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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 341/88**of 1 February 1988****on the supply of various lots of skimmed-milk powder as food aid**

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid management ⁽¹⁾, as amended by Regulation (EEC) No 3785/87 ⁽²⁾, 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 ⁽³⁾ 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 following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 4 231 tonnes of skimmed-milk powder to be supplied;

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 ⁽⁴⁾; 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

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

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, 1 February 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation Nos** (1): 1089 to 1093/87 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome — Telex 626675 WFP I
4. **Representative of the recipient** (2): See *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: A1: Senegal; A2: Chad; A3: Democratic Yemen; A4 and A5: Pakistan
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4) (5) (6): See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 1 086 tonnes
9. **Number of lots**: one (five parties: A1: 70 tonnes; A2: 766 tonnes; A3: 48 tonnes; A4: 50 tonnes; A5: 142 tonnes)
10. **Packaging and marking**: 25 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4, 5 and 6 (I.1.B.4.3)

Supplementary markings on the packaging:

A1: 70 tonnes:
'ACTION N° 1089/87 / SÉNÉGAL 0234402 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / DAKAR'

A2: 776 tonnes:
'ACTION N° 1090/87 / TCHAD 0223801 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / APAPA EN TRANSIT TCHAD'

A3: 48 tonnes:
'ACTION No 1091/87 / YEMEN PDR 0245301 / ACTION OF THE WORLD FOOD PROGRAMME / ADEN'

A4: 50 tonnes:
'ACTION No 1092/87/87 / PAKISTAN 0214901 / ACTION OF THE WORLD FOOD PROGRAMME / ISLAMABAD'

A5: 142 tonnes:
'ACTION No 1093/87 / PAKISTAN 0245100 / ACTION OF THE WORLD FOOD PROGRAMME / KARACHI'

and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market — The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 to 31 March 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (7): 22 February 1988 at 12 noon

21. In the case of a second invitation to tender :

- (a) deadline for the submission of tenders : 7 March 1988 at 12 noon
- (b) period for making the goods available at the port of shipment : 15 to 30 April 1988
- (c) deadline for the supply : —

22. Amount of the tendering security : 20 ECU/tonne**23. Amount of the delivery security : 10 % of the amount of the tender in ECU****24. Address for submission of tenders :**

Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi, B-1049 Brussels ; telex : AGREC 22037 B

25. Refund payable on request by the successful tenderer⁽⁹⁾ :

Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24
December 1987, p. 17)

LOT B

1. **Operation Nos⁽¹⁾**: 1081 to 1084/87 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome — Telex 626675 WFP I
4. **Representative of the recipient⁽³⁾**: See *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Mozambique
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽²⁾⁽⁶⁾⁽⁷⁾⁽⁸⁾**: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 130 tonnes
9. **Number of lots**: one (four parties: B1: 8 tonnes; B2: 53 tonnes; B3: 9 tonnes; B4: 60 tonnes)
10. **Packaging and marking**: 25 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4, 5 and 6 (I.1.B.4.3)

Supplementary markings on the packaging:

B1: 8 tonnes:
'ACÇÃO Nº 1081/87 / MOÇAMBIQUE 0238202 / ACÇÃO DO PROGRAMA ALIMENTAR MUNDIAL / BEIRA'

B2: 53 tonnes:
'ACÇÃO Nº 1082/87 / MOÇAMBIQUE 0238202 / ACÇÃO DO PROGRAMA ALIMENTAR MUNDIAL / NACALA'

B3: 9 tonnes:
'ACÇÃO Nº 1083/87 / MOÇAMBIQUE 0238202 / ACÇÃO DO PROGRAMA ALIMENTAR MUNDIAL / DURBAN TRANSIT MOÇAMBIQUE'

B4: 60 tonnes:
'ACÇÃO Nº 1084/87 / MOÇAMBIQUE 0238202 / ACÇÃO DO PROGRAMA ALIMENTAR MUNDIAL / MAPUTO'

and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market — The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 to 31 March 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁴⁾**: 22 February 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 7 March 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 15 to 30 April 1988
 - (c) deadline for the supply: —

22. Amount of the tendering security: 20 ECU/tonne

23. Amount of the delivery security: 10 % of the amount of the tender in ECU

24. Address for submission of tenders:

Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi, B-1049 Brussels; telex: AGREC. 22037 B

25. Refund payable on request by the successful tenderer⁽⁹⁾:

Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24
December 1987, p. 17)

LOT C

1. **Operation Nos** (1): 1086 to 1088/87 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via delle Terme di Caracalla, I-00100 Rome — Telex 626675 WFP I
4. **Representative of the recipient** (2): See *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: C1: Egypt; C2 + C3 Tunisia
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods**: [C1: (3)(4)(5)(6)(7); C2 + C3: (3)(4)(5)(6)(7)]; See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (I.1.A)
8. **Total quantity**: 500 tonnes
9. **Number of lots**: one (three parties: C1: 100 tonnes; C2: 250 tonnes; C3: 150 tonnes)
10. **Packaging and marking**: 25 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (I.1.A)

Supplementary markings on the packaging:
C1: 100 tonnes:
'ACTION No 1086/87 / EGYPT 0259400 / ACTION OF THE WORLD FOOD PROGRAMME / ALEXANDRIA'
C2: 250 tonnes:
'ACTION N° 1087/87 / TUNISIE 0258200 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / TUNIS'
C3: 150 tonnes:
'ACTION N° 1088/87 / TUNISIE 0269200 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / TUNIS'

and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 36 (I.1.A)
11. **Method of mobilization of the product**: Community market — The manufacture of skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 to 31 March 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 22 February 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 7 March 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 15 to 30 April 1988
 - (c) deadline for the supply: —

22. Amount of the tendering security : 20 ECU/tonne
23. Amount of the delivery security : 10 % of the amount of the tender in ECU
24. Address for submission of tenders :
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi, B-1049 Brussels ; telex : AGREC 22037 B
25. Refund payable on request by the successful tenderer (*) :
Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24
December 1987, p. 17)

