5. 1984, p. 25.

⁽⁴⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁵⁾ OJ No L 41, 18. 2. 1986, p. 15.

*ANNEX I***List of storage agencies referred to in Article 1 of this Regulation**

1. ASO, Mezonos 241, Patras, Greece.
2. Panegialios Enosis Sineterismon, Egion, Greece.
3. Enosis Georgikon Sineterismon Zakynthou, Zakynthos, Greece.
4. Enosis Georgikon Sineterismon Olympia Ilias, Pyrgos, Greece.
5. Kentriki Syneteristiki Enosi Prostasias Georgikon Proionton nomou Messinias, Kalamata, Greece.

*ANNEX II***Qualities and prices of the unprocessed currants from the 1986 harvest referred to in Article 1**

Category	ECU/100 kg net
1. 'Shade', Eghion region	81,376
2. 'Select Sun', Eghion region	79,654
3. 'Shade', Corinth region	79,081
4. 'Select Sun', Corinth region	76,746
5. 'Regular' Eghion region	75,637
6. 'Select Sun' from Patras, the Ionian Islands, the Prefecture of Ilias, Triphilias, and Pylas	74,605
7. 'Regular', Corinth region	74,605
8. 'Select Sun', remainder of Messenia	73,456
9. 'Regular', from Patras, the Ionian Islands, the Prefecture of Ilias, Triphilias and Pylas	72,309
10. 'Regular', remainder of Messenia	71,161
11. 'Regular', other regions	65,078

COMMISSION REGULATION (EEC) No 2184/87

of 22 July 1987

fixing the minimum price applicable to dried grapes during the marketing year 1987/88 as well as the countervailing charges to be imposed where that price is not observed, and amending Council Regulation (EEC) No 950/68

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1928/87 ⁽²⁾, and in particular Article 9 (6) thereof,

Whereas, according to Article 9 (2) of Regulation (EEC) No 426/86, the minimum import price for dried grapes shall be determined having regard to:

- the free-at-frontier price on import into the Community,
- the prices obtaining in international trade,
- the situation on the internal Community market,
- the trend of trade with third countries;

Whereas Article 2 (1) of Council Regulation (EEC) No 2089/85 of 23 July 1985 laying down general rules relating to the system of minimum import prices for dried grapes ⁽³⁾ provides that countervailing charges shall be fixed by reference to a scale of import prices; whereas the maximum countervailing charge shall be determined on the basis of the most favourable prices applied on the world market for significant quantities by the most representative non-member countries;

Whereas the tariff nomenclature resulting from the application of this Regulation is reproduced in the Common Customs Tariff; whereas a minimum import price must be fixed for currants and other dried grapes;

Whereas the Common Customs Tariff annexed to Council Regulation (EEC) No 950/68 ⁽⁴⁾, as last amended by Regulation (EEC) No 750/87 ⁽⁵⁾, should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum import price applicable to dried grapes during the marketing year 1987/88 shall be as set out in Annex I.
2. The countervailing charge to be imposed where the minimum import price referred to in paragraph 1 is not observed, shall be as set out in Annex II.

Article 2

Subheading 08.04 B of the Common Customs Tariff annexed to Regulation (EEC) No 950/68 is replaced by the following:

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.
⁽²⁾ OJ No L 183, 3. 7. 1987, p. 32.
⁽³⁾ OJ No L 197, 27. 7. 1985, p. 10.
⁽⁴⁾ OJ No L 172, 22. 7. 1968, p. 1.
⁽⁵⁾ OJ No L 76, 18. 3. 1987, p. 1.

Heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
08.04	B. Dried :		
	I. In immediate containers of a net capacity of 2 kg or less :		
	a) Currants	9 (b)	3
	b) Other	9 (b)	3
	II. Other :		
	a) Currants	9 (b)	3
	b) Other	9 (b)	3

Article 3

This Regulation shall enter into force on 1 September 1987.

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

Done at Brussels, 22 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import prices

(ECU/tonne)		
CCT heading No	Description	Minimum import price
08.04	B. Dried grapes :	
	I. In immediate containers of a net capacity of 2 kg or less :	
	a) Currants	1 013,95
	b) Other	1 060,75
	II. Other :	
	a) Currants	900,90
	b) Other	942,48

ANNEX II

Countervailing charges

1. Currants falling within subheadings 08.04 B I a) of the Common Customs Tariff :

(ECU/tonne)		
Import price applied		Countervailing charge to be levied
less than	but not less than	
1 013,95	1 003,81	10,14
1 003,81	983,53	30,42
983,53	953,11	60,84
953,11	922,69	91,26
922,69	—	217,57

2. Currants falling within subheadings 08.04 B II a) of the Common Customs Tariff :

(ECU/tonne)		
Import price applied		Countervailing charge to be levied
less than	but not less than	
900,90	891,89	9,01
891,89	873,87	27,03
873,87	846,85	54,05
846,85	819,82	81,08
819,82	—	104,52

3. Dried grapes falling within subheadings 08.04 B I b) of the Common Customs Tariff:

(ECU/tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
1 060,75	1 050,14	10,61
1 050,14	1 028,93	31,82
1 028,93	997,10	63,65
997,10	965,28	95,47
965,28	—	264,37

4. Dried grapes falling within subheadings 08.04 B II b) of the Common Customs Tariff:

(ECU/tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
942,48	933,05	9,43
933,05	914,20	28,28
914,20	885,93	56,55
885,93	857,66	84,82
857,66	—	146,10

COMMISSION REGULATION (EEC) No 2185/87

of 23 July 1987

on the repayment of export refunds for certain agricultural products exported in the form of certain goods not covered by Annex II to the Treaty and the charging of accession compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1900/87 ⁽²⁾, and in particular Article 16 (6) 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 ⁽³⁾, as last amended by Regulation (EEC) No 229/87 ⁽⁴⁾, and in particular Article 19 (7) thereof,

Having regard to Council Regulation (EEC) No 467/87 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals on account of the accession of Spain ⁽⁵⁾, and in particular Article 7 thereof,

Having regard to Council Regulation (EEC) No 469/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts in the sugar sector ⁽⁶⁾, and in particular Article 7 thereof,

Whereas an accession compensatory amount is payable in respect of certain products in intra-Community trade;

Whereas trade has been deflected as regards certain goods and measures should therefore be taken to avoid any such deflection;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽⁴⁾ OJ No L 25, 26. 1. 1987, p. 1.

⁽⁵⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽⁶⁾ OJ No L 53, 1. 3. 1986, p. 32.

Article 1

1. Goods listed in the Annex and released for free circulation in a Member State shall be regarded as having qualified for the refund or refunds fixed for agricultural products exported from the Community in the form of such goods.

2. When the said goods are released for free circulation the importers shall repay the refund or refunds which were granted.

3. Where the amount of the refund or refunds actually granted cannot be determined to the satisfaction of the competent authorities, it shall be regarded as equal to the refund applicable in the Community on the date on which the goods are re-imported. The refund shall be calculated using the quantities of basic products listed in the Annex.

4. Paragraphs 1, 2 and 3 shall not apply in cases where the importer provides proof that:

- no refund was granted, or
- the goods originate in a third country.

Article 2

Where the goods referred to in Article 1 would have attracted an accession compensatory amount in intra-Community trade between the Member State of origin and the Member State in which they are released for free circulation, the accession compensatory amount shall, when the goods are released for free circulation, also be paid to the Member State in which the said release takes place; the date to be used for the application of the rate shall be the date of release for free circulation.

