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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3366/87

of 9 November 1987

amending Regulation (EEC) No 96/85 imposing a definitive anti-dumping duty
on imports of pentaerythritol originating in Canada

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1761/87⁽²⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consultations within the Advisory Committee as provided for by the above Regulation,

Whereas :

In March 1984 the Commission initiated an anti-dumping proceeding concerning pentaerythritol originating in Canada⁽³⁾. In September 1984 a provisional anti-dumping duty was imposed on imports of pentaerythritol originating in Canada by Commission Regulation (EEC) No 2681/84⁽⁴⁾. In January 1985 a definitive duty was imposed on imports of pentaerythritol originating in Canada by Council Regulation (EEC) No 96/85⁽⁵⁾. The amount of the duty was to be equal to the amount by which the price per tonne net, free-at-Community-frontier, before duty, to the first independent importer, was less than 1 062 ECU.

At the end of 1986, Celanese Canada requested a review of the anti-dumping measures in effect at the time with respect to pentaerythritol exports to the Community on the grounds of changed circumstances within the meaning of Article 14 (1) of Regulation (EEC) No 2176/84. Celanese Canada argued that the costs of

making the product had declined significantly since the duty was imposed ; as the floor price for the anti-dumping duty on Canadian pentaerythritol was based on the market price needed by Community producers to cover full cost plus profit, Celanese Canada argued that it should be reduced to correspond to the cost situation at the time.

Celanese Canada neither questioned nor sought a review of the dumping margin established in the earlier proceeding. The request for review centred exclusively on the injury aspect of the investigation.

The Commission has accordingly proceeded to a review of the anti-dumping measure in force *vis-à-vis* the exporter concerned without a reopening of the investigation, in accordance with Article 14 (3) of Regulation (EEC) No 2176/84.

Taking as a reference period the second half of 1986, it was established that, due to developments in costs, a downward adjustment of the minimum price is warranted.

Taking into account the Community producers' costs of production and a reasonable profit margin, the Commission determined that the injury would be removed if the amount of the duty corresponded to the amount by which the free-at-Community-frontier price, before duty, to the first independent importer in the importing Member State is less than 871 ECU per tonne. Regulation (EEC) No 96/85 should be amended to this effect,

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 (2) of Regulation (EEC) No 96/85, '1 062 ECU' shall be replaced by '871 ECU'.

Article 2

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

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 9.

⁽³⁾ OJ No C 72, 13. 3. 1984, p. 2.

⁽⁴⁾ OJ No L 254, 22. 9. 1984, p. 5.

⁽⁵⁾ OJ No L 13, 16. 1. 1985, p. 1.

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

Done at Brussels, 9 November 1987.

For the Council

The President

B. HAAKONSEN

COUNCIL REGULATION (EEC) No 3367/87

of 9 November 1987

on the application of the Combined Nomenclature to the statistics of trade between Member States and amending Regulation (EEC) No 1736/75 on the external trade statistics of the Community and statistics of trade between its Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

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

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

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾ established a nomenclature of goods known as the 'Combined Nomenclature' (CN) which, *inter alia*, meets the requirements of the Community's system of external trade statistics; whereas the Combined Nomenclature is applied by the Community and its Member States to these statistics;

Whereas it is advisable, in particular for reasons of comparability, that the external trade statistics of the Community and the statistics of trade between Member States be compiled using the same nomenclature; whereas it is therefore necessary that the Community and its Member States also apply the Combined Nomenclature to the latter statistics;

Whereas the application of the Combined Nomenclature both to the external trade statistics of the Community and to the statistics of trade between Member States renders nugatory Council Regulation (EEC) No 1445/72 of 24 April 1972 concerning the nomenclature of goods for the external trade statistics of the Community and statistics of trade between Member States (NIMEXE) ⁽⁴⁾; whereas the said Regulation should therefore be repealed;

Whereas the repeal of Regulation (EEC) No 1445/72 must be accompanied by the adaptation of certain provisions in Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States ⁽⁵⁾, as last amended by Regulation (EEC) No 3396/84 ⁽⁶⁾;

Whereas it is appropriate to allow Member States to create national statistical subdivisions;

Whereas it is appropriate that steps be taken at the same time to lay down the Member States's obligations regarding the breakdown, in accordance with the integrated customs tariff of the European Communities (TARIC) established under Regulation (EEC) No 2658/87, of the statistics which they forward to the Commission on their imports from non-member countries,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Combined Nomenclature (CN) introduced by Regulation (EEC) No 2658/87 shall be applied by the Community and the Member States to the statistics of trade between Member States.

