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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3528/87

of 23 November 1987

amending Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore

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 14 thereof,

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

Whereas :

A. Procedure

- (1) By Regulation (EEC) No 2089/84⁽³⁾ the Council imposed a definitive duty on imports of certain ball bearings originating in Japan. This Regulation was later amended by Regulation (EEC) No 1238/85⁽⁴⁾.
- (2) In 1986 the Commission received a request from Sapporo Precision Incorporated of Sapporo, Japan, to carry out a review. This request contained evidence of changed circumstances with regard to the dumping margin on which the anti-dumping duty applicable to this exporter had been based, which justified the need for review. The Commission accordingly published, in the *Official Journal of the European Communities*⁽⁵⁾, a notice of the opening of a review investigation concerning exports of single-row deep-groove radial ball bearings with greatest outside diameter not more than 30 mm, manufactured and exported by

Sapporo Precision Inc., and falling within heading No ex 84.62 of the Common Customs Tariff, corresponding to NIMEXE code ex 84.62-01, originating in Japan.

- (3) The Commission officially so advised the exporter known to be concerned and the Community producers and gave the parties directly concerned an opportunity to make known their views in writing and to request a hearing.

The exporter concerned, one importer and the Community producers made their views known in writing and requested, and were granted, hearings.

No submissions were made by, or on behalf of, Community purchasers or processors of the product.

- (4) The Commission sought and verified all information it deemed to be necessary and carried out an investigation at the premises of the exporter, Sapporo Precision Incorporated, Sapporo, Japan.

The Commission requested and received detailed written submissions from the applicant exporter and verified the information therein to the extent considered necessary.

B. Normal value

- (5) For the purpose of establishing normal value, representative types of single-row deep-groove radial ball bearings were selected which together represented about two-thirds of all exports by Sapporo Precision Incorporated to the Community. Normal value for these types was established on the basis of the weighted average price paid for identical types by unrelated domestic purchasers. In those cases where the producer/exporter sold both directly to these purchasers and through a controlled sales company, the combined weighted average of sales prices to unrelated purchasers was taken.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 9.

⁽³⁾ OJ No L 193, 21. 7. 1984, p. 1.

⁽⁴⁾ OJ No L 129, 15. 5. 1985, p. 1.

⁽⁵⁾ OJ No C 111, 25. 4. 1987, p. 3.

Where Sapporo Precision Incorporated did not sell a type identical to the type exported to the Community, it proved unsatisfactory to establish normal value on the basis of the most similar type sold on the domestic market because the Commission was not satisfied that differences in the production costs of the various types were adequately reflected in the sales prices. For each of these types, therefore, a constructed normal value was established by adding cost of production and a reasonable profit margin. The cost of production was computed on the basis of all costs, fixed and variable, of materials and manufacture and including the actual selling, administrative and other general expenses incurred by Sapporo and its related sales company on the domestic market. The exporter accepted this approach.

C. Export price

- (6) Since all exports were made to unrelated importers in the Community, export prices were determined on the basis of the prices actually paid or payable for the products sold for export to the Community.

D. Comparison

- (7) Normal value determined as described under paragraph 5 was compared with export prices on a transaction by transaction basis, taking account, where it was requested and could be satisfactorily proved, of differences affecting price comparability; this was the case with regard to commission expenses, transport, packing, financing and handling costs. No other claims were made.

E. Dumping

- (8) A margin of dumping of 2,5 % was established for exports by Sapporo Precision Incorporated, the

margin of dumping being equal to the amount by which the normal value as established exceeds the price for export to the Community.

F. Injury

- (9) Since the application for a review was limited to the claim of changed circumstances with regard to dumping, the investigation did not have to cover injury aspects.

G. Community interest

- (10) No reason has come to light as to why conclusions different from those referred to in Regulation (EEC) No 2089/84 with regard to Community interest should be reached.

H. Level of duty

- (11) In view of these findings, Regulation (EEC) No 2089/84 should accordingly be amended to the extent that it concerns exports of single-row deep-groove radial ball bearings with greatest outside diameter not more than 30 mm, manufactured and exported by Sapporo Precision Incorporated and originating in Japan,

HAS ADOPTED THIS REGULATION: —

Article 1

The following entry is hereby inserted in the list headed 'Japan' in Article 1 (2) of Regulation (EEC) No 2089/84:

'Sapporo Precision Incorporated 2,5 %'.

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, 23 November 1987.

For the Council

The President

U. ELLEMANN-JENSEN

COUNCIL REGULATION (EEC) No 3529/87
of 23 November 1987

amending Annex VI to Regulation (EEC) No 3796/81 on the common organization of the market in fishery products and the Annex to Regulation (EEC) No 950/68 on the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 2315/86 ⁽²⁾, and in particular Article 30 thereof,

Having regard to the proposal from the Commission,

Whereas the nomenclature of the Common Customs Tariff as laid down by Regulation (EEC) No 3618/86 ⁽³⁾ results, pursuant to Article 19 of Regulation (EEC) No 3796/81, from the application of the latter Regulation as regards fishery products;

Whereas, in an Exchange of Letters with Norway in 1973, the Community undertook to effect an autonomous reduction of the customs duties applicable to certain fishery products, including certain products falling within subheading 16.04 G I of the Common Customs Tariff, whether or not pre-fried in oil;

Whereas fish fingers of fish fillet covered with a coating of batter or breadcrumbs, pre-fried in oil, the fish remaining raw, frozen, are to be classified in subheading 16.04 G II; whereas, as a result, Norwegian exports of this product are no longer able to benefit from the preferential system on imports into the Community; whereas, in order to guarantee the preference which has effectively been granted to Norwegian products in the past, Annex VI to Regulation (EEC) No 3796/81 and the Annex to Regulation (EEC) No 950/68 ⁽⁴⁾ should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3796/81 is hereby amended as follows:

