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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3083/87

of 15 October 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 14 October 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 16 October 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 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.

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 15 October 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	—	182,88
10.01 B II	Durum wheat	41,18	243,52 ⁽¹⁾ ⁽²⁾
10.02	Rye	30,05	151,56 ⁽⁶⁾
10.03	Barley	17,51	181,63
10.04	Oats	82,52	135,82
10.05 B	Maize, other than hybrid maize for sowing	—	164,40 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	17,51	105,03
10.07 B	Millet	17,51	114,14 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	17,89	170,40 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	17,51	37,86 ⁽⁵⁾
11.01 A	Wheat or meslin flour	3,32	270,44
11.01 B	Rye flour	55,73	225,85
11.02 A I a)	Durum wheat groats and meal	77,08	391,11
11.02 A I b)	Common wheat groats and meal	2,86	291,33

⁽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 3084/87

of 15 October 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 14 October 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 coming from 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 coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 October 1987.

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

Done at Brussels, 15 October 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 15 October 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 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	8,52	8,52	8,65
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	8,56	8,57	8,65
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	11,93	11,93	11,93

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	15,17	15,17	15,40	15,40
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	11,33	11,33	11,50	11,50
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 3085/87

of 15 October 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 12 and 13 October 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 16 October 1987.

⁽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.⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 15 October 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 ⁽³⁾

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products

(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 3086/87
of 15 October 1987
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2998/87 ⁽²⁾, and in particular Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

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

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

— the economic aspect of the proposed exports;

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

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 285, 8. 10. 1987, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 3.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 229/87⁽²⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as amended by Regulation (EEC) No 2881/84⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for different refunds according to the date of manufacture of the products;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October 1987.

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 272, 13. 10. 1984, p. 16.

ANNEX

to the Commission Regulation of 15 October 1987 fixing the export refunds on milk and milk products

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

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.01 (cont'd)	ex B. Other, excluding whey, of a fat content, by weight (°): ex I. Exceeding 6 % but not exceeding 21 % : (a) Of a fat content, by weight, not exceeding 10 % (b) Of a fat content, by weight, exceeding 10 % but not exceeding 17 % (c) Of a fat content, by weight, exceeding 17 % II. Exceeding 21 % but not exceeding 45 % : (a) Of a fat content, by weight, not exceeding 35 % (b) Of a fat content, by weight, exceeding 35 % but not exceeding 39 % (c) Of a fat content, by weight, exceeding 39 % III. More than 45 % : (a) Of a fat content, by weight, not exceeding 68 % (b) Of a fat content, by weight, exceeding 68 % but not exceeding 80 % (c) Of a fat content, by weight, exceeding 80 %	0200 05 0200 11 0200 21 0300 12 0300 13 0300 20 0400 11 0400 22 0400 30	22,94 34,18 50,23 59,40 91,50 100,67 114,44 167,17 194,68
04.02	Milk and cream, preserved, concentrated or sweetened : A. Not containing added sugar (°): II. Milk and cream, in powder or granules : a) In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 %	0620 00 0720 00 0720 20 0720 30 0720 40 0820 20 0820 30	105,00 105,00 125,18 133,50 145,00 146,32 147,87

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 % b) Other, of a fat weight content : 1. Not exceeding 1,5 % 2. Exceeding 1,5 % but not exceeding 27 % : (aa) Of a fat content, by weight, not exceeding 11 % (bb) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (cc) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (dd) Of a fat content, by weight, exceeding 25 % 3. Exceeding 27 % but not exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 28 % (bb) Of a fat content, by weight, exceeding 28 % 4. Exceeding 29 % : (aa) Of a fat content, by weight, not exceeding 41 % (bb) Of a fat content, by weight, exceeding 41 % but not exceeding 45 % (cc) Of a fat content, by weight, exceeding 45 % but not exceeding 59 % (dd) Of a fat content, by weight, exceeding 59 % but not exceeding 69 % (ee) Of a fat content, by weight, exceeding 69 % but not exceeding 79 % (ff) Of a fat content, by weight, exceeding 79 %	0920 10 0920 30 0920 40 0920 50 0920 60 0920 70 1020 00 1120 10 1120 20 1120 30 1120 40 1220 20 1220 30 1320 10 1320 30 1320 40 1320 50 1320 60 1320 70	150,06 163,17 167,71 183,71 194,78 206,14 105,00 105,00 125,18 133,50 145,00 146,32 147,87 150,06 163,17 167,71 183,71 194,78 206,14

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

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.02 (cont'd)	B. Containing added sugar : I. Milk and cream, in powder or granules : ex b) Other, excluding whey : 1. In immediate packings of a net capacity of 2,5 kilograms or less and of a fat content, by weight : (aa) Not exceeding 1,5 % (bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % (cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 % 2. Other, of a fat content, by weight : (aa) Not exceeding 1,5 % (bb) Exceeding 1,5 % but not exceeding 27 % : (11) Of a fat content, by weight, not exceeding 11 % (22) Of a fat content, by weight, exceeding 11 % but not exceeding 17 % (33) Of a fat content, by weight, exceeding 17 % but not exceeding 25 % (44) Of a fat content, by weight, exceeding 25 % (cc) Exceeding 27 % : (11) Of a fat content, by weight, not exceeding 41 % (22) Of a fat content, by weight, exceeding 41 %	2220 00 2320 10 2320 20 2320 30 2320 40 2420 10 2420 20 2520 00 2620 10 2620 20 2620 30 2620 40 2720 10 2720 20	1,0500 (*) per kg 1,0500 (*) per kg 1,2518 (*) per kg 1,3350 (*) per kg 1,4500 (*) per kg 1,4632 (*) per kg 1,6317 (*) per kg 1,0500 (*) per kg 1,0500 (*) per kg 1,2518 (*) per kg 1,3350 (*) per kg 1,4500 (*) per kg 1,4632 (*) per kg 1,6317 (*) per kg

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

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

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

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

CCT heading No	Description	Code	Refund (in ECU/100 kg net weight unless otherwise indicated)
04.04 (cont'd)	E. Other : I. Not grated or powdered, of a fat content, by weight, not exceeding 40 % and a water content, calculated by weight, of the non-fatty matter : ex a) Not exceeding 47 % : (1) Grana Padano, Parmigiano Reggiano for exports to : — Zone E 150,00 — Canada 100,00 — Norway and Finland — — Switzerland 90,00 — Other destinations 200,06 (2) Fiore Sardo and Pecorino manufactured exclusively from sheep milk for exports to : — Zone E 200,00 — Canada 128,15 — Norway and Finland — — Switzerland 105,03 — Other destinations 227,18 (3) Other (excluding cheeses produced from whey), of a fat content, by weight, in the dry matter of 30 % or more for exports to : — Zone E 130,00 — Canada 80,00 — Norway and Finland — — Switzerland 70,00 — Other destinations 180,00 b) Exceeding 47 % but not exceeding 72 % : ex 1. Cheddar of a fat content, by weight, in the dry matter of 48 % or more for exports to : — Austria — — Zone E 40,00 — Canada — — Norway and Finland — — Australia 133,89 — Switzerland — — Other destinations 177,25 ex 2. Other, of a fat content, by weight, in the dry matter (?): (aa) Less than 5 % and of a content, by weight, in the dry matter of 32 % or more (excluding cheeses produced from whey) for exports to : — Austria — — Zone E 37,69 — Canada — — Norway and Finland 13,50 — Switzerland — — Other destinations 99,96	4710 11 4710 17 4710 22 4850 00 5120 12	

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- (⁹) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculating the fat content, by weight.

