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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 76/88

of 13 January 1988

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) 3989/87 ⁽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 4047/87 ⁽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 12 January 1988;

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 4047/87 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 14 January 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 99.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 13 January 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	8,43	169,86
0712 90 19	8,43	169,86
1001 10 10	62,91	252,24 ⁽¹⁾ ⁽²⁾
1001 10 90	62,91	252,24 ⁽¹⁾ ⁽²⁾
1001 90 91	19,06	196,61
1001 90 99	19,06	196,61
1002 00 00	44,06	164,61 ⁽⁶⁾
1003 00 10	37,33	184,80
1003 00 90	37,33	184,80
1004 00 10	93,75	148,90
1004 00 90	93,75	148,90
1005 10 90	8,43	169,86 ⁽²⁾ ⁽³⁾
1005 90 00	8,43	169,86 ⁽²⁾ ⁽³⁾
1007 00 90	31,95	177,35 ⁽⁴⁾
1008 10 00	37,33	100,20
1008 20 00	37,33	111,07 ⁽⁴⁾
1008 30 00	37,33	61,88 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	37,33	61,88
1101 00 00	41,01	289,58
1102 10 00	75,79	245,10
1103 11 10	111,02	404,48
1103 11 90	42,85	311,30

⁽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 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 77/88

of 13 January 1988

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 3989/87 ⁽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 4048/87 ⁽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 12 January 1988;

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 14 January 1988.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 102.

ANNEX

to the Commission Regulation of 13 January 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 1	1st period 2	2nd period 3	3rd period 4
0709 90 60	0	0	0	0,28
0712 90 19	0	0	0	0,28
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0,28
1005 90 00	0	0	0	0,28
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 78/88

of 13 January 1988

on the supply of refined rapeseed oil to the World Food Programme (WFP) as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid 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 WFP, the Commission allocated to the latter organization 387 tonnes of refined rapeseed oil to be supplied free at port of shipment ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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

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

Done at Brussels, 13 January 1988.

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⁾**: 1100 to 1103/87
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome, telex 626675 WFP
4. **Representative of the recipient⁽²⁾**: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Tanzania (A, B, C); Ethiopia (D)
6. **Product to be mobilized**: refined rapeseed oil
7. **Characteristics and quality of the goods⁽³⁾**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.A.1)
8. **Total quantity**: 387 tonnes net
9. **Number of lots**: 1 (4 parts: Part A: 50 tonnes; Part B: 70 tonnes; Part C: 42 tonnes; Part D: 225 tonnes)
10. **Packaging and marking**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.B):
 - metal cans of 5 litres or 5 kilograms,
 - to be delivered on standard pallets,
 - the cans must be packed in cartons, with four cans per carton,
 - the cans must carry the following wording:
 - Part A: 'ACTION No 1100/87 / TANZANIA 0340400 / COLZA OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / TANGA'
 - Part B: 'ACTION No 1101/87 / TANZANIA 0340400 / COLZA OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / DAR ES SALAAM' ⁽⁴⁾
 - Part C: 'ACTION No 1102/87 / TANZANIA 0340400 / COLZA OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / DAR ES SALAAM' ⁽⁴⁾
 - Part D: 'ACTION No 1103/87 / ETHIOPIA 0346000 / COLZA OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / MASSAWA'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 to 31 March 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁵⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 2 February 1988 not later than 12 noon (Belgian time). Tenders shall be valid until 12 midnight on 3 February 1988
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 16 February 1988 not later than 12 noon (Belgian time). Tenders shall be valid until 12 midnight on 17 February 1988
 - (b) period for making the goods available at the port of shipment: 15 March to 15 April 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 15 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁶⁾**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi,
B-1049 Bruxelles, Telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to contact by the successful tenderer: see list published in *Official 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,
 - health certificate.
- (⁴) Cartons must display a red disc of a minimum diameter of 30 cm.
- (⁵) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁶) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
- 235 01 32
236 10 97
235 01 30
236 20 05.
-

COMMISSION REGULATION (EEC) No 79/88**of 13 January 1988****laying down quality standards for lettuces, curled-leaved endives, broad-leaved (Batavian) endives and sweet peppers**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3910/87⁽²⁾, and in particular Article 2 (3) thereof,

