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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 769/88

of 14 March 1988

opening and providing for the administration of Community tariff quotas for certain fishery products

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Having regard to the proposal from the Commission,

Whereas Community supplies of certain species of fish or of fish fillets and fish meat currently depend on imports from third countries; whereas it is in the Community's interest to suspend partially or totally the customs duties for the products in question, within Community tariff quotas of an appropriate volume; whereas in order not to jeopardize the fishery development prospects in respect of these products in the Community and to ensure an adequate supply to satisfy user industries, it is advisable to open these quotas for the period until 30 June 1988 in one case and until 31 December 1988 in the other cases applying differing customs duties according to the sensitivity of different products on the Community market;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, however, since the quotas are to cover requirements which cannot

be determined with sufficient accuracy, they should not be allocated among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they may need, under the conditions and according to a procedure to be determined; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duty applicable to the import of the products listed below shall be suspended at the levels and within the limits of the Community tariff quotas indicated for each product:

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.2787	ex 0302 69 31 ex 0302 69 33 ex 0303 79 35 ex 0303 79 37 ex 0304 10 99 ex 0304 90 31	Redfish (<i>Sebastes</i> spp.), fresh, chilled or frozen, intended for processing (1)	6 000	2
09.2769	ex 0305 30 11 ex 0305 30 19	Fish fillets, dried, whether or not salted, of cod of the species <i>Gadus morhua</i> , <i>Gadus ogac</i> , <i>Gadus macrocephalus</i> and of fish of the species <i>Boreogadus saida</i>	250	10
09.2771	ex 0305 30 90	Fish fillets of coalfish (<i>Pollachius virens</i>), salted, intended for processing (1)	4 000	5

Order No	CN code	Description	Amount of quota (tonnes)	Quota duty (%)
09.2773	ex 0306 13 10 ex 0306 23 10	Shrimps and prawns of the species <i>Pandalus borealis</i> , whether or not frozen, intended for processing ⁽¹⁾	2 000	0
09.2785	ex 0302 22 00 ex 0302 29 00 ex 0303 32 00 ex 0303 39 90	Flat fish, presented fresh, chilled or frozen and intended for processing ⁽¹⁾	15 000	3,7
09.2789	ex 0304 20 99 ex 0304 90 59	Fish fillets and fish meat of blue whiting (<i>Micromesistius poutassou</i> or <i>Gadus poutassou</i>) frozen, intended for processing ⁽¹⁾	4 000	5

⁽¹⁾ A check shall be made by applying the relevant Community provisions to ensure that the products are used for the specific purpose indicated.

2. Within the limits of these tariff quotas, the Kingdom of Spain and the Portuguese Republic shall apply customs duties calculated in accordance with the relevant provisions in the 1985 Act of Accession.

3. Imports of the products in question shall not be covered by the quotas referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States in accordance with Article 21 of Regulation (EEC) No 3796/81 ⁽¹⁾, is at least equal to the reference price fixed, or to be fixed, by the Community for the product under consideration or the category of the products concerned.

4. Should an importer give notification of imminent importation of the products into a Member State and request that the imports be covered by one of the quotas, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

5. The shares drawn pursuant to paragraph 4 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (4) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quotas.

2. Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the available balance of the quota volumes so permits.

3. Member States shall charge imports of the products concerned against their drawings as and when the products are entered with the customs authorities for free circulation.

4. The extent to which the quotas have been used up shall be determined on the basis of the imports charged as laid down in paragraph 3.

Article 3

If the Commission so requests, the Member States shall notify it of the imports actually charged against the quotas.

Article 4

The Member States and the Commission shall cooperate closely in order to ensure that this Regulation is complied with.

Article 5

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

It shall apply:

- until 30 June 1988 for the quota indicated in Article 1 under order No 09.2787,
- until 31 December 1988 for the other quotas.

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

Done at Brussels, 14 March 1988.

For the Council
The President
J. WARNKE

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

COMMISSION REGULATION (EEC) No 770/88

of 24 March 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 23 March 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 25 March 1988.

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

Done at Brussels, 24 March 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 24 March 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	12,29	171,82
0712 90 19	12,29	171,82
1001 10 10	68,97	257,81 ⁽¹⁾ ⁽²⁾
1001 10 90	68,97	257,81 ⁽¹⁾ ⁽²⁾
1001 90 91	7,92	186,93
1001 90 99	7,92	186,93
1002 00 00	47,51	165,83 ⁽³⁾
1003 00 10	41,19	172,26
1003 00 90	41,19	172,26
1004 00 10	97,72	146,92
1004 00 90	97,72	146,92
1005 10 90	12,29	171,82 ⁽²⁾ ⁽³⁾
1005 90 00	12,29	171,82 ⁽²⁾ ⁽³⁾
1007 00 90	35,81	179,41 ⁽⁴⁾
1008 10 00	41,19	97,37
1008 20 00	41,19	143,37 ⁽⁴⁾
1008 30 00	41,19	59,81 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	41,19	59,81
1101 00 00	25,17	276,47
1102 10 00	82,12	247,01
1103 11 10	119,84	413,28
1103 11 90	25,25	296,66

⁽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 771/88

of 24 March 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 23 March 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 25 March 1988.

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

Done at Brussels, 24 March 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 24 March 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0,36	0,36	0,36
1001 90 99	0	0,36	0,36	0,36
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	10,92	10,92	10,92
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0,50	0,50	0,50

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0,64	0,64	0,64	0,64
1107 10 19	0	0,48	0,48	0,48	0,48
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 772/88
of 24 March 1988
fixing the export refunds on milk and milk products

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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 744/88 ⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are

being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

Whereas, for products falling within subheadings ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93 of the combined nomenclature, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within headings 0402 and

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13/68.

⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1/68.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10/68.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 3.

0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than 140 ECU/100 kg;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as amended by Regulation (EEC) No 2881/84⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas it follows from applying these detailed rules to the present situation on the market in milk and milk

products, and in particular to prices for these products within the Community and on the world market, that the refund should be as set out in the Annex hereto;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87⁽⁷⁾ the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87⁽⁸⁾;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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 situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 0401, 0402, 0403, 0404, 0405 and 2309 of the combined nomenclature.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 25 March 1988.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 272, 13. 10. 1984, p. 16.

⁽⁷⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁸⁾ OJ No L 366, 24. 12. 1987, p. 1.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 24 March 1988 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0401 10 10 000		8,95
0401 10 90 000		8,95
0401 20 11 100		8,95
0401 20 11 500		12,62
0401 20 19 100		8,95
0401 20 19 500		12,62
0401 20 91 100		16,07
0401 20 91 500		18,37
0401 20 99 100		16,07
0401 20 99 500		18,37
0401 30 11 100		22,94
0401 30 11 400		34,18
0401 30 11 700		50,23
0401 30 19 100		22,94
0401 30 19 400		34,18
0401 30 19 700		50,23
0401 30 31 100		59,40
0401 30 31 400		91,50
0401 30 31 700		100,67
0401 30 39 100		59,40
0401 30 39 400		91,50
0401 30 39 700		100,67
0401 30 91 100		114,44
0401 30 91 400		167,17
0401 30 91 700		194,68
0401 30 99 100		114,44
0401 30 99 400		167,17
0401 30 99 700		194,68
0402 10 11 000		93,00
0402 10 19 000		93,00
0402 10 91 000		0,9300
0402 10 99 000		0,9300
0402 21 11 200		93,00
0402 21 11 300		120,86
0402 21 11 500		128,89
0402 21 11 900		140,00
0402 21 17 000		93,00
0402 21 19 300		120,86
0402 21 19 500		128,89
0402 21 19 900		140,00
0402 21 91 100		141,28
0402 21 91 200		142,77
0402 21 91 300		144,88
0402 21 91 400		157,54
0402 21 91 500		161,93
0402 21 91 600		177,37
0402 21 91 700		188,07
0402 21 91 900		199,03
0402 21 99 100		141,28