Article 3

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

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Goods (CCT heading No)	Quantities of basic products regarded as having been used to manufacture 100 kg of goods
39.06 B	717 kg of white sugar
29.44 A	6 703 kg of maize plus 787,40 kg of white sugar

COMMISSION REGULATION (EEC) No 2186/87

of 23 July 1987

fixing for the 1987/88 marketing year the reference prices for carp

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

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 2315/86 ⁽²⁾, and in particular Article 22 (5) thereof,

Whereas Article 22 (1) thereof provides that before the beginning of each marketing year reference prices may be fixed for carp; whereas those prices may be fixed at different levels within each marketing year according to seasonal fluctuations in prices;

Whereas Commission Regulation (EEC) No 1985/74 of 25 July 1974 laying down detailed rules of application for carp ⁽³⁾, as amended by Regulation (EEC) No 2046/85 ⁽⁴⁾, provides that the reference prices shall be fixed for the period 1 August to 30 November, for the period from 1 December to 31 December and for the period from 1 January to 31 July;

Whereas the fixing of reference prices is essential in order to enable appropriate measures to be applied for the protection of Community production; whereas, having

regard to the information available on production prices, reference prices should be fixed at the levels indicated below;

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

HAS ADOPTED THIS REGULATION:

Article 1

The reference price for carp shall be as follows:

- for the period 1 August to 30 November 1987: 1 715 ECU/tonne,
- for the period 1 to 31 December 1987: 1 506 ECU/tonne,
- for the period 1 January to 31 July 1987: 1 373 ECU/tonne.

Article 2

This Regulation shall enter into force on 1 August 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 202, 25. 7. 1986, p. 1.

⁽³⁾ OJ No L 207, 29. 7. 1974, p. 30.

⁽⁴⁾ OJ No L 193, 25. 7. 1985, p. 15.

COMMISSION REGULATION (EEC) No 2187/87

of 23 July 1987

on the application of the quantitative restrictions in Spain on certain fruits and vegetables from third countries and from the Community as constituted on 31 December 1985

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3798/85 of 20 December 1985 laying down detailed rules governing quantitative restrictions on imports into Spain of certain fruit and vegetables from third countries ⁽¹⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 483/86 of 25 February 1986 fixing the level of quantitative restrictions in Spain for certain fruit and vegetables coming from the Community as constituted on 31 December 1985 ⁽²⁾, as amended by Regulation (EEC) No 2199/87 ⁽³⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 3798/85 provides for the introduction of quantitative restrictions for certain fruit and vegetables imported into Spain from third countries; whereas Regulation (EEC) No 483/86 provides for quantitative restrictions on such products imported into Spain from the Community as constituted on 31 December 1985 (hereinafter referred to as the Community of Ten);

Whereas it has been discovered that products harvested in third countries which have been released for free circulation in the Community of Ten have subsequently been released for consumption in Spain;

Whereas steps should be taken to avoid products harvested in third countries which have been released for free circulation in the Community of Ten and subsequently released for consumption in Spain being entered in the accounts under the quota set aside in Spain for imports from the Community of Ten; whereas this situa-

tion runs counter to the aim of Regulation (EEC) No 483/86 and conflicts with Community preference; whereas the necessary measures should, therefore, be taken;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The competent Spanish authorities shall check that fruit and vegetables covered by Regulation (EEC) No 3798/85 and harvested in third countries which have been released for free circulation in a Member State of the Community as constituted on 31 December 1985:

- are entered in the accounts under the third country quota when they are released for consumption in Spain, or
- are not released for consumption in Spain in the event that the third country quota has been used up.

2. For the purposes of paragraph 1 the competent Spanish authorities may, in particular, use the information contained in the document issued for the purpose of checking that the common quality standards have been complied with.

Article 2

This Regulation shall enter into force on the eighth day following that 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, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 28.

⁽²⁾ OJ No L 54, 1. 3. 1986, p. 7.

⁽³⁾ See page 43 of this Official Journal.

COMMISSION REGULATION (EEC) No 2188/87

of 23 July 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

amended by Regulation (EEC) No 1899/87⁽¹⁾, and in particular the second subparagraph of Article 6 (2) thereof,

Having regard to the Treaty establishing the European Economic Community,

Whereas Commission Regulation (EEC) No 2033/85⁽²⁾, as last amended by Regulation (EEC) No 1105/87⁽³⁾, provides that the guaranteed total quantities of milk and milk products may be adapted;Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 773/87⁽²⁾, and in particular Article 5c (7) thereof,

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

Having regard to Council Regulation (EEC) No 857/84 of 31 March 1984 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector⁽³⁾, as last

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraphs 3 and 4 are added to Article 1 of Regulation (EEC) No 2033/85:

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

(1 000 tonnes)

	Guaranteed total quantity	Period 1 April 1987 to 31 March 1988	Period 1 April 1988 to 31 March 1989
Spain	4 650	4 607,000	4 560,500
France	25 634	25 121,320	24 864,980

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

(1 000 tonnes)

	1 April 1986 to 31 March 1987	1 April 1987 to 31 March 1988	1 April 1988 to 31 March 1989
Spain	750	685,000	677,500
France	874	856,520	847,780'

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.⁽³⁾ OJ No L 90, 1. 4. 1984, p. 13.⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 39.⁽⁵⁾ OJ No L 192, 24. 7. 1985, p. 9.⁽⁶⁾ OJ No L 106, 22. 4. 1987, p. 33.

Article 2

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

It shall apply with effect from 1 April 1986.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2189/87**of 23 July 1987****amending Regulation (EEC) No 3905/86 on the sale by tender, for export of beef
held by certain intervention agencies in Peru**

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

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

Whereas Commission Regulation (EEC) No 3905/86 ⁽³⁾,
as amended by Regulation (EEC) No 976/87 ⁽⁴⁾, provides
for an export sale to Peru of hindquarters and forequarters
from intervention ;

Whereas Article 5 (1) of the same Regulation provides for
the meat to be taken over by 31 July 1987 ; whereas that
time limit should be extended ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The date '31 July 1987' referred to in Article 5 (1) of
Regulation (EEC) No 3905/86 is replaced by '30
November 1987'.

Article 2

This Regulation shall enter into force on 24 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 364, 23. 12. 1986, p. 17.

⁽⁴⁾ OJ No L 92, 4. 4. 1987, p. 10.

COMMISSION REGULATION (EEC) No 2190/87

of 23 July 1987

determining the extent to which applications lodged in July 1987 for the issue of import licences in respect of frozen beef intended for processing may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 1703/87 ⁽³⁾ fixed the quantity of frozen beef intended for processing which may be imported under special terms in the third quarter of 1987;

Whereas Article 15 (6) (a) of Commission Regulation (EEC) No 2377/80 ⁽⁴⁾, as last amended by Regulation (EEC) No 520/87 ⁽⁵⁾, lays down that the quantities applied for may be reduced; whereas the applications lodged in conformity with the conditions of Commission Regulation (EEC) No 1136/79 ⁽⁶⁾, as last amended by Regulation (EEC) No 1121/87 ⁽⁷⁾, relate to total quantities which by far exceed the quantities available in accordance with Article 1 of Regulation (EEC) No 1703/87; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is

appropriate, for the system referred to in Article 14 (1) (a) of Regulation (EEC) No 805/68, to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

1. Every application for an import licence lodged in accordance with Regulation (EEC) No 1136/79 for the quarter beginning 1 July 1987 shall be granted to the following extent, expressed as bone-in beef:

- (a) 2,862 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2 (6) of Regulation (EEC) No 1136/79;
- (b) 100 % of the quantity requested for beef imports intended for the manufacture of 'preserves' as defined by Article 2 (6) of Regulation (EEC) No 1136/79.