1. In Annex VI, the title is replaced by the following:

‘Chapter 3 and heading No 16.04 of the Common Customs Tariff’;

2. In Annex VI, the following is added after Chapter 3:

‘CCT heading No	Description	Rate of duty	
		Autonomous % or levy (L)	Conventional %
1	2	3	4
16.04	Prepared or preserved fish, including caviar and caviar substitutes:		
	A. Caviar and caviar substitutes:		
	I. Caviar (sturgeon roe)	30	30
	II. Other	30	30
	B. Salmonidae:		
	I. Salmon	20	5,5
	II. Other	20	7
	C. Herring		
	I. Fillets, raw, merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep frozen	18	15
	II. Other	23	20
	D. Sardines	25	25
	E. Tunny	25	24
	F. Bonito (<i>Sarda</i> spp.), mackerel and anchovies	25	(a)
	G. Other:		
	I. Fillets, raw, merely coated with batter or breadcrumbs, whether or not pre-fried in oil, deep frozen	18	15
	II. Other	25	20

(a) See Annex

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 202, 25. 7. 1986, p. 1.

⁽³⁾ OJ No L 345, 8. 12. 1986, p. 1.

⁽⁴⁾ OJ No L 172, 22. 7. 1968, p. 1.

Article 2

In the Annex to Regulation (EEC) No 950/68, the text of heading No 16.04 is replaced by the entry in Article 1 of this Regulation.

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 1 January 1987.

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

Done at Brussels, 23 November 1987.

For the Council

The President

U. ELLEMANN-JENSEN

COMMISSION REGULATION (EEC) No 3530/87

of 25 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 24 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 26 November 1987.

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

Done at Brussels, 25 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 25 November 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	0,92	191,43
10.01 B II	Durum wheat	51,48	252,03 ⁽¹⁾ ⁽²⁾
10.02	Rye	36,96	161,99 ⁽⁶⁾
10.03	Barley	24,71	182,51
10.04	Oats	87,99	129,72
10.05 B	Maize, other than hybrid maize for sowing	1,24	166,80 ⁽²⁾ ⁽³⁾ ⁽⁸⁾
10.07 A	Buckwheat	24,71	115,19
10.07 B	Millet	24,71	121,23 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	25,08	171,54 ⁽⁴⁾ ⁽⁸⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	24,71	52,44 ⁽⁵⁾
11.01 A	Wheat or meslin flour	15,17	281,56
11.01 B	Rye flour	65,63	240,67
11.02 A I a)	Durum wheat groats and meal	93,13	403,98
11.02 A I b)	Common wheat groats and meal	15,42	303,12

⁽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 3531/87

of 25 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 24 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 26 November 1987.

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

Done at Brussels, 25 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 25 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 3532/87
of 24 November 1987
establishing unit values for the determination of the customs value of certain
perishable goods

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 Commission Regulation (EEC) No
1577/81 of 12 June 1981 establishing a system of simpli-
fied procedures for the determination of the customs
value of certain perishable goods ⁽¹⁾, as last amended by
Regulation (EEC) No 3502/85 ⁽²⁾, and in particular Article
1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81
provides that the Commission shall periodically establish
unit values for the products referred to in the classifica-
tion in the Annex;

Whereas the result of applying the rules and criteria laid
down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2)
of that Regulation is that the unit values set out in the
Annex to this Regulation should be established in regard
to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation
(EEC) No 1577/81 are hereby established as set out in the
table in the Annex hereto.

Article 2

This Regulation shall enter into force on 27 November
1987.

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

Done at Brussels, 24 November 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 335, 13. 12. 1985, p. 9.

ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£Irl	Lit	Fl	£
1.10	07.01-13 07.01-15	07.01 A II	New potatoes	31,72	1 365	249,42	65,83	219,32	4 944	24,56	47 658	74,16	22,20
1.12	ex 07.01-21 ex 07.01-22	ex 07.01 B I	Broccoli	47,58	2 054	378,29	98,11	333,74	7 766	36,93	72 302	110,42	32,86
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	41,22	1 772	322,69	85,59	285,00	6 316	32,06	61 054	96,57	29,13
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	12,38	532	96,65	25,69	85,83	1 919	9,59	18 579	28,95	8,67
1.20	07.01-31 07.01-33	07.01 D I	Cabbage lettuce	81,69	3 527	649,47	168,44	572,97	13 333	63,40	124 131	189,58	56,41
1.22	ex 07.01-36	ex 07.01 D II	Endives	40,67	1 748	318,40	84,46	281,22	6 232	31,63	60 243	95,28	28,74
1.28	07.01-41 07.01-43	07.01 F I	Peas	288,95	12 479	2 297,28	595,80	2 026,69	47 161	224,28	439 070	670,60	199,54
1.30	07.01-45 07.01-47	07.01 F II	Beans (of the species Phaseolus)	89,49	3 865	711,52	184,53	627,71	14 607	69,46	135 990	207,70	61,80
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	28,32	1 220	221,09	58,81	196,63	4 381	21,99	42 649	66,32	19,62
1.40	ex 07.01-54	ex 07.01 G II	Carrots	7,70	331	60,66	15,99	53,18	1 205	5,96	11 577	17,99	5,41
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	91,54	3 953	727,81	188,75	642,08	14 941	71,05	139 103	212,45	63,22
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	16,59	716	131,90	34,20	116,36	2 707	12,87	25 209	38,50	11,45
1.70	07.01-67	ex 07.01 H	Garlic	172,29	7 440	1 369,78	355,25	1 208,44	28 120	133,73	261 801	399,85	118,98
1.74	ex 07.01-68	ex 07.01 I J	Leeks	30,12	1 297	235,77	62,60	208,56	4 628	23,41	44 668	70,60	21,14
1.80		07.01 K	Asparagus :										
1.80.1	ex 07.01-71		— green	415,73	17 954	3 305,24	857,22	2 915,92	67 854	322,69	631 715	964,83	287,10
1.80.2	ex 07.01-71		— other	205,83	8 889	1 636,47	424,42	1 443,71	33 595	159,77	312 772	477,70	142,14
1.90	07.01-73	07.01 L	Artichokes	102,17	4 412	812,35	210,68	716,67	16 677	79,31	155 262	237,13	70,56
1.100	07.01-75 07.01-77	07.01 M	Tomatoes	41,48	1 791	329,84	85,54	290,99	6 771	32,20	63 042	96,28	28,65
1.110	07.01-81 07.01-82	07.01 P I	Cucumbers	64,72	2 795	514,55	133,45	453,94	10 563	50,23	98 344	150,20	44,69
1.112	07.01-85	07.01 Q II	Chantarelles	380,81	16 444	3 035,75	791,09	2 634,74	60 745	294,66	570 911	890,27	264,14
1.118	07.01-91	07.01 R	Fennel	31,34	1 350	245,33	65,13	217,02	4 816	24,36	46 478	73,46	21,99
1.120	07.01-93	07.01 S	Sweet peppers	65,33	2 821	519,41	134,71	458,23	10 663	50,71	99 273	151,62	45,11
1.130	07.01-97	07.01 T II	Aubergines	59,82	2 583	475,63	123,35	419,61	9 764	46,43	90 906	138,84	41,31
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	53,28	2 301	423,66	109,87	373,76	8 697	41,36	80 973	123,67	36,80
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	49,09	2 120	390,35	101,24	344,37	8 013	38,11	74 607	113,94	33,90
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	94,38	4 074	752,96	194,63	661,76	15 315	73,18	143 689	218,98	65,14
2.10	08.01-31	ex 08.01 B	Bananas, fresh	37,87	1 635	301,15	78,10	265,68	6 182	29,40	57 559	87,91	26,15
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	56,04	2 420	445,60	115,56	393,12	9 148	43,50	85 167	130,07	38,70
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	128,85	5 565	1 024,48	265,70	903,81	21 032	100,02	195 805	299,05	88,99
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	181,15	7 823	1 440,25	373,53	1 270,60	29 567	140,61	275 269	420,42	125,10
2.50		08.02 A I	Sweet oranges, fresh :										
2.50.1	08.02-02 08.02-06 08.02-12 08.02-16		— Sanguines and semi-sanguines	95,60	4 112	746,74	198,46	664,05	14 837	74,12	143 693	223,54	66,52

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	36,49	1 575	290,11	75,24	255,94	5 955	28,32	55 448	84,68	25,20
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	43,38	1 877	345,24	90,02	300,83	6 931	33,60	64 957	101,28	30,09
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :										
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	29,26	1 263	232,68	60,34	205,27	4 776	22,71	44 472	67,92	20,21
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	44,92	1 933	358,31	93,05	310,84	7 092	34,99	67 414	104,86	31,49
2.60.3	08.02-28	08.02 B I	— Clementines	51,73	2 234	411,34	106,68	362,89	8 444	40,15	78 617	120,07	35,73
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	55,81	2 416	444,20	115,83	387,07	8 918	43,23	83 576	130,31	38,71
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	43,46	1 877	345,60	89,63	304,89	7 094	33,74	66 053	100,88	30,02
2.80		ex 08.02 D	Grapefruit, fresh :										
2.80.1	ex 08.02-70		— white	48,69	2 103	387,18	100,41	341,57	7 948	37,80	74 000	113,02	33,63
2.80.2	ex 08.02-70		— pink	64,61	2 790	513,74	133,24	453,23	10 546	50,15	98 190	149,96	44,62
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	152,54	6 588	1 212,82	314,54	1 069,96	24 898	118,40	231 801	354,03	105,34
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	67,00	2 893	532,75	138,17	470,00	10 937	52,01	101 823	155,51	46,27
2.95	08.05-50	08.05 C	Chestnuts	75,56	3 263	600,78	155,81	530,02	12 333	58,65	114 825	175,37	52,18
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	45,97	1 985	365,53	94,80	322,47	7 504	35,68	69 863	106,70	31,75
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	60,61	2 617	481,92	124,98	425,16	9 893	47,05	92 108	140,67	41,86
2.120	08.07-10	08.07 A	Apricots	45,25	1 950	361,62	93,84	313,57	7 103	35,10	68 040	105,79	31,44
2.130	ex 08.07-32	ex 08.07 B	Peaches	262,46	11 334	2 086,68	541,18	1 840,89	42 838	203,72	398 817	609,12	181,25
2.140	ex 08.07-32	ex 08.07 B	Nectarines	92,31	3 977	728,35	191,86	638,67	14 466	71,60	138 835	215,95	64,09
2.150	08.07-51 08.07-55	08.07 C	Cherries	115,53	4 978	911,55	240,12	799,31	18 105	89,61	173 756	270,27	80,21
2.160	08.07-71 08.07-75	08.07 D	Plums	49,88	2 159	397,01	103,52	345,95	7 970	38,64	74 697	116,46	34,60
2.170	08.08-11 08.08-15	08.08 A	Strawberries	110,57	4 753	862,87	229,27	766,67	17 157	85,64	166 095	258,40	77,52
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	155,23	6 688	1 240,23	322,25	1 074,37	24 633	120,26	232 567	362,70	108,08
2.180	08.09-11	ex 08.09	Water melons	28,08	1 212	224,02	57,91	196,89	4 556	21,77	42 751	65,15	19,38
2.190		ex 08.09	Melons (other than water melons) :										
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	53,85	2 325	428,14	111,04	377,71	8 789	41,80	81 829	124,98	37,19
2.190.2	ex 08.09-19		— other	112,91	4 876	897,74	232,83	791,99	18 430	87,84	171 581	262,06	77,98
2.195	ex 08.09-80	ex 08.09	Pomegranates	61,07	2 637	485,56	125,93	428,37	9 968	47,40	92 804	141,74	42,17
2.200	08.09-50	ex 08.09	Kiwis	170,37	7 357	1 354,52	351,30	1 194,97	27 807	132,24	258 884	395,40	117,65
2.202	ex 08.09-80	ex 08.09	Khakis	147,86	6 385	1 175,56	304,88	1 037,09	24 133	114,77	224 679	343,15	102,11
2.203	ex 08.09-80	ex 08.09	Lychees	461,56	19 886	3 687,64	958,18	3 194,48	73 242	357,58	691 501	1 078,42	321,36