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 21 99 200		142,77
0402 21 99 300		144,88
0402 21 99 400		157,54
0402 21 99 500		161,93
0402 21 99 600		177,37
0402 21 99 700		188,07
0402 21 99 900		199,03
0402 29 15 200		0,9300
0402 29 15 300		1,2086
0402 29 15 500		1,2889
0402 29 15 900		1,4000
0402 29 19 200		0,9300
0402 29 19 300		1,2086
0402 29 19 500		1,2889
0402 29 19 900		1,4000
0402 29 91 100		1,4128
0402 29 91 500		1,5754
0402 29 99 100		1,4128
0402 29 99 500		1,5754
0402 91 11 110		8,95
0402 91 11 120		16,07
0402 91 11 310		25,68
0402 91 11 350		32,56
0402 91 11 370		40,57
0402 91 19 110		8,95
0402 91 19 120		16,07
0402 91 19 310		25,68
0402 91 19 350		32,56
0402 91 19 370		40,57
0402 91 31 100		29,59
0402 91 31 300		48,10
0402 91 39 100		29,59
0402 91 39 300		48,10
0402 91 51 000		34,18
0402 91 59 000		34,18
0402 91 91 000		114,44
0402 91 99 000		114,44
0402 99 11 110		0,0895
0402 99 11 130		0,1607
0402 99 11 150		0,2501
0402 99 11 310		29,63
0402 99 11 330		36,51
0402 99 11 350		50,07
0402 99 19 110		0,0895
0402 99 19 130		0,1607
0402 99 19 150		0,2501
0402 99 19 310		29,63
0402 99 19 330		36,51
0402 99 19 350		50,07
0402 99 31 110		0,3189
0402 99 31 150		52,27
0402 99 31 300		0,5940
0402 99 31 500		1,0067
0402 99 39 110		0,3189
0402 99 39 150		52,27
0402 99 39 300		0,5940

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 99 39 500		1,0067
0402 99 91 000		1,1444
0402 99 99 000		1,1444
0403 10 11 100		8,95
0403 10 11 300		12,62
0403 10 13 000		16,07
0403 10 19 000		22,94
0403 10 31 100		0,0895
0403 10 31 300		0,1262
0403 10 33 000		0,1607
0403 10 39 000		0,2294
0403 90 11 000		93,00
0403 90 13 000		93,00
0403 90 19 000		141,28
0403 90 31 000		0,9300
0403 90 33 000		0,9300
0403 90 39 000		1,4128
0403 90 51 100		8,95
0403 90 51 300		12,62
0403 90 53 000		16,07
0403 90 59 110		22,94
0403 90 59 140		34,18
0403 90 59 170		50,23
0403 90 59 310		59,40
0403 90 59 340		91,50
0403 90 59 370		100,67
0403 90 59 510		114,44
0403 90 59 540		167,17
0403 90 59 570		194,68
0403 90 61 100		0,0895
0403 90 61 300		0,1262
0403 90 63 000		0,1607
0403 90 69 000		0,2294
0404 90 11 100		93,00
0404 90 11 910		8,95
0404 90 11 950		25,68
0404 90 13 120		93,00
0404 90 13 130		120,86
0404 90 13 140		128,89
0404 90 13 150		140,00
0404 90 13 911		8,95
0404 90 13 913		16,07
0404 90 13 915		22,94
0404 90 13 917		34,18
0404 90 13 919		50,23
0404 90 13 931		25,68
0404 90 13 933		32,56
0404 90 13 935		40,57
0404 90 13 937		48,10
0404 90 13 939		52,27
0404 90 19 110		141,28
0404 90 19 115		142,77
0404 90 19 120		144,88
0404 90 19 130		157,54
0404 90 19 135		161,93

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 19 150		177,37
0404 90 19 160		188,07
0404 90 19 180		199,03
0404 90 19 900		—
0404 90 31 100		93,00
0404 90 31 910		8,95
0404 90 31 950		25,68
0404 90 33 120		93,00
0404 90 33 130		120,86
0404 90 33 140		128,89
0404 90 33 150		140,00
0404 90 33 911		8,95
0404 90 33 913		16,07
0404 90 33 915		22,94
0404 90 33 917		34,18
0404 90 33 919		50,23
0404 90 33 931		25,68
0404 90 33 933		32,56
0404 90 33 935		40,57
0404 90 33 937		48,10
0404 90 33 939		50,10
0404 90 39 110		141,28
0404 90 39 115		142,77
0404 90 39 120		144,88
0404 90 39 130		157,54
0404 90 39 150		161,93
0404 90 39 900		—
0404 90 51 100		0,9300
0404 90 51 910		0,0895
0404 90 51 950		29,63
0404 90 53 110		0,9300
0404 90 53 130		1,2086
0404 90 53 150		1,3350
0404 90 53 170		1,4000
0404 90 53 911		0,0895
0404 90 53 913		0,1607
0404 90 53 915		0,2294
0404 90 53 917		0,3418
0404 90 53 919		0,5023
0404 90 53 931		29,63
0404 90 53 933		36,51
0404 90 53 935		50,07
0404 90 53 937		52,27
0404 90 53 939		—
0404 90 59 130		1,4128
0404 90 59 150		1,5754
0404 90 59 930		0,7086
0404 90 59 950		1,0067
0404 90 59 990		1,1444
0404 90 91 100		0,9300
0404 90 91 910		0,0895
0404 90 91 950		29,63
0404 90 93 110		0,9300
0404 90 93 130		1,2086
0404 90 93 150		1,2889

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,4000
0404 90 93 911		0,0895
0404 90 93 913		0,1607
0404 90 93 915		0,2294
0404 90 93 917		0,3418
0404 90 93 919		0,5023
0404 90 93 931		29,63
0404 90 93 933		36,51
0404 90 93 935		50,07
0404 90 93 937		52,27
0404 90 93 939		—
0404 90 99 130		1,4128
0404 90 99 150		1,5754
0404 90 99 930		0,7086
0404 90 99 950		1,0067
0404 90 99 990		1,1444
0405 00 10 100		—
0405 00 10 200		157,27
0405 00 10 300		197,85
0405 00 10 500		202,93
0405 00 10 700		208,00
0405 00 90 100		208,00
0405 00 90 900		258,50
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	66,34
	404	—
	...	91,14
0406 20 90 915	028	—
	032	—
	400	88,45
	404	—
	...	121,52
0406 20 90 917	028	—
	032	—
	400	93,98
	404	—
	...	129,12
0406 20 90 919	028	—
	032	—
	400	105,04
	404	—
	...	144,31
0406 20 90 990		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	9,69
	404	—
	...	25,36

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (°)	Amount of refund
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	21,07
	404	—
	...	55,06
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	21,07
	404	—
	...	55,06
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	30,97
	404	—
	...	80,13
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	21,07
	404	—
	...	55,06
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	30,97
	404	—
	...	80,13
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	44,92
	404	—
	...	117,74
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	21,07
	404	20,00
	...	55,06

