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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 207/88

of 26 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 25 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 27 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, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 26 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	165,63
0712 90 19	8,43	165,63
1001 10 10	62,91	251,05 ⁽¹⁾ ⁽²⁾
1001 10 90	62,91	251,05 ⁽¹⁾ ⁽²⁾
1001 90 91	3,30	192,05
1001 90 99	3,30	192,05
1002 00 00	44,06	162,46 ⁽³⁾
1003 00 10	37,33	181,07
1003 00 90	37,33	181,07
1004 00 10	93,75	149,00
1004 00 90	93,75	149,00
1005 10 90	8,43	165,63 ⁽²⁾ ⁽³⁾
1005 90 00	8,43	165,63 ⁽²⁾ ⁽³⁾
1007 00 90	31,95	176,30 ⁽⁴⁾
1008 10 00	37,33	98,05
1008 20 00	37,33	106,91 ⁽⁴⁾
1008 30 00	37,33	58,12 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	37,33	58,12
1101 00 00	18,94	283,19
1102 10 00	75,79	241,77
1103 11 10	111,02	402,63
1103 11 90	19,01	304,40

⁽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 (tritica).

COMMISSION REGULATION (EEC) No 208/88

of 26 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 25 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 27 January 1988.

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

Done at Brussels, 26 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 26 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
0712 90 19	0	0	0	0
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	0,72
1003 00 90	0	0	0	0,72
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
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	1,28	1,28
1107 10 99	0	0	0	0,96	0,96
1107 20 00	0	0	0	1,12	1,12

COMMISSION REGULATION (EEC) No 209/88

of 26 January 1988

on the fixing of additional amounts for imports of pigmeat products from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular Articles 13 (5) and 22 thereof,

Whereas, in accordance with Article 13 of Regulation (EEC) No 2759/75, the levy must be increased by an additional amount equal to the difference between the sluice-gate price and the free-at-frontier offer price, where the free-at-frontier offer price for a product falls below the sluice-gate price;

Whereas, in order to determine the offer price as accurately as possible, account should be taken both of the particulars in customs documents and of other information, in particular that relating to the price ruling on the markets of Member States and third countries for the products in question;

Whereas Council Regulation (EEC) No 2767/75 of 29 October 1975 laying down general rules for the system of 'pilot products and derived products' enabling additional amounts to be fixed for pigmeat⁽³⁾ has been repealed by Regulation (EEC) No 3906/87, and sluice-gate prices have therefore been fixed for all products subject to the common organization of the market in pigmeat; whereas the rules for fixing additional amounts should, accordingly, be adapted; whereas, for reasons of administrative simplification, Commission Regulation No 202/67/EEC of 28 June 1967 on fixing the additional amount for imports of pigmeat products from third countries⁽⁴⁾, as amended by Regulation No 614/67/EEC⁽⁵⁾, should be repealed;

Whereas the measures provided for in this Regulation are in accordance with the Opinion of the Management Committee for Pigmeat,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of Article 13 of Regulation (EEC) No 2759/75, the free-at-frontier offer price (hereinafter called

the 'offer price') shall be determined taking particular account of:

- (a) the prices shown in the customs documents accompanying the imported products;
- (b) other information on third countries export prices;
- (c) the market prices ruling in Member States for products imported from third countries;
- (d) the prices ruling on representative markets in third countries.

Prices relating to offers which are not representative shall be excluded.

Article 2

The additional amount shall be the same per unit of quantity for all imports of a given product, originating in or imported from third countries, as the case may be, in respect of which the same offer price has been determined.

Article 3

An additional amount shall be fixed when it is found that the offer price has fallen below the sluice-gate price. It shall be altered when it is found that the offer price has altered. It shall cease to apply when it is found that the offer price has reached or has exceeded the sluice-gate price.

Article 4

The Commission shall regularly examine the elements on the basis of which additional amounts are fixed.

Member States shall regularly communicate to the Commission statistics of imports together with the information required to enable it to assess price trends on Community and third country markets.

Article 5

Regulation No 202/67/EEC is hereby repealed.

*Article 6*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.⁽³⁾ OJ No L 282, 1. 11. 1975, p. 29.⁽⁴⁾ OJ No 134, 30. 6. 1967, p. 2837/67.⁽⁵⁾ OJ No 231, 27. 9. 1967, p. 6.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 210/88

of 26 January 1988

amending Regulation (EEC) No 3518/86 on specific surveillance measures applicable to imports of orange juice

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 3909/87 ⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Commission Regulation (EEC) No 3518/86 ⁽³⁾, as amended by Regulation (EEC) No 3612/87 ⁽⁴⁾, as a specific surveillance measure made import licences for orange juice compulsory;

Whereas third countries are still offering orange juice on the Community market at prices lower than those of Community producers; whereas experience has shown that imports are for the most part made in the form of frozen concentrated juice or in other presentations; whereas the field of application of the specific surveillance measures should therefore be restricted to those products and to those presentations;

Whereas the security for licences should be reduced in order to bring down the administrative costs borne by traders;

Whereas communications from the Member States should be kept to the minimum required for determining the surveillance measures in question,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3518/86 is hereby amended as follows:

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 20.

