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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 356/88

of 8 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 5 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 9 February 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 99.

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

Done at Brussels, 8 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 8 February 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	10,36	167,94
0712 90 19	10,36	167,94
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	167,94 ⁽²⁾ ⁽³⁾
1005 90 00	10,36	167,94 ⁽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 357/88**of 8 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 5 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 9 February 1988.

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

Done at Brussels, 8 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 8 February 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	1,45
1001 10 90	0	0	0	1,45
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 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 358/88

of 5 February 1988

on the supply of milled long-grain rice to Sierra Leone 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, by its Decision of 27 July 1987 on the supply of food-aid to Sierra Leone the Commission allocated to the latter country 6 000 tonnes of cereals;

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

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid⁽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

A tendering procedure is hereby initiated for the award of a contract for the supply of milled long-grain rice to Sierra Leone in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

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

1. **Operation No⁽¹⁾**: 1078/87
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**: Milled long-grain rice (not parboiled)
7. **Characteristics and quality of the goods⁽³⁾**:

See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II A 10)
8. **Total quantity**: 2 500 tonnes (6 000 tonnes cereals)
9. **Number of lots**: one
10. **Packaging and marking⁽⁴⁾**:

See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II B I a)

— marking on the bags in letters at least 3 cm high:

ACTION NO 1079/87 'RICE — GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE REPUBLIC OF SIERRA LEONE'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Freetown
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**: 10 to 31 March 1988
18. **Deadline for the supply**: 15 April 1988
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 23 February 1988, at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 8 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: 25 March to 15 April 1988
 - (c) deadline for the supply: 30 April 1988
22. **Amount of the tendering security**: 5 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁵⁾**:

Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Bruxelles, Telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾**:

Refund applicable on 3 February 1988 fixed by Regulation (EEC) No 283/88 in *Official Journal of the European Communities* No L 26 of 30 February 1988, p. 79

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to contact by the successful tenderer: EEC Delegate to Sierra Leone, 4 George Street, PO Box 1399, Sierra Leone, (telex 3203 DELFED)
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 level.

- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of the 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 and one of the following numbers in Brussels:
235 01 32
236 10 97
235 01 30
236 20 05

- (⁶) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
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COMMISSION REGULATION (EEC) No 359/88

of 5 February 1988

on the supply of various consignments of cereals to the World Food Programme
(WFP) as food aid

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

Having regard to Council Regulation (EEC) No 3972/86
of 22 December 1986 on food-aid policy and food-aid
management ⁽¹⁾ 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 man-
agement ⁽³⁾ lays down the list of countries and organiza-
tions eligible for food-aid operations and specifies the
general criteria on the transport of food aid beyond the
fob stage;

Whereas, by its Decision of 15 April 1987 on the supply
of food aid to the World Food Programme the Commis-
sion allocated to the latter organization 20 959 tonnes of
cereals;

Whereas it is necessary to provide for the carrying-out of
this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July
1987 laying down general rules for the mobilization in
the Community of products to be supplied as Community
food aid ⁽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

A tendering procedure is hereby initiated for the award of
a contract for the supply of cereals to the World Food
Programme in accordance with the provisions of Regula-
tion (EEC) No 2200/87 and with the conditions laid
down in the Annexes hereto.

Article 2

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

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

Done at Brussels, 5 February 1988.

For the Commission

Frans ANDRIESEN

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 I

1. **Operation No :** 1096/87 ⁽¹⁾
2. **Programme :** 1987
3. **Recipient :** World Food Programme, Via delle Terme di Caracalla, I-00100 Roma, Telex : 626675 WFP I
4. **Representative of the recipient ⁽²⁾ :** see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination :** PDR Yemen
6. **Product to be mobilized :** common wheat
7. **Characteristics and quality of the goods ⁽³⁾ :**
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II A 1). Specific characteristics : Hagberg falling number of at least 160
8. **Total quantity :** 3 975 tonnes.
9. **Number of lots :** one
10. **Packaging and marking ⁽⁴⁾ :**
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II B 1 a).
— marking on the bags, in letters at least 5 cm high :
‘ACTION No 1096/87 / YEMEN PDR / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / ADEN’
and for
525 tonnes ‘PROJECT 0268700’
250 tonnes ‘PROJECT 0258001’
3 200 tonnes ‘PROJECT 0226502’
11. **Method of mobilization :** the Community market
12. **Stage of supply :** free at port of shipment
13. **Port of shipment :** —
14. **Port of landing specified by the recipient :** —
15. **Port of landing :** —
16. **Address of the warehouse and, if appropriate, port of landing :** —
17. **Period for making the goods available at the port of shipment :** 15 March to 10 April 1988
18. **Deadline for the supply :** —
19. **Procedure for determining the costs of supply :** tendering
20. **Date of expiry of the period allowed for submission of tenders :** 12 noon on 23 February 1988
21. **In the case of a second invitation to tender :**
(a) deadline for the submission of tenders : 12 noon on 8 March 1988
(b) period for making the goods available at the port of shipment : 1 to 25 April 1988
(c) deadline for the supply : —
22. **Amount of the tendering security :** 5 ECU/tonne
23. **Amount of the delivery security :** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders ⁽⁵⁾ :**
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Berlaymont, bureau 6/73, 200, rue de la Loi, B-1049 Bruxelles, Telex : AGREC 22037 B
25. **Refund payable on request by the successful tenderer ⁽⁶⁾ :**
Refund applicable on 3 February 1988 fixed by Regulation (EEC) No 283/88 in *Official Journal of the European Communities* No L 26 of 30 January 1988, page 79.