LOT D

1. **Operation No** ⁽¹⁾: 1058/87 (Commission Decision of 30 June 1987)
2. **Programme**: 1987
3. **Recipient**: Peru
4. **Representative of the recipient** ⁽²⁾: Oficina Nacional de Apoyo Alimentario (ONAA), Natalio Sanches n° 220 Piso 14, Jesús María, Lima, Perú; tel. 24 24 64
5. **Place or country of destination**: Peru
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾: maximum 370 Bq/kg ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 1 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4, 5 and 6 (I.1.B.4.3)
Supplementary markings on the packaging:
'ACCIÓN N° 1058/87 / LECHE EN POLVO DESCREMADA ENRIQUECIDA CON VITAMINAS A Y D / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A PERÚ / DISTRIBUCIÓN GRATUITA'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market — The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing Callao (Lima) — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Callao, Peru
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31 March 1988
18. **Deadline for the supply**: 30 April 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁹⁾: 22 February 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 7 March 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30 April 1988
 - (c) deadline for the supply: 15 May 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽³⁾:
Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24 December 1987, p. 17)

LOT E

1. **Operation No** ⁽¹⁾: 666/87 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme
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**: China
6. **Product to be mobilized**: skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (I.1.A)
8. **Total quantity**: 365 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (I.1.A)
Supplementary markings on the packaging:
'ACTION No 666/87 / CHINA 0264700 / ACTION OF THE WORLD FOOD PROGRAMME / XINGANG'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (I.1.A)
11. **Method of mobilization of the product**: Community market — The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 to 31 March 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁷⁾: 22 February 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 7 March 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 15 to 30 April 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁸⁾:
Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24 December 1987, p. 17)

LOT F

1. **Operation No** (1): 864/87 (Commission Decision of 10 February 1986)
2. **Programme**: 1986
3. **Recipient**: UNHCR
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**: Mexico
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4): See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.I.B.1 to 3)
8. **Total quantity**: 150 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 1 kg (*Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 5 (I.I.B.1 to 4.1))
Supplementary markings on the packaging:
'ACCIÓN N° 864/87 / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA AL PROGRAMA DE AYUDA A LOS REFUGIADOS DEL ALTO COMISARIADO PARA REFUGIADOS DE LAS NACIONES UNIDAS / DISTRIBUCIÓN GRATUITA / PUERTO COATZACOALCOS'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.I.B.5)
11. **Method of mobilization of the product**: Community market limited to Northern Ireland
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Puerto Coatzacoalcos
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31 March 1988
18. **Deadline for the supply**: 30 April 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (5): 22 February 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 7 March 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30 April 1988
 - (c) deadline for the supply: 31 May 1988
22. **Amount of the tendering security**: 20 ECU per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6):
Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24 December 1987, p. 17)

LOT G

1. **Operation No** (1): 1078/87 (Commission Decision of 27 July 1987)
2. **Programme**: 1987
3. **Recipient**: National Authorizing Officer, Office of the President, Sierra Leone
4. **Representative of the recipient** (2): Dr F. MacBailey, National Authorizing Officer, Office of the President, Tower Hill, PO Box 1402, Freetown, Sierra Leone
5. **Place or country of destination**: Sierra Leone
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3): See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to 3)
8. **Total quantity**: 400 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4, 5 and 6 (I.1.B.4.3)
Supplementary markings on the packaging:
'ACTION No 1078/87 / SKIMMED-MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO SIERRA LEONE / FOR FREE DISTRIBUTION'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization of the product**: Community market — The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — Freetown — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Freetown, Sierra Leone
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 31 March 1988
18. **Deadline for the supply**: 30 April 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** (4): 22 February 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 7 March 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 30 April 1988
 - (c) deadline for the supply: 15 May 1988
22. **Amount of the tendering security**: 20 ECU per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Brussels; telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (5):
Refund applicable on 1 January 1988 fixed by Regulation (EEC) No 3885/87 (OJ No L 365, 24 December 1987, p. 17)

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary, the successful tenderer may deliver 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.
- (³) Commission delegate to contact by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05
- (⁵) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁷) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (⁸) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁹) Certificate of radioactivity authenticated by an Egyptian embassy.
- (¹⁰) The milk powder must be obtained by the process 'low-heat temperature expressed whey protein nitrogen, maximum 6,0 mg/g' and correspond to the characteristics mentioned in Annex I of Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19). However, concerning the 'total colony count' the standard ADMI Standard Methods ED, 1971, pages 16 to 21 can be used instead of the international standard FIL 49: 1970.
- (¹¹) The shipping documents must include a certificate of origin and a health certificate stating that the milk comes from animals free of foot-and-mouth disease.

These documents must be stamped by the Mexican consulate in the country exporting the milk.

COMMISSION REGULATION (EEC) No 342/88

of 5 February 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 4 February 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 6 February 1988.

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

Done at Brussels, 5 February 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. 99.

ANNEX

to the Commission Regulation of 5 February 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	10,36	167,03
0712 90 19	10,36	167,03
1001 10 10	65,54	252,37 ⁽¹⁾ ⁽²⁾
1001 10 90	65,54	252,37 ⁽¹⁾ ⁽²⁾
1001 90 91	5,23	187,63
1001 90 99	5,23	187,63
1002 00 00	45,58	162,40 ⁽⁶⁾
1003 00 10	39,26	180,79
1003 00 90	39,26	180,79
1004 00 10	95,79	149,33
1004 00 90	95,79	149,33
1005 10 90	10,36	167,03 ⁽²⁾ ⁽³⁾
1005 90 00	10,36	167,03 ⁽²⁾ ⁽³⁾
1007 00 90	33,88	176,95 ⁽⁴⁾
1008 10 00	39,26	97,87
1008 20 00	39,26	107,29 ⁽⁴⁾
1008 30 00	39,26	57,91 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	39,26	57,91
1101 00 00	21,87	277,23
1102 10 00	78,36	241,90
1103 11 10	115,18	404,76
1103 11 90	21,93	297,72

⁽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 343/88

of 5 February 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 4 February 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 6 February 1988.

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

Done at Brussels, 5 February 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 5 February 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	1,61
0712 90 19	0	0	0	1,61
1001 10 10	0	0	0	1,81
1001 10 90	0	0	0	1,81
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	1,61
1005 90 00	0	0	0	1,61
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

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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 344/88
of 5 February 1988
fixing the import levies on rice and broken rice

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 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 3990/87 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 883/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within subheading 1006 10, 1006 20 and 1006 30 of the combined nomenclature ⁽³⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 4042/87 ⁽⁴⁾, as last amended by Regulation (EEC) No 253/88 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4042/87 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 February 1988.

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 378, 31. 12. 1987, p. 88.

⁽⁵⁾ OJ No L 26, 30. 1. 1988, p. 15.