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	30,97
	404	28,00
	...	80,13
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	44,92
	404	—
	...	117,74
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	44,92
	404	—
	...	117,74
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	53,45
	404	—
	...	139,67
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	53,45
	404	—
	...	139,67
0406 40 00 100	028	—
0406 40 00 900	032	—
	038	—
	400	55,00
	404	—
	...	131,51
	028	—
0406 90 13 000	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	170,00
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	170,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 15 900		—
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	170,00
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	...	177,25
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	30,00
	404	—
	...	153,00
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	30,00
	404	—
	...	153,00
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	28,00
	404	—
	...	119,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	43,22
	404	16,00
	...	102,26

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	41,41
	404	14,96
	...	95,58
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	43,22
	404	16,00
	...	102,26
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	40,41
	404	14,96
	...	95,58
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	43,22
	404	16,00
	...	102,26
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	40,41
	404	14,96
	...	95,58
0406 90 33 959		—
0406 90 35 110		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	732	150,00
	...	139,37
0406 90 61 000	028	—
	032	—
	036	90,00
	400	170,00
	404	140,00
	...	200,06
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	227,18
0406 90 63 900	028	—
	032	—
	036	70,00
	400	130,00
	404	80,00
	...	180,00
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	130,00
	404	80,00
	...	180,00
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	42,21
	404	—
	...	99,96

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	46,55
	404	—
	...	110,21
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	52,91
	404	—
	...	125,21
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	732	150,00
0406 90 71 995	...	139,37
	028	27,50
	032	27,50
	036	—
	038	—
	400	30,00
	404	—
0406 90 71 999	...	153,00
	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	163,54
0406 90 73 100	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	163,54
	028	—
0406 90 75 100	032	—
	036	—
	400	30,00
	404	—
	...	138,50
	028	24,00
	032	24,00
0406 90 77 100	036	—
	038	—
	400	52,91
	404	—
	...	125,21
	028	—
	032	—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	30,00
	404	—
	...	153,00
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	45,00
	404	—
	...	153,00
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	28,00
	404	—
	...	119,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	...	139,37
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	23,65
	404	—
	...	55,88
0406 90 83 990	028	—
	032	—
	400	23,65
	404	—
	...	55,88
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	163,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	732	150,00
	...	139,37
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	30,00
	404	—
	...	153,00
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	42,21
	404	—
	...	99,96
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	46,55
	404	—
	...	110,21
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	52,91
	404	—
	...	125,21
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	60,00
	404	—
	732	150,00
	...	139,37

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	30,00
	404	—
	...	153,00
0406 90 89 972	028	—
	032	—
	400	23,65
	404	—
	...	55,88
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	30,00
	404	—
	...	153,00
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	16,26
	404	—
	...	26,95
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	29,08
	404	—
	...	40,37
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	34,76
	404	—
	...	49,31
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		3,90
2309 10 15 300		5,20
2309 10 15 400		6,50
2309 10 15 500		7,80
2309 10 15 700		9,10

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		3,90
2309 10 19 300		5,20
2309 10 19 400		6,50
2309 10 19 500		7,80
2309 10 19 600		9,10
2309 10 19 700		9,75
2309 10 19 800		10,40
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		27,90
2309 10 70 200		37,20
2309 10 70 300		46,50
2309 10 70 500		55,80
2309 10 70 600		65,10
2309 10 70 700		74,40
2309 10 70 800		81,84
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		3,90
2309 90 35 300		5,20
2309 90 35 400		6,50
2309 90 35 500		7,80
2309 90 35 700		9,10
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		3,90
2309 90 39 300		5,20
2309 90 39 400		6,50
2309 90 39 500		7,80
2309 90 39 600		9,10
2309 90 39 700		9,75
2309 90 39 800		10,40
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		27,90
2309 90 70 200		37,20
2309 90 70 300		46,50
2309 90 70 500		55,80
2309 90 70 600		65,10
2309 90 70 700		74,40
2309 90 70 800		81,84
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

NB: The product codes and the footnotes are defined in Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 773/88
of 24 March 1988

**fixing the minimum levies on the importation of olive oil and levies on the
importation of other olive oil sector products**

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3994/87⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 798/87⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 799/87⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 800/87⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 21 and 22 March 1988 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁴⁾ 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;

Whereas the import levy on olives falling within subheadings 0709 90 39 and 0711 20 90 and on products falling within subheadings 1522 00 31, 1522 00 39 and 2306 90 19 of the combined nomenclature must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 25 March 1988.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	62,00 ⁽¹⁾
1510 00 90	100,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria, Tunisia and Morocco: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	13,64
0711 20 90	13,64
1522 00 31	31,00
1522 00 39	49,60
2306 90 19	4,96

COMMISSION REGULATION (EEC) No 774/88**of 24 March 1988****amending for the third time Regulation (EEC) No 1854/87 fixing countervailing charges on seeds**

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 2358/71 of 26 October 1971 on the common organization of the market in seeds ⁽¹⁾, as last amended by Regulation (EEC) No 3997/87 ⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Commission Regulation (EEC) No 1854/87 ⁽³⁾, as last amended by Regulation (EEC) No 509/88 ⁽⁴⁾, fixed countervailing charges on seeds in respect of a certain type of hybrid maize and sorghum for sowing;

Whereas, since that time, a significant variation has been recorded in the free-at-frontier offer prices which, under the terms of Article 4 (2) of Commission Regulation (EEC) No 1665/72 ⁽⁵⁾ as amended by Regulation (EEC) No 2811/86 ⁽⁶⁾, requires that these charges be amended;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁷⁾, introduces with effect from 1 January 1988 a combined goods nomenclature based on the harmonized system which

meets the requirements of both the Common Customs Tariff and the nomenclature of goods for the external trade statistics of the Community;

Whereas, as a consequence, the descriptions of goods and tariff heading numbers appearing in Regulation (EEC) No 1854/87 should accordingly be expressed in terms of the combined nomenclature;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annexe I to amended Regulation (EEC) No 1854/87 is replaced by Annex to this Regulation.

Article 2

This Regulation shall enter into force on 28 March 1988.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 36.

⁽³⁾ OJ No L 174, 1. 7. 1987, p. 46.

⁽⁴⁾ OJ No L 52, 26. 2. 1988, p. 42.

⁽⁵⁾ OJ No L 175, 2. 8. 1972, p. 49.

⁽⁶⁾ OJ No L 260, 12. 9. 1986, p. 8.

⁽⁷⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CN code	Amount of countervailing charge (1)	Country of origin (2)
1005 10 11	12,3	048
	13,8	404
	13,9	038
	14,9	064
	14,9	1
1005 10 13	15,6	048
	26,7	062
	28,9	064
	46,1	066
	46,1	2
1005 10 15	10,4	400
	26,3	038
	86,2	064
	103,3	066
	118,1	404
	151,5	048
	151,5	3

(1) The countervailing charge may not exceed 4 % of the customs value. In the case of Spain and Portugal it may not exceed the rate obtained by alignment on the CCT in accordance with the timetable specified in the Act of Accession.