ANNEX II

1. **Operation No :** 1095/87 ⁽¹⁾
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 :** Ethiopia
6. **Product to be mobilized :** common wheat
7. **Characteristics and quality of the goods ⁽³⁾ :**

See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.A.1):

Specific characteristics: Hagberg falling number of at least 160
8. **Total quantity :** 6 114 tonnes
9. **Number of lots :** 1
10. **Packaging :** in bulk, plus
 - 129 000 empty new jute sacks, minimum weight 600 g, of a capacity of 75 kilograms, and 150 needles and sufficient twine
 - marking on the bags, in letters at least 5 cm high:
'ACTION NO 1095/87 / ETHIOPIA 0248802 / WHEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME / MASSAWA'
11. **Method of mobilization :** the Community market
12. **Stage of supply :** free at port of shipment
13. **Port of shipment :** —
14. **Port of landing specified by the recipient :** —
15. **Port of landing :** —
16. **Address of the warehouse and, if appropriate, port of landing :** —
17. **Period for making the goods available at the port of shipment :** 15 March to 10 April 1988
18. **Deadline for the supply :** —
19. **Procedure for determining the costs of supply :** tendering
20. **Date of expiry of the period allowed for submission of tenders :** 12 noon on 23 February 1988
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 12 noon on 8 March 1988
 - (b) period for making the goods available at the port of shipment : 1 to 25 April 1988
 - (c) deadline for the supply : —
22. **Amount of the tendering security :** 5 ECU/tonne
23. **Amount of the delivery security :** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders ⁽⁴⁾ :**

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi,
B-1049 Bruxelles
Telex : AGREC 22037 B
25. **Refund payable on request by the successful tenderer ⁽⁵⁾ :**

Refund applicable on 3. February 1988 fixed by Regulation (EEC) No 283/88 in *Official Journal of the European Communities* No L 26 of 30 January 1988, p. 79.

ANNEX III

1. **Operation No :** 1094/87 ⁽¹⁾
2. **Programme :** 1987
3. **Recipient :** WFP (World Food Programme, Via delle Terme di Caracalla, 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 :** Tunisia
6. **Product to be mobilized :** durum wheat
7. **Characteristics and quality of the goods ⁽³⁾ :**
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.A.2):
8. **Total quantity :** 10 870 tonnes
9. **Number of lots :** one
10. **Packaging :** in bulk
11. **Method of mobilization :** the Community market
12. **Stage of supply :** free at port of shipment
13. **Port of shipment :** —
14. **Port of landing specified by the recipient :** Tunis
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 March to 10 April 1988
18. **Deadline for the supply :** —
19. **Procedure for determining the costs of supply :** tendering
20. **Date of expiry of the period allowed for submission of tenders :** 23 February 1988, at 12 noon
21. **In the case of a second invitation to tender :**
 - (a) deadline for the submission of tenders : 8 March 1988, at 12 noon
 - (b) period for making the goods available at the port of shipment : 1 to 25 April 1988
 - (c) deadline for the supply : —
22. **Amount of the tendering security :** 5 ECU/tonne
23. **Amount of the delivery security :** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders ⁽⁴⁾ :**
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi,
B-1049 Bruxelles
Telex : AGREC 22037 B
25. **Refund payable on request by the successful tenderer ⁽⁵⁾ :**
Refund applicable on 3 February 1988 fixed by Regulation (EEC) No 283/88 in *Official Journal of the European Communities* No L 26 of 30 January 1988, p. 79.