⁽³⁾ OJ No L 325, 10. 11. 1986, p. 14.

⁽⁴⁾ OJ No L 335, 28. 11. 1986, p. 15.

1. Article 1 is replaced by the following:

'Article 1

Any release for free circulation in the Community of orange juice covered by codes 2009 11 11, 2009 11 19, 2009 19 11 and 2009 19 19 of the combined nomenclature shall be subject to presentation of an import licence issued by Member States to all applicants wherever they are established in the Community.

Licences shall be valid throughout the Community'.

2. In Article 2 (1) '2 ECU' is replaced by '1,2 ECU'.

3. The following subparagraph is added to Article 3 (1).

'Applications for licences may be made on Thursdays and Fridays only'.

4. Article 5 is replaced by the following:

'Article 5

Member States shall notify the Commission of

- the quantities of orange juice for which import licence applications have been made and
- the countries of origin,

broken down by combined nomenclature code. The information shall be notified by telex Mondays in respect of applications lodged on the previous Thursday and Friday.

If no applications were made during the previous week, the Member State shall also inform the Commission of that fact by telex on the day indicated above.'

Article 2

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

It shall apply with effect from 11 February 1988.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 211/88

of 26 January 1988

allocating the Community quantitative export quotas for copper ash and residues and copper waste and scrap

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽¹⁾, and in particular Article 2 thereof,

Whereas Council Regulation (EEC) No 3951/87 of 21 December 1987 on export arrangements for certain types of non-ferrous metal waste and scrap⁽²⁾, fixed Community quantitative export quotas for copper ash and residues and waste and scrap for 1988;

Whereas, in accordance with Article 3 of Regulation (EEC) No 3951/87 the quotas are to be allocated according to estimated needs and with regard to the export opportunities that already exist for the products in question;

Whereas it is necessary to provide for an adaptable and flexible method of administering the Community reserve

which will allow all exporters equal and continuous access to the quotas until they are used up;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the shares allocated to that economic union may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The Community quantitative export quotas opened by Regulation (EEC) No 3951/87 for the period 1 January to 31 December 1988 shall be allocated among the Member States as follows without prejudice to Article 4:

		(tonnes)	
CN code	Description	Quantity	
ex 2620	Ash and residues of copper and copper alloys	Germany	12 000
		France	3 300
		Italy	2 350
		Benelux	850
		United Kingdom	1 600
		Denmark	1 400
		Ireland	—
		Greece	700
		Spain	200
		Portugal	100
		Community reserve	6 000
ex 7404 00	Waste and scrap of copper and copper alloys	Germany	16 240
		France	4 000
		Italy	1 000
		Benelux	4 960
		United Kingdom	2 200
		Denmark	1 000
		Ireland	680
		Greece	200
		Spain	200
		Portugal	100
		Community reserve	5 700

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 371, 30. 12. 1987, p. 6.

Article 2

1. If 70 % or more of a Member State's initial share as specified in Article 1, or of that share minus the portion returned to the reserve where Article 4 is applied, has been used up, that Member State shall, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next unit, to the extent permitted by the amount of the reserve.

2. If, after its initial share has been used up, 70 % or more of the share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions imposed by paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next unit.

3. If, after its second share has been used up, 70 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with the same conditions, draw a fourth share equal to the third.

This process shall continue to apply until the reserve is used up.

4. By way of derogation from paragraphs 1 to 3, a Member State may draw shares lower than those fixed in those paragraphs if there are grounds for believing that those fixed may not be used up. It shall inform the Commission of its reasons for applying this paragraph.

Article 3

Supplementary shares drawn pursuant to Article 2 shall be valid until 31 December 1988.

Article 4

Member States shall return to the reserve, not later than 15 October 1988, the unused portion of their initial share which they estimate will not be utilized.

Member States shall, not later than 15 October 1988, notify the Commission of any quantities of the initial shares returned to the reserve.

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

Done at Brussels, 26 January 1988.

Article 5

The Commission shall keep an account of the shares opened by the Member States pursuant to Article 1 and shall, as soon as it has been notified, inform each State of the extent to which the reserve has been used up.

It shall inform the Member States, not later than 20 October 1988, of the amount still in reserve after amounts have been returned thereto pursuant to Article 4.

It shall ensure that the drawing which uses up the reserve is limited to the balance available and to this end shall specify the amount thereof to the Member State making the last drawing.

Article 6

1. Member States shall take all measures necessary to ensure that supplementary shares drawn pursuant to Article 2 are opened in such a way that exports may be charged without interruption against their accumulated shares in the Community tariff quota.

2. Member States shall ensure that exporters of the said goods established in their territory have free access to the shares allocated to them.

3. Member States shall charge exports of the said goods against their shares as and when such goods are presented to the customs authorities under cover of export authorizations or customs exports documents.