2. In conformity with Article 15 (3) of Regulation (EEC) No 2377/80, all applications from any one applicant shall be regarded as a single application.

Article 2

This Regulation shall enter into force on 24 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 159, 19. 6. 1987, p. 8.

⁽⁴⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁵⁾ OJ No L 52, 21. 2. 1987, p. 13.

⁽⁶⁾ OJ No L 141, 9. 6. 1979, p. 10.

⁽⁷⁾ OJ No L 109, 24. 4. 1987, p. 12.

COMMISSION REGULATION (EEC) No 2191/87

of 23 July 1987

specifying the extent to which applications lodged in July 1987 for import licences in respect of young male bovine animals for fattening may be accepted

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

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

Whereas Commission Regulation (EEC) No 1704/87 ⁽³⁾ fixed the quantity of young male bovine animals which may be imported on special terms during the third quarter of 1987; whereas, having regard to the applications for import licences lodged by each of the categories of applicants referred to in that Regulation, such licences should be issued as provided below,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences for young male bovine animals for fattening in respect of which applications were lodged between 1 and 10 July 1987 shall be issued as follows:

1. The quantities requested in Italy:

- (a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia:
- (aa) by agricultural producers or their organizations shall be reduced by 97,197 %;

(bb) by other applicants shall be reduced by 97,525 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries:

- (aa) by agricultural producers or their organizations shall be reduced by 96,851 %;
- (bb) by other applicants shall be reduced by 98,785 %.

2. The quantities requested in Greece:

(a) for animals of 220 to 300 kilograms *per capita* live weight coming from Yugoslavia:

- (aa) by agricultural producers or their organizations shall be reduced by 94,187 %;
- (bb) by other applicants shall be reduced by 86,302 %;

(b) for animals of up to 300 kilograms *per capita* live weight coming from other non-member countries:

- (aa) by agricultural producers or their organizations shall be reduced by 89,371 %;
- (bb) by other applicants shall be reduced by 86,302 %.

Article 2

This Regulation shall enter into force on 24 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 159, 19. 6. 1987, p. 9.

COMMISSION REGULATION (EEC) No 2192/87**of 23 July 1987****on offers tendered in respect of the seventh invitation to tender issued under the standing invitation to tender referred to in Regulation (EEC) No 3905/86**

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

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

Whereas, pursuant to Commission Regulation (EEC) No 3905/86 of 22 December 1986 on the sale by tender, for export, of beef held by certain intervention agencies to Peru ⁽³⁾, as last amended by Regulation (EEC) No 2189/87 ⁽⁴⁾, intervention agencies have issued a standing invitation to tender in respect of certain quantities of beef which they hold;

Whereas no fixing of a minimum selling price should be made on the basis of offers received in response to the seventh individual invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the seventh individual invitation to tender pursuant to Regulation (EEC) No 3905/86 in respect of which the time limit for the submission of tenders expired on 8 July 1987, no award shall be made.

Article 2

This Regulation shall enter into force on 24 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 364, 23. 12. 1986, p. 17.

⁽⁴⁾ See page 26 of this Official Journal.

COMMISSION REGULATION (EEC) No 2193/87

of 24 June 1987

on the adjustment of certain export refunds fixed in advance in the cereals sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, and in particular Articles 4 and 5 thereof,

Whereas, in respect of certain products in the cereals sector, the rate of refund valid on the date on which an application for an export licence is lodged, adjusted in line with the threshold price in effect during the month in which the products are exported, is to apply to exports carried out during the period of validity of that licence upon application by the exporter, to be lodged at the same time as the application for the licence;

Whereas certain advance-fixing certificates applied for before the end of the 1986/87 marketing year may be used during the 1987/88 marketing year;

Whereas, in view of the special circumstances currently obtaining, appropriate arrangements should be introduced to allow an adjustment of refunds upon application by the exporter before customs export formalities are completed, and derogations should be made from Commission Regulation (EEC) No 2042/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences for cereals and rice ⁽⁴⁾ and from Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export

licences and advance fixing certificates for agricultural products ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of the products referred to in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, export refunds fixed in advance between 15 and 30 June 1987 shall be adjusted in accordance with paragraph 2 upon application by exporters, where completion of the customs export formalities will take place after 30 June 1987.

2. Export refunds shall be increased by the difference as expressed in ECU per tonne between the threshold price applying in the last month of the 1986/87 marketing year and the threshold price applying in the first month of the 1987/88 marketing year.

3. Applications under paragraph 1 shall be submitted only by the holders of the export licences concerned to the Member State which has issued them and before customs export formalities in respect of the quantities concerned have been completed.

The said Member State shall enter the adjustment to be applied in box 18 of the relevant export licence and place its stamp thereon.

The Member States shall inform the Commission immediately of the quantities of products covered by applications made under paragraph 1.

Article 2

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

It shall apply with effect from 15 June 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁵⁾ OJ No L 338, 13. 12. 1980, p. 1.

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

Done at Brussels, 24 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2194/87**of 24 June 1987****amending Regulation (EEC) No 765/86 laying down detailed rules for the sale of
butter from intervention stock for export to certain destinations**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 773/87 ⁽²⁾, and in particular Article 6 (7)
thereof,Whereas Commission Regulation (EEC) No 765/86 ⁽³⁾, as
last amended by Regulation (EEC) No 1097/87 ⁽⁴⁾, lays
down arrangements for the sale of butter from interven-
tion stock for export to certain destinations; whereas the
continuation of exports under that Regulation, fulfilling
the condition relating to the age of the butter, obviatesthe need to stipulate the date 1 April 1986 in Article 1
(1); whereas it should accordingly be deleted;Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

*Article 1*In Article 1 (1) of Regulation (EEC) No 765/86, the words
'and was manufactured before 1 April 1986' are hereby
deleted.*Article 2*This Regulation shall enter into force on the day of its
publication in the *Official Journal of the European
Communities*.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 24 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 78, 20. 3. 1987, p. 1.⁽³⁾ OJ No L 72, 15. 3. 1986, p. 11.⁽⁴⁾ OJ No L 106, 22. 4. 1987, p. 21.