ANNEX

to the Commission Regulation of 5 February 1988 fixing the import levies on rice and broken rice

(ECU / tonne)

CN Code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²)	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	316,98	154,89	—
1006 10 99	—	283,92	138,36	212,94
1006 20 10	—	396,23	194,51	—
1006 20 90	—	354,90	173,85	266,18
1006 30 11	13,05	523,21	249,68	—
1006 30 19	12,97	582,52	279,37	436,89
1006 30 91	13,90	557,22	266,26	—
1006 30 99	13,90	624,47	299,88	468,35
1006 40 00	0,00	164,24	79,12	—

N.B. The levies are to be converted into national currencies using the specific agricultural conversion rates fixed in Regulation (EEC) No 3294/86.

(¹) Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

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

(³) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 345/88**of 5 February 1988****fixing the premiums to be added to the import levies on rice and broken rice**

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 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 3990/87 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2604/87 ⁽³⁾, as last amended by Regulation (EEC) No 254/88 ⁽⁴⁾;

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 shown in the Annex hereto;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ introduces, from 1 January 1988, a new 'combined nomenclature'

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.
2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 8 February 1988.

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽³⁾ OJ No L 245, 29. 8. 1987, p. 39.

⁽⁴⁾ OJ No L 26, 30. 1. 1988, p. 17.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 5 February 1988 fixing the premiums to be added to the import levies on rice and broken rice

CN Code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 10 91	0	0	0	—
1006 10 99	0	0	0	—
1006 20 10	0	0	0	—
1006 20 90	0	0	0	—
1006 30 11	0	0	0	—
1006 30 19	0	0	0	—
1006 30 91	0	0	0	—
1006 30 99	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 346/88

of 3 February 1988

introducing special surveillance of imports of dessert apples from third countries

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 223/88⁽²⁾, and in particular Article 29 (2) thereof,Whereas Council Regulation (EEC) No 2707/72⁽³⁾ lays down the conditions for applying protective measures for fruit and vegetables;

Whereas the production of dessert apples in the main producer Member States is up on last year's figures; whereas producer prices are, to a varying extent depending on the market concerned, well below those of 1986/87, which in turn were lower than in preceding marketing years; whereas unsold stocks are appreciably higher than at the same time in 1986/87, despite the withdrawal of large quantities since the beginning of the marketing year;

Whereas imports of dessert apples from third countries have shown a steady and appreciable increase; whereas, in the light of the forecasts for exports to the Community from countries in the Southern hemisphere, a further sharper increase is expected during the current marketing year;

Whereas, accordingly, the Community market is threatened with serious disruption which may endanger the objectives set out in Article 39 of the Treaty;

Whereas measures should accordingly be adopted which will allow close monitoring of dessert apple imports until the end of the period of importation from the third countries concerned; whereas the system which is best suited to that purpose would be a system of import licences which provides for a waiting period between the application for a licence and the latter's date of issue;

Whereas it is advisable to apply the provisions of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural

products⁽⁴⁾, as last amended by Regulation (EEC) No 2082/87⁽⁵⁾;

Whereas pursuant to Articles 144 and 280 of the Act of Accession, quantitative restrictions are applied by Spain and Portugal respectively on imports from third countries of the products in question; whereas the measures provided for in this Regulation need not, therefore, be applied in respect of imports into those two Member States,

HAS ADOPTED THIS REGULATION:

Article 1

The release before 1 September 1988 for free circulation within the Community as constituted at 31 December 1985, hereinafter referred to as the Community of Ten, of dessert apples falling within subheadings 0808 10 91, 0808 10 93 and 0808 10 99 of the combined nomenclature, shall be subject to the presentation of an import licence issued, in accordance with Articles 2 and 3, by the Member States concerned to all applicants irrespective of where their place of business is located in the Community.

The licence shall be valid throughout the Community of Ten.

Article 2

1. The import licence shall be issued subject to the lodging of security of 1,5 ECU per 100 kilograms net. The security shall be forfeit in whole or in part if, during the period of validity of the licence, the quantities stated in the licences are not released for free circulation or are released for circulation in part only.

2. The provisions of Regulation (EEC) No 3183/80 shall apply, save as otherwise provided in this Regulation. By way of derogation from the second sentence of Article 9 (1) of Regulation (EEC) No 3183/80, rights deriving from the import licences shall not be transferable.

3. The import licences shall be valid from one month after their date of issue within the meaning of Article 3 (3) of this Regulation. No licence shall, however, be valid after 31 August 1988.

4. The provisions of Article 8 (4) of Regulation (EEC) No 3183/80 shall not apply.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1988, p. 1.

⁽³⁾ OJ No L 291, 28. 12. 1972, p. 3.

⁽⁴⁾ OJ No L 338, 13. 12. 1980, p. 1.

⁽⁵⁾ OJ No L 195, 16. 7. 1987, p. 11.

Article 3

1. The product's country of origin shall be stated in box 14 of both the application for an import licence and the licence itself. The import licence shall be valid only for products originating in the country shown in the said box 14.

2. In accordance with the second paragraph of Article 1, one of the following forms of wording shall appear in box 20A of the import licence :

- no válido en España y Portugal
- ikke gyldig i Spanien og Portugal
- in Spanien und Portugal ungültig
- δεν ισχύει στην Ισπανία και στην Πορτογαλία
- valid in all Member States except Spain and Portugal
- non valable en Espagne et au Portugal
- non valido in Spagna e in Portogallo
- niet geldig in Spanje en Portugal
- não é válido em Espanha ou em Portugal.

3. Import licences shall be issued on the fifth working day following the day on which the application is lodged unless measures are taken within that time.

Article 4

The Member States shall notify the Commission of the quantities of dessert apples, by subheading of the combined nomenclature and by country of origin, for

which applications for import licences have been received.

Such notifications shall take place :

- every Wednesday, in respect of applications lodged on the Monday or Tuesday of that week,
- every Friday, in respect of applications lodged on the Wednesday or Thursday of that week,
- every Monday, in respect of applications lodged the preceding week on Friday.

Member States shall, if they have received no application for an import licence during the abovementioned periods, notify the Commission thereof by telex on the days specified above.

Article 5

The provisions of this Regulation shall not apply in the case of Spain or Portugal.

Article 6

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

However, Article 3 (3) shall not apply until 22 February 1988.