Notes :

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer :
- I — See list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- II — Mr Haffner Tedla Desta Building, Africa Avenue (Bole Road), first floor, PO Box 5570 Addis Ababa (telex 21135 DELEGEUR-ADDIS ABABA).
- III. — Mr Lanari, avenue Jugurtha 21, BP 3, Belvédère, Tunis, Tlx 13596 — Tunis.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 level.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- certificate of origin,
 - phytosanitary certificate.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
- 235 01 32
236 10 97
235 01 30
236 20 05
- (⁶) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

COMMISSION REGULATION (EEC) No 360/88

of 4 February 1988

imposing a provisional anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1761/87 of 22 June 1987⁽²⁾, and in particular Article 10(6) thereof,

After consultations within the Advisory Committee established by that Regulation,

Whereas,

A. Procedure

- (1) Following a complaint lodged by the European Council of Chemical Manufacturers' Federations (ECCMF) on behalf of a Community producer of potassium permanganate whose output constitutes the totality of the Community production of the product in question, the Commission published a notice in the *Official Journal of the European Communities*⁽³⁾ announcing the initiation of an anti-dumping proceeding concerning imports into the Community of potassium permanganate falling within Common Customs Tariff subheading ex 28.47 C, corresponding to combined nomenclature code ex 2841 60 00 (from 1 January 1988) originating in Czechoslovakia, the German Democratic Republic and the People's Republic of China; it then commenced an investigation.
- (2) Following the investigation, which established the existence of dumping and injury⁽⁴⁾, the Chinese exporter, China National Chemicals Import and Export Corporation (Sinochem), and the exporters in Czechoslovakia and the German Democratic Republic offered price undertakings.
- (3) The Chinese firm undertook to increase its export prices by an amount sufficient to eliminate the

injury caused by dumping. This undertaking was accepted by the Commission⁽⁵⁾.

- (4) In November 1987 the Commission was informed that potassium permanganate originating in China National Chemicals Import and Export Corporation (Sinochem) was being imported into France and Spain at very low prices, suggesting that the price undertaking was being violated. The Commission studied the information submitted to it and granted the Chinese exporting company a hearing.

B. Violation of the undertaking

- (5) The Commission first checked the allegations against the official statistics available. The statistics suggested that the undertaking was being violated.
- (6) Furthermore, the Commission has clear evidence that the Chinese exporter invoiced its consignments to the Community at prices lower than those stipulated in the price undertaking.

The company did not dispute the statistics, but said it could not control the activities of its various subsidiaries in China. However, in offering the price undertaking accepted by the Commission, the company promised to comply with a given cif delivered price, free at Community frontier, not only on its own account but also through its subsidiaries, branches and agents.

- (7) The company also violated the undertaking by failing to report to the Commission periodically giving details or quantities exported to the Community, unit prices and total value.

C. Reopening of proceeding

- (8) The Commission considers that in the circumstances the facts should be reviewed. It has therefore reopened the investigation.

D. Provisional measures

- (9) In the light of the evidence available to it confirming the price violation, the Commission considers that acceptance of the undertaking given by China National Chemicals Import and Export Corporation (Sinochem) should be withdrawn. In addition, on the basis of the facts established

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 9.

⁽³⁾ OJ No C 63, 18. 3. 1986, p. 5.

⁽⁴⁾ Commission Regulation (EEC) No 2495/86 of 1 August 1986, OJ No L 217, 5. 8. 1986, p. 12.

⁽⁵⁾ Decision 85/589/EEC of 26 November 1986, OJ No L 339, 2. 12. 1986, p. 32.

showing the injury caused, it is in the interests of the Community to impose a provisional anti-dumping duty forthwith on all imports of potassium permanganate originating in the People's Republic of China, produced and/or exported by China National Chemicals Import and Export Corporation (Sinochem).

E. Rate of duty

- (10) In accordance with Article 10 (6) of Regulation (EEC) 2176/84, the anti-dumping duty should be set on the basis of the facts established before acceptance of the undertaking. Accordingly, provisional duty shall be set either at a rate equivalent to the amount by which the free-at-Community-frontier price, before duty, to the first importer in the Community falls below 2,30 ECU net per kilogram, or at 28 % of that price, whichever is the higher, in conformity with Commission Regulation (EEC) No 2495/86 of 1 August 1986⁽¹⁾.