2. Member States may, under the CN subheadings, within the meaning of Article 1 (2) (b) of Regulation (EEC) No 2658/87, introduce subdivisions in line with national statistical requirements. They shall, in compliance with Commission Regulation (EEC) No 2793/86 of 22 July 1986 laying down the codes to be used in the forms laid down in Council Regulations (EEC) No 678/85, (EEC) No 1900/85 and (EEC) No 222/77 ⁽⁷⁾, accompany these subdivisions with identifying number codes by means of a ninth digit reserved for the purpose.

Article 2

Regulation (EEC) No 1736/75 is hereby amended as follows:

1. Article 5 is replaced by the following:

Article 5

1. In the statistical information medium, goods shall be described according to the description laid down in the provisions concerning trade in goods in such a way that, without prejudice to paragraph 2, they may be easily and accurately classified under the appropriate subheading of the Combined Nomenclature (CN) introduced by Council Regulation (EEC) No 2658/87 ⁽¹⁾.

⁽⁷⁾ OJ No L 263, 15. 9. 1986, p. 74.

⁽¹⁾ OJ No C 185, 15. 7. 1987, p. 4.

⁽²⁾ Opinion delivered on 16 October 1987 (not yet published in the Official Journal).

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁴⁾ OJ No L 161, 17. 7. 1972, p. 1.

⁽⁵⁾ OJ No L 183, 14. 7. 1975, p. 3.

⁽⁶⁾ OJ No L 314, 4. 12. 1984, p. 10.

2. The goods must be described in accordance with paragraph 1, even when other Community regulations require them to be described at the same time in accordance with other nomenclatures.

3. For each type of goods, the eight-digit code laid down in the Combined Nomenclature must be given.

(¹) OJ No L 256, 7. 9. 1987, p. 1.

2. In Article 7 (1), 'For each heading of the NIMEXE,' is replaced by: 'Without prejudice to Article 5 (1) and (2) of Regulation (EEC) No 2658/87, for each CN sub-heading,'.

3. In Article 11 (a) second indent, 'in Chapter 99 of the NIMEXE' is replaced by: 'in Chapter 97 of the Combined Nomenclature'.

4. Article 34 is replaced by the following:

'Article 34

The data referred to in Article 22 (1) shall be compiled:

(a) in the case of exports to non-member countries and of trade between Member States, on the basis of the CN subheadings in the current version of the Combined Nomenclature, in accordance with Article 12 of Regulation (EEC) No 2658/87;

(b) in the case of imports from non-member countries, on the basis of the TARIC subheadings, as defined in Article 2 of the said Regulation, using for this purpose the codes referred to in Article 3 (3) and (4) of the said Regulation.

However, these provisions shall apply without prejudice to Articles 5 (4) and 13 of Regulation (EEC) No 2658/87.

5. Article 36 is replaced by the following:

'Article 36

The Commission shall publish in the *Official Journal of the European Communities* the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States in the version applying on 1 January of each year, as it results from the decisions taken pursuant to Article 41.

6. Article 38 (1) and (2) is replaced by the following:

'1. Member States shall forward to the Commission without delay, and no later than six weeks from the end of the reference month, the cumulative monthly results of their external trade statistics. These results shall give the data listed in Article 22 (1), compiled in accordance with Article 34.

However, the results compiled using the code referred to in Article 3 (4) of Regulation (EEC) No 2658/87 may be forwarded in a separate return and be prepared by a national department different from that responsible for compiling results using the code referred to in Article 3 (3) of the said Regulation.