COMMISSION REGULATION (EEC) No 3533/87

of 25 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 Annex to this Regulation;

⁽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 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 26 November 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 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	43,21	
	(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	39,04 ⁽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 3534/87

of 24 November 1987

on the classification of products within Common Customs Tariff subheading
16.04 E

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

Having regard to Council Regulation (EEC) No 97/69 of 16 January 1969 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff⁽¹⁾, as last amended by Council Regulation (EEC) No 2055/84⁽²⁾, and in particular Article 3 thereof,

Whereas, in order to ensure uniform application of the nomenclature of the Common Customs Tariff, provisions should be adopted on the tariff classification of deep frozen skinless tuna pieces ('tuna loins') which have been pre-cooked by both steam and water, particularly so as to facilitate the removal of the skin, and resulting in the proteins being partially coagulated;

Whereas Common Customs Tariff heading No 03.01 annexed to Council Regulation (CEE) No 950/68⁽³⁾, as last amended by Regulation (EEC) No 2184/87⁽⁴⁾, refers to fresh (whether alive or dead), refrigerated, or deep frozen, fish; whereas heading No 16.04 refers to prepared and preserved fish;

Whereas, owing to the heat treatment undergone, the fish in question has lost its character as a product falling within heading No 03.01, and consequently falls within

heading No 16.04; whereas within that heading, subheading 16.04 E should be selected;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee on Common Customs Tariff Nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Deep-frozen skinless tuna pieces ('tuna loins') which have been pre-cooked by both steam and water, particularly so as to facilitate the removal of the skin, and resulting in the proteins being partially coagulated shall be classified within the Common Customs Tariff under subheading:

16.04 Prepared and preserved fish, including caviar and its substitutes:

E. Tunny.

Article 2

This Regulation shall take effect from the eighth 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, 24 November 1987.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 14, 21. 1. 1969, p. 1.

⁽²⁾ OJ No L 191, 16. 7. 1984, p. 1.

⁽³⁾ OJ No L 172, 22. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 203, 24. 7. 1987, p. 16.

COMMISSION REGULATION (EEC) No 3535/87
of 25 November 1987
on the supply of common wheat 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 16 301 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 the 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, 25 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

1. **Operation Nos⁽¹⁾:** 1043 and 1044/87
2. **Programme :**
 - 1986 : 11 700 tonnes ;
 - 1987 : 4 601 tonnes ;
3. **Recipient :** 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 :** Ethiopia
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 :** 16 301 tonnes
9. **Number of lots :** 1 (in 2 parts ; part I : 3 500 tonnes ; part 2 : 12 801 tonnes)
10. **Packaging :** in bulk, plus
 - Part I : 73 500 empty new jute sacks, minimum weight 600 g, of a capacity of 50 kilograms, and 40 needles and sufficient twine
marking on the bags, in letters at least 5 cm high :
'ACTION No 1043/87 / ETHIOPIA 0248802 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITIES / ACTION OF THE WORLD FOOD PROGRAMME / MASSAWA'
 - Part 2 : 268 800 empty new jute sacks, minimum weight 600 g, of a capacity of 50 kilograms, and 150 needles and sufficient twine
marking on the bags, in letters at least 5 cm high :
'ACTION No 1044/87 / ETHIOPIA 0248802 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITIES / ACTION OF THE WORLD FOOD PROGRAMME / ASSAB'
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 :** Part 1 : Massawa ; Part 2 : Assab
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 :** 12 noon on (Brussels time) 15 December 1987
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 5 January 1988
 - (b) period for making the goods available at the port shipment : 20 January to 20 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⁽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 30 November 1987 fixed by Regulation (EEC) No 3292/87 in *Official Journal of the European Communities* No L 309 of 31. 10. 1987, p. 89.

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to contact by the successful tenderer :
Mr Haffner, Tedla Desta Building, Africa Avenue (Bole Road) 1st Floor
PO Box 5570, Addis Abbaba, Ethiopia.
- (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,
 - phytosanitary certificate.
- (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 :
- 235 01 32
236 10 97
235 01 30
236 20 05.
- (⁵) 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.
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COMMISSION REGULATION (EEC) No 3536/87

of 25 November 1987

amending Regulation (EEC) No 2935/87 fixing for the 1987/88 marketing year the minimum purchase price for oranges delivered for industrial processing and the financial compensation payable after processing

THE COMMISSION OF THE EUROPEAN COMMUNITIES;

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of certain varieties of oranges ⁽¹⁾, as last amended by Regulation (EEC) No 3391/87 ⁽²⁾, and in particular Article 4 thereof,

Having regard to Council Regulation (EEC) No 3391/87 of 9 November 1987 concerning special measures for the processing of certain varieties of oranges and amending Regulation (EEC) No 2601/69, and in particular Article 2 (2) thereof,

Whereas 'Shamouti' oranges are included in the list of varieties of oranges eligible for aid for processing under Regulation (EEC) No 2601/69 in order to ensure that the purposes for which they are used tend to be in keeping with their characteristics and to limit the quantities concerned and whereas, under Regulation (EEC) No 3391/87, arrangements similar to those laid down in Regulation (EEC) No 2601/69 are, again for limited quantities, applicable to the Cadenera, Castellana and Macetera varieties of biondo oranges;

Whereas the intrinsic characteristics of the Cadenera, Castellana and Macetera varieties are the same as those of the 'Biondo comune' variety, the minimum purchase

price and financial compensation for which are set by Commission Regulation (EEC) No 2935/87 ⁽³⁾; whereas Regulation (EEC) No 2935/87 should therefore be amended to include those varieties;

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

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 2935/87 is hereby amended as follows:

1. In Article 1 (1) (a), 'Biondo comune variety' is replaced by 'Biondo comune, Shamouti, Cadenera, Castellana and Macetera varieties';
2. In Article 2 (a), 'Biondo comune variety' is replaced by 'Biondo comune, Shamouti, Cadenera, Castellana and Macetera varieties'.