COMMISSION REGULATION (EEC) No 2195/87

of 23 July 1987

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 6 to 12 July 1987

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

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,

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

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

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

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

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 6 to 12 July 1987 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 6 to 12 July 1987 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 6 July 1987.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during the week 6 to 12 July 1987

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

COMMISSION REGULATION (EEC) No 2196/87

of 23 July 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1926/87⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1426/87 of 25 May 1987 fixing for the 1987/88 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the months of July and August 1987 at 59,98 ECU per 100 kilograms net;

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

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

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

Whereas, for fresh lemons originating in Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85⁽⁶⁾, as amended by Regulation (EEC) No 1636/87⁽⁷⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient,

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁸⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 2,89 ECU per 100 kilograms net is applied to fresh lemons (subheading 08.02 C of the Common Customs Tariff) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 25 July 1987.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 183, 3. 7. 1987, p. 24.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 13.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2197/87

of 23 July 1987

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1900/87⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

vary the refund for certain products according to destination;

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 % a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as amended by Regulation (EEC) No 1636/87⁽⁷⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 24 July 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 23 July 1987 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	(ECU/tonne) Refund
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — zone II b) — Poland — South Korea — other third countries	90,00 95,00 26,00 30,00 15,00
10.01 B II	Durum wheat	25,00 ⁽²⁾
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 25,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — zone II b) — other third countries	88,00 93,00 25,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	85,00 95,00
10.05 B	Maize, other than hybrid maize for sowing for exports to : — Switzerland, Austria and Liechtenstein — Canary Islands — other third countries	0 0 0
10.07 B	Millet	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	145,00 145,00 128,00 119,00 110,00 99,00

CCT heading No	Description	(ECU/tonne) Refund
ex 11.01 B	Rye flour : — of an ash content of 0 to 700 — of an ash content of 701 to 1 150 — of an ash content of 1 151 to 1 600 — of an ash content of 1 601 to 2 000	145,00 145,00 145,00 145,00
11.02 A I a)	Durum wheat groats and meal — of an ash content of 0 to 1 300 ⁽¹⁾ — of an ash content of 0 to 1 300 ⁽²⁾ — of an ash content of 0 to 1 300 — of an ash content of more than 1 300	281,00 ⁽³⁾ 266,00 ⁽³⁾ 238,00 ⁽³⁾ 224,00 ⁽³⁾
ex 11.02 A I b)	Common wheat groats and meal : — of an ash content of 0 to 520	145,00

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

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

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

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

COMMISSION REGULATION (EEC) No 2198/87

of 23 July 1987

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1900/87 ⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of

exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 July 1987.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 23 July 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 23 July 1987 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		7	8	9	10	11	12	1
10.01 B I	Common wheat and meslin	0	0	0	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0	0	—	—
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley	0	0	0	0	0	—	—
10.04	Oats	0	0	0	0	0	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	0	0	0	—	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	—	—	—	—	—	—
11.01 A	Common wheat flour	0	0	0	0	0	—	—
11.01 B	Rye flour	0	0	0	0	0	—	—
11.02 A I a)	Durum wheat groats and meal	0	0	0	0	0	—	—
11.02 A I b)	Common wheat groats and meal	0	0	0	0	0	—	—

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

COUNCIL REGULATION (EEC) No 2199/87

of 23 July 1987

amending Regulation (EEC) No 483/86 fixing the level of quantitative restrictions in Spain for certain fruit and vegetables coming from the Community as constituted on 31 December 1985

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 the second subparagraph of Article 89 (1) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 483/86 ⁽¹⁾, as last amended by Regulation (EEC) No 3676/86 ⁽²⁾, provides for quantitative restrictions on certain fruit and vegetables imported into Spain from the Community as constituted on 31 December 1985; whereas Regulation (EEC) No 3798/85 ⁽³⁾ provides for the introduction of quantitative restrictions for such products imported into Spain from third countries;

Whereas it has been discovered that such products harvested in third countries and released for free circulation in the Community as constituted on 31 December 1985 have subsequently been released for consumption in Spain;

Whereas this situation runs counter to the aim of Regulation (EEC) No 483/86 and conflicts with Community preference; whereas that Regulation should be adapted accordingly,

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

Done at Brussels, 23 July 1987.

Article 1

Article 1 of Regulation (EEC) No 483/86 shall be replaced by the following:

'Article 1

1. The volume of the quotas that the Kingdom of Spain may, pursuant to Article 137 of the Act of Accession, apply, on the release for consumption of products appearing in Annex I coming from the Community as constituted on 31 December 1985, shall be fixed, for 1987, in the said Annex in respect of each product.

The volumes of the quotas shall be limited to products harvested in the Community as constituted on 31 December 1985.

2. Within the framework of the quotas referred to in paragraph 1, the Spanish authorities shall, during the periods mentioned in Annex II, limit the release for consumption of the products concerned to the quantities specified in the said Annex in respect of each product.'

Article 2

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

For the Council

The President

K. E. TYGESEN

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 7.

⁽²⁾ OJ No L 370, 30. 12. 1986, p. 11.

⁽³⁾ OJ No L 367, 31. 12. 1985, p. 28.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 May 1987

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland and Zimbabwe

(87/381/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 73/87 ⁽²⁾, and in particular Article 22 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 520/87 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 486/85 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1987, expressed in terms of boned

meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Zimbabwe, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 June 1987, should be fixed within the scope of the total quantity of 30 000 tonnes to which should be added, where appropriate automatically, the additional quantity of 8 100 tonnes referred to in Article 5 (2) and (3) of Regulation (EEC) No 486/85;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽⁵⁾, as last amended by Directive 86/469/EEC ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1987 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 11, 13. 1. 1987, p. 23.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 52, 21. 2. 1987, p. 13.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 275, 26. 9. 1986, p. 36.

1. *Federal Republic of Germany:*

- 325,0 tonnes originating in Zimbabwe,
- 56,0 tonnes originating in Swaziland,
- 275,0 tonnes originating in Botswana;

2. *United Kingdom:*

- 315,0 tonnes originating in Zimbabwe,
- 325,0 tonnes originating in Botswana;

3. *Netherlands:*

- 285,0 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of June 1987, in respect of the following quantities of boned beef and veal:

— Botswana :	15 081,0 tonnes,
— Kenya :	142,0 tonnes,
— Madagascar :	7 579,0 tonnes,
— Swaziland :	2 647,0 tonnes,
— Zimbabwe :	5 553,0 tonnes.

Article 3

This Decision is addressed to the Member States, with the exception of Portugal.

Done at Brussels, 20 May 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 30 June 1987

approving an addendum to the Italian programme relating to the processing and marketing of wine pursuant to Council Regulation (EEC) No 355/77

(Only the Italian text is authentic)

(87/382/EEC)

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

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 560/87 ⁽²⁾, and in particular Article 5 thereof,

Whereas on 7 July 1986 the Italian Government forwarded an addendum to the programme approved by Commission Decision 80/399/EEC ⁽³⁾ relating to the processing and marketing of wines,

Whereas the addendum is a satisfactory follow-up to the abovementioned programme and provides for the development, modernization and rationalization of facilities for making, storing, ageing and marketing wine and facilities for derived products, and for improving quality and adapting to market requirements; whereas to that end, despite the criteria laid down by the Commission ⁽⁴⁾ for the choice of projects to be financed under Regulation (EEC) No 355/77, and in particular part B 3, point 16 thereof, investments for the production of quality wines psr in the Mezzogiorno and in other regions of Italy may be financed under the Regulation, provided that the price of the products concerned do as not exceed three times the guide price for the said quality wines psr;

Whereas approval of the addendum in question does not relate to projects aimed mainly at the production or marketing of products not covered by Annex II of the Treaty; whereas, in addition, approval applies only to projects relating to wine of a type and quality which have reasonable marketing prospects;

Whereas the addendum contains sufficient information, as required in Article 3 of Regulation (EEC) No 355/77, to show that the objectives of Article 1 of the Regulation

can be achieved in the wine sector in Italy; whereas the estimated time required for execution of the addendum does not exceed the limits laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The addendum to the Italian programme relating to the processing and marketing of wine forwarded by the Italian Government on 7 July 1986 pursuant to Regulation (EEC) No 355/77 is hereby approved.

Investments as referred to in part B 3, point 16, of the criteria laid down by the Commission for the choice of projects to be financed under Regulation (EEC) No 355/77, in respect of quality wines psr, the price of which does not exceed three times the guide price for the said products, may be financed under the programme.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 30 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

⁽³⁾ OJ No L 97, 15. 4. 1980, p. 48.