2. The following shall be regulated, as necessary, pursuant to the procedure referred to in Article 41:

— forwarding arrangements, including — for the separate return drawn up in accordance with the second subparagraph of paragraph 1 — the reference period, periodicity, forwarding interval and, where appropriate, the conditions for their compilation for forwarding purposes,

— the provision of specific results.'

7. In Article 39 (3) (a), 'the analytical tables based on the NIMEXE' is replaced by 'the analytical tables based on the Combined Nomenclature'.

8. Articles 40 and 41 are replaced by the following:

'Article 40

1. A committee for the methodology of the external trade statistics of the Community and statistics of trade between Member States, called the "Committee for External Trade Statistics", hereinafter referred to as "the committee", shall be set up, composed of representatives of the Member States and chaired by a representative of the Commission.

2. The committee shall draw up its rules of procedure.

3. The committee may examine any question relating to the application of this Regulation which is raised by its chairman, either on his own initiative or at the request of the representative of a Member State.

'Article 41

1. The necessary provisions shall be adopted in accordance with the procedure set out in the following paragraphs for:

(a) the application of this Regulation,

(b) the annual up-dating of the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States.

2. The chairman shall submit to the committee a draft of any measures to be taken. The committee shall express its opinion on this draft within a period which the chairman may determine according to the urgency of the matter. The opinion shall be delivered by the majority provided for in Article 148 (2) of the Treaty for the adoption of decisions which the Council is

called upon to take on a proposal from the Commission. When voting takes place within the committee, the votes of the representatives of the Member States shall be weighted in the manner stipulated in the said Article. The chairman shall not vote.

3. The Commission shall adopt measures with immediate effect. However, if these measures are at variance with the opinion expressed by the committee, the Commission shall at once communicate them to the Council. In such cases, the Commission shall postpone the implementation of the measures which it has decided on for three months from the date of the communication.

4. The Council, acting by a qualified majority, may take a different decision during the period provided for in paragraph 3.

Article 3

Regulation (EEC) No 1445/72 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 January 1988.

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

Done at Brussels, 1 November 1987.

For the Council

The President

B. HAAKONSEN

COUNCIL REGULATION (EEC) No 3368/87

of 9 November 1987

amending Regulation (EEC) No 3643/85 concerning the import arrangements applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

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

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

Whereas Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽³⁾, as last amended by Regulation (EEC) No 794/87 ⁽⁴⁾, established arrangements for trade with third countries in this sector;

Whereas the Community has concluded voluntary restraint agreements with the great majority of third countries exporting sheepmeat and goatmeat products;

Whereas, pending the conclusion of voluntary restraint agreements with the other third countries traditionally exporting to the Community, Regulation (EEC) No

3643/85 ⁽⁵⁾ enables the said countries to export to the Community certain quantities of relevant products on terms similar to those agreed for the third countries having already concluded voluntary restraint agreements;

Whereas the Community has just concluded a voluntary restraint agreement with the German Democratic Republic; whereas Regulation (EEC) No 3643/85 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (1) of Regulation (EEC) No 3643/85 is hereby replaced by the following:

'1. The import levy applicable to the following products shall be limited to a maximum of 10 % *ad valorem*, subject to annual quantitative limits expressed in tonnes of carcase equivalent for each third country concerned and by category:

CCT heading No	Description	Third country concerned and quantity	
		Chile	Other third countries (a)
01.04	Live sheep and goats: B. Other (b)	0	50
02.01	Meat and edible offal of the animal falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen: A. Meat: IV. Of sheep or goats: (a) Fresh or chilled (b) Frozen	0 1 490	100 200 (c)

(a) Excluding Argentina, Australia, Austria, Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Iceland, New Zealand, Poland, Romania, Uruguay and Yugoslavia.

(b) The coefficient to be employed for converting net mass (live weight) into carcase mass (carcase weight equivalent) shall be 0,47 for products falling within subheading 01.04 B of the Common Customs Tariff.

(c) Of which 100 tonnes shall be reserved for Greenland.