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

Done at Brussels, 3 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 347/88

of 5 February 1988

correcting Commission Regulation (EEC) No 24/88 amending for the sixth time
Regulation (EEC) No 646/86 fixing the export refunds on wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Commission Regulation (EEC) No 3992/87 ⁽²⁾, and in particular Article 56 (4) thereof,

Whereas Commission Regulation (EEC) No 646/86 ⁽³⁾, as last amended by Regulation (EEC) No 24/88 ⁽⁴⁾, fixes the export refunds on wine;

Whereas a check has shown that the amounts in the Annex thereto do not correspond to the measures submitted for an opinion to the Management Committee; whereas the Regulation in question should be corrected accordingly,

Article 1

In the Annex to Regulation (EEC) No 24/88, under product code 2204 21 35 190, in columns 'Amount of refund applicable in the Community as constituted at 31 December 1985' and 'Amount of refund applicable in Spain':

- (a) for destinations 01 and 02, '1,65' and '0,90' are replaced by '—';
- (b) for destination 03, '1,65' and '0,90' are inserted respectively.

Article 2

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

At the request of the interested party, it shall apply with effect from 1 January 1988.

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 60, 1. 3. 1986, p. 46.

⁽⁴⁾ OJ No L 4, 7. 1. 1988.

COMMISSION REGULATION (EEC) No 348/88

of 5 February 1988

correcting Regulation (EEC) No 4008/87 on rules for implementing the import arrangements for products of combined nomenclature code 0714 10 90 originating in countries other than Thailand that are at present Contracting Parties to the GATT

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff and coming from third countries, and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 4008/87⁽²⁾ lays down rules for implementing Regulation (EEC) No 430/87 whereas a technical mistake was made when transposing the terminology of the new tariff nomenclature of subheading 07.06 A of the Common Customs Tariff; whereas the tariff reference to products covered by the specific levy arrangements in question should accordingly be corrected with effect from 1 January 1988, the date of entry into force of the new tariff nomenclature;

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

Article 1

Regulation (EEC) No 4008/87 is hereby corrected as follows:

1. In the title the words 'products of combined nomenclature code 0714 10 90' are replaced by 'products of subheadings 0714 10 90 and 0714 90 10 of the combined nomenclature'.
2. Article 1 is replaced by the following:

'Article 1

Products falling within subheadings 0714 10 90 and 0714 90 10 of the combined nomenclature originating in countries other than Thailand that are Contracting Parties to the GATT shall qualify under the arrangements provided for in Article 1 of Regulation (EEC) No 430/87 under the provisions of this Regulation.'

Article 2

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 378, 31. 12. 1987, p. 2.

COMMISSION REGULATION (EEC) No 349/88

of 5 February 1988

derogating from the quality standards for cucumbers for the 1988 marketing year

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 223/88⁽²⁾, and in particular the second subparagraph of Article 2 (2) thereof,Whereas the quality standards for cucumbers were laid down in Annex I/2 to Council Regulation No 183/64/EEC⁽³⁾, as last amended by Commission Regulation (EEC) No 845/76⁽⁴⁾; whereas class III cucumbers were defined in Annex VII to Council Regulation (EEC) No 1194/69⁽⁵⁾; whereas these standards do not permit the marketing of certain sizes for which demand exists;

Whereas the quality standards should take this fact into account; whereas sufficient experience should, however, be gained before the standards are definitively changed; whereas, therefore, again temporary derogations from the quality standards for cucumbers should be introduced;

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

For the 1988 marketing year, the following derogation from Annex I/2 to Regulation No 183/64/EEC shall apply:

1. The following point is hereby added to Title III 'Sizing':

(iv) The above provisions shall not apply to cucumbers of the "short" type.

2. The following is added to Title VI 'Marking', under B 'Nature of produce':

"Short" type in all cases for this type of cucumber.

*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, 5 February 1988

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 23, 28. 1. 1988, p. 1.⁽³⁾ OJ No 192, 25. 11. 1964, p. 3217/64.⁽⁴⁾ OJ No L 96, 10. 4. 1976, p. 30.⁽⁵⁾ OJ No L 157, 28. 6. 1969, p. 1.

COMMISSION REGULATION (EEC) No 350/88

of 5 February 1988

derogating from the quality standards for sweet peppers for the 1988 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 223/88⁽²⁾, and in particular the second subparagraph of Article 2 (2) thereof,

Whereas the quality standards for sweet peppers were laid down in the Annex to Commission Regulation (EEC) No 2397/76⁽³⁾;

Whereas recent developments in the production and marketing of sweet peppers are reflected in the new common quality standards set out in Annex 2 to Commission Regulation (EEC) No 79/88⁽⁴⁾; whereas in order to give operators time to adjust to the new standards this Regulation does not enter into force until 1 July 1988; whereas the derogation granted in previous marketing years should therefore be continued until the new standards come into force;

Article 1

Until 30 June 1988 the following derogations from the provisions of the Annex to Regulation (EEC) No 2397/76 shall apply:

In Title V 'Provisions concerning presentation', under A 'Uniformity' the following paragraph is hereby inserted after the first paragraph:

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

Article 2

This Regulation shall enter into force on the third 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, 5 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1988, p. 1.

⁽³⁾ OJ No L 270, 2. 10. 1976, p. 13.

⁽⁴⁾ OJ No L 10, 14. 1. 1988, p. 8.

COMMISSION REGULATION (EEC) No 351/88

of 5 February 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 18 to 24 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 18 to 24 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 18 to 24 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 18 January 1988.

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

Done at Brussels, 5 February 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 18 to 24 January 1988

<i>(ECU/100 kg net weight)</i>	
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 352/88**of 5 February 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 223/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 216/88⁽³⁾ introduced a countervailing charge on fresh lemons originating in Morocco;

Whereas for fresh lemons originating in Morocco there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh lemons originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 216/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 6 February 1988.

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1988, p. 1.

⁽³⁾ OJ No L 21, 27. 1. 1988, p. 19.

COMMISSION REGULATION (EEC) No 353/88

of 5 February 1988

amending Regulation (EEC) No 115/88 introducing a countervailing charge on fresh lemons 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 223/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 115/88⁽³⁾, as amended by Regulation (EEC) No 284/88⁽⁴⁾, introduced a countervailing charge on fresh lemons originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of fresh lemons originating in Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁵⁾, 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

In Article 1 of Regulation (EEC) No 115/88, '1,87 ECU' is hereby replaced by '3,51 ECU'.

Article 2

This Regulation shall enter into force on 6 February 1988.

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

Done at Brussels, 5 February 1988

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 23, 28. 1. 1988, p. 1.

⁽³⁾ OJ No L 12, 16. 1. 1988, p. 25.