HAS ADOPTED THIS REGULATION:

Article 1

The Commission's acceptance of the undertaking on 2 December 1986⁽²⁾ is hereby withdrawn.

Article 2

1. A provisional anti-dumping duty is hereby imposed on imports of potassium permanganate corresponding to combined nomenclature code ex 2841 60 00, originating

in the People's Republic of China and produced and/or exported by China National Chemicals Import and Export Corporation (Sinochem).

2. The duty shall be equal to either the amount by which the free-at-Community-frontier net price per kilogram, before duty, falls below 2,30 ECU, or 28 % of that price, whichever is the higher.

3. The provisions in force concerning customs duties shall apply

4. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

Article 3

Without prejudice to Article 7 (4) (b) and (c) of Council Regulation (EEC) No 2176/84, the parties concerned may make known their views in writing and apply to be heard by the Commission within one month of the entry into force of this Regulation.

Article 4

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*. Subject to Articles 11, 12 and 14 of Regulation (EEC) No 2176/84, it shall apply for a period of four months unless the Council adopts definitive measures before the expiry of that period.

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

Done at Brussels, 4 February 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 217, 5. 8. 1986, p. 12.

⁽²⁾ OJ No L 339, 2. 12. 1986, p. 32.

COMMISSION REGULATION (EEC) No 361/88

of 8 February 1988

amending Regulation (EEC) No 3154/85 laying down detailed rules for the administrative application of monetary compensatory amounts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas the measures provided for in this Regulation are in accordance with the opinions of the relevant management committees,

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 12 thereof,

Paragraph 3 is hereby added to Article 21 of Regulation (EEC) No 3154/85.

'3. No monetary compensatory amount shall be applicable on operations pertaining to the distribution of foodstuffs from intervention stocks under Regulation (EEC) No 3730/87 ⁽³⁾.

Whereas as Article 21 of Commission Regulation (EEC) No 3154/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2331/87 ⁽⁵⁾ at present stands monetary compensatory amounts are applicable in respect of operations pertaining to the free distribution of foodstuffs from intervention stocks under Council Regulation (EEC) No 3730/87 ⁽⁶⁾; whereas in view of the purpose of these operations this is undesirable and should be discontinued;

^(*) OJ No L 352, 15. 12. 1987, p. 1.'

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, 8 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 210, 1. 8. 1987, p. 58.

⁽⁵⁾ OJ No L 352, 15. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 362/88

of 8 February 1988

amending for the second time Regulation (EEC) No 215/88 introducing a countervailing charge on artichokes originating in Egypt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 223/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 215/88⁽³⁾, as amended by Regulation (EEC) No 311/88⁽⁴⁾, introduced a countervailing charge on artichokes originating in Egypt;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced 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 artichokes originating in Egypt must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 215/88 '18,03 ECU' is hereby replaced by '29,92 ECU'.

Article 2

This Regulation shall enter into force on 9 February 1988.

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

Done at Brussels, 8 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. 17.⁽⁴⁾ OJ No L 31, 3. 2. 1988, p. 11.

COMMISSION REGULATION (EEC) No 363/88

of 8 February 1988

altering the export refunds on products processed from cereals and 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 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 fifth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 3990/87⁽⁴⁾, and in particular the fifth subparagraph of Article 17 (2) thereof,

Whereas the export refunds on products processed from cereals and rice were fixed by Regulation (EEC) No 290/88⁽⁵⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in Regulation (EEC) No

290/88 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75⁽⁶⁾ as fixed in the Annex to Regulation (EEC) No 290/88 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 9 February 1988.

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

Done at Brussels, 8 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽⁵⁾ OJ No L 26, 30. 1. 1988, p. 95.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