⁽¹⁾ OJ No C 189, 18. 7. 1987, p. 5.

⁽²⁾ Opinion delivered on 16 October 1987 (not yet published in the Official Journal).

⁽³⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽⁵⁾ OJ No L 348, 24. 12. 1985, p. 2.

Article 2

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

It shall apply from 1 December 1987.

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

Done at Brussels, 9 November 1987.

For the Council

The President

B. HAAKONSEN

COMMISSION REGULATION (EEC) No 3369/87

of 10 November 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 9 November 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 11 November 1987.

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

Done at Brussels, 10 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 182, 3. 7. 1987, p. 40.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 185, 4. 7. 1987, p. 38.

ANNEX

to the Commission Regulation of 10 November 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	—	191,40
10.01 B II	Durum wheat	46,97	252,29 ⁽¹⁾ ⁽²⁾
10.02	Rye	34,01	161,60 ⁽³⁾
10.03	Barley	21,59	183,57
10.04	Oats	85,88	129,69
10.05 B	Maize, other than hybrid maize for sowing	—	170,01 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	21,59	115,47
10.07 B	Millet	21,59	121,51 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	21,97	175,87 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	21,59	53,77 ⁽⁵⁾
11.01 A	Wheat or meslin flour	9,91	281,84
11.01 B	Rye flour	61,50	240,12
11.02 A I a)	Durum wheat groats and meal	86,14	405,19
11.02 A I b)	Common wheat groats and meal	9,74	303,42

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 3370/87

of 10 November 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 9 November 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 11 November 1987.

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

Done at Brussels, 10 November 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 10 November 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 11	1st period 12	2nd period 1	3rd period 2
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
11.07 A I a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3371/87

of 9 November 1987

amending Regulation (EEC) No 2681/84 accepting an undertaking given in connection with the anti-dumping proceeding concerning imports of pentaerythritol originating in Sweden

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

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1761/87⁽²⁾, and in particular Articles 10 and 11 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

In March 1984 the Commission initiated an anti-dumping procedure concerning pentaerythritol originating in Sweden⁽³⁾. In September 1984, a price undertaking was given by the Swedish exporter and accepted by the Commission by Regulation (EEC) No 2681/84⁽⁴⁾. At the end of 1986, Perstorp, Sweden, requested a review of the price undertaking in effect with respect to pentaerythritol exports to the Community on the grounds of changed circumstances within the meaning of Article 14 (1) of Regulation (EEC) No 2176/84.

Perstorp, Sweden, argued that the costs of making this product had declined significantly since the price undertaking was accepted. As this price undertaking reflected the market price needed by Community producers to cover full cost plus profit, Perstorp argued that it should be adjusted downwards to correspond to the present cost situation.

Perstorp, Sweden, neither questioned nor sought a review of the dumping margin established in the earlier proceeding. Its review request centred exclusively on the injury side of the investigation.

The Commission has accordingly proceeded to a review of the injury threshold which constituted the basis of the price undertaking for the exporter concerned, without a reopening of the investigation in accordance with Article 14 (3) of Regulation (EEC) No 2176/84.

Taking as a reference period the second half of 1986, it was established that, due to developments in costs, a downward adjustment of the injury threshold level and, consequently, of the undertaking is warranted. After completion of the investigation, the Swedish exporter was informed of the main findings and commented on them. Subsequently, in August 1987, Perstorp offered a new price undertaking for its pentaerythritol exports to the Community.

In these circumstances, the undertaking offered is considered acceptable by the Commission since it reflects the new costs of production to Community producers plus a reasonable profit margin and thus is sufficient to eliminate injury to the Community industry.

No objection to this course was raised in the Advisory Committee,

HAS ADOPTED THIS REGULATION :

Article 1

The undertaking given by Perstorp AB, Perstorp, Sweden, in connection with the revised anti-dumping proceeding concerning pentaerythritol originating in Sweden and falling within subheading ex 29.04 C I of the Common Customs Tariff, corresponding to NIMEXE code 29.04-66, is hereby accepted.