(2) Origin identification :

- 1 Other countries with the exception of USA and Romania ;
- 2 Other countries with the exception of Canada, Chile, Japan, Austria, Argentina and USA ;
- 3 Other countries with the exception of Bulgaria ;
- 038 Austria ;
- 048 Yugoslavia ;
- 062 Czechoslovakia ;
- 064 Hungary ;
- 066 Romania ;
- 400 USA ;
- 404 Canada.

COMMISSION REGULATION (EEC) No 775/88**of 24 March 1988****correcting Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter**

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 744/88⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 3143/85⁽³⁾, as last amended by Regulation (EEC) No 1807/87⁽⁴⁾, introduces arrangements for the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter; whereas, as a result of the latest amendment, the second subparagraph of Article 2 (4) has been replaced; whereas, contrary to the Management Committee's intention, the result was a text without the derogation introduced by Commission Regulation (EEC) No 1325/86⁽⁵⁾; whereas it is accordingly necessary to correct the said Article and to reinsert therein the provision in question with retroactive effect as from the date of entry into force of Regulation (EEC) No 1807/87;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following third subparagraph is hereby inserted in Article 2 (4) of Regulation (EEC) No 3143/85:

'However, following agreement by the agency responsible, all of the concentrated butter may be packaged for marketing in an establishment other than that stated in the contract of sale.'

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 30 June 1987.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.

⁽³⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 20.

⁽⁵⁾ OJ No L 117, 6. 5. 1986, p. 14.

COMMISSION REGULATION (EEC) No 776/88**of 24 March 1988****amending Regulation (EEC) No 2827/84 as regards the period of validity of measures relating to the boning of beef bought in by intervention agencies**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 3905/87 ⁽²⁾, and in particular Article 6 (5) (d) thereof,

Whereas Commission Regulation (EEC) No 2827/84 ⁽³⁾, as last amended by Regulation (EEC) No 898/87 ⁽⁴⁾, derogates until 25 March 1988 from Regulation (EEC) No 2226/78 of 25 September 1978 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽⁵⁾, as last amended by Regulation (EEC) No 3988/87 ⁽⁶⁾ as regards the boning of meat bought in by intervention agencies; whereas the period of validity of the derogation should be extended, in particular in the interests of sound management of the stocks;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EEC) No 2827/84, '25 March 1988' is hereby replaced by '31 December 1988'.

Article 2

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

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

⁽³⁾ OJ No L 266, 6. 10. 1984, p. 12.

⁽⁴⁾ OJ No L 88, 31. 3. 1987, p. 16.

⁽⁵⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 31.

COMMISSION REGULATION (EEC) No 777/88**of 24 March 1988****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States are to be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 1821/87 ⁽²⁾, and in particular Article 4 thereof,

Whereas Article 4 (1) of Regulation (EEC) No 486/85 provides for a 90 % reduction in the import duties on beef and veal ; whereas the amount of this reduction must

be calculated in conformity with Article 3 of Commission Regulation (EEC) No 552/85 ⁽³⁾, as amended by Regulation (EEC) No 3815/85 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 4 (1) of Regulation (EEC) No 486/85 shall, in respect of importations during the second quarter of 1988, be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1988.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.
⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 63, 2. 3. 1985, p. 13.
⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 11.

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

Código NC KN-code Καδικός ΣΟ CN code Code NC Codice NC GN-code Código NC	Belgique Luxembourg FB/Fluz/100 kg	Danmark dkkr/100 kg	Deutschland DM/100 kg	Ελλάδα Δρχ/100 χγρ	España Pta/100 kg	France FF/100 kg	Ireland £ Ir/100 kg	Italia Lit/100 kg	Nederland Fl/100 kg	United Kingdom £/100 kg
0102 90 10	5 675,0	1 034,08	281,72	14 011,53	18 400,40	908,00	99 502	189 430	315,82	83,489
0102 90 31	5 675,0	1 034,08	281,72	14 011,53	18 400,40	908,00	99 502	189 430	315,82	83,489
0102 90 33	5 675,0	1 034,08	281,72	14 011,53	18 400,40	908,00	99 502	189 430	315,82	83,489
0102 90 35	5 675,0	1 034,08	281,72	14 011,53	18 400,40	908,00	99 502	189 430	315,82	83,489
0102 90 37	5 675,0	1 034,08	281,72	14 011,53	18 400,40	908,00	99 502	189 430	315,82	83,489
0201 10 10	10 782,4	1 964,75	535,27	26 621,82	34 960,72	1 725,20	189 053	359 918	600,06	158 630
0201 10 90	10 782,4	1 964,75	535,27	26 621,82	34 960,72	1 725,20	189 053	359 918	600,06	158 630
0201 20 11	10 782,4	1 964,75	535,27	26 621,82	34 960,72	1 725,20	189 053	359 918	600,06	158 630
0201 20 19	10 782,4	1 964,75	535,27	26 621,82	34 960,72	1 725,20	189 053	359 918	600,06	158 630
0201 20 31	8 625,9	1 571,79	428,21	21 297,31	27 968,44	1 380,16	151 241	287 933	480,04	126 904
0201 20 39	8 625,9	1 571,79	428,21	21 297,31	27 968,44	1 380,16	151 241	287 933	480,04	126 904
0201 20 51	12 938,9	2 357,69	642,32	31 946,26	41 952,86	2 070,24	226 864	431 901	720,07	190 356
0201 20 59	12 938,9	2 357,69	642,32	31 946,26	41 952,86	2 070,24	226 864	431 901	720,07	190 356
0201 20 90	16 173,6	2 947,12	802,90	50 322,02	59 985,22	2 966,71	325 808	625 175	900,08	244 105
0201 30 00	18 500,3	3 371,09	918,41	50 833,09	59 985,22	2 966,71	325 808	625 175	900,08	244 105
0202 10 00	10 304,6	1 877,67	511,54	26 424,62	33 411,29	1 650,01	180 951	345 421	573,46	152 184
0202 20 10	10 304,6	1 877,67	511,54	26 424,62	33 411,29	1 650,01	180 951	345 421	573,46	152 184
0202 20 30	8 243,6	1 502,14	409,23	29 588,55	26 729,00	1 330,86	147 142	288 844	458,77	126 756
0202 20 50	12 880,7	2 347,09	639,43	46 232,24	41 764,14	2 079,46	229 910	451 321	716,83	198 056
0202 20 90	15 456,8	2 816,51	767,31	48 877,87	50 116,85	2 486,87	274 030	531 812	860,19	233 753
0202 30 10	12 880,7	2 347,09	639,43	33 030,86	41 764,14	2 062,50	226 190	431 777	716,83	190 229
0202 30 50	12 880,7	2 347,09	639,43	33 030,86	41 764,14	2 062,50	226 190	431 777	716,83	190 229
0202 30 90	17 723,7	3 229,59	879,85	64 856,21	57 467,23	2 862,92	316 703	622 852	986,36	273 259
0206 10 95	18 500,3	3 371,09	918,41	50 833,09	59 985,22	2 966,71	325 828	625 175	1 029,57	275 234
0206 29 91	17 723,7	3 229,59	879,85	51 654,83	57 467,23	2 845,96	312 983	603 308	986,36	265 432
0210 20 10	16 173,6	2 947,12	802,90	50 322,02	52 441,07	2 601,14	286 507	555 258	900,08	244 105
0210 20 90	18 500,3	3 371,09	918,41	54 191,98	59 985,22	2 971,02	326 774	630 148	1 029,57	277 225
0210 90 41	18 500,3	3 371,09	918,41	54 191,98	59 985,22	2 971,02	326 774	630 148	1 029,57	277 225
0210 90 90	18 500,3	3 371,09	918,41	54 191,98	59 985,22	2 971,02	326 774	630 148	1 029,57	277 225
1602 50 10	18 500,3	3 371,09	918,41	54 191,98	59 985,22	2 971,02	326 774	630 148	1 029,57	277 225
1602 90 61	18 500,3	3 371,09	918,41	64 346,86	59 985,22	2 984,06	329 635	645 182	1 029,57	283 245

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoten, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Code sowie die Verweisungen und Fußnoten, sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 (versione modificata).