Whereas the quality standards for lettuces, curled-leaved endives and broad-leaved (Batavian) endives are laid down in Annex II/5 of Commission Regulation No 23 on the progressive establishment of a common organization of the market in fruit and vegetables⁽³⁾; whereas those standards were amended by Regulation No 51/65/EEC⁽⁴⁾;

Whereas Commission Regulation (EEC) No 2397/76⁽⁵⁾ lays down quality standards for sweet peppers;

Whereas a change has occurred in the production and marketing of these products, particularly as regards the requirements of consumer and wholesale markets; whereas the common quality standards for lettuces, curled-leaved endives, broad-leaved (Batavian) endives and sweet peppers should therefore be changed to take those new requirements into account;

Whereas in the case of lettuces, curled-leaved endives, broad-leaved (Batavian) endives, such changes entail alteration of the definition of the supplementary quality class as laid down by Council Regulation (EEC) No 1194/69⁽⁶⁾ as last amended by Regulation (EEC) No 897/77⁽⁷⁾ whereas account should be taken, in defining that class, of the economic importance to producers of the products concerned and of the need to meet consumer requirements;

Whereas the standards are applicable at all stages of marketing; whereas transportation over a long distance, storage for a certain length of time or the various handling operations may bring about deterioration due to the biological development of the products or their tendency to perish; whereas, therefore, account should be taken of such deterioration when applying the standards of marketing stages following dispatch;

Whereas in the interests of clarity and certainty as to legal requirements and for ease of use the standards thus changed should be consolidated in a single text;

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

The quality standards for lettuces, curled-leaved endives and broad-leaved (Batavian) endives falling within subheadings 0705 11 and 0705 29 00 of the combined nomenclature and for sweet peppers falling within subheading 0709 60 10 of the combined nomenclature are set out in Annexes I and II respectively.

Those standards shall apply at all marketing stages, under the conditions laid down in Regulation (EEC) No 1035/72.

However, at stages following dispatch the products may show, in relation to the standards prescribed a slight lack of freshness and turgescence and slight alteration due to their biological development and their tendency to perish.

Article 2

Regulation No 23 is hereby amended as follows:

- in Article 2 (3) the words 'lettuces, curled-leaved endives and broad-leaved (Batavian) endives' are deleted;
- Annex II/5 is deleted.

Article 3

Regulation (EEC) No 1194/69 is hereby amended as follows:

- in Article 1, the words 'lettuces, curled-leaved endives and broad-leaved (Batavian) endives' are deleted;
- Annex I is deleted.

Article 4

Regulation (EEC) No 2397/76 is hereby repealed.

Article 5

This Regulation shall enter into force on 1 July 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987.

⁽³⁾ OJ No 30, 20. 4. 1962, p. 965/62.

⁽⁴⁾ OJ No 55, 3. 4. 1965, p. 793/65.

⁽⁵⁾ OJ No L 270, 2. 10. 1976, p. 13.

⁽⁶⁾ OJ No L 157, 28. 6. 1969, p. 1.

⁽⁷⁾ OJ No L 88, 31. 3. 1987, p. 17.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

QUALITY STANDARD FOR LETTUCES, CURLED-LEAVED ENDIVES AND BROAD-LEAVED (BATAVIAN) ENDIVES

I. DEFINITION OF PRODUCE

This standard applies to lettuces of *Lactuca sativa* L. var. capitata L. of varieties (cultivars) derived from (cabbage (head) lettuces including 'crisphead' and Iceberg 'type' lettuces) of *Lactuca sativa* L. var. longifolia Lam. (cos or romaine lettuces) and from crosses of these two varieties, to be supplied fresh to the consumer, excluding cutting lettuces.

It also applies to curled-leaved endives of varieties (cultivars) derived from *Cichorium endivia* L. var. crispa Lam. and to broad-leaved (Batavian) endives of varieties (cultivars) derived from *Cichorium endivia* L. var. latifolia, lam, to be supplied fresh to the consumer.

This standard does not apply to produce for industrial processing.

II. PROVISIONS CONCERNING QUALITY

The standard defines the quality requirements for lettuces, curled-leaved endives and broad-leaved (Batavian) endives after preparation and packaging.