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

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

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

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

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

- (⁹) The refund on 100 kg of product falling within this subheading is equal to the sum of the following elements :

- (a) the amount per 100 kg shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per 100 kg shown shall be :

- multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kg of product, and then
- divided by the weight of the lactic part contained in 100 kg of product ;

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

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3087/87

of 15 October 1987

fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2998/87 ⁽²⁾, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 2346/87 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1987/88 milk year by Council Regulation (EEC) No 1595/87 ⁽⁵⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 11 of that Regulation respectively; whereas this method consists in adding together the various components defined in those Articles;

Whereas Commission Regulation (EEC) No 1073/68 of 24 July 1968 laying down detailed rules for determining

free-at-frontier prices and for fixing levies in respect of milk and milk products ⁽⁶⁾, provides that the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk powder contained in the product and the product itself is, for the products falling within subheading 04.02 B I b), calculated by multiplying the basic amount by the quantity of milk powder contained in the product; whereas the same applies to products falling within subheading 04.02 B II b) as regards the component of the levy fixed by means of a coefficient expressing the weight ratio between the milk components contained in the product and the product itself;

Whereas the basic amount must be equal to one hundredth part of the levy set out for each product in the second subparagraph of Article 9 (1) and the second subparagraph of Article 9 (2) of Regulation (EEC) No 1073/68;

Whereas Annex II to Regulation (EEC) No 2915/79 listed certain products of Group 11 originating in and consigned from certain non-member countries; whereas the levy applicable to these products is set out in Annex I to Regulation (EEC) No 1767/82 ⁽⁷⁾, as last amended by Regulation (EEC) No 3048/87 ⁽⁸⁾;

Whereas Commission Regulation (EEC) No 3700/81 of 23 December 1981 ⁽⁹⁾ laid down detailed interim rules in respect of the cheese agreements with Austria and Finland;

Whereas, within the tariff quotas referred to in Annex I to Regulation (EEC) No 1767/82, the levy on 100 kilograms of a product of Group 10 or 11 or falling within subheadings 04.04 E I b) 1 and b) 2 shall be the amount fixed in that Annex;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 285, 8. 10. 1987, p. 1.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 213, 4. 8. 1987, p. 1.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 33.

⁽⁶⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽⁷⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁸⁾ OJ No L 289, 13. 10. 1987, p. 18.

⁽⁹⁾ OJ No L 369, 24. 12. 1981, p. 33.

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Regulation (EEC) No 1073/68 provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 (a) 2 and (b) to (g) of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

Whereas Regulation (EEC) No 788/86 ⁽¹⁾, as amended by Regulation (EEC) No 1927/86 ⁽²⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland.

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity,

quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas, if the levy 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 coefficient provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽³⁾, as amended by Regulation (EEC) No 1636/87 ⁽⁴⁾,

⁽¹⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽²⁾ OJ No L 167, 24. 6. 1986, p. 11.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 these provisions that the levies on milk and milk products should be as set out in the Annex hereto;

Whereas Commission Regulation (EEC) No 1826/87⁽¹⁾ provisionally fixed the import levies on products processed from milk and milk products as from 1 July 1987; whereas they should be adjusted to take account of the decisions taken in respect of prices by the Council,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14(1) of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

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 16 October 1987.

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 173, 30. 6. 1987, p. 7.

ANNEX

to the Commission Regulation of 15 October 1987 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.01 A I a)	0110	31,32
04.01 A I b)	0120	28,91
04.01 A II a) 1	0130	28,91
04.01 A II a) 2	0140	35,79
04.01 A II b) 1	0150	27,70
04.01 A II b) 2	0160	34,58
04.01 B I	0200	75,18
04.01 B II	0300	159,03
04.01 B III	0400	245,77
04.02 A I	0500	32,43
04.02 A II a) 1	0620	140,92
04.02 A II a) 2	0720	216,17
04.02 A II a) 3	0820	218,59
04.02 A II a) 4	0920	258,35
04.02 A II b) 1	1020	133,67
04.02 A II b) 2	1120	208,92
04.02 A II b) 3	1220	211,34
04.02 A II b) 4	1320	251,10
04.02 A III a) 1	1420	30,88
04.02 A III a) 2	1520	41,69
04.02 A III b) 1	1620	159,03
04.02 A III b) 2	1720	245,77
04.02 B I a)	1820	36,27
04.02 B I b) 1 aa)	2220	per kg 1,3367 (*)
04.02 B I b) 1 bb)	2320	per kg 2,0892 (*)
04.02 B I b) 1 cc)	2420	per kg 2,511 (*)
04.02 B I b) 2 aa)	2520	per kg 1,3367 (*)
04.02 B I b) 2 bb)	2620	per kg 2,0892 (*)
04.02 B I b) 2 cc)	2720	per kg 2,511 (*)
04.02 B II a)	2820	53,76
04.02 B II b) 1	2910	per kg 1,5903 (*)
04.02 B II b) 2	3010	per kg 2,4577 (*)
04.03 A	3110	289,14
04.03 B	3210	352,75
04.04 A	3300	265,98 (*)
04.04 B	3900	382,02 (*)
04.04 C	4000	157,44 (*)
04.04 D I a)	4410	210,76 (*)
04.04 D I b)	4510	219,64 (*)
04.04 D II	4610	316,36
04.04 E I a)	4710	382,02
04.04 E I b) 1	4800	247,76 (*)

(ECU/100 kg net weight, unless otherwise indicated)

CCT heading No	Code	Import levy
04.04 E I b) 2	5000	230,26 ⁽¹¹⁾
04.04 E I c) 1	5210	172,70
04.04 E I c) 2	5250	326,98
04.04 E II a)	5310	382,02
04.04 E II b)	5410	326,98
17.02 A II	5500	42,54 ⁽¹²⁾
21.07 F I	5600	42,54
23.07 B I a) 3	5700	102,67
23.07 B I a) 4	5800	133,42
23.07 B I b) 3	5900	125,43
23.07 B I c) 3	6000	104,45
23.07 B II	6100	133,42