4. The extent to which a Member State has used up its share shall be determined on the basis of exports charged in accordance with paragraph 3.

Article 7

Member States shall supply the Commission with the information specified in Article 8 of Regulation (EEC) No 1023/70.

Article 8

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 31 December 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION REGULATION (EEC) No 212/88**of 26 January 1988****fixing the import levies on live cattle and on beef and veal other than frozen**

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3905/87 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 3958/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3958/87 to the quota-

tions and other information 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 on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1988.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 24.

ANNEX

to the Commission Regulation of 26 January 1988 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾ —	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	57,560	30,171	131,237
0102 90 31	57,560	30,171	131,237
0102 90 33	57,560	30,171	131,237
0102 90 35	57,560	30,171	131,237
0102 90 37	57,560	30,171	131,237
— Net weight —			
0201 10 10	109,364	57,325	249,350
0201 10 90	109,364	57,325	249,350
0201 20 11	109,364	57,325	249,350
0201 20 19	109,364	57,325	249,350
0201 20 31	87,491	45,860	199,479
0201 20 39	87,491	45,860	199,479
0201 20 51	131,237	68,790	299,220
0201 20 59	131,237	68,790	299,220
0201 20 90	—	85,988	374,025
0201 30	—	98,358	427,832
0206 10 95	—	98,358	427,832
0210 20 10	—	85,988	374,025
0210 20 90	—	98,358	427,832
0210 90 41	—	98,358	427,832
0210 90 90	—	98,358	427,832
1602 50 10	—	98,358	427,832
1602 90 61	—	98,358	427,832

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

⁽²⁾ This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1725/80 (OJ No L 170, 3. 7. 1980, p. 4).

COMMISSION REGULATION (EEC) No 213/88**of 26 January 1988****fixing the import levies on frozen beef and veal**

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3905/87 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Regulation (EEC) No 3959/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3959/87 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1988.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

⁽³⁾ OJ No L 371, 30. 12. 1987, p. 29.

ANNEX

to the Commission Regulation of 26 January 1988 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	238,299
0202 20 10	238,299
0202 20 30	190,639
0202 20 50	297,874
0202 20 90	357,448
0202 30 10	297,874
0202 30 50	297,874
0202 30 90	409,873
0206 29 91	409,873

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

COMMISSION REGULATION (EEC) No 214/88

of 26 January 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3910/87⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 3006/87 of 7 October 1987 fixing for the 1987/88 marketing year the reference prices for artichokes⁽³⁾ fixed the reference price for products of class I at 78,03 ECU per 100 kilograms net for the period 1 January to 30 April 1988;

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

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

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

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

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

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

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

Whereas Article 140 (1) provides for a 6 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the third year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 1,11 ECU per 100 kilograms net is applied to artichokes (subheading 0709 10 00 of the combined nomenclature originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 28 January 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 33.

⁽³⁾ OJ No L 285, 8. 10. 1987, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 215/88

of 26 January 1988

introducing a countervailing charge on artichokes originating in Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3910/87⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 3006/87 of 7 October 1987 fixing for the 1987/88 marketing year the reference prices for artichokes⁽³⁾ fixed the reference price for products of class I for the period 1 January to 30 April 1988 at 78,03 ECU per 100 kilograms net;

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

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

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

Whereas, for artichokes originating in Egypt the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these artichokes;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 4,80 ECU per 100 kilograms net is applied to artichokes (subheading ex 0709 10 00 of the combined nomenclature) originating in Egypt.

Article 2

This Regulation shall enter into force on 28 January 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 33.

⁽³⁾ OJ No L 285, 8. 10. 1987, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 216/88

of 26 January 1988

introducing a countervailing charge on fresh lemons originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3910/87⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1426/87 of 25 May 1987 fixing for the 1987/1988 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the period November 1987 to April 1988 at 46,95 ECU per 100 kilograms net;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 11,35 ECU per 100 kilograms net is applied to fresh lemons (subheading 0805 30 10 of the combined nomenclature) originating in Morocco.

Article 2

This Regulation shall enter into force on 28 January 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 33.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 13.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 217/88

of 26 January 1988

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 3908/87 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EEC) No 3917/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3917/87 to the quota-

tions and other information 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 on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1988.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESSEN

Vice-President⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.⁽²⁾ OJ No L 370, 30. 12. 1987, p. 16.⁽³⁾ OJ No L 369, 29. 12. 1987, p. 8.