Article 2

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

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

Done at Brussels, 9 November 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 9.

⁽³⁾ OJ No C 72, 13. 3. 1984, p. 2.

⁽⁴⁾ OJ No L 254, 22. 9. 1984, p. 5.

COMMISSION REGULATION (EEC) No 3372/87

of 9 November 1987

on the supply of various consignments of cereals and rice to Angola 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 policy and 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 Angola the Commission allocated to the latter country 11 100 tonnes of cereals;

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 milled long-grain rice and cereals to Angola in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes 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, 9 November 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 I

1. **Operation No** (1): 955/87
2. **Programme**: 1987
3. **Recipient**: Angola (Edimba U.E.E., Ministério do Comércio Interno)
4. **Representative of the recipient** (2): S.E. Mme Távira, Ambassade d'Angola, rue Franz Merjay 182, B-1180 Bruxelles; Tel.: 344 49 86; Telex: 63170 EMBRUX B
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: Milled long-grain rice (not parboiled)
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 10)
8. **Total quantity**: 1 875 tonnes (4 500 tonnes cereals)
9. **Number of lots**: one
10. **Packaging and marking** (4):
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II B 1 a)
— marking on the bags in letters at least 5 cm high:
'ACÇÃO Nº 955 / ARROZ / DONATIVO DA COMUNIDADE EUROPEIA A ANGOLA'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Luanda
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 10 to 31 December 1987
18. **Deadline for the supply**: 31 January 1988
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 24 November 1987 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8 December 1987 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1 to 31 January 1988
 - (c) deadline for the supply: 29 February 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** (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** (6):
Refund applicable on 24 November 1987 fixed by Regulation (EEC) No 3292/87 in *Official Journal of the European Communities* No L 309 of 31 October 1987, page 89.

ANNEX II

1. **Operation No⁽¹⁾**: 956/87
2. **Programme**: 1987
3. **Recipient**: Angola (Transapro U.E.E., Ministério da Indústria, CP 5816, Luanda, Angola; Telex: 3120)
4. **Representative of the recipient⁽²⁾**: S.E. Mme Tavira, Ambassade d'Angola, 182, rue Franz Merjay, B-1180 Bruxelles; Tel. 344 49 86, Telex 63170 EMBRUX B
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: common wheat flour
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 6) — Hagberg falling number of at least 160.
8. **Total quantity**: 4 818 tonnes (6 600 tonnes of cereals)
9. **Number of lots**: 3
 - A: 3 000 tonnes
 - B: 1 000 tonnes
 - C: 818 tonnes
10. **Packaging and marking⁽⁴⁾**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II B 2 a)
— marking on the bags in letters at least 5 cm high:
'ACÇÃO Nº 956 / FARINHA DE TRIGO / DONATIVO DA COMUNIDADE EUROPEIA A ANGOLA'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Lobito; Lot B: Namibe; Lot C: Luanda
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: A and B: 10 to 31 December 1987; C: 1 to 31 March 1988
18. **Deadline for the supply**: A and B: 31 January 1988; C: 30 April 1988
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 24 November 1987 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8 December 1987 at 12 noon
 - (b) period for making the goods available at the port of shipment: A and B: 1 to 31 January 1988; C: 1 to 31 March 1988
 - (c) deadline for the supply: A and B: 29 February 1988; C: 30 April 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⁽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⁽⁶⁾**:
Refund applicable on 24 November 1987 fixed by Regulation (EEC) No 3292/87 in *Official Journal of the European Communities* No L 309 of 31 October 1987, p. 89.