- (¹) For the purposes of this tariff subheading, 'special milk for infants' means products free from pathogenic toxicogenic germs and containing per gram less than 10 000 revivable aerobic bacteria and less than two coliform bacteria.
- (²) Inclusion under this tariff subheading is subject to conditions to be laid down by the competent authorities.
- (³) In calculating the fat content the weight of any added sugar shall be disregarded.
- (⁴) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product;
 - (b) 7,25 ECU; and
 - (c) 26,31 ECU.
- (⁵) The levy on 100 kg of product falling within this subheading is equal to the sum of the following components:
- (a) the amount per kg shown, multiplied by the weight of milk and cream contained in 100 kg of product; and
 - (b) 26,31 ECU.
- (⁶) The levy is limited to:
- 18,13 ECU per 100 kg net weight for products listed under (a) in Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (c) of that Annex imported from Finland and for products listed under (d) of that Annex imported from Austria,
 - 9,07 ECU per 100 kg net weight for products listed under (b) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland.
- (⁷) The levy is limited to 6 % of the customs value for imports from Switzerland, in accordance with Article 1 (3) of Regulation (EEC) No 1767/82.
- (⁸) The levy is limited to 60 ECU per 100 kg net weight for products listed under (p) of Annex I to Regulation (EEC) No 1767/82 imported from Austria.
- (⁹) The levy is limited to 36,27 ECU per 100 kg net weight for products listed under (h) of Annex I to Regulation (EEC) No 1767/82 imported from Switzerland and for products listed under (i) of that Annex imported from Finland and for products listed under (k) of that Annex imported from Austria.
- (¹⁰) The levy per 100 kg net weight is limited to:
- 12,09 ECU for products listed under (e) of Annex I to Regulation (EEC) No 1767/82 imported from Canada,
 - 15,00 ECU for products listed under (f) and (g) of that Annex imported from Australia or New Zealand.
- (¹¹) The levy is limited to:
- 77,70 ECU per 100 kg net weight for products listed under (l) of Annex I to Regulation (EEC) No 1767/82 imported from Romania or Switzerland,
 - 60 ECU for products listed under (p) of that Annex imported from Austria and for products listed under (s) of that Annex imported from Finland,
 - 101,88 ECU per 100 kg net weight for products listed under (m) of that Annex imported from Romania or Switzerland,
 - 65,61 ECU per 100 kg net weight for products listed under (n) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey or Yugoslavia and for products listed under (o) of that Annex imported from Bulgaria, Hungary, Israel, Romania, Turkey, Cyprus or Yugoslavia,
 - 55 ECU per 100 kg net weight for products listed under (r) of that Annex imported from Norway,
 - 18,13 ECU per 100 kg net weight for products listed under (q) of that Annex imported from Finland,
 - 15,00 ECU for products listed under (g) of that Annex imported from Australia and New Zealand.
- (¹²) Lactose and lactose syrup falling within subheading 17.02 A I are, in pursuance of Regulation (EEC) No 2730/75, subject to the same levy as that applicable to lactose and lactose syrup falling within subheading 17.02 A II.
- (¹³) For the purposes of tariff subheading ex 23.07 B 'milk products' means the products falling within tariff headings and subheadings 04.01, 04.02, 04.03, 04.04, 17.02 A and 21.07 F I.
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COMMISSION REGULATION (EEC) No 3088/87
of 14 October 1987
on the supply of refined rapeseed oil to the World Food Programme (WFP) as
food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid management ⁽¹⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽²⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 15 April 1987 on the supply of food aid to WFP, the Commission allocated to the latter organization 137 tonnes of refined rapeseed oil to be supplied free at port of shipment;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽³⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of refined rapeseed oil to WFP in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 14 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1 and corrigendum OJ No L 42, 12. 2. 1987, p. 54.

⁽²⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽³⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No⁽¹⁾**: 916/87
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome, telex 626675 WFP
4. **Representative of the recipient⁽²⁾**: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Algeria
6. **Product to be mobilized**: refined rapeseed oil
7. **Characteristics and quality of the goods⁽³⁾**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under IIIA.1)
8. **Total quantity**: 137 tonnes net
9. **Number of lots**: 1
10. **Packaging and marking**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.B):
 - metal cans of 5 litres or 5 kilograms,
 - the cans must carry the following wording:
'ACTION N° 916/87 / HUILE DE COLZA / ALGÉRIE 0318101 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / ALGER'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 to 31 December 1987
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁴⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 3 November 1987 not later than 12 noon. Tenders shall be valid until 12 midnight on 4 November 1987
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 17 November 1987 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 18 November 1987
 - (b) period for making the goods available at the port of shipment: 15 December 1987 to 15 January 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 15 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁵⁾**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi,
B-1049 Bruxelles
Telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer**: —

Notes:

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to contact by the successful tenderer:
Mr Jesse, rue Arezki Abri 36, Hydra 16300 Alger — telex 66067 EURAL DZ.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:
- certificate of origin,
 - health certificate.
- (4) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
- 235 01 32
236 10 97
235 01 30
236 20 05
-

COMMISSION REGULATION (EEC) No 3089/87

of 15 October 1987

altering certain time limits given in Regulation (EEC) No 2262/87 laying down rules applying to the export of intervention butter for social use in developing countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2262/87 ⁽³⁾, as amended by Regulation (EEC) No 2745/87 ⁽⁴⁾, lays down certain time limits before which the butter is to be taken over, exported or imported, possibly in the form of butteroil; whereas a delay in publishing Regulation (EEC) No 2745/87 makes these time limits too close; whereas they should be put back by one month;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7a (7) of Regulation (EEC) No 2262/87 '1 October 1987' is replaced by '1 November 1987', '15 November 1987' by '15 December 1987' and '15 December 1987' by '15 January 1988'.

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 October 1987.

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

Done at Brussels, 15 October 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 208, 30. 7. 1987, p. 18.

⁽⁴⁾ OJ No L 264, 15. 9. 1987, p. 7.

COMMISSION REGULATION (EEC) No 3090/87
of 15 October 1987
on the supply of refined rapeseed oil to Ethiopia as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid management ⁽¹⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽²⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 30 June 1987 on the supply of food aid to Ethiopia, the Commission allocated to this country 800 tonnes of refined rapeseed oil to be supplied free at port of landing — landed;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽³⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of refined rapeseed oil to Ethiopia in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1 and corrigendum OJ No L 42, 12. 2. 1987, p. 54.