A. Minimum requirements :

In all classes, subject to special provisions for each class and the tolerances allowed, the produce must be :

- intact,
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- of fresh appearance,
- turgescant,
- clean and trimmed, i.e. substantially free of leaves soiled by earth or other growing medium (subject to the special provisions for Class III) and practically free from any visible foreign matter,
- practically free from pests,
- practically free from damage caused by pests,
- not running to seed,
- free of all abnormal external moisture,
- free of foreign smell and/or taste.

In the case of lettuce, a reddish discolouration, caused by low temperature during growth, is allowed, unless it seriously affects the appearance of the lettuce.

The roots must be cut close to the base of the outer leaves.

The produce must be of normal development. The condition and development of the produce must be such as to enable it :

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

The produce is classified into three classes defined below :

(1) Class I

Produce of this class must be of good quality. It must show all the characteristics of the variety or of the type, especially the colour. It must also be :

- well formed,
- firm (excluding those grown under protection),
- free from damage or deterioration impairing edibility,
- free from frost damage.

Lettuces must have a single and well formed heart. However, in the case of cabbage lettuces grown under protection and cos lettuces, the heart may be less well formed.

The centre of curled-leaved endives and broad-leaved (Batavian) endives must be yellow in colour.

(ii) *Class II*

This class includes produce which does not qualify for inclusion in Class I, but satisfies the minimum requirements specified above.

Produce in this class must be :

- reasonably well-formed,
- free from damage or deterioration which may seriously impair edibility.

The produce may show :

- slight discolouration,
- slight damage caused by pests.

Lettuces may have a small heart. However, in the case of cabbage lettuces grown under protection (glass or plastic) and cos lettuces, absence of heart is permissible.

(iii) *Class III⁽¹⁾*

This class includes produce which does not qualify for inclusion in the higher classes, but satisfies the requirements for Class II. However, the leaves may be slightly soiled with earth or other growing medium provided that the general appearance is not seriously affected

III. PROVISIONS CONCERNING SIZING

Sizing is determined by the weight of one unit.

A. Minimum weight :

The minimum weight is :

(i) *Classes I and II*

	Open-grown	Grown under protection
Lettuces (excluding (Iceberg) type)	150 g	100 g
Crisphead lettuces (Iceberg)	300 g	200 g
Curled-leaved endives and broad-leaved (Batavian) endives	200 g	150 g

(ii) *Class III:*

Open-air lettuces and lettuces grown under protection must weigh at least 80 g per unit.

Open-air curled-leaved and broad-leaved (Batavian) endives or curled-leaved and broad-leaved (Batavian) endives grown under protection must weigh at least 100 g per unit.

B. Uniformity

(a) *Lettuces*

In all classes, the difference between the lightest and heaviest units in each package must not exceed :

- 40 g for lettuces weighing less than 150 g per unit,
- 100 g for lettuces weighing between 150 und 300 g per unit,
- 150 g for lettuces weighing between 300 und 450 g per unit,
- 300 g for lettuces weighing more than 450 g per unit.

(b) *Curled-leaved and broad-leaved (Batavian) endives*

In all classes, the difference between the lightest and heaviest units in each package must not exceed :

- 150 g for open-air curled-leaved and broad-leaved (Batavian) endives,
- 100 g for curled-leaved and broad-leaved (Batavian) endives grown under protection.

⁽¹⁾ Additional class within the meaning of Article 2 (1) of Regulation (EEC) No 1035/72. Application of this quality class or some of its requirements is subject to a decision to be taken pursuant to Article 4 (1) of the said Regulation.

IV. PROVISIONS CONCERNING TOLERANCES

Tolerances in respect of quality and size are allowed in each package for produce not satisfying the requirements of the class indicated.

A. Quality tolerances :

(i) *Class I:*

10 % of units not satisfying the requirements of the class, but meeting the requirements of Class II or, exceptionally, coming within the tolerances for that class.

(ii) *Class II:*

10 % of units satisfying neither the requirements for the class, nor the minimum requirements, with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

(iii) *Class III:*

15 % by number of units satisfying neither the requirements for the class, nor the minimum requirements (without prejudice to the provisions on soiling), with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances :

In all classes, 10 % by number of units not conforming to the relevant provisions on size, but weighing not more than 10 % over or under the size in question.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and must contain only produce of the same origin, variety, quality and size.

The visible part of the contents of each package must be representative of the entire contents.