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, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽²⁾ OJ No L 323, 13. 11. 1987, p. 2.

⁽³⁾ OJ No L 278, 1. 10. 1987, p. 49.

COMMISSION REGULATION (EEC) No 3537/87

of 25 November 1987

on protective measures applicable to imports of pears in syrup originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1928/87 ⁽²⁾, and in particular Article 18 (2) thereof,

Whereas the marketing of pears in syrup falling within subheadings 20.06 B II a) 6 and 20.06 B II b) 6 of the Common Customs Tariff is characterized by competition from non-member countries at prices significantly below the prices at which Community products can be marketed;

Whereas exporters in certain non-member supplier countries have informed the Community that they will increase their prices during the 1987/88 marketing year; whereas these prices are at levels which will not disturb the Community market; whereas the prices applied by Chinese exporters remain significantly below those of the Community and other supplier countries and as such, could oblige non-member supplier countries to reduce their prices;

Whereas in these circumstances the Community market is exposed to serious disturbances which might endanger the objectives set out in Article 39 of the Treaty; whereas it is therefore necessary to apply protective measures in respect of the products concerned originating in the People's Republic of China;

Whereas the aim of the protective measures should be to exclude the marketing of imported products at abnormally low prices;

Whereas this objective can be achieved by introducing a minimum import price to be respected on import into the Community and by applying countervailing charges on products which do not respect that price; whereas the countervailing charges should be calculated on the basis of the prices applied by supplier countries;

Whereas the minimum import price may be undercut due to events which are not a consequence of prices applied by non-member countries, e.g. fluctuation of exchange rates; whereas that fact should be taken into consideration when countervailing charges are fixed;

Whereas account should be taken of the special situation of products which have already left the exporting country at the time this Regulation is published,

HAS ADOPTED THIS REGULATION:

Article 1

1. On import into the Community of pears in syrup falling within subheadings 20.06 B II a) 6 and 20.06 B II b) 6 of the Common Customs Tariff and originating in the People's Republic of China, the minimum import price shall be 610 ECU/tonne net weight.

2. If the minimum import price is not respected the following countervailing charges shall be applied:

(ECU/tonne net)

Import price applied		Countervailing charge
Less than	but not less than	
610	580	30
580	550	60
550	490	120
490		150

Article 2

1. The minimum import price shall be respected when the import price expressed in the currency of the importing Member State is not less than the minimum import price applicable on the day on which the entry for release for free circulation is accepted.

2. The following factors shall constitute the import price:

- (a) the fob price in the country of origin;
- (b) transport and insurance costs to the point of entry into the customs territory of the Community.

3. For the purposes of paragraph 2, 'fob price' means the price paid or to be paid for the quantity of products contained in a consignment including the cost of placing the consignment on board a means of transport at the place of shipment in the country of origin and other costs incurred in that country. The fob price shall not include the cost of any services to be borne by the seller from the time that the products are placed on board the means of transport.

⁽¹⁾ OJ No L 49, 22. 2. 1986, p. 1.

⁽²⁾ OJ No L 183, 3. 7. 1987, p. 32.

4. Payment of the fob price to the seller shall be effected not later than three months after the day on which the entry for free circulation is accepted by the customs authorities.

5. Where the factors referred to in paragraph 2 are expressed in a currency other than that of the importing Member State, the provisions on the valuation of goods for customs purposes shall be applied when converting such currency into the currency of the importing Member State.

Article 3

1. The customs authorities shall, in respect of each consignment, at the time of completion of the customs import formalities for free circulation, compare the import price with the minimum import price.

2. The import price shall be declared on the entry for release for free circulation and the entry shall be accompanied by all the documents required to verify the price.

3. The competent authorities shall:

- (a) if the invoice presented to the customs authorities has not been drawn up by the exporter in the country in which the products originated;
or
- (b) if the authorities are not satisfied that the price declared in the entry reflects the actual import price;
or
- (c) if payment has not been effected within the time limit provided for in Article 2 (4);

take the necessary measures to determine the import price, in particular by reference to the importer's resale price.

Article 4

The importer shall retain evidence of payment to the seller. That evidence and all commercial documents, in

particular invoices, contracts and correspondence concerning the purchase and sale of the products shall be kept available for examination by the customs authorities for a period of three years.

Article 5

1. This Regulation shall not apply to products for which it has been proved that they have left the supplier country before the day of publication of this Regulation.

2. The parties concerned shall provide proof, to the satisfaction of the competent authorities, that the conditions set out in paragraph 1 have been complied with.

However, the competent authorities may regard the products as having left the supplier country before the day of publication of this Regulation when one of the following documents is submitted:

- in the case of transport by sea or waterway, the bill of lading showing that loading took place before that day,
- in case of transport by rail, the consignment note accepted by the railways of the expediting country before that day,
- in case of transport by road, the TIR carnet presented to the first customs office before that day,
- in case of transport by air, the air consignment note showing that the airline received the products before that day.

3. The provisions of paragraphs 1 and 2 shall apply only in so far as the entry for free circulation has been accepted by the customs authorities before 26 February 1988.