⁽²⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽³⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** ⁽¹⁾: 929/87.
2. **Programme**: 1987
3. **Recipient**: Ethiopia
4. **Representative of the recipient** ⁽²⁾ (Europe): Ambassade de l'Ethiopie, Bd. St. Michel 32, B-1040 Bruxelles. Telex 62285 ETH BRU B. (Ethiopia): Relief and Rehabilitation Commission (RRC), PO Box 5686 Addis Ababa, cable REHAB, Tel. 15 30 11
5. **Place or country of destination**: Ethiopia
6. **Product to be mobilized**: refined rapeseed oil
7. **Characteristics and quality of the goods** ⁽³⁾:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.A.1)
8. **Total quantity**: 800 tonnes net
9. **Number of lots**: 1
10. **Packaging and marking**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.B):
 - metal cans of 5 litres or 5 kilograms,
 - the cans must carry the following wording:
'ACTION No 929/87 / FOOD AID OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF ETHIOPIA',
and indication of the month of shipment. The month of shipment must be indicated in abbreviated form, e.g. X.86, for October 1986.
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing ⁽⁴⁾ — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Assab / Massawa ⁽⁵⁾
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment stage**: 1 to 31 December 1987
18. **Deadline for the supply**: 31 January 1988
19. **Procedure for determining the costs of supply** ⁽⁶⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 3 November 1987 not later than 12 noon. Tenders shall be valid until 12 midnight on 4 November 1987
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 17 November 1987 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 18 November 1987
 - (b) period for making the goods available at the port of shipment: 15 December 1987 to 15 January 1988
 - (c) deadline for the supply: 15 February 1988
22. **Amount of the tendering security**: 15 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders** ⁽⁷⁾:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi,
B-1049 Bruxelles
Telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (1) The operation number is to be quoted in all correspondence.
 - (2) Commission delegate to contact by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
 - (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (4) The following should be included in the charter party :
 - 'Food-aid consignment from the European Economic Community ; since the freight charges do not include coordination or supervision costs, the US \$ 1,5 tax normally paid must not be applied in the case of this ship'.
 - (5) The choice between the ports of Assab and Massawa remains open ; the decision as to which one has been chosen will be notified not later than when the ship enters Ethiopian waters.
 - (6) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (7) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
-

COMMISSION REGULATION (EEC) No 3091/87
of 15 October 1987
on the supply of common wheat to Madagascar as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid management ⁽¹⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽²⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, by its Decision of 5 June 1987 on the supply of food-aid to Madagascar the Commission allocated to the latter country 25 000 tonnes of cereals to be supplied free-at-port of shipment;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid ⁽³⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to Madagascar in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

¹⁾ OJ No L 370, 30. 12. 1986, p. 1 and corrigendum OJ No L 42, 12. 2. 1987, p. 54.

²⁾ OJ No L 136, 26. 5. 1987, p. 1.

³⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No** ⁽¹⁾: 838/87, 839/87, 840/87
2. **Programme**: 1987
3. **Recipient**: Madagascar (Régie malgache des monopoles fiscaux pour compte État Malgache, Ministère des Finances, boîte postale 23 Antananarivo)
4. **Representative of the recipient** ⁽²⁾: Ambassade de la république démocratique de Madagascar, Avenue de Tervuren 276, B-1150 Bruxelles, Tél. 770 17 26 telex 61197 MAD Bruxelles
5. **Place or country of destination**: Madagascar
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II. A.1) Specific characteristics: Hagberg falling number of at least 160.
8. **Total quantity**: 25 000 tonnes
9. **Number of lots**: Three (I: 5 000 tonnes / II: 10 000 tonnes / III: 10 000 tonnes)
10. **Packaging**: in bulk, plus
 - for: lot No I: 105 000 and lot Nos II and III: 210 000 empty new jute sacks, minimum weight 600 g, of a capacity of 50 kilograms, and for each lot 75 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high:
 - Lot I: ACTION N° 838/87 / FROMENT / DON DE LA COMMUNAUTÉ EUROPÉENNE À LA RÉPUBLIQUE DE MADAGASCAR
 - Lot II: 'ACTION N° 839/87 / FROMENT / DON DE LA COMMUNAUTÉ EUROPÉENNE À LA RÉPUBLIQUE DE MADAGASCAR'
 - Lot III: 'ACTION N° 840/87 / FROMENT / DON DE LA COMMUNAUTÉ EUROPÉENNE À LA RÉPUBLIQUE DE MADAGASCAR'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: Toamasina
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**:
 - I: 1 to 31 December 1987
 - II: 1 to 31 March 1988
 - III: 1 to 31 May 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 3 November 1987
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 17 November 1987
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: I: 5 to 31 December 1987 / II: 5 to 31 March 1988 / III: 5 to 31 May 1988.
22. **Amount of the tendering security**: 5 ECU/tonne.
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU.
24. **Address for submission of tenders** ⁽⁴⁾:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B — 1049 Bruxelles, Telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾:
Refund applicable on 15 October 1987 fixed by Regulation (EEC) No 2891/87 in *Official Journal of the European Communities* No L 275 of 29 September 1987, p. 28.

Notes :

- (¹) The operation number is to be quoted in all correspondence.
 - (²) Commission delegate to contact by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
 - (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned have not been exceeded.
 - (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
 - either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
 - 236 20 05
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - (⁵) Regulation (EEC) No 2330/87 (OJ L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

COMMISSION REGULATION (EEC) No 3092/87

of 15 October 1987

fixing the aid for soya beans

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 1491/85
of 23 May 1985 laying down special measures in respect
of soya beans ⁽¹⁾, as amended by Regulation (EEC) No
1921/87 ⁽²⁾; and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1)
of Regulation (EEC) No 1491/85 was fixed by Commis-
sion Regulation (EEC) No 2946/87 ⁽³⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2946/87 to

the information at present available to the Commission
that the amount of the aid at present in force should be
altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of amended Regulation
(EEC) No 1491/85 is hereby fixed in the Annex.

Article 2

This Regulation shall enter into force on 16 October
1987.

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 183, 3. 7. 1987, p. 19.

⁽³⁾ OJ No L 278, 1. 10. 1987, p. 75.