⁽⁴⁾ OJ No C 78, 26. 3. 1985, p. 7.

COMMISSION DECISION

of 30 June 1987

approving a second programme for the milk sector and related industries in Ireland pursuant to Council Regulation (EEC) No 355/77 of 15 February 1977

(Only the English text is authentic)

(87/383/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed⁽¹⁾, as last amended by Regulation (EEC) No 560/87⁽²⁾ and in particular Article 5 thereof,

Whereas on 19 January 1987 the Irish Government forwarded a second programme following the programme for the milk sector and related industries approved by Commission Decision 80/413/EEC⁽³⁾, and supplied additional information on 13 May 1987;

Whereas the aims of this second programme are to rationalize and modernize the milk sector and related industries and increase their capacity so as to make the sector more competitive and add value to its output; whereas it therefore constitutes a programme within the meaning of Regulation (EEC) No 355/77;

Whereas, due to the situation of the milk market, the approval of this second programme should not cover projects in which investments:

- lead to an increase of the utilization capacity of milk except if each individual project proves that plants of equal capacity have been closed,
- are related to butter, whey powder, milk powder, butteroil, lactose, caseine, caseinate, including milk collecting if it concerns those products,
- are related to other products leading to expenditure of the EAGGF, Guarantee Section, not justifiable in view of the market situation;

Whereas the approval of this second programme should not cover projects concerning products for which production capacities are already in excess in the European Community, such as for certain types of cheeses;

Whereas the approval of this second programme should not cover investments related to non-Annex II products, as the requirements of Article 7 (2) of Regulation (EEC) No 355/77 are not met;

Whereas the second programme contains sufficient information as prescribed by Article 3 of Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in respect of the milk sector and related industries in Ireland; whereas the estimated time required for implementation of the second programme does not exceed the period mentioned in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

1. The second programme for the milk sector and related industries forwarded by the Irish Government on 19 January 1987 and for which additional information was provided on 13 May 1987 pursuant to Regulation (EEC) No 355/77 is approved.
2. The approval does not cover projects in which investments:
 - lead to an increase of the utilization capacity of milk except if each individual project proves that equal capacities have been closed,
 - are related to butter, whey powder, milk powder, butteroil, lactose, caseine, caseinate, including milk collecting if it concerns those products,
 - are related to other products leading to expenditure of the EAGGF, Guarantee Section, not justifiable in view of the market situation,
 - concern products for which production capacities are already in excess in the European Community,
 - related to non-Annex II products, as the requirements of Article 7 (2) of Regulation (EEC) No 355/77 are not met.

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

⁽³⁾ OJ No L 98, 16. 4. 1980, p. 14.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 30 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 30 June 1987

approving an Italian programme on the treatment and marketing of feed grains
and green fodder pursuant to Council Regulation (EEC) No 355/77

(Only the Italian text is authentic)

(87/384/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of
15 February 1977 on common measures to improve the
conditions under which agricultural and fishery products
are processed and marketed ⁽¹⁾, as last amended by Regu-
lation (EEC) No 560/87 ⁽²⁾, and in particular Article 5
thereof,

Whereas, on 18 December 1986, the Italian Government
forwarded a programme dealing with the marketing of
feed grains and green fodder;

Whereas the aims of this programme are, for feed grains,
the establishment of storage facilities incorporating the
new technological advances and modernization of existing
ones to the same standard and, for green fodder, the intro-
duction of harvesting and conservation techniques, invol-
ving the use of silos and related modern methods of
working, and of drying and dehydration facilities;

Whereas the programme contains sufficient information,
as required by Article 3 of Regulation (EEC) No 355/77,
to show that the objectives laid down in Article 1 of the
said Regulation can be attained in respect of the feed
grain and green fodder sector in Italy; whereas the time
allowed for implementation of the programme does not

exceed the period specified in Article 3 (1) (g) of the
Regulation;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee
on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The programme for the feed grain and the green fodder
sector forwarded by the Italian Government pursuant to
Regulation (EEC) No 355/77 on 18 December 1986 is
hereby approved.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 30 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

COMMISSION DECISION

of 30 June 1987

approving a joint programme of the Länder of Hamburg and Lower Saxony,
forwarded by the Federal Republic of Germany pursuant to Council Regulation
(EEC) No 355/77

(Only the German text is authentic)

(87/385/EEC)

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

Having regard to Council Regulation (EEC) No 355/77 of
15 February 1977 on common measures to improve the
conditions under which agricultural and fishery products
are processed and marketed ⁽¹⁾, as last amended by Regu-
lation (EEC) No 560/87 ⁽²⁾, and in particular Article 5
thereof,

Whereas on 28 November 1986 the Government of the
Federal Republic of Germany forwarded a programme
relating to fresh fruit in the Länder of Hamburg and
Lower Saxony, and supplied additional information on 30
March and 13 May 1987;

Whereas the aim of the programme is to rationalize and
increase facilities for reception, storage, treatment and
packaging of fresh fruits produced in this programme's
geographical scope so as to increase the competitiveness
of this sector and add value to its production; whereas it
therefore constitutes a programme within the meaning of
Regulation (EEC) No 355/77;

Whereas the programme contains sufficient information
as required in Article 3 of Regulation (EEC) No 355/77 to
show that the aims set out in Article 1 of that Regulation
can be achieved in respect of fresh fruit in the Länder of
Hamburg and Lower Saxony; whereas the estimated time
required for implementation of the programme does not

exceed the period mentioned in Article 3 (1) (g) of the
said Regulation;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee
on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

The programme for fresh fruit forwarded by the Govern-
ment of the Federal Republic of Germany for the Länder
of Hamburg and Lower Saxony, and for which additional
information was supplied on 30 March and 13 May 1987,
pursuant to Regulation (EEC) No 355/77, is hereby
approved.

Article 2

This Decision is addressed to the Federal Republic of
Germany.

Done at Brussels, 30 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

COMMISSION DECISION**of 30 June 1987****approving an addendum to the programme relating to the marketing of cereals, oil seeds and seed legumes in Hesse, submitted by the Government of the Federal Republic of Germany, pursuant to Council Regulation (EEC) No 355/77****(Only the German text is authentic)****(87/386/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 560/87 ⁽²⁾ and in particular Article 5 thereof,

Whereas, on 17 March 1987 the Government of the Federal Republic of Germany forwarded an addendum to the programme relating to the marketing of cereals in Hesse approved by Commission Decision 81/233/EEC ⁽³⁾;

Whereas the aim to this addendum is to rationalize and increase facilities for reception, quality control, storage and treatment of cereals, oil seeds and seed legumes in Hesse so as to make the sector more competitive and to add value to its output; whereas it therefore constitutes a programme within the meaning of Regulation (EEC) No 355/77;

Whereas the principles of sound financial management do not allow investments that are used for intervention purposes to be supported;

Whereas the addendum contains sufficient information as required in Article 3 of Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in respect of the marketing of cereals, oil

seeds and seed legumes in Hesse; whereas the estimated time required for implementation of the addendum does not exceed the period mentioned in Article 3 (1) (g) of the said Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structures,

HAS ADOPTED THIS DECISION:

Article 1

The addendum to the programme relating to cereals, oil seeds and seed legumes in Hesse forwarded by the Government of the Federal Republic of Germany on 17 March 1987 pursuant to Regulation (EEC) No 355/77, is hereby approved, with the exception of facilities that are used for investment purposes.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 30 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

⁽³⁾ OJ No L 110, 22. 4. 1981, p. 19.