B. Presentation

The produce must be packed in rows of not more than three layers.

When packed in two layers, lettuces and curled-leaved endives must be placed heart-to-heart unless suitably protected or separated. If arranged in three layers, the produce must be placed heart-to-heart in two of them.

Broad-leaved (Batavian) endives may be packed heart-to-heart or flat. Cos lettuce may be packed flat.

C. Packaging

The produce must be packed in such a way that it is suitably protected. It must be reasonably packed having regard to the size and type of packaging without empty spaces or crushing.

Produce must be separated from the bottom, long sides and lid, if any, by some appropriate form of protection.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials and particularly of paper or stamps bearing trade specifications is allowed provided that the printing or labelling has been done with a non-toxic ink or glue.

Packages must be free from all foreign matter, such as loose leaves and parts of stems.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars in letters grouped on the same side, legibly and indelibly marked and visible from the outside :

A. Identification

Packer and/or Dispatcher	}	Name and address or officially issued or accepted code mark
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B. Nature of produce

- 'lettuces', 'butterhead lettuces' 'cos lettuces', 'curled-leaved endives', 'crisphead lettuces', 'Iceberg lettuces', or 'broad-leaved (Batavian) endives' if the contents are not visible from the outside,
- an indication 'grown under protection' where appropriate,
- name of variety (optional).

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional, or local place name.

D. Commercial specifications

- Class,
- Size, indicated by the minimum weight per unit, or by the number of units,
- Net weight (optional).

E. Official control mark (optional)

ANNEX II

QUALITY STANDARD FOR SWEET PEPPERS

I. DEFINITION OF PRODUCE

This standard applies to sweet peppers of the varieties (cultivars) grown from *Capsicum annum* L., to be supplied fresh to the consumer, sweet peppers for industrial processing being excluded.

Sweet peppers may be classified into four commercial types, according to shape, as follows :

- elongated sweet peppers (tapering),
- square sweet peppers (blunt),
- square sweet peppers tapering ('peg top'),
- flat sweet peppers ('tomato peppers').

II. PROVISIONS CONCERNING QUALITY

The purpose of the standard is to define the quality requirements for sweet peppers after preparation and packaging.

A. Minimum requirements

In all classes, subject to the special provisions for each class and the tolerances allowed, the sweet peppers must be :

- whole,
- fresh in appearance,
- sound ; produce affected by rotting or deterioration such as to make it unfit for consumption is excluded,
- clean, practically free of any visible foreign matter,
- well-developed,
- free of damage caused by frost,
- free of unhealed injuries,
- free of sun-scorch (subject to the specifications laid down under B, Classification, (ii)),
- with their stalk,
- free of abnormal external moisture,
- free of any foreign smell and/or taste.

The development and condition of the sweet peppers must be such as to enable them :

- to withstand transport and handling, and
- to arrive in satisfactory condition at the place of destination.

B. Classification

The sweet peppers are classified into the two classes defined below :

(i) *Class I:*

Sweet peppers in this class must be of good quality. They must also be :

- firm,
- of the normal shape, development and colouring for the variety with due regard to the degree of ripeness,
- virtually free of blemishes.

The stalk may be slightly damaged or cut with the calyx intact.

(ii) *Class II:*

This class includes sweet peppers which do not qualify for inclusion in Class I but satisfy the minimum requirements specified above.

Provided the peppers retain their essential characteristics of quality and presentation, they may show the following defects :

- defects in shape and development,
- sun-scorch or slight healed injuries not exceeding 1 cm² per pepper for superficial defects and 2 cm in length for defects of elongated shape,
- slight dry superficial cracks not exceeding an overall cumulative length of 3 cm.

The sweet peppers may be less firm but may not be withered. The stalk may be damaged or cut.

III. PROVISIONS CONCERNING SIZING

Sizing is determined by the shoulder diameter (width) of the sweet peppers. In the case of flat sweet peppers (tomato peppers) the term 'width' means the maximum equatorial diameter. For sized sweet peppers, the difference in diameter between the largest and smallest sweet pepper in the same package may not exceed 20 mm.

The width of sweet peppers may not be less than :

- elongated sweet peppers (tapering): 30 mm,
- square sweet peppers (blunt): 50 mm,
- square sweet peppers tapering (peg top): 40 mm,
- flat sweet peppers (tomato peppers): 55 mm.