ANNEX

to the Commission Regulation of 26 January 1988 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 5 from 1 to 7 February 1988	Week No 6 from 8 to 14 February 1988	Week No 7 from 15 to 21 February 1988	Week No 8 from 22 to 28 February 1988	Week No 9 from 29 February to 6 March 1988
0104 10 90 ⁽¹⁾	137,536	140,657	142,410	143,670	145,037
0104 20 90 ⁽¹⁾	137,536	140,657	142,410	143,670	145,037
0204 10 00 ⁽²⁾	292,630	299,270	303,000	305,680	308,590
0204 21 00 ⁽²⁾	292,630	299,270	303,000	305,680	308,590
0204 22 10 ⁽²⁾	204,841	209,489	212,100	213,976	216,013
0204 22 30 ⁽²⁾	321,893	329,197	333,300	336,248	339,449
0204 22 50 ⁽²⁾	380,419	389,051	393,900	397,384	401,167
0204 22 90 ⁽²⁾	380,419	389,051	393,900	397,384	401,167
0204 23 00 ⁽²⁾	532,587	544,671	551,460	556,338	561,634
0204 50 11 ⁽²⁾	292,630	299,270	303,000	305,680	308,590
0204 50 13 ⁽²⁾	204,841	209,489	212,100	213,976	216,013
0204 50 15 ⁽²⁾	321,893	329,197	333,300	336,248	339,449
0204 50 19 ⁽²⁾	380,419	389,051	393,900	397,384	401,167
0204 50 31 ⁽²⁾	380,419	389,051	393,900	397,384	401,167
0204 50 39 ⁽²⁾	532,587	544,671	551,460	556,338	561,634
0210 90 11 ⁽²⁾	380,419	389,051	393,900	397,384	401,167
0210 90 19 ⁽²⁾	532,587	544,671	551,460	556,338	561,634

⁽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 218/88
of 26 January 1988
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 3908/87 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3918/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3918/87 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 February 1988.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 16.

⁽³⁾ OJ No L 369, 29. 12. 1987, p. 11.

ANNEX

to the Commission Regulation of 26 January 1988 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 5 from 1 to 7 February 1988	Week No 6 from 8 to 14 February 1988	Week No 7 from 15 to 21 February 1988	Week No 8 from 22 to 28 February 1988	Week No 9 from 29 February to 6 March 1988
0204 30 00	217,723	222,703	225,500	227,510	229,693
0204 41 00	217,723	222,703	225,500	227,510	229,693
0204 42 10	152,406	155,892	157,850	159,257	160,785
0204 42 30	239,495	244,973	248,050	250,261	252,662
0204 42 50	283,040	289,514	293,150	295,763	298,601
0204 42 90	283,040	289,514	293,150	295,763	298,601
0204 43 00	396,256	405,319	410,410	414,068	418,041
0204 50 51	217,723	222,703	225,500	227,510	229,693
0204 50 53	152,406	155,892	157,850	159,257	160,785
0204 50 55	239,495	244,973	248,050	250,261	252,662
0204 50 59	283,040	289,514	293,150	295,763	298,601
0204 50 71	283,040	289,514	293,150	295,763	298,601
0204 50 79	396,256	405,319	410,410	414,068	418,041

(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 219/88

of 26 January 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 4 to 10 January 1988

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 Council Regulation (EEC) No 2658/87 ⁽⁴⁾ 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 previous nomenclature;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 4 to 10 January 1988 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 4 to 10 January 1988 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 4 January 1988.

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

Done at Brussels, 26 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.⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 4 to 10 January 1988

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 11	26,26474
0201 20 19	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽¹⁾	29,94180
1602 50 10 ⁽²⁾	21,01179

⁽¹⁾ Containing 80 % or more by weight of beef meat.

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 220/88**of 26 January 1988****suspending the issuing of STM certificates for seed potatoes**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 1754/87 of 24 June 1987 fixing the indicative ceiling for imports into Spain of certain seed potatoes for 1987/88 and amending Regulation (EEC) No 650/86 ⁽¹⁾, as amended by Regulation (EEC) No 183/88 ⁽²⁾, set the indicative ceiling for the period from 1 October 1987 to 30 September 1988;

Whereas Article 85 of the Act of Accession stipulates that should the trend of intra-Community trade show that a significant increase in imports has occurred or is likely to occur leading to the indicative ceiling for imports of the product in question for the marketing year in progress being reached or exceeded, suitable action may be decided on;

Whereas the detailed rules for the issuing of STM certificates are set out in Commission Regulation (EEC) No 574/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism (STM) ⁽³⁾, as last amended by Regulation (EEC) No 2159/87 ⁽⁴⁾;

Whereas there is a risk that the indicative ceiling for seed potatoes falling within subheading 0701 10 00 of the

combined nomenclature is exceeded; whereas in view of this situation importation into Spain of the products in question should be restricted;

Whereas, pending the adoption of definitive measures pursuant to Article 85 (3) of the Act of Accession, certificates should be issued in proportion to the quantities available within the framework of the indicative ceiling;

Whereas, moreover, the issuing of new certificates for the production in question should be suspended; whereas this entails rejecting applications submitted on or after 27 January 1988,

HAS ADOPTED THIS REGULATION:

Article 1

1. STM licences for certified seed potatoes falling within subheading 0701 10 00 of the combined nomenclature shall, in the case of applications made from 23 to 26 January 1988 inclusive, and notified to the Commission, be issued in proportion to the quantity applied for.

2. The issuing of STM licences in response to applications made from 27 January 1988 onwards is suspended.

Article 2

This Regulation shall enter into force on 27 January 1988.