Notes:

- (¹) The operation number is to be quoted in all correspondence.
 - (²) Commission delegate to contact by the successful tenderer: M. O'Cuneen, Delegação CEE — 6 rua Rainha Ginga, Luanda (Tel. 39 30 38, Telex: 3397 PROQUIM AN)
 - (³) The successful tenderer shall supply to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
 - (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
 - (⁶) Regulation (EEC) No 2330/87 (OJ No 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 3373/87**of 9 November 1987****on the supply of common wheat and common wheat flour 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 policy and 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 the WFP, the Commission allocated to the latter organization 3 560 tonnes of cereals;

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 flour and common wheat to the WFP in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes 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, 9 November 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 I

1. **Operation No⁽¹⁾:** 964/87
2. **Programme :** 1987
3. **Recipient :** World Food Programme, Via della Terme di Caracalla, I-00100 Roma, Telex 626675 WFP I.
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 :** Kenya
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 :** 1 642 tonnes
9. **Number of lots :** 1
10. **Packaging and marking⁽⁴⁾ :**
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II B 1 a). To be delivered on standard pallets :
— marking on the bags in letters at least 5 cm high :
'ACTION No 964/87 / KENYA 02589 01 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / MOMBASA'
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 :** —
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 :** 15 to 31 December 1987
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 :** 24 November 1987 at 12 noon
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 8 December 1987 at 12 noon
 - (b) period for making the goods available at the port of shipment : 1 to 31 January 1988
 - (c) deadline for the supply : —
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⁽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⁽⁶⁾ :**
Refund applicable on 24 November 1987 fixed by Regulation (EEC) No 3292/87 in *Official Journal of the European Communities* No L 309 of 31 October 1987, page 89.

ANNEX II

1. **Operation No** ⁽¹⁾: 889/87
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Roma (Telex 626675 WFP I)
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**: PDR Yemen
6. **Product to be mobilized**: common wheat flour
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 6)
Specific characteristics:
— Hagberg falling number of at least 160
8. **Total quantity**: 1 400 tonnes (equal to 1 918 tonnes of cereals)
9. **Number of lots**: 1
10. **Packaging and marking** ⁽⁴⁾:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II B 2 a)
— marking on the bags, in letters at least 5 cm high:
'ACTION No 889/87 / PDR YEMEN 0258001 / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / ADEN'
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**: —
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 January 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**: 1 December 1987 at 12 noon
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 15 December 1987 at 12 noon
(b) period for making the goods available at the port of shipment: 15 January to 15 February 1988
(c) deadline for the supply: —
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** ⁽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** ⁽⁶⁾:
Refund applicable on 24 November 1987 fixed by Regulation (EEC) No 3292/87 in *Official Journal of the European Communities* No L 309 of 31 October 1987, page 89.

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 product 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,
 - phytosanitary certificate.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (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.
- (⁶) Regulation (EEC) No 2330/87 (OJ No 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 3374/87**of 10 November 1987****fixing the maximum export refund for white sugar for the 28th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1092/87**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1092/87 of 15 April 1987 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1092/87, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 28th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 28th partial invitation to tender for white sugar issued under Regulation (EEC) No 1092/87 is hereby fixed at 45,557 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 11 November 1987.

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

Done at Brussels, 10 November 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 106, 22. 4. 1987, p. 9.

COMMISSION REGULATION (EEC) No 3375/87

of 10 November 1987

fixing the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5(2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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 ⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the 1 May

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and

This Regulation shall enter into force on 11 November 1987.

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

Done at Brussels, 10 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 10 November 1987 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	44,99	
	(b) Other	43,51	
	(II) Flavoured or coloured sugar		0,4499
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	41,39 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4499
	(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	38,82 ⁽¹⁾	
	(d) Other raw sugar	⁽²⁾	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 3376/87
of 10 November 1987
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2054/87 ⁽³⁾, as last amended by Regulation (EEC) No 3357/87 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 November 1987.

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

Done at Brussels, 10 November 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 192, 11. 7. 1987, p. 38.

⁽⁴⁾ OJ No L 317, 7. 11. 1987, p. 42.

ANNEX

to the Commission Regulation of 10 November 1987 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form:	
	A. White sugar: flavoured or coloured sugar	52,52
	B. Raw sugar	43,14 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 3377/87

of 10 November 1987

altering 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 fifth subparagraph of Article 16 (2) thereof,Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Regulation (EEC) No 3266/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3266/87 to the information known to the Commission that the

export refunds at present in force should be altered to the amounts set out in the Annex hereto,

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, as fixed in the Annex to Regulation (EEC) No 3266/87 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 11 November 1987.