Sizing is not compulsory for Class II, provided the minimum sizes are observed.

The above provisions do not apply to sweet peppers with slim pods of medium length ('Peperoncini' type) grown from particular varieties of *Capsicum annum* L. var. longum.

These must exceed 5 cm in length.

IV. PROVISIONS CONCERNING TOLERANCES

The following tolerances in respect of quality and size are allowed for produce not satisfying the requirements of the class indicated in each package.

A. Quality tolerances

(i) Class I:

10 % by number or weight of sweet peppers not satisfying the requirements for the class but meeting those for Class II or, exceptionally, coming within the tolerances for that class.

(ii) Class II:

10 % by number or weight of sweet peppers satisfying neither the requirements for the class nor the minimum requirements with the exception of produce affected by rotting or any other deterioration rendering it unfit for consumption.

B. Size tolerances

(i) Class I:

10 % by number or weight of sweet peppers not conforming to the sizes specified within a margin of ± 5 mm, including not more than 5 % of sweet peppers below the minimum size laid down.

(ii) Class II:

— Sized sweet peppers

10 % by number or weight of sweet peppers not conforming to the sizes specified within a margin of ± 5 mm, including not more than 5 % of sweet peppers below the minimum size laid down.

— Unsized sweet peppers

5 % by number or weight of sweet peppers up to 5 mm smaller than the minimum size laid down.

V. PROVISIONS CONCERNING PRESENTATION

A. Uniformity

The contents of each package must be uniform and contain only sweet peppers of the same origin, variety or commercial type, quality, size (if the produce has to be sized) and, in the case of Class I, of virtually the same degree of ripeness and colouring.

For packages of sweet peppers with a maximum weight of 1 kilogram, uniformity is only required with respect to origin and quality class.

In the case of sized produce, elongated sweet peppers should be sufficiently uniform in length.

The visible part of the contents of each package must be representative of the entire contents.

B. Packaging

The sweet peppers must be packed in such a way as to protect the produce properly.

The materials used inside the package must be new, clean and of a quality such as to avoid causing any external or internal damage to the produce. The use of materials, and particularly of paper or stamps bearing trade specifications, is allowed provided that the printing or labelling has been done with a non-toxic ink or glue.

Packages must be free from all foreign matter.

VI. PROVISIONS CONCERNING MARKING

Each package must bear the following particulars, in letters grouped on the same side, legibly and indelibly marked and visible from the outside :

A. Identification

Packer and/or Dispatcher	}	Name and address or officially issued or accepted code mark
--------------------------------	---	---

B. Nature of produce

- 'Sweet peppers' if the contents are not visible from the outside,
- commercial type ('elongated', 'square blunt', 'square tapering', 'flat') or name of variety if the contents are not visible from the outside ;
- for the product type 'Peperoncini', this denomination, or equivalent denomination must be quoted in each case.

C. Origin of produce

Country of origin and, optionally, district where grown or national, regional or local place name.

D. Commercial specifications

- Class,
- size (if sized) expressed as minimum and maximum diameter or the word 'unsized' if sizing is not applied,
- weight or number of units (optional).

E. Official control mark (optional).

COMMISSION REGULATION (EEC) No 80/88

of 13 January 1988

altering 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 3993/87 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 31/88 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 31/88 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;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No

2658/87 ⁽⁴⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Commission Regulation (EEC) No 3846/87 ⁽⁵⁾,

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 exported in the natural state, as fixed in the Annex to Regulation (EEC) No 31/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 January 1988.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 5, 8. 1. 1988, p. 5.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 13 January 1988 altering the export refunds on white sugar and raw sugar exported in the natural state.

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	39,66 ⁽¹⁾	0,4311
1701 11 90 300		
1701 11 90 500	36,60 ⁽¹⁾	
1701 11 90 900	⁽²⁾	0,4311
1701 12 90 100	39,66 ⁽¹⁾	
1701 12 90 300		
1701 12 90 500	36,60 ⁽¹⁾	0,4311
1701 12 90 900	⁽²⁾	
1701 91 00 000		
1701 99 10 100	43,11	
1701 99 10 900	39,79	

⁽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 81/88

of 13 January 1988

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 14 December 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 14 December 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 14 December 1987 the level of the premium is fixed at 55,074 ECU/100 kg of estimated or actual dressed carcass 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 14 December 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 14 December 1987.