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

Done at Brussels, 26 January 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1987, p. 12.

⁽²⁾ OJ No L 19, 23. 1. 1988, p. 17.

⁽³⁾ OJ No L 57, 1. 3. 1986, p. 1.

⁽⁴⁾ OJ No L 202, 23. 7. 1987, p. 30.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 July 1987

approving an integrated Mediterranean programme for the Ardèche region

(Only the French text is authentic)

(88/38/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2088/85 of 23 July 1985 concerning the integrated Mediterranean programmes⁽¹⁾, and in particular Article 7 thereof,

Whereas France has presented to the Commission an integrated Mediterranean programme (IMP) for the Ardèche region;

Whereas, in accordance with Article 7 of Regulation (EEC) No 2088/85, the Ardèche IMP has been submitted by the Commission in amended form to the Advisory Committee for Integrated Mediterranean Programmes, which has given a positive opinion;

Whereas the Ardèche IMP, including its financial plan, may therefore be approved by the Commission;

Whereas the Ardèche IMP relates to the period from 20 February 1986 to 19 February 1993;

Whereas the Ardèche IMP contains measures which constitute a specific programme of action and which are eligible for assistance from the European Agricultural Guidance and Guarantee Fund (EAGGF) Guidance Section, by virtue of the second paragraph of Article 12 (1) of Regulation (EEC) No 2088/85;

Whereas in order to ensure its effectiveness, the Ardèche IMP will be carried out in two successive phases and a financial plan has as yet only been drawn up in respect of the first phase;

Whereas expenditure on the measures constituting the Ardèche IMP is estimated at 50 120 000 ECU for the period from 20 February 1986 to 31 December 1988;

Whereas the Community contribution from the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85 is estimated at 5 040 000 ECU for that period,

HAS ADOPTED THIS DECISION:

Article 1

The Ardèche IMP, in the version submitted to the Commission on 20 February 1986, as subsequently modified after examination by the Commission and following consultation of the Advisory Committee for Integrated Mediterranean Programmes, is hereby approved. The estimates of total expenditure and the estimated contributions from each Community budgetary source are shown in the financial plan of the Ardèche IMP.

In so far as the measures are carried out in accordance with the Ardèche IMP, within the limits of the overall expenditure estimates and in compliance with the rules and procedures relating to each source of Community financing, the Commission shall pay the Community contributions specified in the financial plan for the Ardèche IMP.

⁽¹⁾ OJ No L 197, 27. 7. 1985, p. 1.

Article 2

The contribution from the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85 shall not exceed 5 040 000 ECU in respect of the expenditure to be incurred in the period from 20 February 1986 to 31 December 1988 on measures to be financed in the context of the Ardèche IMP, estimated at 50 120 000 ECU.

Article 3

Pursuant to Article 15 (2) of Regulation (EEC) No 2088/85, a first instalment from the special budget heading referred to in Article 11 (2) of that Regulation amounting to 410 000 ECU is hereby committed, in accordance with the financial plan of the Ardèche IMP.

Article 4

Where a measure is financed partly out of appropriations from a structural Fund and partly out of the special budget heading, an advance may be paid from each of those sources, according to the rules applicable to each source.

Article 5

This Decision is addressed to the French Republic.

Done at Brussels, 15 July 1987.

For the Commission

Grigoris VARFIS

Member of the Commission

PROGRAMME CONTRACT

THE COMMISSION OF THE EUROPEAN COMMUNITIES

hereinafter referred to as 'the Commission',

THE FRENCH REPUBLIC,

and

THE RHÔNE-ALPES REGION,

and

THE DÉPARTEMENT DE L'ARDÈCHE,

hereinafter referred to jointly as 'the parties',

HAVE AGREED AS FOLLOWS:

TITLE I

Joint implementation of the Integrated Mediterranean Programme for the Ardèche Region (hereinafter referred to as the 'IMP')

Article 1

This contract shall constitute a programme contract within the meaning of Article 9 of Regulation (EEC) No 2088/85. It shall enter into force on 20 February 1986 and shall expire when the Commission closes accounts in respect of the Community budgetary contributions.

Within the framework of this contract, the parties agree to undertake joint action to ensure effective implementation of the IMP in accordance with the conditions laid down in the programme as adopted by the Commission Decision of 15 July 1987. The purpose of such joint action shall be to ensure the effectiveness of the initiatives taken to implement the IMP as an integrated approach to development by:

- defining responsibilities so as to ensure appropriate management of all public funds from budgetary resources referred to in the financial plan of the IMP, with due regard to Community policies,
- establishing machinery for coordinating and mobilizing all the administrations concerned, together with the bodies representing the beneficiaries and economic agents in the Region,
- establishing arrangements for reliable, relevant and rapid information provision on the implementation of the IMP and its economic and social impact.

TITLE II

Management and coordination responsibilities

Article 2

The Minister for European Affairs shall be responsible *vis-à-vis* the European Community for general matters concerning the implementation of all IMPs for France,

and in particular for compliance with the provisions of this contract.