⁽⁴⁾ OJ No L 26, 30. 1. 1988, p. 81.

⁽⁵⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 354/88

of 5 February 1988

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals⁽¹⁾, as last amended by Regulation (EEC)
No 3989/87⁽²⁾, and in particular the fourth subparagraph
of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or prices
on the world market for the products listed in Article 1 of
that Regulation and prices for those products in the
Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general rules for
granting export refunds on cereals and criteria for fixing
the amount of such refunds⁽³⁾, provides that when
refunds are being fixed, account must be taken of the
existing situation and the future trend with regard to
prices and availabilities of cereals on the Community
market on the one hand, and prices for cereals and cereal
products on the world market on the other; whereas the
same Article provides that it is also important to ensure
equilibrium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports and
the need to avoid disturbances on the Community
market;

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account when
the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat
and rye flour, groats and meal are concerned, in Article 4
of Regulation (EEC) No 2746/75; whereas furthermore,
when the refund on these products is being calculated,
account must be taken of the quantities of cereals

required for their manufacture; whereas these quantities
were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾,
as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary to
vary the refund for certain products according to destina-
tion;

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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

- in the case of currencies which are maintained in rela-
tion to each other at any given moment within a band
of 2,25 % a rate of exchange based on their central
rate, multiplied by the corrective factor provided for in
the last paragraph of Article 3 (1) of Council Regula-
tion (EEC) No 1676/85⁽⁶⁾, as last amended by Regula-
tion (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 rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

Whereas, following the introduction of the "combined
nomenclature" by Council Regulation (EEC) No
2658/87⁽⁸⁾, the nomenclature applicable from 1 January
1988 to export refunds on agricultural products was estab-
lished by Regulation (EEC) No 3846/87⁽⁹⁾;

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

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

⁽¹⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽²⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁶⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

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

The refund on export to Portugal has not been fixed.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 6 February 1988.

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 5 February 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	80,00
1001 10 90 000	04	30,00 (2)
	05	25,00 (2)
	02	20,00 (2)
1001 90 91 000	01	80,00
1001 90 99 000	03	90,00
	02	0
	08	105,00
	10	110,00
1002 00 00 000	03	90,00
	06	20,00
	07	15,00
	02	25,00
	09	105,00
1003 00 10 000	01	80,00
1003 00 90 000	03	95,00
	02	25,00
1004 00 10 000	01	50,00
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	107,00
	02	0
	10	120,00
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	160,00
1101 00 00 120	01	160,00
1101 00 00 130	01	141,00
1101 00 00 150	01	132,00
1101 00 00 170	01	123,00
1101 00 00 180	01	112,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	160,00
1102 10 00 200	01	160,00
1102 10 00 300	01	160,00
1102 10 00 500	01	160,00
1102 10 00 900	—	—
1103 11 10 100	01	294,00 (2)
1103 11 10 200	01	278,00 (2)
1103 11 10 500	01	248,00
1103 11 10 900	01	234,00
1103 11 90 100	01	160,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Zones II and III,
- 05 Algeria,
- 06 Japan,
- 07 South Korea,
- 08 Ceuta and Melilla,
- 09 Zone II (b),
- 10 Zone VIII.

(²) Meal of which less than 10 % by weight is capable of passing through a sieve of 0,250 mm mesh.

(³) Meal of which less than 10 % by weight is capable of passing through a sieve of 0,160 mm mesh.

(⁴) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum of which 5 % of soft wheat or other cereals.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988).

COMMISSION REGULATION (EEC) No 355/88
of 5 February 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 335/88 ⁽⁴⁾;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ introduced from 1 January 1988 a new combined nomenclature meeting the requirements of both the Common Customs Tariff and the Community's statistics of foreign trade and replacing the previous nomenclature;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the 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 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 6 February 1988.

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

Done at Brussels, 5 February 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. 23.

⁽³⁾ OJ No L 192, 11. 7. 1987, p. 38.

⁽⁴⁾ OJ No L 33, 5. 2. 1988, p. 18.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 5 February 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,89 ⁽¹⁾
1701 11 90	40,89 ⁽¹⁾
1701 12 10	40,89 ⁽¹⁾
1701 12 90	40,89 ⁽¹⁾
1701 91 00	50,02
1701 99 10	50,02
1701 99 90	50,02

⁽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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 2 February 1988

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(88/71/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 87/483/EEC⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with the third countries concerned based on Agreement, requested authorization to extend or renew the above-mentioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas, in this situation, there should be authorization for the maintenance of national

Agreements only for those areas not covered by Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas, at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 277, 30. 9. 1987, p. 32.

HAS ADOPTED THIS DECISION :

Article 2

This Decision is addressed to the Member States.

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

Done at Brussels, 2 February 1988.

For the Council

The President

M. BANGEMANN

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
Medlemsstat	Tredjeland	Aftalens art og datering	Udløb efter forlængelse eller stiltiende videreførelse
Mitgliedstaat	Drittland	Art und Datum des Abkommens	Ablauf nach Verlängerung oder stillschweigender Verlängerung
Κράτος μέλος	Τρίτη χώρα	Φύση και ημερομηνία της συμφωνίας	Ημερομηνία λήξεως κατόπιν της παρατάσεως ή της σιωπηρής ανανεώσεως
Member State	Third country	Type and date of Agreement	Prolonged or tacitly renewed until
Estado miembro	País tercero	Naturaleza y fecha del Acuerdo	Prorrogado o tácitamente reconducido hasta el
État membre	Pays tiers	Nature et date de l'accord	Échéance après prorogation ou tacite reconduction
Stato membro	Paese terzo	Natura e data dell'accordo	Scadenza dopo la proroga o il tacito rinnovo
Lid-Staat	Derde land	Aard en datum van het akkoord	Vervaldatum na al dan niet stilzwijgende verlenging
Estado-membro	País terceiro	Natureza e data do acordo	Prorrogado ou tacitamente renovado até
BENELUX	Autriche/ Oostenrijk Norvège/ Noorwegen Suède/ Zweden Suisse/ Zwitserland	Accord commercial/ Handelsakkoord	29. 6. 1957
		Accord commercial/ Handelsakkoord	28. 5. 1957
		Accord commercial/ Handelsakkoord	27. 4. 1957
		Accord commercial/ Handelsakkoord	21. 6. 1957
		et échange de notes/ en briefwisseling	5. 5. 1961
	Tunisie/ Tunesië	Accord commercial/ Handelsakkoord	1. 8. 1958
DANMARK	Schweiz Sverige	Vareudvekslingsaftale	15. 9. 1951
		Vareudvekslingsoverenskomst	11. 3. 1948
DEUTSCHLAND	Indonesien Südkorea	Handelsabkommen vom	22. 4. 1953
		Handelsabkommen vom	8. 4. 1965
ΕΛΛΑΔΑ	Αίγυπτος	Εμπορική συμφωνία	1. 1. 1979
	Μαρόκο	Εμπορική συμφωνία	1. 11. 1961
	Τουρκία	Εμπορική συμφωνία	7. 11. 1953
	Ινδία	Εμπορική συμφωνία	31. 1. 1973
	Ισραήλ	Εμπορική συμφωνία	30. 1. 1969
	Νορβηγία	Εμπορική συμφωνία	1. 1. 1965
	Πακιστάν	Εμπορική συμφωνία	17. 1. 1963