NB: GN-codes en voetnoten : zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION REGULATION (EEC) No 778/88**of 24 March 1988****fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 7 to 13 March 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 7 to 13 March 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 7 to 13 March 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 7 March 1988.

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

Done at Brussels, 24 March 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 7 to 13 March 1988

(ECU/100 kg net weight)	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 11	26,26474
0201 20 19	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽¹⁾	29,94180
1602 90 61 ⁽²⁾	21,01179

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

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 779/88

of 24 March 1988

introducing a countervailing charge on cucumbers originating in Poland

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

Whereas Commission Regulation (EEC) No 297/88 of 1 February 1988 fixing for the 1988 marketing year the reference prices for cucumbers⁽³⁾ fixed the reference price for products of class I at 112,14 ECU per 100 kilograms net for the month of March 1988;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consid-

eration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the first indent of Article 1 (2) of Regulation (EEC) No 297/88;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 21,48 ECU per 100 kilograms net is applied to cucumbers (CN codes 0707 00 11 and 0707 00 19) originating in Poland.

Article 2

This Regulation shall enter into force on 26 March 1988.

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

Done at Brussels, 24 March 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 30, 2. 2. 1988, p. 12.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 780/88**of 24 March 1988****altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 744/88 ⁽²⁾, and in particular Article 17 ⁽⁵⁾ thereof,

Whereas Commission Regulation (EEC) No 554/88 of 29 February 1988 ⁽³⁾ has fixed the rates of the refunds applicable from 1 March 1988 to certain dairy products exported in the form of goods not covered by Annex II to the Treaty;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 554/88 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to certain milk products exported in the form of the products which appear in the Annex to Regulation (EEC) No 804/68 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 25 March 1988.

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

Done at Brussels, 24 March 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13/68.

⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.

⁽³⁾ OJ No L 54, 1. 3. 1988, p. 41.

ANNEX

to the Commission Regulation of 24 March 1988 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 93,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	140,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6): a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 262/79, (EEC) No 442/84, (EEC) No 1932/81 and (EEC) No 2409/86 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	— 220,00 208,00

COMMISSION REGULATION (EEC) No 781/88

of 24 March 1988

fixing the export refunds on 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 the fourth subparagraph
of Article 16 (2) thereof,

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
those Regulations and prices, for those products within
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 Council Regulation (EEC) No 2744/75 of 29
October 1975 on the import and export system for
products processed from cereals and from rice ⁽⁴⁾, as last
amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, defines the

specific criteria to be taken into account when the refund
on these products is being calculated;

Whereas it follows from applying these detailed rules to
the present situation on the market in products processed
from cereals and rice that the export refund should be
fixed at an amount which will cover the difference
between Community prices and world market prices;

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, 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 for 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
established by Regulation (EEC) No 3846/87 ⁽⁹⁾;

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

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 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.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁹⁾ OJ No L 366, 24. 12. 1987, p. 1.

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 malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 25 March 1988.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 24 March 1988 fixing the export refunds on malt

Product code	Refund (ECU/tonne)
1107 10 19 000	117,00
1107 10 99 000	170,00
1107 20 00 000	200,00

COMMISSION REGULATION (EEC) No 782/88

of 24 March 1988

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 3989/87⁽²⁾,

Having regard to 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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation Commission (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent, and the aforesaid coefficient;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87⁽⁹⁾ the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87⁽¹⁰⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹⁰⁾ OJ No L 366, 24. 12. 1987, p. 1.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 24 March 1988 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period 10	7th period 11	8th period 12	9th period 1	10th period 2	11th period 3
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 783/88

of 24 March 1988

fixing the corrective amount applicable to the refund on cereals

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⁾,Having regard to 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⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation 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 exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the preceding indent and the aforesaid coefficient;

Whereas, following the introduction of the "combined nomenclature" by Council Regulation (EEC) No 2658/87 ⁽⁹⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽¹⁰⁾;

⁽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.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹⁰⁾ OJ No L 366, 24. 12. 1987, p. 1.

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 2

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

This Regulation shall enter into force on 25 March 1988.

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

Done at Brussels, 24 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 24 March 1988 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7	5th period 8	6th period 9
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1101 00 00 120	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1101 00 00 130	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1101 00 00 150	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1101 00 00 170	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1101 00 00 180	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	0	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1103 11 90 900	—	—	—	—	—	—	—	—

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).

(1) For the following destinations:

01 All third countries,

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 9 February 1988

approving derogations provided for by Greece, Italy and Portugal from certain provisions of Council Directive 77/93/EEC in respect of seed potatoes originating in Canada

(Only the Greek, Italian and Portuguese texts are authentic)

(88/176/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products⁽¹⁾, as last amended by Directive 87/298/EEC⁽²⁾, and in particular Article 14 (2) and Annex IV, part A (24), thereof,

Whereas, pursuant to Directive 77/93/EEC, potato tubers originating in the American continent may not, in principle, be brought into the Community unless their faculty of germination has been suppressed, in view of the risk of the introduction of potato spindle tuber viroid, and unless — if they originate in a country where *Corynebacterium sepedonicum* is known to occur — provisions recognized as equivalent to the Community provisions on combating this harmful organism have been complied with in the country of origin;

Whereas, nevertheless, Article 14 (1) (c) (iii) of the abovementioned Directive permits Member States to provide for derogations with regard to the rule relating to the suppression of the faculty of germination, provided that there is no risk of harmful organisms spreading; whereas these derogations are subject to approval, under

certain conditions, in accordance with Article 14 (2) and must also comply with the conditions laid down in Annex IV, part A (24);

Whereas in Greece, Italy and Portugal the growing of potatoes of certain North American varieties has been an established practice; whereas part of the supply of seed potatoes of these varieties has been ensured by imports from Canada;

Whereas, by Decisions 86/120/EEC⁽³⁾ and 87/154/EEC⁽⁴⁾, as amended by Decision 87/311/EEC⁽⁵⁾, the Commission approved derogations based on the concept of 'areal freedom' and subject to certain technical conditions to prevent the risk of harmful organisms spreading; whereas that approval expired on 31 March 1987; whereas the Commission also laid down that these derogations would provide for the opportunity to seek confirmation of the proper functioning of the concept of 'areal freedom';

Whereas Greece, Italy and Portugal have stated that they intend to provide for derogations for the current seed-potato marketing seasons;

Whereas it is known that Canada is still not free from potato spindle tuber viroid or from *Corynebacterium sepedonicum*;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 151, 11. 6. 1987, p. 1.

⁽³⁾ OJ No L 99, 15. 4. 1986, p. 31.

⁽⁴⁾ OJ No L 65, 10. 3. 1987, p. 12.

⁽⁵⁾ OJ No L 159, 19. 6. 1987, p. 19.