Article 3

1. The Prefect and State Commissioner for the Ardèche and the Chairman of the Département Council shall be responsible, within their respective fields of competence, for the effective implementation of the IMP.

They shall be assisted by a Monitoring Committee meeting in the Region which they will jointly chair. The tasks and responsibilities of the Committee shall be those laid down in Chapter 5, point 2 of the IMP and any other task assigned to it by agreement between the parties. The composition of the Monitoring Committee shall be as set out in Annex I.

2. The French authorities shall decide on the coordination machinery required at national level.

3. The Commission, where appropriate in consultation with the European Investment Bank, shall decide on the coordination machinery at Community level.

Article 4

The parties undertake, within their respective fields of competence, to issue any appropriate instructions to the persons to whom tasks are assigned under this programme contract, with a view to securing the consultation and coordination necessary for the smooth implementation of the IMP at all levels, and more particularly with all interested parties in the Aquitaine Region.

Article 5

The French authorities shall appoint within the public administration in the Region an official responsible for monitoring each of the subprogrammes making up the IMP.

Each monitoring official shall see to it that full and standardized information is supplied to the permanent members of the Monitoring Committee on each of the measures making up the subprogramme for which he is responsible, in the manner provided for in Article 12 and 13 of this contract.

He shall at all times bring to the attention of the Prefect and State Commissioner for the Ardèche and the Chairman of the Département Council the various administrative, technical or budgetary initiatives necessary to ensure effective implementation as approved of the subprogramme for which he is responsible.

Under the authority of the Chairman of the Monitoring Committee, the monitoring official shall also chair the meetings of technical working parties set up to prepare the ground for discussions within the Monitoring Committee.

Article 6

Before 31 July 1987, the Prefect and State Commissioner for the Ardèche and the Chairman of the Département Council shall, within their respective fields of competence and on the basis of equal representation, appoint the members of the Monitoring Committee. Jointly, they shall designate the monitoring officials from amongst the members of the Monitoring Committee. The Secretary of the Monitoring Committee shall be the Secretary-General of the prefecture, who shall be responsible for the necessary coordination with the services of the Département and, where appropriate, the Rhône-Alpes Region.

Before 31 July 1987, the Commission shall appoint its representatives on the Monitoring Committee and ask the European Investment Bank to appoint its representative. The French authorities shall be informed thereof.

Under the authority of the Chairman of the Monitoring Committee, the Secretary shall take all the necessary steps to ensure the proper functioning of the Monitoring Committee, including the handling of information.

Article 7

The parties shall agree on the appointment of an independent assessment body before 31 December 1987.

This body shall possess the professional experience and knowledge necessary to perform its task. It shall be engaged on the basis of a limited-duration contract, on terms agreed between the parties. The assessment body shall be remunerated out of the appropriations available under the 'monitoring and assessment' heading of the implementation subprogramme. Its representative shall have the right to speak at meetings of the Monitoring Committee.

Finally, the independent assessment body shall have the right to send a representative to inspect operations in

progress. Inspection visits shall, however, be subject to prior notice and the representative of the assessment body shall be accompanied by an official designated by the Chairmen of the Monitoring Committee.

TITLE III

Management of budgetary resources

Article 8

With a view to providing for the implementation of the measures already selected for financing under the IMP, the estimated timetable for commitments and payments from the various sources of Community budget financing is indicated in Annex II. These commitment and payment estimates are in current ECU.

Community contributions under the IMP shall be committed and paid in ECU. Where commitments and reimbursements under the EAGGF Guidance Section are preceded by an additional inquiry on the basis of the dossier submitted in national currency, the conversion rate applied following verification of the eligible expenditure in national currency shall be that applicable for the month during which the inquiry is completed. As regards advances and the calculation of the amounts remaining due after the payment of advances, the exchange rate applied in converting French francs into ECU shall be the rate applicable for the month in which the Commission received the application for an advance or payment claim.

Starting in 1988 and not later than 31 March each year, the secretariat of the Monitoring Committee shall, in consultation more especially with the Regional Council, draw up financial estimates for the current year identifying separately the appropriations managed by the national authorities, the Region and, where applicable, other local authorities. These forecasts shall be prepared on the basis of the individual budgets drawn up by the various competent authorities, permitting direct comparisons with the annual financial forecasts for each subprogramme within the IMP, measure by measure. They shall also indicate the amount of Community aid planned for implementing these measures.

Article 9

Not later than 15 October 1988, the French authorities shall present to the Commission a draft detailed financial plan for the years 1989 to 1993 inclusive. They shall also propose any amendments or clarifications to be made to the technical and financial notes annexed to the programme.

The parties shall, in July 1988, check on the establishment and functioning of the coordination, mobilization and monitoring machinery referred to in this contract and shall consider the implications for the continued implementation of the IMP.