COMMISSION DECISION

of 30 June 1987

approving a programme covering the reception and storage of cereals in the Grand Duchy of Luxembourg pursuant to Council Regulation (EEC) No 355/77

(Only the French text is authentic)

(87/387/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 560/87 ⁽²⁾, and in particular Article 5 thereof,

Whereas the Luxembourg Government forwarded a programme covering the reception and storage of cereals on 17 February 1987 and supplied additional information on 27 April 1987;

Whereas the purpose of the programme is the modernization, enlargement and modification of facilities for the reception and storage of cereals grown in the Grand Duchy of Luxembourg and the installation of all the necessary equipment for these operations, in order to increase the cereals' value and strengthen the competitive position of the sector; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the principles of sound financial management do not permit encouragement of investment in facilities used for intervention purposes;

Whereas the programme contains sufficient information, as required by Article 3 of Regulation (EEC) No 355/77, to show that the objectives laid down in Article 1 of the said Regulation can be achieved in respect of the recep-

tion and storage of cereals in the Grand Duchy of Luxembourg; whereas the time allowed for implementation of the programme does not exceed the period specified in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

The programme covering the reception and storage of cereals forwarded by the Luxembourg Government pursuant to Regulation (EEC) No 355/77 on 17 February 1987, concerning which additional information was supplied on 27 April 1987, is hereby approved with the exception of investment in facilities for intervention purposes.

Article 2

This Decision is addressed to the Luxembourg Government.

Done at Brussels, 30 June 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

COMMISSION RECOMMENDATION

of 3 July 1987

to the French Republic concerning the adjustment of the State monopoly of a commercial character in potassic fertilizers *vis-à-vis* the new Member States

(Only the French text is authentic)

(87/388/EEC)

1. By letter dated 1 April 1986, the French Government informed the Commission that, in the case of potassic fertilizers, it was still applying its import monopoly within the meaning of Article 37 (1) of the EEC Treaty *vis-à-vis* the new Member States.

Under Article 11 of the Law of 23 January 1937, incorporated into Article 183 of the Mining Code (Decree No 56-368 of 16 August 1956), the Société commerciale des Potasses d'Alsace, which subsequently by Decree No 67-796 of 20 September 1967 became the Société commerciale des Potasses et de l'Azote (SCPA), was awarded a monopoly on the importation of potassic fertilizers.

Initially, the Société commerciale des Potasses d'Alsace enjoyed a monopoly on the importation of all salts, combinations or mixtures containing potassium; however, this right was restricted by Decree No 61-1330 of 4 December 1961, which withdraw from the monopoly potassic products used solely for industrial purposes and listed those which remained subject to the monopoly.

By letter dated 18 July 1986, the French Government specified the products to which the import monopoly applied; the products are listed below against their respective CCT headings:

CCT heading No	Product
28.39 B II	Potassium nitrate
28.39 B VI	Double nitrate of sodium and potassium
28.40 B II	Potassium phosphate for use as fertilizer
28.42 A VII	Potassium carbonate, except refined potassium carbonate of 70/80 grade of vegetable or animal origin or suint potassium where such products are not mixed with other products and are intended for the soap, glass or worsted yarn industries
31.04 ex A	Crude natural potassium salts
	Potassium chloride containing not more than 40 % by weight of K_2O
	Potassium chloride containing more than 40 %, but not more than 62 % by weight of K_2O
	Potassium chloride containing more than 62 % by weight of K_2O
	Potassium sulphate containing not more than 52 % by weight of K_2O
	Magnesium sulphate-potassium sulphate containing not more than 30 % by weight of K_2O
31.04 B	Potassic fertilizers mixed together
31.05 A I	Fertilizers containing the three fertilizing substances: nitrogen, phosphorus and potassium
31.05 A III	Fertilizers containing the two fertilizing substances: nitrogen and potassium
31.05 A IV	Other fertilizers containing potassium

Although under French legislation the French State has a monopoly on the importation and marketing of potassic fertilizers originating in or coming from third countries, the legislation does not apply where such products come from other Member States of the Community. In such cases, the rules have been brought into line with Article 37 of the EEC Treaty.

2. The first subparagraph of Articles 48 (1) and 208 (1) of the Act of Accession provides that Spain and Portugal shall, from 1 January 1986, progressively adjust their State monopolies of a commercial character within the meaning of Article 37 (1) of the EEC Treaty so as to ensure that by 31 December 1991, in the case of Spain, and 31 December 1992, in the case of Portugal, no

discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States.

The second subparagraph of Article 48 (1) and 208 (1) stipulates that the other Member States shall have obligations in relation to Spain and Portugal equivalent to those laid down in the first subparagraph for the two new Member States.

The third subparagraph of Articles 48 (1) and 208 (1) provides that the Commission shall make recommendations to the relevant Member States of the Community of Ten as to the manner in which and the timetable according to which the adjustment provided for in those Articles must be carried out.

3. Potassic fertilizers are not subject to any monopoly of a commercial character in the new Member States. With regard to the French monopoly, France has not yet taken any steps to liberalize imports of potassic fertilizers from the new Member States.
4. Trade in potassic fertilizers between France and the new Member States during the five years prior to accession was fairly negligible, as the statistics provided by the French Government on 18 July 1986 show. The only such products imported into France from the new Member States were straight fertilizers (CCT heading No 31.04 ex A) from Spain. Over the period in question, the amounts imported averaged 45 242 tonnes of K_2O . In the period 1983 to 1985, the average rose to 67 260 tonnes of K_2O . This latter amount, which relates to only two straight potassium products, represented only 4 % of French production of straight potassic fertilizers.

From this, it may be seen that, during the period under consideration, there were virtually no imports into France of other potassic fertilizers (straight, compound or complex) from Spain and no imports from Portugal.

5. The Commission considers that, in carrying out the adjustment provided for in Articles 48 and 208 of the Act of Accession, the restrictions on imports of the relevant potassic fertilizers from Spain and Portugal must be gradually removed by immediately opening quotas and increasing them annually so as to ensure that the French monopoly is completely dismantled by 31 December 1991, in the case of Spain, and 31 December 1992 in the case of Portugal.

In view of the very low level of trade in potassic fertilizers as a whole between France and the two new Member States, the Commission believes that the initial level of the quota to be opened by France for such products can be set at a percentage of national production of potassic fertilizers (straight, compound and complex) in the country holding the monopoly.

Since, as stipulated in Articles 48 (1) and 208 (1) of the Act of Accession, the Member States of the Community of Ten must have equivalent obligations to those laid down for Spain and Portugal, the Commission considers it reasonable to base the adjustment of the French monopoly on the criteria applied to Spain, pursuant to Article 48 (3) of the Act of Accession and Annex V thereto, as regards the gradual adjustment of its monopoly in manufactured tobacco. It was decided in this respect that Spain's basic quota volumes must be at least equivalent to certain percentages (5 % or 6 % depending on the product) of Spain's total average production during the last three years prior to accession for which statistics were available.

In addition, there was to be a gradual annual increase of at least 20 % in the quotas at the beginning of each year, with the previous year's quota being automatically increased by 20 %.

6. According to the Commission's information, production of potassic fertilizers in France and in the two new Member States was as follows during the last three years for which statistics are available.