Whereas Canada has further developed its programme to eradicate these harmful organisms in the provinces of New Brunswick and Prince Edward Island; whereas there are good reasons to believe that the programme to eradicate potato spindle tuber viroid has become fully effective in those provinces, and that the programme to eradicate *Corynebacterium sepedonicum* has become fully effective in certain areas of these provinces; whereas, in particular, the sources of infection found on certain samples drawn from seed potatoes imported pursuant to Decision 86/120/EEC could not be identified; whereas, as a precaution, the areas in which the seed potatoes used for the production of the relevant lots were produced, and those in which the relevant lots themselves were produced, should no longer be qualified as areas declared free from *Corynebacterium sepedonicum*; whereas, however, it has at present not been established that there are sufficient elements which would militate against the proper functioning of the aforementioned concept of 'areal freedom' and therefore against the recognition of the provisions implemented there as equivalent to the Community provisions on combating *Corynebacterium sepedonicum*;

Whereas it can therefore be established that there is no risk of the harmful organisms in question spreading, provided that the seed potatoes originate in areas declared, on scientific evidence, free from both potato spindle tuber viroid and from *Corynebacterium sepedonicum*, and that certain improved special technical conditions are complied with;

Whereas, therefore, the derogations provided for by Greece, Italy and Portugal should be approved for the current seed-potato marketing season, provided that they include the aforementioned conditions and without prejudice to Council Directive 66/403/EEC⁽¹⁾, as last amended by Directive 87/374/EEC⁽²⁾, and to Council Directive 70/457/EEC⁽³⁾, as last amended by Directive 86/155/EEC⁽⁴⁾;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. Approval is hereby given, under the conditions laid down in paragraph 2, and without prejudice to Directives

66/403/EEC and 70/457/EEC, to Greece, Italy and Portugal to provide, in accordance with Article 14 (1) (c) (iii) of Directive 77/93/EEC, and in connection with the third indent of part A (24) of Annex IV thereto, for derogations from Article 5 (1) and the third indent of Article 12 (1) (a) of that Directive as regards the requirements referred to in part A (25) of Annex IV, in respect of seed potatoes of the varieties Kennebec and Sebago originating in Canada.

2. For the purposes of paragraph 1, the following conditions shall apply:

(a) the seed potatoes shall have been produced in fields located in areas of New Brunswick or Prince Edward Island which have been officially declared, by 'Agriculture Canada' free from both potato spindle tuber viroid and from *Corynebacterium sepedonicum* and which satisfy the following conditions, irrespective of whether the fields are operated by premises inside or outside the area:

(i) the areas comprise at least:

— either fields owned by at least three distinct potato-growing establishments, whether or not these establishments operate rented land located outside,

— or, alternatively, a surface of at least four square kilometres,

and are surrounded entirely by water, or by land other than that of fields where the organisms concerned have occurred within the previous three years; and

(ii) all potatoes produced in the area are the first direct progeny of seed potatoes of the category 'Pre-elite', 'Elite I', 'Elite II' or 'Elite III' which were produced in establishments qualified to produce seed potatoes of the 'Pre-elite' or 'Elite I' categories and which are either official establishments or officially designated and controlled for that purpose; and

(iii) the surface used for the production of potatoes which are not finally certified as seed potatoes does not exceed one-fifth of that used for the production of potatoes certified as seed potatoes; and

(iv) systematic and representative annual surveys which have been carried out over at least the previous five years under appropriate conditions for the detection of the organisms concerned, on all potato fields located in the area and on potatoes harvested there, including appropriate laboratory testing, did not show any positive finding, or any other element which could militate against the recognition as disease-free; and

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽²⁾ OJ No L 197, 18. 7. 1987, p. 36.

⁽³⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽⁴⁾ OJ No L 118, 7. 5. 1986, p. 23.

- (v) legislative, administrative or other arrangements have been made to ensure that:
- no potatoes originating in areas of Canada other than those declared disease-free, or in countries where the organisms concerned are known to occur, can be introduced into such areas, and
 - neither potatoes originating in such areas nor any containers, packaging material, vehicles and handling, grading and preparation equipment used there can be brought into contact with potatoes originating, or material or equipment as specified used, in areas other than those declared disease-free,
- this provision also applies to cases where fields located inside the areas declared disease-free are operated by premises outside such areas or where premises inside such areas operate fields located outside them; and
- (vi) the areas where, in 1985 the lots which showed infection by *Corynebacterium sepedonicum* on samples drawn in the Community were produced and the areas where the seed potatoes which produced these lots were produced cannot be declared free from *Corynebacterium sepedonicum*; and
- (vii) 'Agriculture Canada' shall provide the Commission with a complete list of the areas declared disease-free, supported by a map of each province concerned, showing through appropriate marks the geographical distribution of the areas;
- (b) the seed potatoes shall be certified officially as seed potatoes meeting at least the conditions laid down for the 'Foundation' category;
- (c) samples shall be taken officially in respect of each lot intended for Greece, Italy and Portugal; a lot may consist only of tubers of one single variety which have been produced on one single establishment; the samples shall be examined by official laboratories in order to detect any presence of potato spindle tuber viroid or *Corynebacterium sepedonicum*; the samples for the detection of potato spindle tuber viroid shall be tubers, or leaves taken from the crop which produced the lot; for the detection of *Corynebacterium sepedonicum* two samples of tubers shall be taken per lot, each of which shall be approximately 1 % of the tubers in the lot, up to 1 000 tubers; the examinations shall be carried out on the entire samples, using the following methods:
- as regards potato spindle tuber viroid; the Page method, after passage of the material through appropriate plants, or c-DNA hybridization procedure, and
 - as regards *Corynebacterium sepedonicum*: at least the Angers IF method or an equivalent IF method;
- (d) the lots shall be kept separate in all operations including transport;
- (e) the plant health certificate required shall be made out separately for each consignment and only if it has been established by the scientists involved that the examinations referred to in (c) did not give rise to suspicions or to the detection of the presence of potato spindle tuber viroid or *Corynebacterium sepedonicum* in the consignment and that in particular the IF-testing was shown to be negative. It shall state, under 'Additional Declaration', that the conditions laid down in (a) to (c) have been complied with, and shall give the name of the establishment or establishments which have produced the seed potato lots and the relevant seed potato certification lot numbers, as well as the name of the area referred to in (a) and of the establishment referred to in (a) (ii);
- (f) in Greece, Italy and Portugal a representative sample shall be taken officially from each of the lots imported pursuant to this Decision for official examination in respect of *Corynebacterium sepedonicum* in accordance with the Community established method for the detection and diagnosis of *Corynebacterium sepedonicum*; the lots shall remain separate under official control and may not be marketed or used until it has been established that the presence of *Corynebacterium sepedonicum* was not suspected or detected in those examinations; sub-samples shall be kept available for subsequent examination by other Member States, and the Greek, Italian and Portuguese authorities respectively shall before 31 March 1988 inform the Commission, with a view to organizing that examination and the recording thereof; the total of lots imported shall not exceed an amount which is adequate for the abovementioned examinations, taking into account the facilities available for that purpose;
- (g) potatoes grown from seed potatoes imported pursuant to this Decision shall not be certified as seed potatoes and shall be used only in Greece, Italy and Portugal respectively, and only as potatoes for consumption;
- (h) buildings, containers, packaging material, vehicles and handling, grading and preparation equipment which have been in contact with seed potatoes imported pursuant to this Decision shall be cleaned and disinfected before being brought into contact with other potatoes.