Article 6

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

It shall apply until 14 July 1988.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3538/87

of 25 November 1987

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

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⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 10 (2) of Regulation (EEC) No 1837/80, a levy is applicable to the products specified in Article 1 (a) of that Regulation;

Whereas the levy on products falling within subheading 02.01 A IV a) 1 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the difference between the seasonally-adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 2 of Council Regulation (EEC) No 1472/86 ⁽³⁾ for the 1987 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regard quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80 ⁽⁴⁾ the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents

which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on live animals within subheading 01.04 B and on the meat falling within subheadings 02.01 A IV a) 2, 3, 4 and 5 and 02.06 C II a) listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 486/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87 ⁽⁶⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁷⁾, introduces, with effect from 1 January 1988, a new combined nomenclature

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 133, 21. 5. 1986, p. 34.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽⁷⁾ OJ No L 256, 7. 9. 1987, p. 1.

which meets the requirements of both the Common Customs Tariff and the Community's statistics on foreign trade and which replaces the existing nomenclature; whereas the combined nomenclature codes should therefore be specified, together with the relevant levies;

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 coefficient provided for in the last paragraph of Article 3 (b) of to Council Regulation (EEC) No 1676/85 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾;
- 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the informa-

tion and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 7 December 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX I

to the Commission Regulation of 25 November fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CCT heading No	Week No 49 from 7 to 13 December 1987	Week No 50 from 14 to 20 December 1987	Week No 51 from 21 to 27 December 1987	Week No 52 from 28 to 31 December 1987
01.04 B	111,432 ⁽¹⁾	115,437 ⁽¹⁾	119,436 ⁽¹⁾	122,501 ⁽¹⁾
02.01 A IV a) 1	237,090 ⁽²⁾	245,610 ⁽²⁾	254,120 ⁽²⁾	260,640 ⁽²⁾
2	165,963 ⁽²⁾	171,927 ⁽²⁾	177,884 ⁽²⁾	182,448 ⁽²⁾
3	260,799 ⁽²⁾	270,171 ⁽²⁾	279,532 ⁽²⁾	286,704 ⁽²⁾
4	308,217 ⁽²⁾	319,293 ⁽²⁾	330,356 ⁽²⁾	338,832 ⁽²⁾
5 aa)	308,217 ⁽²⁾	319,293 ⁽²⁾	330,356 ⁽²⁾	338,832 ⁽²⁾
bb)	431,504 ⁽²⁾	447,010 ⁽²⁾	462,498 ⁽²⁾	474,365 ⁽²⁾
02.06 C II a) 1	308,217 ⁽²⁾	319,293 ⁽²⁾	330,356 ⁽²⁾	338,832 ⁽²⁾
2	431,504 ⁽²⁾	447,010 ⁽²⁾	462,498 ⁽²⁾	474,365 ⁽²⁾

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

ANNEX II

to the Commission Regulation of 25 November fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code (*)	Week No 52 from 1 to 3 January 1988 (1).
0104 10 90	122,501 (1)
0104 20 90	122,501 (1)
0204 10 00	260,640 (2)
0204 21 00	260,640 (2)
0204 50 11	260,640 (2)
0204 22 10	182,448 (2)
0204 50 13	182,448 (2)
0204 22 30	286,704 (2)
0204 50 15	286,704 (2)
0204 22 50	338,832 (2)
0204 50 19	338,832 (2)
0204 22 90	338,832 (2)
0204 50 31	338,832 (2)
0204 23 00	474,365 (2)
0204 50 39	474,365 (2)
0210 90 11	338,832 (3)
0210 90 19	474,365 (3)

(*) See Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

(1) The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

(2) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

(3) The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 3539/87
of 25 November 1987
fixing the import levies on frozen sheepmeat and goatmeat

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⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products falling within subheading 02.01 A IV b) listed in Annex I to that Regulation;

Whereas, pursuant to Article 13 of Regulation (EEC) No 1837/80, the levy on frozen carcasses and halfcarcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the basic price for the 1987 marketing year is fixed in Article 1 of Council Regulation (EEC) No 1472/86 ⁽³⁾; whereas the coefficient referred to in Article 13 (1) (a) of Regulation (EEC) No 1837/80 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 ⁽⁴⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is

competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within subheadings 02.01 A IV b) 2, 3, 4 and 5 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 486/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87 ⁽⁶⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 133, 21. 5. 1986, p. 34.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the common Customs Tariff⁽¹⁾ introduces, with effect from 1 January 1988, a new combined nomenclature, which meets the requirements of both the Common Customs Tariff and the Community's statistics on foreign trade and which replaces the existing nomenclature; whereas the combined-nomenclature codes should therefore be specified, together, with the relevant import duties;

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 coefficient provided for in the last paragraph of Article 3 (b) of Council Regulation (EEC) No 1676/85⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in rela-

tion to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annexes hereto.

Article 2

This Regulation shall enter into force on 7 December 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX I

to the Commission Regulation of 25 November fixing the import levies on frozen sheep-meat and goatmeat

(ECU/100 kg)

CCT heading No	Week No 49 from 7 to 13 December 1987 ⁽¹⁾	Week No 50 from 14 to 20 December 1987 ⁽¹⁾	Week No 51 from 21 to 27 December 1987 ⁽¹⁾	Week No 52 from 28 to 31 December 1987 ⁽¹⁾
02.01 A IV b) 1	176,318	182,708	189,090	193,980
2	123,423	127,896	132,363	135,786
3	193,950	200,979	207,999	213,378
4	229,213	237,520	245,817	252,174
5 aa)	229,213	237,520	245,817	252,174
bb)	320,899	332,529	344,144	353,044

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

ANNEX II

to the Commission Regulation of 25 November fixing the import levies on frozen sheep-meat and goatmeat

(ECU/100 kg)

CN code (*)	Week No 52 from 1 to 3 January 1988 (1)
0204 30 00	193,980
0204 41 00	193,980
0204 50 51	193,980
0204 42 10	135,786
0204 50 53	135,786
0204 42 30	213,378
0204 50 55	213,378
0204 42 50	252,174
0204 50 59	252,174
0204 42 90	252,174
0204 50 71	252,174
0204 43 00	353,044
0204 50 79	353,044

(*) See Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

(1) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 3540/87
of 25 November 1987
fixing the import levy on molasses

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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Regulation (EEC) No 2569/87 ⁽³⁾, as last amended by Regulation (EEC) No 3460/87 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2569/87 to

the information at present available to the Commission that the levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 26 November 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 November 1987 fixing the import levy on molasses

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.03	Molasses, whether or not decolorized	0,39

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 243, 27. 8. 1987, p. 48.