The Commission shall then, after consulting the French parties, determine, together with any amendments, the list and schedule of measures to be adopted under the IMP for the period after 1988, revising the technical and financial notes annexed to the IMP accordingly and communicating the IMP as amended to the French authorities. In sufficient time to ensure that implementation of the IMP can continue without interruption, the estimated timetable for commitments and payments from the various sources of Community budget financing shall be updated and incorporated in an agreement supplementary to this programme contract.

Article 10

In the event of irregularities in the functioning of the coordination and monitoring machinery, for the IMP as compared with the provisions of this contract, Article 17 (4) of Regulation (EEC) No 2088/85 may be applied.

In general, if the Commission were considering applying Article 17 (3) or (4) of Regulation (EEC) No 2088/85, the French Republic would be given an opportunity to submit its observations within the time limits set by the Commission.

TITLE IV

Arrangements for appraising, evaluating and, more generally, monitoring operations

Article 11

The parties hereby agree to establish jointly, not later than 31 December 1987, a monitoring system aimed at securing:

- the drawing-up before the beginning of each financial year of a list of the projects yet to be defined in the IMP and, for those covered by the aid schemes, three months after the end of each financial year, a list of the projects financed under the IMP,
- the monitoring in financial and physical terms of the implementation of the financial plan, on the basis of a standardized format for the main body of the information designed to facilitate computer processing by Community, national or regional authorities.

This monitoring system shall pay due regard to the internal appraisal, evaluation and monitoring rules of each Community structural fund and each national or regional source of financing, bearing in mind the need for simplification and harmonization. The monitoring system shall, as far as possible, contribute to the process of evaluating the economic and social impact of the IMP.

Article 12

At the end of each quarter, each monitoring official shall make sure that the financial statements showing the position as regards implementation of his subprogramme in

the Ardèche in terms of commitments and payments are recorded by the monitoring system. This information shall be available to the Monitoring Committee from its secretariat.

Observing the same timetable, the Commission shall inform the secretariat of the Monitoring Committee of any direct payments made by the Community to final beneficiaries in respect of measures forming part of the IMP where the financing arrangements provide for such payments.

Article 13

At the end of each half-year, the monitoring official shall prepare for the Monitoring Committee a report on the state of implementation of the subprogramme for which he is responsible, indicating public expenditure, total expenditure and physical indicators, and specifying for each measure the changes as compared with forecasts for the IMP. The report shall make particular reference to measures in respect of which the level of total expenditure in two successive half-yearly reports is 50 % lower than that given in the schedule for the IMP, averaged over the year.

Article 14

The independent assessment body shall submit an annual report to the Monitoring Committee not later than 31 March of the year following the year in question, taking due account of the information collected in the course of the financial and physical monitoring process.

This report shall be confidential. It shall be made available only to the members of the restricted Monitoring Committee, which shall deliver an opinion on it. The Chairmen shall then report to the enlarged Monitoring Committee and communicate their conclusions to those bodies responsible for the implementation of measures forming part of the IMP which are not represented on the Monitoring Committee.

TITLE V

Information to be supplied in support of Community grant applications

Article 15

Payment claims shall be submitted in accordance with the rules of each Fund.

Any changes that have to be made to existing forms in order to take account of Community financing over and above the ceilings laid down in the provisions governing the Funds shall be notified to the French authorities by the Commission in good time.

As regards payments under the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85, the Commission shall communicate the forms to be submitted for annual payment claims to the French Republic before 30 November 1987.

As regards the specific action programme for the Ardèche financed by the EAGGF Guidance Section under Article 12 (1) of Regulation (EEC) No 2088/85, the French authorities shall comply with the procedures adopted by the Community for the application of Council Regulations (EEC) No 1760/78⁽¹⁾ during the implementation of the Ardèche IMP, given that commitments under the IMP will be effected in annual instalments.

The French authorities may submit a proposal for a new outline programme in respect of the improvement of rural infrastructure and forestry measures.

Article 16

As from the date on which this contract is signed, co-financing shall be assessed at the level of each measure, thereby making it possible, where necessary, to effect adjustments in the rate of Community assistance towards eligible expenditure for each project or operation, such adjustments being confined to financing under the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85: the sum of the contributions allocated to all operations forming part of a measure shall be taken as the reference figure for assessing cofinancing from the two sources of funding.

Before the contract is signed, the French authorities shall document the counterparts to Community financing with precise details of the projects to be funded under the IMP.

For the period 1986 to 1988 as a whole, the French authorities shall ensure that Community budget financing for this IMP is additional to the financing already provided for in the plan contract and agreements supplementary thereto described in Chapter 3, points 3.1 and 3.2 of the IMP. Before 31 August 1989, a report shall be prepared for the Monitoring Committee and the Commission with a view to permitting payment of the balances remaining due for the period 1986 to 1988.

TITLE VI

Compliance with Community policies

Article 17

The French authorities shall submit to the Commission for agreement beforehand in relation to Community financing all productive investment projects with a total cost exceeding 15 million ECU in respect of which such

financing is proposed, together with the feasibility and profitability studies normally required for such projects by the European Regional Development Fund. The Commission reserves the right to introduce for all programmes financed by the Community notification or information procedures for other categories of productive investment projects in respect of which Community assistance is proposed.