Article 2

Greece, Italy and Portugal shall provide the Commission and the other Member States, before 1 June 1988, with information on the amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (e); copies of each plant health certificate shall be transmitted to the Commission.

Article 3

The approval granted in Article 1 shall expire on 31 March 1988. It shall be revoked prior to that date if it is found that the conditions laid down in Article 1 (2) have been insufficient to prevent the introduction of the harmful

organisms in question or have not been complied with. It may be revoked prior to that date if it is found that there are elements which would militate against the proper functioning of the 'areal freedom' concept in Canada.

Article 4

This Decision is addressed to the Hellenic Republic, to the Italian Republic and to the Portuguese Republic.

Done at Brussels, 9 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 11 February 1988

approving derogations provided for by Italy from certain provisions of Council Directive 77/93/EEC in respect of seed potatoes originating in Poland

(Only the Italian text is authentic)

(88/177/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products ⁽¹⁾, as last amended by Directive 87/298/EEC ⁽²⁾, and in particular Article 14 (2) and Annex IV, part A (24) thereof,

Whereas, pursuant to Directive 77/93/EEC, potato tubers originating in third countries where potato spindle tuber viroid has occurred may not, in principle, be brought into the Community unless their faculty of germination has been suppressed, in view of the risk of the introduction of potato spindle tuber viroid, and unless — if they originate in a country where *Corynebacterium sepedonicum* is known to occur — provisions recognized as equivalent to the Community provisions on combating this harmful organism have been complied with in the country of origin;

Whereas, nevertheless, Article 14 (1) (c) (iii) of the abovementioned Directive permits Member States to provide for derogations with regard to the rule relating to the suppression of the faculty of germination, provided that there is no risk of harmful organisms spreading; whereas these derogations are subject to approval, under certain conditions, in accordance with Article 14 (2) and must also comply with the conditions laid down in Annex IV, part A (24);

Whereas in Italy the growing of potatoes of the Sieglinde variety has been an established practice; whereas part of the supply of seed potatoes of this variety has been ensured by imports from Poland;

Whereas Italy has stated that it intends to provide for derogations for the current seed-potato marketing seasons;

Whereas it is known that Poland is still not free from potato spindle tuber viroid or from *Corynebacterium sepedonicum*;

Whereas Poland has developed a programme to eradicate these harmful organisms on a regional basis; whereas

there are good reasons to believe that the programme to eradicate these harmful organisms has become fully effective, at least in certain 'closed zones' (strefy zamknieta) of the voievodship of Lomza;

Whereas it can therefore be established that there is no risk of the harmful organisms in question spreading, provided that the seed potatoes originate in such zones and that certain special technical conditions are complied with;

Whereas, therefore, the derogations provided for by Italy should be approved for the current seed-potato marketing season, provided that they include the aforementioned conditions and without prejudice to Council Directive 66/403/EEC ⁽³⁾, as last amended by Directive 87/374/EEC ⁽⁴⁾, and to Council Directive 70/457/EEC ⁽⁵⁾, as last amended by Directive 86/155/EEC ⁽⁶⁾;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. Approval is hereby given, under the conditions laid down in paragraph 2, and without prejudice to Directives 66/403/EEC and 70/457/EEC, to Italy to provide, in accordance with Article 14 (1) (c) (iii) of Directive 77/93/EEC, and in connection with the third indent of part A (24) of Annex IV thereto, for derogations from Article 5 (1) and the third indent of Article 12 (1) (a) of that Directive as regards the requirements referred to in part A (25) of Annex IV, in respect of seed potatoes of the Sieglinde variety originating in Poland.

2. For the purposes of paragraph 1, the following conditions shall apply:

- (a) the seed potatoes shall have been produced in fields located in the 'closed zone' (strefa zamknieta) of Wierzbowo in the voievodship of Lomza;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 151, 11. 6. 1987, p. 1.

⁽³⁾ OJ No 125, 11. 7. 1966, p. 2320/66.

⁽⁴⁾ OJ No L 197, 18. 7. 1987, p. 36.

⁽⁵⁾ OJ No L 225, 12. 10. 1970, p. 1.

⁽⁶⁾ OJ No L 118, 7. 5. 1986, p. 23.

- (b) the seed potatoes shall have been produced exclusively from seed potatoes of the 'Super-Elite' category, supplied by the official Plant Improvement Station of Lubleno in the voievodship of Gdansk;
- (c) the seed potatoes shall be certified officially as seed potatoes meeting at least the conditions laid down for the 'Elite' category;
- (d) samples shall be taken officially in respect of each lot intended for Italy; a lot may consist only of tubers of one single variety which have been produced on one single establishment; the samples shall be examined by official laboratories in order to detect any presence of potato spindle tuber viroid or *Corynebacterium sepedonicum*; the samples for the detection of potato spindle tuber viroid shall be tubers, or leaves taken from the crop which produced the lot; for the detection of *Corynebacterium sepedonicum* two samples of tubers shall be taken per lot, each of which shall be approximately 1 % of the tubers in the lot, up to 1 000 tubers; the examinations shall be carried out on the entire samples, using the following methods:
 - as regards potato spindle tuber viroid: the Page method, after passage of the material through appropriate plants, or c-DNA hybridization procedure, and
 - as regards *Corynebacterium sepedonicum*: at least the Angers IF method or an equivalent IF method;
- (e) the lots shall be kept separate in all operations including transport;
- (f) the plant health certificate required shall be made out separately for each consignment and only if it has been established by the scientists involved that the examinations referred to in (d) did not give rise to suspicions or to the detection of the presence of potato spindle tuber viroid or *Corynebacterium sepedonicum* in the lot, and that in particular the IF-testing was shown to be negative. It shall state, under 'Additional Declaration' that the conditions laid down in (a) to (d) have been complied with, and shall give the name of the establishment which has produced the seed potatoes and the seed potato certification number, as well as the name of the area referred to in (a);
- (g) in Italy, a representative sample shall be taken officially from each of the lots imported pursuant to this Decision, for official examination in respect of *Corynebacterium sepedonicum*, in accordance with the Community established method for the detection and diagnosis of *Corynebacterium sepedonicum*; the lots shall remain separate under official control and may not be marketed or used until it has been established

that the presence of *Corynebacterium sepedonicum* was not suspected or detected in those examinations; sub-samples shall be kept available for subsequent examination by other Member States, and the Italian authorities shall before 31 March 1988 inform the Commission, with a view to organizing that examination and the recording thereof; the total of lots imported shall not exceed an amount which is adequate for the abovementioned examinations, taking into account the facilities available for that purpose;

- (h) potatoes grown from seed potatoes imported pursuant to this Decision shall not be certified as seed potatoes and shall be used only in Italy, and only as potatoes for consumption;
- (i) buildings, containers, packaging material, vehicles and handling, grading and preparation equipment which have been in contact with seed potatoes imported pursuant to this Decision shall be cleaned and disinfected before being brought into contact with other potatoes.

Article 2

Italy shall provide the Commission and the other Member States, before 1 June 1988, with information on the amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (g); copies of each plant health certificate shall be transmitted to the Commission.