ESPAÑA	Camerún	Acuerdo comercial	4. 2. 1964	4. 2. 1989
	Chile	Convenio comercial y de cooperación económica	9. 3. 1977	2. 3. 1989
	Gabón	Acuerdo de cooperación económica y comercial	6. 2. 1976	6. 2. 1989
	Jordania	Acuerdo comercial	16. 12. 1980	16. 12. 1988
	Túnez	Acuerdo comercial	20. 4. 1961	20. 4. 1989
FRANCE	Afrique du Sud ⁽¹⁾	Échanges de lettres	18. 4. 1964	31. 12. 1988
	Corée du Sud	Échange de lettres	12. 3. 1963	31. 3. 1989
	Inde ⁽¹⁾	Accord commercial et échange de lettres	19. 10. 1959	31. 12. 1988
	Irak	Accord commercial	25. 9. 1967	25. 3. 1989
	Liban	Accord commercial	25. 3. 1955	10. 4. 1989
IRELAND	Austria	Trade Agreement concluded by exchange of notes	6. 10. 1950	31. 12. 1988
	Finland	Trade Agreement	1. 6. 1951	
	Iceland	Trade Agreement	2. 12. 1950	
	Sweden	Trade Agreement	25. 6. 1949	
ITALIA	Corea del Sud	Accordo commerciale	9. 3. 1965	8. 3. 1989
	El Salvador	Accordo commerciale	30. 3. 1953	31. 3. 1989
		Protocollo addizionale	21. 12. 1955	
	Indonesia	Accordo commerciale	23. 3. 1951	31. 3. 1989
	Iran	Scambio di note	29. 1. 1958	9. 2. 1989
			23. 3. 1961	
	Israele	Accordo commerciale	5. 3. 1954	31. 3. 1989
		Scambio di lettere	5. 1. 1956	
		Processi verbali	21. 10. 1956	
			11. 2. 1964	
	Iugoslavia	Accordo commerciale	1. 7. 1967	31. 12. 1988
		Protocollo e scambio di note successivo	30. 4. 1969	
	Norvegia	Accordo commerciale	20. 5. 1953	31. 3. 1989
		Protocollo	31. 8. 1959	
		Scambio di note	10. 5. 1962	11. 3. 1989
	Repubblica dominicana	Accordo commerciale	18. 2. 1954	
NEDERLAND	Finland	Handelsakkoord	8. 12. 1956	31. 3. 1989
PORTUGAL	Cabo Verde	Acordo comercial	20. 4. 1980	20. 4. 1989
	Egipto	Acordo comercial	20. 3. 1983	20. 3. 1989
	Moçambique	Acordo comercial	25. 5. 1981	25. 5. 1989
	São Tomé e Príncipe	Acordo comercial	17. 7. 1978	17. 7. 1989
	Tanzânia	Acordo comercial	30. 7. 1975	30. 7. 1989

⁽¹⁾ Prorogation par échange de notes.

**Information concerning the date of entry into force of the third EEC-Lebanon
Financial Protocol⁽¹⁾**

Notification of the completion of the procedures necessary for the entry into force of the Protocol having been given on 28 January 1988, the Protocol will enter into force, pursuant to Article 21 (2) thereof, on 1 March 1988.

⁽¹⁾ OJ No L 22, 27. 1. 1988, p. 26.

COMMISSION

COMMISSION DECISION

of 15 July 1987

approving an integrated Mediterranean programme for the Provence-Alpes-Côte d'Azur region

(Only the French text is authentic)

(88/72/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 Provence-Alpes-Côte d'Azur region (PACA IMP);

Whereas, in accordance with Article 7 of Regulation (EEC) No 2088/85, the PACA 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 PACA IMP, including its financial plan, may therefore be approved by the Commission;

Whereas the PACA IMP relates to the period from 28 January 1986 to 27 January 1993;

Whereas the PACA 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 PACA 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 PACA IMP is estimated at 303 890 000 ECU for the period from 28 January 1986 to 31 December 1988 inclusive;

Whereas the Community contribution from the special budget heading referred to in Article 11 (2) of Regulation (EEC) No 2088/85 is estimated at 38 160 000 ECU for that period,

HAS ADOPTED THIS DECISION:

Article 1

The PACA IMP, in the version submitted to the Commission on 28 January 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 Corsica IMP.

In so far as the measures are carried out in accordance with the PACA 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 PACA 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 38 160 000 ECU in respect of the expenditure to be incurred in the period from 28 January 1986 to 31 December 1988 on measures to be financed in the context of the PACA IMP, estimated at 303 890 000 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 3 320 000 ECU is hereby committed, in accordance with the financial plan of the PACA 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 PROVENCE-ALPES-CÔTE D'AZUR REGION,

hereinafter referred to jointly as 'the parties',

HAVE AGREED AS FOLLOWS:

TITLE I

Joint implementation of the Integrated Mediterranean Programme for the Provence-Alpes-Côte d'Azur 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 28 January 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 Regional Prefect and State Commissioner for the Provence-Alpes-Côte d'Azur Region and the Chairman of the Regional 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 Provence-Alpes-Côte d'Azur 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 Provence-Alpes-Côte d'Azur 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 Regional Prefect and State Commissioner for the Provence-Alpes-Côte d'Azur Region and the Chairman of the Regional 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 Regional Prefect and State Commissioner for the Provence-Alpes-Côte d'Azur Region and the Chairman of the Regional 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 for Regional Affairs, who shall be responsible for the necessary coordination with the regional administration.