ANNEX

to the Commission Regulation of 8 February 1988 altering the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100 (?)	183,01	1104 22 10 100 (?)	221,66
1102 20 10 300 (?)	154,91	1104 22 10 900 (?)	—
1102 20 10 900 (?)	—	1104 22 30 100 (?)	235,52
1102 20 90 100 (?)	154,91	1104 22 30 900 (?)	—
1102 20 90 900 (?)	—	1104 22 50 000 (?)	—
1102 30 00 000	—	1104 23 10 100 (?) (?)	193,64
1102 90 10 100	190,62	1104 23 10 300 (?) (?)	148,45
1102 90 10 900	129,62	1104 23 10 900	—
1102 90 30 100	249,37	1104 29 10 100 (?)	—
1102 90 30 900	—	1104 29 10 900	—
1103 12 00 100	249,37	1104 29 91 000	114,00
1103 12 00 900	—	1104 29 95 000	114,00
1103 13 11 100 (?) (?)	232,36	1104 30 10 000	31,58
1103 13 11 300 (?) (?)	180,73	1104 30 90 000	32,27
1103 13 11 500 (?) (?)	154,91	1107 10 11 000	224,87
1103 13 11 900	—	1107 10 91 000	226,20
1103 13 19 100 (?) (?)	232,36	1108 11 00 100	224,66
1103 13 19 300 (?) (?)	180,73	1108 11 00 900	—
1103 13 19 500 (?) (?)	154,91	1108 12 00 100	190,54
1103 13 19 900	—	1108 12 00 900	—
1103 13 90 100 (?) (?)	154,91	1108 13 00 100	190,54
1103 13 90 900	—	1108 13 00 900	—
1103 14 00 000	—	1108 14 00 100	—
1103 19 10 000	114,00	1108 14 00 900	—
1103 19 30 100	196,97	1108 19 10 100	259,94
1103 19 30 900	—	1108 19 10 900	—
1103 21 00 000	128,86	1108 19 90 100	—
1103 29 20 000	129,62	1108 19 90 900	—
1103 29 30 000	—	1109 00 00 100	0
1103 29 40 000	131,67	1109 00 00 900	—
1104 11 90 100	193,62	1702 30 91 000 (?)	248,90
1104 11 90 900	—	1702 30 99 000 (?)	190,54
1104 12 90 100	277,08	1702 40 90 000 (?)	190,54
1104 12 90 300	221,66	1702 90 50 100 (?)	248,90
1104 12 90 900	—	1702 90 50 900	190,54
1104 19 10 000	128,86	1702 90 75 000	260,81
1104 19 50 110	206,54	1702 90 79 000	181,02
1104 19 50 130	167,82	2106 90 55 000	190,54
1104 19 50 150	—	2302 10 10 000	30,60
1104 19 50 190	—	2302 10 90 100	30,60
1104 19 50 900	—	2302 10 90 900	—
1104 19 91 000	—	2302 20 10 000	30,60
1104 21 10 100 (?)	190,62	2302 20 90 100	30,60
1104 21 10 900 (?)	—	2302 20 90 900	—
1104 21 30 100 (?)	190,62	2302 30 10 000	30,60
1104 21 30 900 (?)	—	2302 30 90 000	30,60
1104 21 50 100 (?)	254,16	2302 40 10 000	30,60
1104 21 50 300 (?)	203,33	2302 40 90 000	30,60
1104 21 50 900	—	2303 10 11 100	95,27
		2303 10 11 900	—

Notes

- (¹) The export refund is paid in respect of maize, groats and meal :
- of which a percentage not exceeding 30 % passes through a sieve with an aperture of 315 microns,
 - of which a percentage not exceeding 5 % passes through a sieve with an aperture of 150 microns.
- (²) 'Hulled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (³) 'Pearled grains' are grains corresponding to the definition given in the Annex to Regulation (EEC) No 821/68 (OJ No L 149, 29. 6. 1968, p. 46).
- (⁴) Pursuant to Regulation (EEC) No 2730/75 the product falling within subheadings 1702 30 51 and 59 enjoys the same export refund as the product falling within subheadings 1702 30 91 and 99, 1702 40 90 and 1702 90 50.
- (⁵) The analytical method to be used for the determination of the fatty matter content is that printed in Annex I (Method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).
- (⁶) The procedure to be followed for the determination of the fatty matter content is as follows :
- the sample has to be crushed so that 90 % or more can pass through a sieve with an aperture of 500 microns and 100 % can pass through a sieve with an aperture of 1 000 microns,
 - the analytical method to be used afterwards is that which is printed in Annex I (Method A) to Directive 84/4/EEC (OJ No L 15, 18. 1. 1984, p. 28).

COMMISSION REGULATION (EEC) No 364/88

of 8 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 355/88 ⁽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 9 February 1988.

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

Done at Brussels, 8 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 34, 6. 2. 1988, p. 35.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 8 February 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	41,13 ⁽¹⁾
1701 11 90	41,13 ⁽¹⁾
1701 12 10	41,13 ⁽¹⁾
1701 12 90	41,13 ⁽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.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 300/88 of 28 January 1988 amending for the first time Regulation (EEC) No 1854/87 fixing countervailing charges on seeds

(Official Journal of the European Communities No L 30 of 2 February 1988)

On page 17, in Annex II, footnote (1) in the heading of the second column is deleted.