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

Done at Brussels, 13 January 1988.

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
14 December 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
		25,885	12,942	2,588
		Net weight	Net weight	Net weight
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :			
	1. Carcases or half-carcases	55,074	27,537	5,507
	2. Short forequarters	38,552		
	3. Chines and/or best ends	60,581		
	4. Legs	71,596		
	5. Other :			
02.01 A IV b)	aa) Unboned (bone-in)	71,596		
	bb) Boned or boneless	100,235		
	Meat of sheep or goats, frozen :			
	1. Carcases or half-carcases	41,306		
	2. Short forequarters	28,914		
	3. Chines and/or best ends	45,437		
02.06 C II a)	4. Legs	53,698		
	5. Other :			
	aa) Unboned (bone-in)	53,698		
	bb) Boned or boneless	75,177		
	Meat of sheep or goats, salted in brine, dried or smoked :			
	1. Unboned (bone-in)	71,596		
ex 16.02 B III b) 2 aa) 11)	2. Boned or boneless	100,235		
	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)	71,596		
	— boned or boneless	100,235		

(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 82/88

of 13 January 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 14 to 20 December 1987

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

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

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

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

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

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

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 14 to 20 December 1987 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 14 to 20 December 1987 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 14 December 1987.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 14 to 20 December 1987

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

COMMISSION REGULATION (EEC) No 83/88**of 13 January 1988****fixing the maximum export refund for white sugar for the 35th 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 3993/87 ⁽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 35th partial invitation to tender, the provisions set out in Article 1 should be adopted and in particular a maximum quantity should be fixed;

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

For the 35th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1092/87:

- a maximum quantity of 40 000 tonnes, and
- a maximum amount of the export refund of 41,829 ECU/100 kilograms

are hereby fixed.

Article 2

This Regulation shall enter into force on 14 January 1988.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 106, 22. 4. 1987, p. 9.

COMMISSION REGULATION (EEC) No 84/88
of 13 January 1988
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 3993/87 ⁽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 75/88 ⁽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 14 January 1988.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 192, 11. 7. 1987, p. 38.

⁽⁴⁾ OJ No L 9, 13. 1. 1988, p. 9.

ANNEX

to the Commission Regulation of 13 January 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,48 ⁽¹⁾
1701 11 90	40,48 ⁽¹⁾
1701 12 10	40,48 ⁽¹⁾
1701 12 90	40,48 ⁽¹⁾
1701 91 00	49,78
1701 99 10	49,78
1701 99 90	49,78

⁽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 85/88
of 13 January 1988
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 3993/87 ⁽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 28/88 ⁽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;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ introduces from 1 January 1988 a new combined nomencla-

ture meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the present nomenclature,

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 falling within subheadings 1703 10 00 and 1703 90 00 of the combined nomenclature, 0,51 ECU/100 kg.

Article 2

This Regulation shall enter into force on 14 January 1988.

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

Done at Brussels, 13 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 243, 27. 8. 1987, p. 48.

⁽⁴⁾ OJ No L 4, 7. 1. 1988, p. 16.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 15 June 1987

concerning the Conclusion of the Protocol for the Accession of the Kingdom of Morocco to the General Agreement on Tariffs and Trade

(88/22/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Whereas the Kingdom of Morocco entered into negotiations with the Community and the other Contracting Parties to the General Agreement on Tariffs and Trade with a view to its accession to the General Agreement;

Whereas the outcome of these negotiations is acceptable to the Community,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol for the Accession of the Kingdom of Morocco to the General Agreement on Tariffs and Trade

is hereby approved on behalf of the European Economic Community.

The text of the Protocol is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Protocol in order to bind the Community.

Done at Luxembourg, 15 June 1987.