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 Provence-Alpes-Côte d'Azur Region 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 Provence-Alpes-Côte d'Azur Region 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 Regulation (EEC) No 1760/78⁽¹⁾ during the implementation of the the Provence-Alpes-Côte d'Azur Region 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

⁽¹⁾ OJ No L 204, 28. 7. 1978, p. 1.

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, 16. 8. 1971, p. 5.

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.

TITLE 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.

TITLE 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

J. CLAUZEL

*The Prefect and State
Commissioner for the
Provence-Alpes-Côte d'Azur Region*

For the Region

J. C. GAUDIN

*The Chairman of the
Regional Council*

ANNEX I

PROVENCE-ALPES-COTE D'AZUR REGION

COMPOSITION OF THE MONITORING COMMITTEE

1. Restricted

1.1. Region :

- The Chairman of the Regional Council
- The Chairman of the Planning Committee
- Two Vice-Chairman of the Planning Committee
- A Regional Councillor and Member of the European Parliament
- A Planning Director

1.2. State :

- The Prefect and State Commissioner for the Region
- The Regional Directors
- The Southern Alps Development Commissioner
- The Treasurer and Paymaster-General

1.3. European Communities :

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

1.4. Secretariat :

- The Secretary-General for Regional Affairs

2. Enlarged

In addition :

- Seventeen Regional Councillors
- Three representatives of the Economic and Social Committee
- The Département Prefects (six)
- The Chairmen of the Département Councils (six)
- The Chairmen of the Regional Chambers of Commerce, Industry, etc. (three).
- The Regional Officers for Tourism (two).
- The Regional Officer for Architecture and the Environment
- The Regional Officer for Commerce and Craft Undertakings
- The Regional Officer for Vocational Training Questions
- The Regional Resources Director
- The Regional Officer for Research and Technology
- The Regional Officer for Aquaculture
- The Chairman of the Société Esterel-Côte d'Azur
- The Chairman of the Société du Canal de Provence
- The Chairman of the Regional Banking Committee
- The Chairman of the Mediterranean Regional Development Corporation

ANNEX II

PROVENCE-ALPES-CÔTE D'AZUR IMP

(in millions ECU)

Source	Financial forecasts : estimated schedule							
	Commitments			Payments				
	1987	1988	Total	1987	1988	1989	1990	Total
1. EAGGF								
— direct/indirect operations	10,39	6,13	16,52	8,31	6,98	1,23	—	16,52
— 355	0,72	1,49	2,21	0,21	0,67	0,74	0,59	2,21
2. ESF ⁽¹⁾	6,90	5,25	12,15	4,08	4,49	2,53	1,05	12,15
3. Article 551	19,65	18,51	38,16	9,82	10,91	17,43	—	38,16
4. Fisheries (4028/86)	0,50	0,54	1,04	0,31	0,31	0,42	—	1,04
Total	38,16	31,92	70,08	22,73	23,36	22,35	1,64	70,08

⁽¹⁾ Assistance totalling 2,09 m ECU was committed in 1986 in accordance with ESF procedures.

COMMISSION DECISION

of 22 December 1987

on the quantities of sheepmeat and goatmeat that may be imported in 1988 into certain sensitive marketing zones from certain non-member countries

(88/73/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 Council Regulation (EEC) No 2641/80 of 14 October 1980 derogating from certain import rules laid down in Regulation (EEC) No 1837/80 on the common organization of the market in sheepmeat and goatmeat ⁽³⁾, and in particular Article 1 (2) thereof,

Whereas certain non-member countries which have concluded voluntary restraint agreements with the European Economic Community have undertaken to limit their exports of sheepmeat and goatmeat to sensitive marketing zones to the traditional quantities or the quantities towards which the traditional trade flows have tended; whereas, under the provisions of the third indent of Article 1 (1) of Regulation (EEC) No 2641/80, the issuing of import licences for the products in question is suspended when agreed import quantities into these zones are exceeded; whereas the quantities that may be imported into these zones for 1988 should therefore be specified and importers should be informed of the time from which licences will no longer be granted;

Whereas quantities have already been agreed, by exchange of letter, with Austria ⁽⁴⁾, Iceland ⁽⁵⁾, Czechoslovakia ⁽⁶⁾, Yugoslavia ⁽⁷⁾, New Zealand ⁽⁸⁾, Romania ⁽⁹⁾, Uruguay up to 31 March 1988 ⁽⁷⁾, and the German Democratic Republic ⁽⁸⁾;

Whereas for Bulgaria, Hungary and Poland the quantities must be fixed each year in the framework of consultation;

Whereas the Australian authorities have undertaken to limit exports to the French and Irish markets to the traditional quantities; whereas, given the present situation and

in order not to interrupt import flows, a quantity should be fixed unilaterally for Ireland on the basis of these traditional quantities;

Whereas discussions are taking place with Argentina regarding arrangements for the French and Irish markets; whereas, however, a quantity has not yet been agreed; whereas in view of the present situation and in order not to interrupt trade flows, a provisional quantity should be fixed autonomously;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS DECISION:

Article 1

The competent authorities of France shall issue, up to the quantities listed in the Annex hereto, import licences for 1988 for sheepmeat and goatmeat falling within subheading 0104 10 90, 0104 20 90 and heading No 0204 of the combined nomenclature, imported from the non-member countries listed in the Annex into France.

Article 2

Ireland shall not issue any import licences for the products referred to in Article 1.

Article 3

The licences referred to in this Decision shall be issued only in France and Ireland, respectively.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 22 December 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 79, 21. 3. 1987, p. 3.

⁽³⁾ OJ No L 275, 18. 10. 1980, p. 2.

⁽⁴⁾ OJ No L 154, 9. 6. 1984, p. 36.

⁽⁵⁾ OJ No L 187, 14. 7. 1984, p. 75.

⁽⁶⁾ OJ No L 96, 3. 4. 1985, p. 30.

⁽⁷⁾ OJ No L 155, 10. 6. 1986, p. 11.

⁽⁸⁾ OJ No L 309, 31. 10. 1987, p. 107.

ANNEX

Quantities referred to in Article I

	(tonnes)
	Carcase weight equivalent
Argentina ⁽¹⁾	1 100
Australia	733
Austria	0
Bulgaria	360
Hungary	975
Iceland	0
New Zealand	5 125
Poland	1 150
Romania	144
Czechoslovakia	0
Uruguay ⁽²⁾	0
Yugoslavia	50
German Democratic Republic	0

⁽¹⁾ Quantity fixed autonomously.