⁽⁴⁾ OJ No L 328, 19. 11. 1987, p. 39.

COMMISSION REGULATION (EEC) No 3541/87

of 25 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 2 November 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 2 November 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 2 November 1987 the level of the premium is fixed at 61,269 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 2 November 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 2 November 1987.

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

Done at Brussels, 25 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
2 November 1987

(ECU/100 kg)

CCT heading No	Description	Amounts		
		A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified at the second, third and fourth indents of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾	C. Products specified at the first indent of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight	Live weight	Live weight
		18,580	9,290	1,858
		Net weight	Net weight	Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :			
	1. Carcases or half-carcases	39,532	19,766	3,953
	2. Short forequarters	27,672		
	3. Chines and/or best ends	43,485		
	4. Legs	51,392		
	5. Other :			
	aa) Unboned (bone-in)	51,392		
02.01 A IV b)	Meat of sheep or goats, frozen :	bb) Boned or boneless	71,948	
		1. Carcases or half-carcases	29,649	
		2. Short forequarters	20,754	
		3. Chines and/or best ends	32,614	
		4. Legs	38,544	
		5. Other :		
		aa) Unboned (bone-in)	38,544	
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :	bb) Boned or boneless	53,961	
		1. Unboned (bone-in)	51,392	
		2. Boned or boneless	71,948	
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)	51,392	
		— boned or boneless	71,948	

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

COMMISSION REGULATION (EEC) No 3542/87

of 25 November 1987

fixing for December 1987 the levy applicable in Spain to products subject to the price control system

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 1664/87 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March to 31 December 1987, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, the average price of soya oil in Spain during the 1984/85 marketing year and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a state organization; whereas therefore, the system providing for the said levy will make any further intervention by the state superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 461,92 ECU per tonne of oil for December 1987.

Article 2

This Regulation shall enter into force on 1 December 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 155, 16. 6. 1987, p. 9.

COMMISSION REGULATION (EEC) No 3543/87

of 25 November 1987

fixing the maximum export refund for white sugar for the 30th 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 30th 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 30th partial invitation to tender for white sugar issued under Regulation (EEC) No 1092/87 is hereby fixed at 45,319 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 26 November 1987.

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

Done at Brussels, 25 November 1987.

For the Commission

Franz 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE

of 17 November 1987

amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs

(87/552/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs⁽¹⁾, as last amended by Directive 87/317/EEC⁽²⁾, and in particular Article 7 thereof,

Whereas Directive 70/524/EEC provides for regular amendment of the content of its Annexes to take account of advances in scientific and technical knowledge; whereas the Annexes were consolidated by Commission Directive 85/429/EEC⁽³⁾;

Whereas the list of cases provided for in Annex I where bentonite/montmorillonite may, without interaction risk, be mixed with antibiotics, coccidiostats and other medicinal substances, should be supplemented;

Whereas calcium sulphate dihydrate used as an anti-caking agent, as well as various additives belonging to the group of emulsifiers, comply, in every respect to the principles ruling the admission of additives; whereas it is desirable therefore to authorize their use throughout the Community;

Whereas the investigation of various additives currently listed in Annex II and therefore authorizable at national level has not yet been completed; whereas, therefore, the period of authorization of these substances should be extended for a specific period;

Whereas the use of various additives has been successfully tested in certain Member States; whereas these new uses should be provisionally authorized, at least at national level until such time as it is permitted at Community level;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee for Feedingstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Annexes to Directive 70/524/EEC are hereby amended as set out in the Annex hereto.

Article 2

Member States shall, by 30 November 1988 at the latest, bring into force the laws, regulations or administrative provisions necessary to comply with Article 1. They shall immediately inform the Commission thereof.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 17 November 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽²⁾ OJ No L 160, 20. 6. 1987, p. 34.

⁽³⁾ OJ No L 245, 12. 9. 1985, p. 1.

ANNEX

1. In Annex I:

(a) under part E, 'Emulsifiers, stabilizers, thickeners and gelling agents', the following items are added:

EEC No	Additives	Chemical formula, description	Species or category of animal	Maximum age	Maximum content		Other provisions
					Minimum content	mg/kg of complete feedingstuff	
'E 432	Polyoxyethylen(20)-sorbitan monolaurate	—	All species or cate- gories of animals	—	—	5 000 (alone or with the other Polysorbates)	Milk replacers only
E 433	Polyoxyethylen(20)-sorbitan mono-oleate	—		—	—		
E 434	Polyoxyethylen(20)-sorbitan monopalmitate	—		—	—		
E 435	Polyoxyethylen(20)-sorbitan monostearate	—		—	—		
E 436	Polyoxyethylen(20)-sorbitan tristearate	—		—	—		

(b) under part L, 'Binders, anti-caking agents and coagulants':

(aa) the wording of EEC No E 558 'Bentonite/montmorillonite' is replaced by the following:

EEC No	Additives	Chemical formula, description	Species or category of animal	Maximum age	Maximum content		Other provisions
					Minimum content	Maximum content mg/kg of complete feedingstuff	
'E 558	Bentonite/montmorillonite	—	All species or categories of animals	—	—	20 000	All feedingstuffs Mixing with additives from the groups of "antibiotics", "growth promoters", "coccidiostats and other medicinal substances" is prohibited except in the case of: Tylosin, Monensin sodium, Narasin, Iprnidazole, Lasalocid sodium, Avoparcin, Flavophospholipol, Salinomycin sodium, Ronidazole and Virginiamycin Indication on the label of the specific name of the additive

(bb) the following item is added :

EEC No	Additives	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedings	Maximum content	Other provisions
'E 516	Calcium sulphate dihydrate	$\text{CaSO}_4 \cdot 2\text{H}_2\text{O}$	All species or categories of animals	—	—	30 000	All feedings

2. In Annex II :

(a) under part A, 'Antibiotics' :

(aa) the date '30. 11. 1987' in the column 'Period of authorization' is replaced by the date '30. 11. 1988' against the following items :

No 21 'Virginiamycin' ;

No 26 'Flavophospholipol' ;

(bb) the following items are added :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedings	Maximum content	Other provisions	Period of authorization
'27	Salinomycin sodium	$\text{C}_{42}\text{H}_{68}\text{O}_{11}\text{Na}$ (Sodium salt of a polyeether of monocarboxylic acids produced by <i>Streptomyces albus</i>)	Piglets Pigs	4 months 6 months	30 15	60 30	Indicate in the instructions for use : "Dangerous for Equines"	30. 11. 1988 30. 11. 1988
28	Avilamycin	$\text{C}_{37.62}\text{H}_{82.90}\text{Cl}_{1.2}\text{O}_{11.32}$ (Mixtures of oligosaccharides of the orthosomycin group produced by <i>Streptomyces viridochromogenes</i>)	Piglets Pigs	4 months 6 months	20 10	40 20		30. 11. 1988 30. 11. 1988

(b) under part D, 'Coccidiostats and other medicinal substances' :

(aa) the text of item No 16 is completed as follows :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedings	Maximum content	Other provisions	Period of authorization
			'Rabbits	—	220	220	Use prohibited at least 5 days before slaughter	30. 11. 1988

(bb) the following item is added :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingsuffs	Maximum content	Other provisions	Period of authorization
'20	Lasalocid sodium	$C_{14}H_{13}O_8Na$ (Sodium salt of a polyether of monocarboxylic acid produced by <i>Streptomyces lasaliensis</i>)	Turkeys	12 weeks	90	125	Use prohibited at least 5 days before slaughter	30. 11. 1988'

(c) Under part E, 'Emulsifiers, stabilizers, thickeners and gelling agents', the text of item No 29 'Polyoxyethylene (20) sorbitan trioleate' is replaced by the following :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingsuffs	Maximum content	Other provisions	Period of authorization
'29	Polyoxyethylene (20)-sorbitan trioleate	—	All species or categories of animals	—	—	5 000 (alone or with the other Polysorbates)	All feedingsuffs	30. 11. 1988'

(d) under part F, 'Colouring matters including pigments' :

(aa) the text of item No 2, 'Canthaxanthin', is replaced by the following :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingsuffs	Maximum content	Other provisions	Period of authorization
'2	Canthaxanthin	$C_{40}H_{52}O_2$	Salmon, trout	—	—	100 (alone or together with Astaxanthin)	Use permitted from the age of 6 months onwards	15. 5. 1988'

(bb) the following item is hereby added :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content mg/kg of complete feedingsuffs	Maximum content	Other provisions	Period of authorization
'5	Astaxanthin	$C_{40}H_{52}O_4$	Salmon, trout	—	—	100 (alone or together with Canthaxanthin)	Use permitted from the age of 6 months onwards	30. 11. 1988'

(e) under part G, 'Preservatives', the following item is added :

No	Additive	Chemical formula, description	Species or category of animal	Maximum age	Minimum content		Maximum content	Other provisions	Period of authorization
					mg/kg of complete feedingsuffs				
'20	Methylpropionic acid	C ₄ H ₈ O ₂	All species or categories of animals with the exception of laying hens	—	1 000	4 000	—	30. 11. 1988'	

(f) under part J, 'Growth Promoters', the date '30. 11. 1987' in the column 'Period of authorization' against Item No 1, 'Nitrovin', is replaced by the date '30. 6. 1988';

(g) under part L, 'Binders, anti-caking agents and coagulants', the date '30. 11. 1987' in the column 'Period of authorization' against Item No 5, 'Perlite', is replaced by the date '30. 11. 1988';

(h) under part M, 'Acidity regulators', the date '30. 11. 1987' in the column 'Period of authorization' against all the additives listed under this part is replaced by the date '30. 11. 1988'.

CORRIGENDA

Corrigendum to the Council Directive of 9 November 1987 on access to the occupation of carrier of goods by waterway in national and international transport and on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for this occupation

(Official Journal of the European Communities No L 322 of 12 November 1987)

On page 21, Article 1 (2), first indent, line 3:

The word 'vessel' is inserted after the word 'waterway'.

Corrigendum to Council Regulation (EEC) No 3485/87 of 17 November 1987 amending Regulation (EEC) No 355/79 laying down general rules for the description and presentation of wines and grape musts

(Official Journal of the European Communities No L 330 of 21 November 1987)

On page 8, in line 15 of point 3 of Article 1 (17):

for: '... until 31 December 1996 ...',

read: '... until 31 December 2002 ...'.

Corrigendum to Commission Regulation (EEC) No 3527/87 of 24 November 1987 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(Official Journal of the European Communities No L 335 of 25 November 1987)

Page 20, Annex, subheading 10.01 B I, Common wheat and meslin, third indent:

for: 'zones I, II a), III, V, VI and VII',

read: 'zones I, II a), III, V, VI and VII except the Soviet Union'.