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

Done at Brussels, 10 November 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 309, 31. 10. 1987, p. 29.

ANNEX

to the Commission Regulation of 10 November 1987 altering the export refunds on cereals
and on wheat or rye flour, groats and meal

CCT heading No	Description	Refund (ECU/tonne)
10.01 B I	Common wheat and meslin for exports to : — Switzerland, Austria and Liechtenstein — zone II b) — zones I, II a), III, V, VI and VII — zone IV — Ceuta, Melilla, the Canary Islands, Djibouti, Burundi and Mali — other third countries	107,00 112,00 20,00 25,00 122,00 15,00
10.01 B II	Durum wheat for exports to : — the Soviet Union — other third countries	184,00 ⁽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) — Poland — Cyprus — other third countries	112,00 117,00 23,00 24,00 25,00
10.04	Oats for exports to : — Switzerland, Austria and Liechtenstein — other third countries	— —
10.05 B	Maize, other than hybrid maize for sowing for exports to : — Switzerland, Austria and Liechtenstein — Canary Islands — other third countries	0 0 0
10.07 B	Millet	—
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—
ex 11.01 A	Wheat flour : — of an ash content of 0 to 520 — of an ash content of 521 to 600 — of an ash content of 601 to 900 — of an ash content of 901 to 1 100 — of an ash content of 1 101 to 1 650 — of an ash content of 1 651 to 1 900	165,00 165,00 148,00 139,00 130,00 119,00

(ECU / tonne)		
CCT heading No	Description	Refund
ex 11.01 B	Rye flour :	
	— of an ash content of 0 to 700	165,00
	— of an ash content of 701 to 1 150	165,00
	— of an ash content of 1 151 to 1 600	165,00
	— of an ash content of 1 601 to 2 000	165,00
11.02 A I a)	Durum wheat groats and meal	
	— of an ash content of 0 to 1 300 ⁽¹⁾	289,00
	— of an ash content of 0 to 1 300 ⁽²⁾	273,00
	— of an ash content of 0 to 1 300	244,00
	— of an ash content of more than 1 300	230,00
ex 11.02 A I b)	Common wheat groats and meal :	
	— of an ash content of 0 to 520	165,00

⁽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⁾ The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum of which 5 % of soft wheat or other cereals.

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 3378/87

of 10 November 1987

altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1900/87⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16(4) thereof,Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 3095/87⁽⁴⁾, as last amended by Regulation (EEC) No 3269/87⁽⁵⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to amended Regulation (EEC) No 3095/87 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 1987.

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

Done at Brussels, 10 November 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 293, 16. 10. 1987, p. 54.

⁽⁵⁾ OJ No L 309, 31. 10. 1987, p. 38.

ANNEX

to the Commission Regulation of 10 November 1987 altering the corrective amount
applicable to the refund on cereals

(ECU/tonne)

CCT heading No	Description	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3	5th period 4	6th period 5
10.01 B I	Common wheat and meslin	0	0	- 3,00	- 3,00	- 6,00	- 6,00	- 6,00
10.01 B II	Durum wheat	0	0	0	0	- 20,00	- 20,00	- 20,00
10.02	Rye	0	0	0	0	0	—	—
10.03	Barley							
	for export to :							
	— Cyprus	0	- 20,00	- 20,00	- 20,00	- 20,00	—	—
	— Poland	0	- 20,00	- 20,00	- 20,00	- 20,00	—	—
	— other third countries	0	0	0	0	0	—	—
10.04	Oats	—	—	—	—	—	—	—
10.05 B	Maize other than hybrid maize for sowing	0	0	- 20,00	- 20,00	- 20,00	—	—
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 3379/87

of 10 November 1987

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 19 October 1987, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

1633/84 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving region 5 of the aforesaid Member State during the week beginning 19 October 1987, shall be set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 19 October 1987 the level of the premium is fixed at 71,799 ECU/100 kg of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80 which left the territory of region 5 during the week beginning 19 October 1987, the amounts to be charged shall be equivalent to those fixed in Annex hereto.