Article 3

The approval granted in Article 1 shall expire on 31 March 1988. It shall be revoked prior to that date if it is found that the conditions laid down in Article 1 (2) have been insufficient to prevent the introduction of the harmful organisms in question or have not been complied with. It may be revoked prior to that date if it is found that there are elements which would militate against the proper functioning of the 'closed zones' concept in Poland.

Article 4

This Decision is addressed to the Italian Republic.

Done at Brussels, 11 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 11 February 1988

approving aid from Belgium to the coal industry during 1988

(Only the French and Dutch texts are authentic)

(88/178/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

I

In its communications of 12 October and 5 November 1987 the Belgian Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of the financial measures it intends to take during 1988 in order to give direct or indirect support to the coal industry. The following financial aid is submitted for the approval of the Commission under the above Decision :

(in million Bfrs)

— Aid to cover operating losses :	6 151,6
— Aid to sales of coal and coke to the iron and steel industry of the Community :	1 954,1
— Investment aid :	600,0
— Aid to maintain a qualified work-force of underground staff :	3,0

The aid totalling Bfrs 6 151 600 000 to cover operating losses will be granted to the Campine coalfield for a volume of 2 245 000 tonnes of production in order to cover part of the difference, for each tonne produced, between foreseeable average costs and the foreseeable average returns. The aid will cover 93 % of the anticipated operating losses and hence complies with the conditions of Article 3 (1) of the Decision.

The aid to cover operating losses is aimed at phasing the closure of certain pits. In accordance with the third indent of Article 2 (1) of the Decision this contributes to solving the social and regional problems related to developments in the coal industry.

In accordance with Article 12 of the Decision, coal undertakings shall be authorized, where necessary, to grant rebates on their list prices or production costs, for

deliveries of coking coal, blast-furnace coke and coal for injection into blast-furnaces for the iron and steel industry of the Community under long-term contract; these rebates must not cause the delivered prices of Community coal and coke to work out lower than those which would be charged for coal from non-member countries and coke made from non-member country coking coal.

According to the Belgian Government, the aid to sales of coking coal, blast-furnace coke and coal for injection into blast-furnaces for the iron and steel industry of the Community, totalling Bfrs 1 954 100 000, will make up the difference between world market prices and production costs for 675 000 tonnes. The aid therefore conforms to Article 4 of the Decision.

The sales aid for supplies of coal, blast-furnace coke and coal for injection into blast-furnaces for the iron and steel industry of the Community is intended to phase the closure of certain pits. In accordance with the third indent of Article 2 (1) of the Decision, this contributes to solving the social and regional problems related to developments in the coal industry.

The investment aid totalling Bfrs 600 000 000 is intended for the construction of a fluidized-bed power station. It will cover 50 % of the total investment of Bfrs 1 200 000 000. The aid conforms to Article 5 (1) and (2) of the Decision.

Under Article 5 (3) of the Decision the Belgian Government must inform the Commission at least once a year of the objectives of each programme, of the amount of investment expenditure assigned and the amount of aid involved.

The aid granted to maintain a qualified work-force of underground staff is a long-standing specific measure which is conducted separately from the aid pursuant to Articles 3, 4 and 5 of the Decision. The aid therefore conforms to Article 6 of the Decision.

The object of the measure is to maintain a qualified work-force for the purpose of rationalization measures in order to improve the coal industry's competitiveness in accordance with the first indent of Article 2 (1) of the Decision.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

II

The following observations should be made on the compatibility of the proposed aid to current production with the proper functioning of the common market:

- there are unlikely to be supply difficulties in 1988 in view of pithead stocks of coal and coke,
- deliveries of Belgian coal to other Community countries are very small,
- price alignment agreements with respect to Community producers are unlikely to arise in 1988,
- Belgian coal prices should not lead to indirect aid to industrial coal users in 1988.

Therefore the aid to be granted to the current production of the Belgian coal industry in 1988 is compatible with the proper functioning of the common market.

III

Pursuant to Article 11 (2) of the Decision, the Commission must ensure that the direct aid to current production which it approves is used exclusively for the purposes set out in Articles 3 to 6 thereof. The Commission must therefore be informed in particular of the amounts of the payments and the manner in which they are apportioned,

HAS ADOPTED THIS DECISION:

Article 1

Belgium is hereby authorized to grant aid totalling Bfrs 8 708 700 000 to the Belgian coal industry with effect

from 1 January 1988 for the 1988 calendar year. The total amount shall be made up of the following aid:

1. Aid to cover operating losses not exceeding Bfrs 6 151 600 000;
2. Aid to sales of coal and coke to the iron and steel industry of the Community not exceeding Bfrs 1 954 100 000;
3. Investment aid not exceeding Bfrs 600 000 000;
4. Aid to maintain a qualified work-force of underground staff not exceeding Bfrs 3 000 000.

Article 2

The Belgian Government shall inform the Commission not later than 30 June 1989 of the actual amounts of aid paid in 1988.

Article 3

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 11 February 1988.

For the Commission

Nicolas MOSAR

Member of the Commission

COMMISSION DECISION

of 12 February 1988

on the improvement of the efficiency of agricultural structures in the United Kingdom pursuant to Council Regulation (EEC) No 797/85

(Only the English text is authentic)

(88/179/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽¹⁾, as last amended by Regulation (EEC) No 1760/87⁽²⁾, and in particular Article 25 thereof,

Whereas, on 9 October 1987, the Government of the United Kingdom, pursuant to Article 24 (4) of Regulation (EEC) No 797/85, forwarded Statutory Rules of Northern Ireland 1987 No 63 on the 1987 agricultural and horticultural cooperation scheme for Northern Ireland and whereas, pursuant to the second indent of Article 24 (1) of the said Regulation, it forwarded Statutory Instrument 1985 No 334 on the 1985 agricultural and horticultural cooperation scheme for the United Kingdom as a whole, which adopted the provisions implementing Regulation (EEC) No 797/85;

Whereas, under Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution by the Community are satisfied, in the light of the compatibility of the provisions forwarded with the abovementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas the aid for joint investment in fodder production and the improvement of pastures which are farmed jointly referred to in these provisions is compatible with Article 17 of Regulation (EEC) No 797/85 when granted in less-favoured areas within the meaning of Council Directive 75/268/EEC⁽³⁾;

Whereas the aid to assist the operation of recognized groups seeking to set up various forms of mutual assistance between farms, joint use of farming equipment or joint farming referred to in these provisions is compatible with Article 10 of Regulation (EEC) No 797/85 when it is intended to contribute to the running costs of these groups for a maximum of five years dating from their inception;

Whereas the remaining aid for investment in agricultural holdings referred to in these provisions is subject to the restrictions laid down in Article 8 (2), (3) and (4) of Regulation (EEC) No 797/85;

Whereas the EAGGF Committee has been consulted on the financial aspects;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

1. In the light of the provisions forwarded by the United Kingdom, the measures it has taken pursuant to Regulation (EEC) No 797/85 continue to satisfy the conditions for a Community financial contribution to the common measure referred to in Article 1 of Regulation (EEC) No 797/85.

2. The Community financial contribution to the measures taken pursuant to the provisions forwarded by the United Kingdom shall be confined to aid which complies with the conditions laid down in Articles 10 and 17 of Regulation (EEC) No 797/85.

3. The United Kingdom shall ensure that other aid for investment in agricultural holdings provided for in the provisions forwarded complies with the restrictions laid down in Article 8 (2), (3) and (4) of Regulation (EEC) No 797/85.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 12 February 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 1.