⁽²⁾ Up to 31 March 1988.

COMMISSION DECISION

of 14 January 1988

authorizing the French Republic to introduce intra-Community surveillance of imports of certain kinds of beach slippers, slippers and other indoor footwear originating in the People's Republic of China

(Only the French text is authentic)

(88/74/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 87/433/EEC⁽¹⁾ on surveillance and protective measures which Member States may be authorized to take pursuant to Article 115 of the EEC Treaty, and in particular Articles 1 and 2 thereof,

Whereas by means of Regulation (EEC) No 4021/87⁽²⁾, the Commission set up a system for authorizing the import into France of certain kinds of beach slippers, slippers and other indoor footwear originating in the People's Republic of China;

Whereas this Regulation takes into account the steps taken by the Government of the People's Republic of China to make exports to France of the products in question subject to export certificates and also to issue the certificates in such a way as to comply with certain quantitative limits for 1988, 1989 and 1990;

Whereas there are disparities in the terms governing imports of the products in question into France and imports of the same products into the other Member States; whereas these disparities could cause deflection of trade;

Whereas, in order to detect such deflection of trade rapidly, the French Government has presented a request to the Commission of the European Communities for authorization to introduce prior intra-Community surveillance of the imports in question originating in the People's Republic of China and in free circulation in the other Member States;

Whereas the Commission has examined the matter to determine whether these imports could be subject to intra-Community surveillance; whereas this examination has shown that deflection has occurred in the past, and is likely to recur and so undermine the objectives which Regulation (EEC) No 4021/87 is meant to attain, and also

aggravate or prolong the economic difficulties which, as described in that Regulation, exist in the production sector concerned;

Whereas, in these circumstances, France should be authorized to introduce intra-Community surveillance of the products in question originating in the People's Republic of China and in free circulation in the other Member States,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic is hereby authorized to introduce, until 31 December 1990 and in accordance with Article 2 of the abovementioned Decision 87/433/EEC, intra-Community surveillance of the following products originating in the People's Republic of China and in free circulation in the other Member States:

CN code	Description
ex 6405 10 90 6405 20 91 ex 6405 90 90 6404 19 10 6404 20 10 ex 6405 90 10	Slippers and other indoor footwear
ex 6405 10 90 6405 20 99 ex 6405 90 90 6404 19 90 ex 6404 20 90	Beach slippers

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 14 January 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 238, 21. 8. 1987, p. 26.

⁽²⁾ OJ No L 378, 31. 12. 1987, p. 40.

COMMISSION DECISION

of 29 January 1988

authorizing the Italian Republic to apply intra-Community surveillance to imports of bananas originating in certain third countries and put into free circulation in the other Member States

(Only the Italian text is authentic)

(88/75/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular the first paragraph of Article 115 thereof,

Having regard to Commission Decision 87/433/EEC⁽¹⁾, on surveillance and protective measures which Member States may be authorized to take pursuant to Article 115 of the EEC Treaty, and in particular Articles 1, 2 and 5 thereof,

Whereas on 18 January 1988, the Italian Government applied for authorization to apply intra-Community surveillance to imports of bananas falling within subheading 0803 00 10 of the combined nomenclature, originating in certain third countries other than the African, Caribbean and Pacific (ACP) States⁽²⁾ and put into free circulation in the other member States;

Whereas by its Decision C (88) 215⁽³⁾ of 29 January 1988, the Commission authorized the Italian Republic, under Article 115 of the Treaty, to apply until 30 June 1988 certain protective measures in respect of bananas originating in the third countries listed below; whereas under this Decision applications to import such bananas put into free circulation in the other Member States are subject to the lodging of a security;

Whereas the Italian Government has stated that the circumstances which led the Commission to adopt intra-Community surveillance measures in the past still prevail, namely the need to ensure the effectiveness of the commercial policy measures which Italy applies in respect of direct imports of fresh bananas originating in certain third countries other than the ACP States in order to attain the objective laid down in Protocol 4 to the Lomé Convention;

Whereas, without prejudice to a later examination of the situation, it is therefore necessary to authorize the Italian Republic to apply intra-Community surveillance until 30 June 1988 to imports of the products in question; whereas acceptance of import applications submitted under the surveillance system must be made subject to the conditions laid down in Article 1 of the Commission Decision of 29 January 1988 referred to above,

HAS ADOPTED THIS DECISION:

Article 1

1. The Italian Republic is hereby authorized to apply intra-Community surveillance in accordance with Decision 87/433/EEC until 30 June 1988 to imports of bananas falling within subheading 0803 00 10 of the combined nomenclature originating in the third countries listed in the Annex and put into free circulation in the other Member States.

2. The acceptance of import applications shall be subject to the conditions laid down in Article 1 of the Commission Decision of 29 January 1988.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 29 January 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 238, 21. 8. 1987, p. 26.

⁽²⁾ Bolivia, Canada, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, the Philippines, the United States of America, Venezuela.

⁽³⁾ OJ No C 28, 3. 2. 1988, p. 11.

*ANNEX***Third countries of origin referred to in Article 1**

Bolivia	Haiti
Canada	Honduras
Colombia	Mexico
Costa Rica	Nicaragua
Cuba	Panama
Dominican Republic	Philippines
Ecuador	United States of America
El Salvador	Venezuela
Guatemala	

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 3869/87 of 22 December 1987 fixing the export refunds on rice and broken rice**

(Official Journal of the European Communities No L 363 of 23 December 1987)

On page 54, in the Annex, under product code 1006 30 99 100 :
insert destinations '01' and '13' and the corresponding amounts of '300,00' and '300,00'.

Corrigendum to Commission Regulation (EEC) No 3882/87 of 23 December 1987 amending Regulation (EEC) No 1678/85 as regards the agricultural conversion rates for the pigment sector in Spain

(Official Journal of the European Communities No L 365 of 24 December 1987)

On page 13, in Article 1, the agricultural conversion rate applicable until 27 December 1987 :
for: '153,751',
read: '154,273'.

Corrigendum to Commission Regulation (EEC) No 100/87 of 14 January 1988 fixing the export refunds on rice and broken rice

(Official Journal of the European Communities No L 11 of 15 January 1988)

On page 51, in the title :
for: 'Commission Regulation (EEC) No 100/87',
read: 'Commission Regulation (EEC) No 100/88'.

On page 53, in the Annex, under product code 1006 30 99 100 :
insert destinations '01' and '13' and the corresponding amounts of '277,50' and '277,50'.