(in thousands of tonnes K_2O)

Production	France				Spain				Portugal			
	1982	1983	1984	1985	1982	1983	1984	1985	1982	1983	1984	1985
Straight potassic fertilizers	1 701	1 537	1 739	1 750	693,5	659,1	677,2	658,9	—	—	—	—
									Consumption (for reference)			
									3,0	2,3	2,4	estimation 5,9
Compound and complex potassic fertilizers	1 066	1 134	1 209	—	212,3	199,6	249,7	253,4	44,9	34,2	36,5	estimation 31,5

7. The Commission considers that, in setting the volume of the initial quota which France has been required to open as from 1 January 1986 *vis-à-vis* the new Member States, account should be taken of the relative level of the production of straight potassic fertilizers and compound and complex potassic fertilizers in Spain and Portugal.

In view of the above, the quota should accordingly be set at 5,5 % of French production in the case of straight potassic fertilizers and 3,5 % in the case of compound and complex potassic fertilizers. The Commission considers that the quota should be allocated between Spain and Portugal on the basis of the production (or, failing that, consumption) of fertilizers in the two new Member States.

However, Portugal's share of the quota for straight potassic fertilizers cannot be calculated on the basis of the above argument, since there is no production of such products in Portugal.

The Commission believes it would not be fair for the whole of the relevant quota to be allocated to Spain on this account. It considers that the quotas for both groups of products could be allocated on the basis of the figures for compound and complex potassic fertilizers.

On average, Spain accounted for 85 % of the production of such fertilizers during the period 1982 to 1984 and Portugal for 15 %.

The Commission is therefore of the opinion that France should allocate 85 % of the quota to Spain and 15 % to Portugal.

So as to facilitate administration of the quota, the Commission considers that, even though the transition period for Portugal is one year longer than that for Spain, it is reasonable not to treat the two new Member States differently at least until 1991.

8. For these reasons and subject to the position the Commission may subsequently adopt in the light of the results of applying this Recommendation, the Commission hereby recommends to the French Republic, pursuant to the third subparagraph of Articles 48 (1) and 208 (1) of the Act of Accession :

- (a) That it should open, for imports from Spain and Portugal of potassic fertilizers referred to in point 1 of this Recommendation :

- in respect of each type of straight potassic fertilizer and for the remaining period of 1987, a quota equal to not less than 6,6 % of national production in 1985, 85 % of the quota being allocated to Spain and 15 % to Portugal,
- in respect of each type of compound and complex potassic fertilizer and for the remaining period 1987, a quota equal to not less than 6,6 % of national production in 1985, 85 % of the quota being allocated to Spain and 15 % to Portugal,
- in respect of each type of compound and complex potassic fertilizer and for the remaining period of 1987, a quota amounting to not less than 4,2 % of national production in 1985, 85 % of the quota being similarly allocated to Spain and 15 % to Portugal,
- the 1987 quotas should be increased by at least 20 % in 1988,
- the previous year's quotas should be increased by at least 20 % in the years thereafter.

It is understood that, by 31 December 1991 in the case of Spain and 31 December 1992 in the case of Portugal, all quantitative restrictions will have been removed.

The quotas should be administered in a transparent, objective and non-discriminatory manner. They should be opened for all operators without restriction, and the products imported under them should not be made subject to any exclusive marketing rights in France ;

- (b) That it should inform all interested parties, in particular by publishing a notice to importers in the *Journal Officiel de la République* of the possibilities available to them under the abovementioned quotas of obtaining supplies of potassic fertilizers referred to in point 1 of this Recommendation from Spain and Portugal.

Done at Brussels, 3 July 1987.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION RECOMMENDATION

of 3 July 1987

to the French Republic concerning the adjustment of the State monopoly of a commercial character in matches *vis-à-vis* the new Member States

(Only the French text is authentic)

(87/389/EEC)

1. By letter dated 1 April 1986, the French Government informed the Commission that, in the case of matches (CCT heading No 36.06), it was still applying its import monopoly within the meaning of Article 37 (1) of the EEC Treaty *vis-à-vis* the new Member States.

Article 1 of Law No 72/1069 of 4 December 1972 provides that the State alone may, import matches, this exclusive right being delegated to the 'Service d'exploitation industrielle des tabacs et des allumettes'. By Law No 80/495 of 2 July 1980, the monopoly was delegated to the 'Société d'exploitation industrielle des tabacs et des allumettes' (SEITA). Though the monopoly on the importation of matches still applies to imports from third countries, it is no longer applicable to imports of matches from the Community of Ten.

2. The first subparagraph of Articles 48 (1) and 208 (1) of the Act of Accession provides that Spain and Portugal shall, from 1 January 1986, progressively adjust their State monopolies of a commercial character within the meaning of Article 37 (1) of the EEC Treaty so as to ensure that by 31 December 1991, in the case of Spain, and 31 December 1992, in the case of Portugal, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States.

The second subparagraph of Articles 48 (1) and 208 (1) stipulates that the other Member States shall have obligations in relation to Spain and Portugal equivalent to those laid down in the first subparagraph for the two new Member States.

The third subparagraph of Articles 48 (1) and 208 (1) provides that the Commission shall make recommendations to the relevant Member States of the Community of Ten as to the manner in which and the timetable according to which the adjustment provided for in those Articles must be carried out.

3. Matches are not subject to any monopoly of a commercial character in the new Member States.

France has not yet taken any steps to liberalize imports of matches from the new Member States.

On 18 July 1986, the French Government pointed out that there had been no trade in matches with the new Member States in the five years prior to accession.

4. The Commission considers that, in carrying out the adjustment provided for in Articles 48 and 208 of the Act of Accession, the restrictions on imports of matches from Spain and Portugal must be gradually removed by immediately opening quotas and increasing them annually so as to ensure that the French monopoly is completely dismantled by 31 December 1991, in the case of Spain, and 31 December 1992 in the case of Portugal.

As there is no trade in matches between France and the two new Member States, the Commission believes that the initial level of the quota to be opened by France for this product can be set at a percentage of national production of matches in the country holding the monopoly.

Since, as stipulated in Articles 48 (1) and 208 (1) of the Act of Accession, the Member States of the Community of Ten must have equivalent obligations to those laid down for Spain and Portugal, the Commission considers it reasonable to base the adjustment of the French monopoly on the criteria applied to Spain, pursuant to Article 48 (3) of the Act of Accession and Annex V thereto, as regards the gradual adjustment of its monopoly in manufactured tobacco.

It was decided in this respect that Spain's basic quota volumes must be at least equivalent to certain percentages (5 % or 6 % depending on the product) of Spain's total average production during the last three years prior to accession for which statistics were available.

In addition, there was to be a gradual annual increase of at least 20 % in the quotas at the beginning of each year, with the previous year's quota being automatically increased by 20 %.

5. Since the production of matches in France is roughly the same as the combined production of the two new Member States, and since the same applies to the populations of the countries, the Commission considers that the initial quota which France has been required to open as from 1 January 1986 *vis-à-vis* the new Member States should be set at 5,5 % of its production.

The Commission also considers that the quota to be opened by France should be allocated between Spain and Portugal on the basis of their respective levels of production. According to the Commission's information, average production over the last three years 1984 to 1986 in the case of Spain and 1983 to 1985 in the case of Portugal was 31 000 million matches in Spain and 14 000 million in Portugal.

The Commission is therefore of the opinion that France should allocate 70 % of the quota to Spain and 30 % to Portugal.

So as to facilitate administration of the quota, the Commission considers that, even though the transitional period for Portugal is one year longer than that for Spain, it is reasonable not to treat the two new Member States differently at least until 1991.