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	33,646	33,646
— Portugal	21,820	0,000	33,646
— another Member State	21,820	33,646	33,646

COMMISSION REGULATION (EEC) No 3093/87

of 15 October 1987

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 3127/86⁽²⁾, and in particular Article 3 (6) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Council Regulation (EEC) No 2889/87⁽⁴⁾, and in particular Article 24 thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 1958/87⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products;

Whereas, under Article 1 of Commission Regulation (EEC) No 2049/82⁽⁷⁾, as last amended by Regulation (EEC) No 1238/87⁽⁸⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽⁹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas the world market price for peas, field beans and sweet lupins was fixed by Regulation (EEC) No 1935/87⁽¹⁰⁾;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽¹¹⁾, as last amended by Regulation (EEC) No 1636/87⁽¹²⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 292, 16. 10. 1986, p. 1.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 275, 29. 9. 1987, p. 23.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 184, 3. 7. 1987, p. 3.

⁽⁷⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽⁸⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽⁹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁰⁾ OJ No L 185, 4. 7. 1987, p. 21.

⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹²⁾ OJ No L 153, 13. 6. 1987, p. 1.

these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor ;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

Article 2

This Regulation shall enter into force on 16 October 1987.

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	(¹) 6th period 4
Peas used :							
— in Spain	12,447	12,627	12,807	12,987	13,167	13,347	13,527
— in Portugal	12,498	12,678	12,858	13,038	13,218	13,398	13,578
— in another Member State	12,880	13,060	13,240	13,420	13,600	13,780	13,960
Field beans used :							
— in Spain	12,880	13,060	13,240	13,420	13,600	13,780	13,960
— in Portugal	12,498	12,678	12,858	13,038	13,218	13,398	13,578
— in another Member State	12,880	13,060	13,240	13,420	13,600	13,780	13,960

Products used in animal feed

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Peas and field beans used :							
— in Spain	13,010	12,976	13,156	13,265	13,445	13,625	13,805
— in Portugal	12,696	12,653	12,833	12,939	13,119	13,299	13,479
— in another Member State	13,119	13,088	13,268	13,378	13,558	13,738	13,918
Sweet lupins harvested :							
A. and used in Spain	14,269	13,983	13,983	13,888	13,888	13,888	13,888
B. in another Member State and :							
— used in Portugal	15,422	15,125	15,125	15,026	15,026	15,026	15,026
— used in other Member States	15,986	15,704	15,704	15,611	15,611	15,611	15,611

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvest in :							
— BLEU (Bfrs/Lfrs)	619,09	627,74	636,39	645,04	653,69	662,35	671,00
— Denmark (Dkr)	112,76	114,34	115,92	117,49	119,07	120,64	122,22
— Federal Republic of Germany (DM)	30,72	31,15	31,58	32,01	32,44	32,87	33,30
— Greece (Dr)	981,42	1 005,00	1 028,58	1 052,16	1 075,74	1 099,32	1 122,89
— Spain (Pta)	1 986,26	2 014,02	2 041,78	2 069,54	2 097,30	2 125,06	2 152,81
— France (FF)	96,26	97,60	98,95	100,29	101,64	102,98	104,33
— Ireland (£ Irl)	10,694	10,843	10,993	11,143	11,292	11,442	11,592
— Italy (Lit)	20 704	20 994	21 285	21 575	21 866	22 156	22 446
— Netherlands (Fl)	34,44	34,92	35,40	35,88	36,36	36,85	37,33
— Portugal (Esc)	2 166,52	2 197,46	2 228,41	2 259,35	2 290,29	2 321,23	2 352,18
— United Kingdom (£)	7,026	7,145	7,264	7,383	7,502	7,621	7,741

Amounts to be deducted in the case of :

- peas used in Spain (Pta) 66,77
- peas and field beans used in Portugal (Esc) 65,60

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	630,58	629,09	637,74	643,02	651,68	660,33	668,98
— Denmark (Dkr)	114,86	114,59	116,16	117,12	118,70	120,28	121,85
— Federal Republic of Germany (DM)	31,29	31,22	31,65	31,91	32,34	32,77	33,20
— Greece (Dr)	1 022,65	1 009,83	1 033,41	1 044,91	1 068,49	1 092,07	1 115,65
— Spain (Pta)	2 023,12	2 018,34	2 046,10	2 063,06	2 090,82	2 118,58	2 146,34
— France (FF)	98,04	97,81	99,16	99,98	101,32	102,67	104,02
— Ireland (£ Irl)	10,892	10,867	11,016	11,108	11,257	11,407	11,557
— Italy (Lit)	21 091	21 040	21 330	21 507	21 798	22 088	22 378
— Netherlands (Fl)	35,08	35,00	35,48	35,77	36,25	36,73	37,21
— Portugal (Esc)	2 208,27	2 202,35	2 233,30	2 252,01	2 282,95	2 313,90	2 344,84
— United Kingdom (£)	7,205	7,166	7,285	7,352	7,471	7,590	7,709
Amounts to be deducted in the case of use :							
— Spain (Pta)	16,81	17,27	17,27	17,43	17,43	17,43	17,43
— Portugal (Esc)	72,64	74,70	74,70	75,39	75,39	75,39	75,39

ANNEX IV

Corrective amount in national currency to be added to the amounts in Annex III, per 100 kilograms

Use of the products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	115,37	0,00	0,13	0,52	1,31	0,00	7,68	56,33
— Denmark (Dkr)	0,00	0,00	0,00	21,01	0,00	0,02	0,09	0,24	0,00	1,40	10,26
— Federal Republic of Germany (DM)	0,00	0,00	0,00	5,73	0,00	0,01	0,03	0,06	0,00	0,38	2,80
— Greece (Dr)	0,00	0,00	0,00	414,07	0,00	0,47	1,86	4,70	0,00	27,58	202,15
— Spain (Pta)	0,00	0,00	0,00	370,16	0,00	0,42	1,66	4,20	0,00	24,65	180,72
— France (FF)	0,00	0,00	0,00	17,95	0,00	0,02	0,08	0,20	0,00	1,20	8,76
— Ireland (£ Irl)	0,000	0,000	0,000	1,998	0,000	0,002	0,009	0,023	0,000	0,133	0,975
— Italy (Lit)	0	0	0	3 883	0	4	17	44	0	259	1 896
— Netherlands (Fl)	0,00	0,00	0,00	6,42	0,00	0,01	0,03	0,07	0,00	0,43	3,13
— Portugal (Esc)	0,00	0,00	0,00	419,35	0,00	0,47	1,88	4,76	0,00	27,93	204,73
— United Kingdom (£)	0,000	0,000	0,000	1,800	0,000	0,002	0,008	0,020	0,000	0,120	0,879