For the Council

The President

P. DE KEERSMAEKER

PROTOCOL FOR THE ACCESSION
of the Kingdom of Morocco to the General Agreement on Tariffs and Trade

THE GOVERNMENTS WHICH ARE CONTRACTING PARTIES TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE (hereinafter referred to as 'Contracting Parties' and 'the General Agreement', respectively),

THE EUROPEAN ECONOMIC COMMUNITY,

and

THE GOVERNMENT OF THE KINGDOM OF MOROCCO (hereinafter referred to as 'Morocco'),

HAVING REGARD to the outcome of the negotiations directed towards the accession of Morocco to the General Agreement,

HAVE, through their representatives, agreed as follows :

PART I

General

1. Morocco shall, upon entry into force of this Protocol pursuant to paragraph 6, become a Contracting Party to the General Agreement, as defined in Article XXXII thereof, and shall apply to Contracting Parties provisionally and subject to this Protocol :

- (a) Parts I, III and IV of the General Agreement, and
- (b) Part II of the General Agreement to the fullest extent not inconsistent with its legislation existing on the date of this Protocol.

The obligations incorporated in paragraph 1 of Article I by reference to Article III and those incorporated in paragraph 2 (b) of Article II by reference to Article VI of the General Agreement shall be considered as falling within Part II of the General Agreement for the purpose of this paragraph.

2. (a) The provisions of the General Agreement to be applied to Contracting Parties by Morocco shall, except as otherwise provided in this Protocol, be the provisions contained in the text annexed to the Final Act of the second session of the Preparatory Committee of the United Nations Conference on Trade and Employment, as rectified, amended or otherwise modified by such instruments as may have become effective on the day on which Morocco becomes a Contracting Party.

- (b) In each case in which paragraph 6 of Article V, subparagraph 4 (d) of Article VII and subparagraph 3 (c) of Article X of the General Agreement refer to the date of that Agreement, the applicable date in respect of Morocco shall be the date of this Protocol.

PART II

Schedule

3. The schedule in the Annex shall, upon the entry into force of this Protocol, become a Schedule to the General Agreement relating to Morocco.

4. (a) In each case in which paragraph 1 of Article II of the General Agreement refers to the date of the Agreement, the applicable date in respect of each product which is the subject of a concession provided for in the Schedule annexed to this Protocol shall be the date of this Protocol.

- (b) For the purpose of the reference in paragraph 6 (a) of Article II of the General Agreement to the date of that Agreement, the applicable date in respect of the Schedule annexed to this Protocol shall be the date of this Protocol.

PART III

Final provisions

5. This Protocol shall be deposited with the Director-General to the Contracting Parties. It shall be open for signature by Morocco until 1 August 1986. It shall also be open for signature by Contracting Parties and by the European Economic Community.

6. This Protocol shall enter into force on the 30th day following that on which it is signed by Morocco.

7. Morocco, having become a Contracting Party to the General Agreement pursuant to paragraph 1 of this Protocol, may accede to the General Agreement upon the applicable terms of this Protocol by deposit of an instrument of accession with the Director-General. Such accession shall take effect on the day on which the General Agreement enters into force pursuant to Article XXVI or on the 30th day following the day of the deposit of the instrument of accession, whichever is the later. Accession

to the General Agreement pursuant to this paragraph shall, for the purposes of paragraph 2 of Article XXXII of that Agreement, be regarded as acceptance of the Agreement pursuant to paragraph 4 of Article XXVI thereof.

8. Morocco may withdraw its provisional application of the General Agreement prior to its accession thereto pursuant to paragraph 7 and such withdrawal shall take effect on the 60th day following the day on which written notice thereof is received by the Director-General.

9. The Director-General shall promptly supply a certified copy of this Protocol and a notification of each signature apposed thereto pursuant to paragraph 5 to each Contracting Party, to the European Economic Community, to Morocco and to each government which has acceded provisionally to the General Agreement.

10. This Protocol shall be registered in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Geneva this nineteenth day of February one thousand nine hundred and eighty-seven in a single copy, in the English, French and Spanish languages, except as otherwise specified with respect to the Schedule annexed hereto, each text being authentic.

ANNEX

SCHEDULE LXXXI — MOROCCO

(The schedule may be consulted at the GATT Secretariat in Geneva)

**Information concerning the signature of the Protocol for the Accession of the
Kingdom of Morocco to the General Agreement on Tariffs and Trade**

The Protocol for the Accession of the Kingdom of Morocco to the General Agreement on Tariffs and Trade was signed on behalf of the European Economic Community by Mr Tran van Thinh, Head of the Commission's permanent delegation in Geneva, empowered for that purpose by the President of the Council, on 29 July 1987.

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