6. For these reasons, and subject to the position the Commission may subsequently adopt in the light of the results of applying this Recommendation, the Commission hereby recommends to the French Republic, pursuant to the third subparagraph of Articles 48 (1) and 208 (1) of the Act of Accession :

- (a) That it should open, for imports of matches (CCT heading No 36.06) from Spain and Portugal :

- in respect of each type of presentation or packaging (boxes or books of matches) and for the remaining period of 1987, a quota equal to not

less than 6,6 % of national production in 1985, 70 % of the quota being allocated to Spain and 30 % to Portugal,

- the 1987 quota should be increased by at least 20 % in 1988,
- the previous year's quota should be increased by at least 20 % in the years thereafter.

It is understood that, by 31 December 1991 in the case of Spain and 31 December 1992 in the case of Portugal, all quantitative restrictions will have been removed.

The quotas should be administered in a transparent, objective and non-discriminatory manner. They should be opened for all operators without restriction, and the products imported under them should not be made subject to any exclusive marketing rights in France ;

- (b) That it should inform all interested parties, in particular by publishing a notice to importers in the *Journal Officiel de la République française*, of the possibilities available to them under the above-mentioned quotas of obtaining supplies of matches falling within CCT heading No 36.06 from Spain and Portugal.

Done at Brussels, 3 July 1987.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION RECOMMENDATION

of 3 July 1987

to the French Republic concerning the adjustment of the State monopoly of a commercial character in manufactured tobacco *vis-à-vis* the new Member States

(Only the French text is authentic)

(87/390/EEC)

1. By letter dated 1 April 1986, the French Government informed the Commission that, in the case of manufactured tobacco falling within CCT heading No 24.02 A, B, C and D, it was still applying its import monopoly within the meaning of Article 37 (1) of the EEC Treaty *vis-à-vis* the new Member States.

Under Law No 80/495 of 2 July 1980, the 'Société nationale d'exploitation industrielle des tabacs et des allumettes' (SEITA) was required to carry out the tasks previously performed by the 'Service d'exploitation industrielle des tabacs et des allumettes' pursuant to Law No 76/448 of 24 May 1976 with regard to the manufacture and retailing of manufactured tobacco and the importation and wholesale distribution of manufactured tobacco originating in or coming from third countries.

Though Article 2 of the Law of 24 May 1976 gives the French State the exclusive right to import and distribute to wholesalers manufactured tobacco originating in or coming from third countries, it is no longer applicable where such products come from the other Member States of the Community.

2. The first subparagraph of Articles 48 (1) and 208 (1) of the Act of Accession provides that Spain and Portugal shall, from 1 January 1986, progressively adjust their State monopolies of a commercial character within the meaning of Article 37 (1) of the EEC Treaty so as to ensure that, by 31 December 1991 in the case of Spain and 31 December 1992 in the case of Portugal, no discrimination regarding the conditions under which goods are procured and marketed exists between nationals of the Member States.

The second subparagraph of Articles 48 (1) and 208 (1) stipulates that the other Member States shall have obligations in relation to Spain and Portugal equivalent to those laid down in the first subparagraph for the two new Member States.

The third subparagraph of Articles 48 (1) and 208 (1) provides that the Commission shall make recommendations to the relevant Member States of the Community of Ten as to the manner in which and the time-

table according to which the adjustment provided for in those Articles must be carried out.

3. Of the new Member States, only Spain applies a monopoly of a commercial character in manufactured tobacco. Article 48 (3) of the Act of Accession lays down detailed rules for the adjustment of the monopoly, through the gradual opening of import quotas as from 1 January 1986. The quota volumes for 1986 and the increases to be made in them in subsequent years were set out in the list appearing in Annex V.

The French Government has not yet taken any measures to liberalize imports of manufactured tobacco from the new Member States.

There was virtually no trade in manufactured tobacco products between France and the new Member States during the five years prior to accession, as the statistics provided by the French Government on 18 July 1986 show.

4. The Commission considers that, in carrying out the adjustment provided for in Articles 48 and 208 of the Act of Accession, the restrictions on imports of manufactured tobacco from Spain and Portugal must be gradually removed by immediately opening quotas and increasing them annually so as to ensure that the French monopoly is completely dismantled by 31 December 1991 in the case of Spain and 31 December 1992 in the case of Portugal.

In view of the very low level of trade in manufactured tobacco between France and Spain, the Commission believes that the initial level of the quota to be opened by France for such products can be set at a percentage of the national production of manufactured tobacco in the country holding the monopoly.

Since, as stipulated in Articles 48 (1) and 208 (1) of the Act of Accession, the Member States of the Community of Ten must have equivalent obligations to those laid down for Spain and Portugal, the Commission considers it reasonable to base the adjustment of the French monopoly on the criteria applied to Spain, pursuant to Article 48 (3) of the Act of Accession and Annex V thereto, as regards the gradual adjustment of its monopoly in manufactured tobacco.

It was decided in this respect that Spain's basic quota volumes must be at least equivalent to certain percentages (5 % or 6 % depending on the product) of Spain's total average production during the last three years prior to accession for which statistics were available.

In addition, there was to be a gradual annual increase of at least 20 % in the quotas at the beginning of each year, with the previous years quota being automatically increased by 20 %.

5. Since the production of manufactured tobacco in France is roughly the same as the combined production of the two new Member States, and since the same applies to the populations of the three countries, the Commission considers that the initial quota which France has been required to open as from 1 January 1986 *vis-à-vis* the new Member States should be set at 5,5 % of its production.

The Commission also considers that the quota to be opened by France should be allocated between Spain and Portugal on the basis of their respective levels of production. According to the Commission's information, average production over the last three years (1983 to 1985) was 58 000 million cigarettes in Spain and 14 000 million in Portugal.

The Commission is therefore of the opinion that France should allocate 80 % of the quota to Spain and 20 % to Portugal.

So as to facilitate administration of the quota, the Commission considers that, even though the transitional period for Portugal is one year longer than that for Spain, it is reasonable not to treat the two new Member States differently at least until 1991.

6. For these reasons, and subject to the position the Commission may subsequently adopt in the light of the results of applying this Recommendation, the Commission hereby recommends to the French Republic, pursuant to the third subparagraph of Articles 48 (1) and 208 (1) of the Act of Accession :

- (a) that it should open, for imports of manufactured tobacco falling within CCT heading No 24.02 A, B, C and D from Spain and Portugal :

- in respect of each product and for the remaining period of 1987, a quota equal to not less than 6,6 % of national production in 1985, 80 % of the quota being allocated to Spain and 20 % to Portugal,
- the 1987 quotas should be increased by at least 20 % in 1988,
- the previous year's quotas should be increased by at least 20 % in the years thereafter.

It is understood that, by 31 December 1991 in the case of Spain and 31 December 1992 in the case of Portugal, all quantitative restrictions will have been removed.

The quotas should be administered in a transparent, objective and non-discriminatory manner. They should be opened for all operators without restriction. The products imported under them should not be made subject to any exclusive wholesale distribution rights in France.

It is understood that retail distribution will be regulated in an objective and non-discriminatory manner ;

- (b) that it should inform all interested parties, in particular by publishing a notice to importers in the *Journal Officiel de la République française*, of the possibilities available to them under the abovementioned quotas of obtaining supplies of manufactured tobacco falling within CCT heading No 24.02 A, B, C and D from Spain and Portugal.

Done at Brussels, 3 July 1987.

For the Commission

Peter SUTHERLAND

Member of the Commission