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	768,38	754,83	754,83	750,36	750,36	750,36	750,36
— Denmark (Dkr)	139,96	137,49	137,49	136,67	136,67	136,67	136,67
— Federal Republic of Germany (DM)	38,13	37,46	37,46	37,23	37,23	37,23	37,23
— Greece (Dr)	1 402,23	1 353,58	1 353,58	1 337,54	1 337,54	1 337,54	1 337,54
— Spain (Pta) (1)	2 200,47	2 156,36	2 156,36	2 141,71	2 141,71	2 141,71	2 141,71
— France (FF)	119,48	117,37	117,37	116,67	116,67	116,67	116,67
— Ireland (£ Irl)	13,276	13,042	13,042	12,964	12,964	12,964	12,964
— Italy (Lit)	25 716	25 260	25 260	25 110	25 110	25 110	25 110
— Netherlands (Fl)	42,74	41,99	41,99	41,74	41,74	41,74	41,74
— Portugal (Esc)	2 701,39	2 652,13	2 652,13	2 635,88	2 635,88	2 635,88	2 635,88
— United Kingdom (£)	9,111	8,899	8,899	8,830	8,830	8,830	8,830
Amounts to be deducted in the case of use in Portugal (Esc)	96,85	99,43	99,43	100,46	100,46	100,46	100,46

(1) The aid is not granted for sweet lupins exchanged between Spain and the other Member States (Article 28 of Regulation (EEC) No 3540/85).

ANNEX VI

Corrective amount in the national currency to be added to amounts in Annex V, per 100 kilograms

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	83,91	0,00	0,10	0,38	0,95	0,00	5,59	40,97
— Denmark (Dkr)	0,00	0,00	0,00	15,28	0,00	0,02	0,07	0,17	0,00	1,02	7,46
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,16	0,00	0,00	0,02	0,05	0,00	0,28	2,03
— Greece (Dr)	0,00	0,00	0,00	301,14	0,00	0,34	1,35	3,42	0,00	20,06	147,02
— Spain (Pta)	0,00	0,00	0,00	269,21	0,00	0,30	1,21	3,06	0,00	17,93	131,43
— France (FF)	0,00	0,00	0,00	13,05	0,00	0,01	0,06	0,15	0,00	0,87	6,37
— Ireland (£ Irl)	0,000	0,000	0,000	1,453	0,000	0,002	0,007	0,016	0,000	0,097	0,709
— Italy (Lit)	0	0	0	2 824	0	3	13	32	0	188	1 379
— Netherlands (Fl)	0,00	0,00	0,00	4,67	0,00	0,01	0,02	0,05	0,00	0,31	2,28
— Portugal (Esc)	0,00	0,00	0,00	304,98	0,00	0,35	1,37	3,46	0,00	20,31	148,89
— United Kingdom (£)	0,000	0,000	0,000	1,309	0,000	0,001	0,006	0,015	0,000	0,087	0,639

ANNEX VII

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	157,322	136,515	6,90403	0,768411	1 493,34	2,31943	161,165	0,688203

COMMISSION REGULATION (EEC) No 3094/87

of 15 October 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 last 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 16 October 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, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 15 October 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) — zones I, II a), III, V, VI and VII — zone IV — Ceuta and Melilla — Cameroon, Gabon, Niger, Burkina Faso, Mali, Congo, the Ivory Coast, Senegal, Benin, Togo — other third countries	107,00 112,00 20,00 25,00 117,00 130,00 15,00
10.01 B II	Durum wheat for exports to : — zones I, II and III — other third countries	165,00 ⁽³⁾ 25,00 ⁽³⁾
10.02	Rye for exports to : — Switzerland, Austria and Liechtenstein — other third countries	10,00 25,00
10.03	Barley for exports to : — Switzerland, Austria and Liechtenstein — zone II b) — other third countries	114,00 119,00 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	159,00 159,00 142,00 133,00 124,00 113,00

(ECU / tonne)		
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	159,00
	— of an ash content of 701 to 1 150	159,00
	— of an ash content of 1 151 to 1 600	159,00
	— of an ash content of 1 601 to 2 000	159,00
11.02 A I a)	Durum wheat groats and meal	
	— of an ash content of 0 to 1 300 ⁽¹⁾	277,00 ⁽³⁾
	— of an ash content of 0 to 1 300 ⁽²⁾	262,00 ⁽³⁾
	— of an ash content of 0 to 1 300	234,00 ⁽³⁾
	— of an ash content of more than 1 300	221,00 ⁽³⁾
ex 11.02 A I b)	Common wheat groats and meal :	
	— of an ash content of 0 to 520	159,00

⁽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 1548/87 (OJ No L 144, 4. 6. 1987).

COMMISSION REGULATION (EEC) No 3095/87

of 15 October 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 last 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 16 October 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, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 15 October 1987 fixing the corrective amount applicable to the refund on cereals

CCT heading No	Description	(ECU/tonne)						
		Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
10.01 B I	Common wheat and meslin for exportation to : — Cameroon, Gabon, Niger, Burkina Faso, Mali, Congo, the Ivory Coast, Senegal, Benin, Togo — other third countries	0 0	0 0	0 0	0 — 6,00	0 — 6,00	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	— 6,00	— 6,00	—	—
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 1548/87 (OJ No L 144, 4. 6. 1987).

COMMISSION REGULATION (EEC) No 3096/87

of 15 October 1987

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 28 September to 4 October 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 28 September to 4 October 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 28 September to 4 October 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 28 September 1987.

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

Done at Brussels, 15 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 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 28 September to 4 October 1987

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 September 1987

relating to a proceeding under Article 85 of the EEC Treaty

(IV/31.739 — Internationale Dentalschau)

(Only the German text is authentic)

(87/509/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 17 of 6 February 1962, First Regulation implementing Articles 85 and 86 of the Treaty⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal, and in particular Articles 2, 4, 6 and 8 thereof,

Having regard to the application submitted by the Verband der Deutschen Dental-Industrie eV (VDDI — German Dental Industry Association) for negative clearance or for exemption under Article 85 (3) of the EEC Treaty in respect of the 'special participation conditions' governing participation in the *Internationale Dentalschau* (IDS — International Dental Exhibition),

Having published a summary of the 'special participation conditions'⁽²⁾, pursuant to Article 19 (3) of Regulation No 17,

Having consulted the Advisory Committee on Restrictive Practices and Monopolies,

Whereas :

I. THE FACTS

- (1) On 30 December 1985, the Verband der Deutschen Dental-Industrie (VDDI — German Dental Industry Association) notified the Commission of the 'special participation conditions' applicable to

participants in the IDS and applied for negative clearance under Article 2 of Regulation No 17, or alternatively for exemption under Article 85 (3) of the EEC Treaty.