Article 3

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

It shall apply with effect from 19 October 1987.

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

Done at Brussels, 10 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

ANNEX

Amount to be charged for products leaving region 5 during the week commencing
19 October 1987

(ECU/100 kg)

CCT heading No	Description	Amounts		
		A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified at the second, third and fourth indents of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (*)	C. Products specified at the first indent of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 (*)
		Live weight	Live weight	Live weight
01.04 B	Live sheep and goats other than pure-bred breeding animals	33,746	16,873	3,375
		Net weight	Net weight	Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :			
	1. Carcases or half-carcases	71,799	35,900	7,180
	2. Short forequarters	50,259		
	3. Chines and/or best ends	78,979		
	4. Legs	93,339		
	5. Other :			
	aa) Unboned (bone-in)	93,339		
	bb) Boned or boneless	130,674		
02.01 A IV b)	Meat of sheep or goats, frozen :			
	1. Carcases or half-carcases	53,849		
	2. Short forequarters	37,694		
	3. Chines and/or best ends	59,234		
	4. Legs	70,004		
	5. Other :			
	aa) Unboned (bone-in)	70,004		
	bb) Boned or boneless	98,005		
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :			
	1. Unboned (bone-in)	93,339		
	2. Boned or boneless	130,674		
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :			
	— unboned (bone-in)	93,339		
	— boned or boneless	130,674		

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 October 1987

on improving the efficiency of agricultural structures in Italy (Veneto) pursuant to Council Regulation (EEC) No 797/85

(Only the Italian text is authentic)

(87/539/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽¹⁾, as last amended by Regulation (EEC) No 1760/87⁽²⁾, and in particular Article 25 thereof,

Whereas the Italian Government has notified, pursuant to Article 24 (4) of Regulation (EEC) No 797/85:

- Veneto Regional Decision No 230 of 24 July 1986 on provisions for the application of Regulation (EEC) No 797/85,
- Veneto Regional Decision No 1381 of 2 April 1987 on provisions for applying Titles I, II and III of Decision No 230 of 24 July 1986,
- Veneto Regional Law No 14 of 5 March 1987 on provisions for the installation of young farmers and for relief services in farming;

Whereas, pursuant to Article 25 (3) of Regulation (EEC) No 797/85, the Commission must decide whether, having regard to the compatibility of the aforesaid provisions

with the abovementioned Regulation, the latter's objectives, and the need for a proper connection between the various measures, the conditions for a financial contribution by the Community are satisfied;

Whereas Veneto Regional Decision No 230 of 24 July 1986 in the version given in Decision No 1381 of 2 April 1987 meets the conditions and objectives of Regulation (EEC) No 797/85;

Whereas Title I of Veneto Regional Law No 14 of 5 March 1987 meets the conditions and objectives of Article 7 of Regulation (EEC) No 797/85; whereas that statement is based on the assumption that the measures provided for in Title I of the abovementioned Law are applied in accordance with the criteria and principles laid down in Decision No 1381 of 2 April 1987 as regards the granting of special aids to young farmers;

Whereas Title II of Veneto Regional Law No 14 of 5 March 1987 meets the conditions and objectives of Article 11 of Regulation (EEC) No 797/85;

Whereas the European Agricultural Guidance and Guarantee Fund Committee has been consulted on the financial aspects;

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

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

HAS ADOPTED THIS DECISION :

towards the common measure referred to in Article 1 of Regulation (EEC) No 797/85.

Article 1

Following Veneto Regional Decision No 1381 of 2 April 1987, Veneto Regional Decision No 230 of 24 July 1986 and Veneto Regional Law No 14 of 5 March 1987, the latter subject to the provision that the measures provided for in Title I thereof are applied in accordance with the criteria and principles laid down in Decision No 1381 of 2 April 1987 as regards the granting of special aids to young farmers, are hereby deemed to satisfy the conditions for a financial contribution by the Community

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 29 October 1987.

For the Commission

Frans ANDRIESEN

Vice-President