In the case of all infrastructure investment projects costing more than 15 million ECU, the French authorities shall also transmit to the Commission for its agreement a socio-economic cost benefit analysis.

Industrial and infrastructure projects costing more than 15 million ECU shall be examined by the Monitoring Committee in the light of the findings of the studies referred to above.

Article 18

The French parties also agree to present to the Commission at the end of each half-year grouped references to the invitations to tender published in the *Official Journal of the European Communities* and a report on the award procedures designed to show that Council Directive 77/62/EEC⁽²⁾, Commission Decision 80/797/EEC⁽³⁾ and Council Directive 71/305/EEC⁽⁴⁾ have been complied with.

Article 19

The French parties shall take the necessary steps to publicize the granting of Community assistance as widely as possible. In the case of individual projects costing more than 500 000 ECU, permanent signboards shall be erected at the sites of the said projects.

Article 20

No one project may enjoy both Community assistance under this IMP and any other form of Community assistance.

TITLE VII

Recipients of payments made by the Commission

Article 21

Community contributions towards the IMP from budgetary resources shall be paid to recipients in accordance with the rules of each Community structural Fund.

⁽²⁾ OJ No L 13, 15. 1. 1977, p. 1.

⁽³⁾ OJ No L 234, 5. 9. 1980, p. 33.

⁽⁴⁾ OJ No L 185, 25. 8. 1971, p. 5.

⁽¹⁾ OJ No L 204, 28. 7. 1978, p. 1.

The parties undertake to endeavour, as far as is at all possible, to ensure that advances under Article 11 (2) of Regulation (EEC) No 2088/85 are paid to the *Agence Centrale Comptable du Trésor* not more than one-and-a-half months after the Commission has received an application for payment of an advance with the necessary supporting documents, for subsequent transfer via the budget of the Ministry of the Interior to the Prefect and State Commissioner for the Region not more than one-and-a-half months after receipt of the payments effected by the Community.

Article 22

The Region may take the necessary steps to pay advances on the expected Community contributions from public funds, in so far as required to ensure that project implementation timetables are adhered to. The Monitoring Committee shall deliver opinions on this question at regular intervals.

Done at Paris, 17 July 1987.

TITEL VIII

Conditions governing the adoption of agreements supplementary to the contract

Article 23

Substantial changes to the IMP shall be the subject of agreements supplementary to this contract.

TITEL IX

Final provision

Article 24

Any dispute between the parties as to the interpretation of this contract which cannot be settled amicably shall be referred to the Court of Justice of the European Communities.

For the Commission

G. VARFIS

Member of the Commission

For the French Republic

A. TERRAZZONI

*The Prefect and State
Commissioner for the Ardèche*

For the Region

C. BERAUDIER

The Chairman of the Regional Council

For the Département

H. TORRE

*The Chairman of the
Département Council*

*ANNEX I***DEPARTEMENT DE L'ARDECHE****COMPOSITION OF THE MONITORING COMMITTEE****1. Restricted****1.1. Département :**

- The Chairman of the Département Council
- Four representatives of the Département Council

1.2. State :

- The Prefect and State Commissioner for the Département
- The Secretary-General
- Four representatives of the prefecture

1.3. Region :

- The Chairman of the Regional Council

1.4. State (at regional level) :

- The Prefect and State Commissioner for the Region

1.5. European Communities :

- Three Commission representatives
- A representative of the European Investment Bank

2. Enlarged**In addition :**

- The Members of Parliament for the Ardèche
 - The Chairman of the Département Chambers of Commerce, Industry, etc.
 - The Chairman of the Département Tourism Committee
 - The Chairman of the Ardèche Industrialization and Development Agency
 - The Chairman of the Département Resources Consortium
 - The Département Director of the Banque de France
 - The Département administration Heads of Department not on the non-enlarged Monitoring Committee
 - The Treasurer and Paymaster-General
 - The Département Resources Director
 - The Département Director for Health and Social Affairs
 - The Regional Officer for Tourism
 - The Regional Officer for Commerce and Craft Undertakings
 - The Interdépartement Director for Industry and Research
-

ANNEX II

ARDÈCHE IMP

(in millions ECU)

Source	Financial forecasts : estimated schedule							
	Commitments			Payments				
	1987	1988	Total	1987	1988	1989	1990	Total
1. EAGGF								
— direct/indirect operations	0,82	0,87	1,69	0,66	0,86	0,17	—	1,69
2. ERDF	1,35	1,97	3,32	0,66	1,27	1,00	0,39	3,32
3. ESF (1)	1,38	0,63	2,01	0,85	0,67	0,36	0,13	2,01
4. Article 551	2,65	2,39	5,04	1,32	1,40	1,12	1,20	5,04
Total	6,20	5,86	12,06	3,49	4,20	2,65	1,72	12,06

(1) Assistance totalling 0,54 million ECU was committed in 1986 in accordance with procedures.