- (2) The VDDI is a registered association under German law. Its purpose is to represent the interests of dental manufacturers *vis-à-vis* the authorities and the other sectors of the economy. Any natural or legal person who is established in the Federal Republic of Germany or West Berlin, and manufactures dental articles on an industrial basis there, may become a member.
- (3) Every three years, the VDDI holds the International Dental Exhibition at various locations in the Federal Republic. The IDS is held in collaboration with the local trade fair association, under the auspices of the VDDI and with the trade fair association handling the actual organization. The VDDI has laid down rules governing admission to the IDS in the form of 'special participation conditions'. In accordance with the VDDI's contract with the relevant trade fair association, the latter must incorporate the 'special participation conditions' into its contract with each individual exhibitor.
- (4) Dental products and equipment of all kinds are displayed at the exhibition. Since 1921, when it was first held, the VDDI's IDS has become the largest dental exhibition in the world. In 1983, the surface area covered by the exhibition was about 15 000 square metres. Roughly a third of the exhibitors are foreign manufacturers.
- (5) Admission to the exhibition is decided on by a VDDI committee in consultation with the trade fair association.

⁽¹⁾ OJ No 13, 21. 2. 1962, p. 204/62.

⁽²⁾ OJ No C 167, 25. 6. 1987, p. 3.

- (6) The 'special participation conditions' are to be applied for the first time at the 1989 exhibition. The main provisions may be summarized as follows:

— The exhibition is open to all domestic and foreign manufacturers exhibiting products of their own or others' manufacture. Products manufactured by other manufacturers may be included only if they are not being exhibited by the relevant manufacturer itself. The exhibition is also open to importers and dealers. Importers and dealers participating in the exhibition must submit a list of the products they intend to display. If the exhibition space available is limited, so that the display of one and the same product by a number of exhibitors would prevent other products from being exhibited at all, the number of exhibitors for one and the same product may be restricted, or only one exhibitor allowed per product. When limited exhibition space gives rise to a selective procedure amongst several exhibitors, priority is given to the manufacturer ahead of the distributor or importer. If the manufacturer has nominated no distributor or importer, priority is given to those who applied first. Would-be exhibitors are then selected in the following order of priority:

1. manufacturers;
2. importers or dealers appointed by manufacturers;
3. other importers or dealers in the order in which their application was received.

Companies associated with the exhibiting undertakings (holding 50 % or more of the company concerned) are admitted as exhibitors only if they intend to exhibit products not already exhibited by the parent company with which they are associated.

— Exhibitors may not take part in any other exhibition of dental products in the Federal Republic for a period of three months before and two months after the IDS (period of restraint). This does not apply to 'open days' organized by exhibitors, but it does apply to displays organized by individual companies in conjunction with a dentistry congress, unless the display involves the exhibiting of products directly connected with symposia or congresses on specialized areas of dentistry. The period of restraint also applies to firms associated with the exhibiting undertaking (as defined above) if, during the period of restraint, they have exhibited the same products as those shown at the IDS.

— Penalties are imposed on exhibitors which fail to comply with the period-of-restraint rule. The exhibitor may be barred from the current IDS and the subsequent exhibition; either all or half the participation fees paid are forfeited, depending on when the infringement is discovered.

— Where admission is refused or penalties imposed, the undertaking concerned may refer the matter to an arbitration tribunal. The details of the procedure are laid down in an arbitration code. Where an undertaking is refused admission to the exhibition on the grounds of a lack of space, the burden of proof lies with the organizer.

- (7) The arbitration code stipulates that the arbitration tribunal must consist of three arbitrators. The VDDI and the exhibitor each designate an arbitrator; the two arbitrators designated then appoint an umpire. If the arbitrators cannot agree on an umpire, he is appointed by the Chairman of the Cologne Chamber of Industry and Commerce. The arbitration tribunal may reach its decision on the basis of the documents submitted; if one of the parties requests oral proceedings, such proceedings must be carried out. The grounds of the arbitration award must be set out in writing.

- (8) In the course of the proceeding, the VDDI partially clarified and extended the 'special participation conditions'. In particular, it became clear that a limitation on the number of exhibitors for the same product would occur only because of lack of space. It was also made clear that the period-of-restraint rule applied only to exhibitions in the Federal Republic and, in the case of associated undertakings, only if the products concerned were also to be exhibited at the IDS.

- (9) Following the publication of a Notice under Article 19 (3) of Regulation No 17, the Commission received the observations of the Association Dentaire Française opposing exemption for the period-of-restraint rule.

II. LEGAL ASSESSMENT

A. Article 85 (1)

- (10) Article 85 (1) of the Treaty prohibits as incompatible with the common market all agreements between undertakings, decisions of associations of undertakings and concerted practices which may affect trade between Member States and which have as their object or effect the prevention, restriction or distortion of competition within the common market.

- (11) Article 85 (1) applies to the 'special participation conditions' laid down by the VDDI for admission to the IDS:
- (12) 1. The VDDI is an association of undertakings within the meaning of Article 85. The 'special participation conditions' drawn up by the VDDI constitute a decision by an association of undertakings. In so far as the relevant trade fair association is required by the VDDI to incorporate the 'special participation conditions' into its contract with each individual exhibitor, what is involved is an agreement between an association of undertakings and an undertaking.
- (13) 2. The 'special participation conditions' have as their object and effect the restriction of competition within the common market:
- (14) (a) The rule on the period of restraint restricts competition in the following ways:
- Competition between the organizers of exhibitions of dental articles is restricted in that other organizers are prevented, during the period of restraint laid down by the VDDI, from securing the participation of exhibitors who also wish to exhibit at the IDS,
 - competition between manufacturers and importers of and dealers in dental articles is restricted in that, during the period of restraint, they may not participate in both the IDS and other exhibitions of dental articles, and are thus prevented from making use of other exhibition and marketing opportunities in the Federal Republic of Germany;
- (15) (b) The rules on the procedure for admission to the IDS have the effect of restricting competition between exhibitors wishing to display the same articles in that, because of limited exhibition space available, the number of exhibitors of one and the same product may be restricted or only one exhibitor allowed per product.
- (16) 3. These restrictions of competition are liable to affect trade between Member States:
- (17) (a) — During the period of restraint, other organizers of dental exhibitions are deprived of the opportunity of securing the exhibition of products which are also being displayed at the IDS. Since the IDS is an important exhibition with a substantial proportion of foreign participants, the result is that only a limited and incomplete range of dental articles from other Member States can be presented at other exhibitions,
- manufacturers and dealers from other Member States and importers of products from other Member States are prevented during the period of restraint from participating in the Federal Republic of Germany in exhibitions other than the IDS;
- (18) (b) The rule that, where exhibition space available is limited, the number of exhibitors of one and the same product may be restricted or only one exhibitor per product allowed prevents different forms of distribution and service from being presented for products manufactured in other Member States or products imported from other Member States.

B. Article 85 (3)

- (19) Under Article 85 (3) of the Treaty, the provisions of Article 85 (1) may be declared inapplicable in the case of any decision by an association of undertakings which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not:
- (a) impose on the undertakings concerned restrictions which are not indispensable to the attainment of these objectives;
- or
- (b) afford such undertakings the possibility of eliminating competition in respect of a substantial part of the products in question.
- (20) Both the period-of-restraint rule and the provisions governing admission satisfy the requirements laid down in Article 85 (3). The Commission has on a number of occasions⁽¹⁾ stated that it is prepared to exempt agreements and arrangements relating to fairs and exhibitions where they achieve rationalization and cost-savings and also present advantages to consumers which objectively outweigh the restrictive elements involved:

⁽¹⁾ Commission Decisions: 69/90/EEC, EMO (OJ No L 69, 20. 3. 1969, p. 13); 71/337/EEC, Cematex (OJ No L 227, 8. 10. 1971, p. 26); 75/498/EEC, UNIDI (OJ No L 228, 29. 8. 1975, p. 14); 77/722/EEC, BPICA (OJ No L 299, 23. 11. 1977, p. 18); 83/666/EEC, SMM & T (OJ No L 376, 31. 12. 1983, p. 1); 86/499/EEC, VIFKA (OJ No L 291, 15. 10. 1986, p. 46).

- (21) 1. The period-of-restraint rule and the provisions governing admission contribute to improving the distribution of dental articles and to promoting economic progress :
- (22) (a) The period of restraint ensures that, because of the concentration of exhibitors, as complete a range of dental articles as is possible can be presented to customers. The simultaneous presentation of a virtually complete range also creates an additional incentive for competition between exhibitors. Manufacturers and importers of, and dealers in, dental products can cut their distribution costs since, in marketing their products, they need participate only in those exhibitions which attract the largest numbers of customers.
- (23) (b) The purpose of the restriction which may be imposed on the admission of exhibitors wishing to exhibit the same article is similarly to ensure that the range of dental articles exhibited is as complete as possible. Such restrictions ensure that the multiple display of certain articles does not prevent a complete range of dental articles from being presented.
- (24) 2. The consumer, i.e. the purchaser of dental articles, is allowed a fair share of the resulting benefit. The periodic organization of the IDS enables consumers to gain a comprehensive view of the range of products available without having to travel from one exhibition to another in order to see all the available products before making their choice. It is also likely that concentration on one exhibition leads to lower distribution costs and, to that extent, lower selling prices, thus further benefiting the consumer.
- (25) 3. The rules governing the period of restraint and admission to the exhibition do not impose any restrictions which are not essential :
- (26) (a) The restriction imposed on participants in the IDS regarding their participation in other exhibitions during the period of restraint is essential for the attainment of the benefits described above. The rationalization effect associated with the concentration on one exhibition cannot be achieved in any other way.
- If goods which are to be shown at the IDS were also to be exhibited at other events simultaneously or shortly before or after the IDS, this would run counter to the desired process of concentration and would lead to higher distribution costs. A period of restraint of five months overall is reasonable and does not exceed that which is necessary to the attainment of the objective. The IDS being held only every three years, exhibitors still have ample opportunity to display their goods at other events.
- (27) (b) The current procedure for selecting from a number of exhibitors where there is limited space available is also essential. Admissions to the exhibition can be restricted only if the multiple display of the same products would prevent other products from being exhibited because of lack of space. The organizer cannot use this as a pretext for refusing admission, since, in the event of arbitration proceedings, it is up to him to prove that admission was refused solely because of lack of space. If only one exhibitor can be admitted, it is appropriate that the manufacturer should be given precedence over the dealer, since the manufacturer is in the best position to present his products. If a selection must be made between several dealers, it is proper that the dealer appointed by the manufacturer should be admitted, since he may be assumed to enjoy the confidence of the manufacture.
- (28) 4. The rules governing the period of restraint and admission to the IDS do not eliminate competition either between manufacturers and importers of, and dealers in, dental products, or between exhibition organizers, in respect of a substantial part of the products in question.
- (29) Participation in the IDS is not the only means by which manufacturers, importers and dealers can present their products and their form of distribution and service to the trade and to customers. They can participate in other exhibitions and pursue other forms of advertising.
- (30) As far as competition between exhibition organizers is concerned, it must be borne in mind that a period of restraint totalling five months is relatively short when set against the three-yearly intervals at which the exhibition is held. This leaves sufficient scope for the organization of competing exhibitions.

- (31) The observations of the Association Dentaire Française, received by the Commission following the publication of a Notice under Article 19 (3) of Regulation 17, are not such as to alter the Commission's assessment of the 'special participation conditions' of the VDDI. The Association Dentaire Française feared that exemption for the period-of-restraint rule would create a precedent. However, for the reasons set out above, the rule is essential for the attainment of the objective, and exemption of it therefore accords with the Commission's long-established policy.

C. Articles 6 and 8 of Regulation No 17

- (32) Under Article 6 (1) of Regulation No 17, decisions pursuant to Article 85 (3) must specify the date from which the decision shall take effect. Under Article 8 (1) of Regulation No 17, the decision must be issued for a specified period, and conditions and obligations may be attached thereto.
- (33) This Decision should apply from 30 December 1985, since at the time of their notification the 'special participation conditions' were fundamentally in accordance with the Commission's established criteria.
- (34) Since the IDS is held only every three years and the period of restraint is relatively short, leaving exhibitors ample opportunity to use other events between times, exemption may be granted for a period of 15 years.
- (35) In order that the Commission can ensure that the requirements for the application of Article 85 (3) continue to be satisfied during the period of exemption, the VDDI should be required to inform the Commission of any changes in, and additions to, the 'special participation conditions', and to send it a copy of any arbitration award refusing an exhibitor's application for participation,

HAS ADOPTED THIS DECISION:

Article 1

The provisions of Article 85 (1) of the EEC Treaty are, pursuant to Article 85 (3), hereby declared inapplicable for the period from 30 December 1985 to 29 December 2000 to the 'special participation conditions' laid down by the Verband der Deutschen Dental-Industrie relating to the Internationale Dentalschau.

Article 2

The following obligations shall be attached to this Decision:

1. The Verband der Deutschen Dental-Industrie shall inform the Commission immediately of any change in or addition to the 'special participation conditions' relating to the Internationale Dentalschau.
2. The Verband der Deutschen Dental-Industrie shall send the Commission immediately a copy of any arbitration award refusing an exhibitor's application for participation.

Article 3

This Decision is addressed to the Verband der Deutschen Dental-Industrie eV, Pipinstraße 16, D-5000 Cologne 1.

Done at Brussels, 18 September 1987.

For the Commission

Peter SUTHERLAND

Member of the Commission