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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 822/88**of 29 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 28 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 30 March 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 99.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 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	172,60
0712 90 19	12,29	172,60
1001 10 10	68,97	259,54 ⁽¹⁾ ⁽²⁾
1001 10 90	68,97	259,54 ⁽¹⁾ ⁽²⁾
1001 90 91	7,92	188,85
1001 90 99	7,92	188,85
1002 00 00	47,51	167,20 ⁽³⁾
1003 00 10	41,19	173,55
1003 00 90	41,19	173,55
1004 00 10	97,72	148,39
1004 00 90	97,72	148,39
1005 10 90	12,29	172,60 ⁽³⁾ ⁽²⁾
1005 90 00	12,29	172,60 ⁽³⁾ ⁽²⁾
1007 00 90	35,81	183,28 ⁽⁴⁾
1008 10 00	41,19	99,71
1008 20 00	41,19	145,05 ⁽⁴⁾
1008 30 00	41,19	62,87 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	41,19	62,87
1101 00 00	25,17	279,15
1102 10 00	82,12	248,84
1103 11 10	119,84	415,96
1103 11 90	25,25	299,55

⁽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 823/88

of 29 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 28 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 30 March 1988.

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

Done at Brussels, 29 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 29 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	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	10,72	10,72	10,72
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 824/88**of 29 March 1988****fixing the marketing years for courgettes and nectarines**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 223/88⁽²⁾, and in particular the second subparagraph of Article 1 (3) thereof,

Whereas, in the framework of the market organization in question, the periods covered by the marketing years for nectarines and courgettes should be specified;

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

Article 1

The first subparagraph of Article 1 (a) of Regulation (EEC) No 1035/72 is hereby amended as follows:

1. The first indent is replaced by the following:
‘— tomatoes, cucumbers, aubergines and courgettes from 1 January to 31 December.’
2. The third indent is replaced by the following:
‘— peaches and nectarines, from 1 May to 31 October.’

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, 29 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.

COMMISSION REGULATION (EEC) No 825/88

of 29 March 1988

fixing for the 1988 marketing year the reference prices for courgettes

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 824/88⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas courgettes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas courgettes harvested during a given crop year are marketed from January to December; whereas the quantities harvested from 1 January to 20 April and in October, November and December are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 April up to and including 30 September;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988 marketing year, the reference prices for courgettes falling within CN code 0709 90 70, expressed in ECU per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

— April (21 to 30):	70,45,
— May:	62,49,
— June:	41,78,
— July:	37,97,
— August:	44,20,
— September:	48,80.

Article 2

This Regulation shall enter into force on 21 April 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ See page 5 of this Official Journal.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 826/88

of 29 March 1988

fixing for the 1988 marketing year the reference prices for cherries

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 824/88⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas cherries are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas cherries harvested during a given crop year are marketed from April to September; whereas the quantities harvested in April, during the first 20 days of May and from 11 August to 30 September are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 May to 10 August inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988 marketing year, the reference prices for cherries falling within CN code 0809 20, expressed in ECU per 100 kilograms net, of packed products of class I, of all sizes, shall be as follows:

May (21 to 31):	138,27,
June:	123,54,
July:	113,51,
August (1 to 10):	87,08.

Article 2

This Regulation shall enter into force on 21 May 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 5 of this Official Journal.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 827/88

of 29 March 1988

fixing for the 1988 marketing year the reference prices for plums

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 824/88⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas plums are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas plums harvested during a given crop year are marketed from June to October; whereas the quantities harvested during the first 10 days of June and in October are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 11 June to 30 September inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may,

however, not be lower than in the preceding marketing year;

Whereas, since the varieties of plums are not all comparable as regards the estimation of their commercial value, these varieties should be classified in two groups;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

Whereas, for the purpose of calculating entry prices, the varieties imported from third countries of which the entry prices are to be compared with the prices fixed for group I and with those fixed for group II, respectively, should be specified;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 1988 marketing year, the reference prices for plums falling within CN codes 0809 40 11 and 19, expressed in ECU per 100 kilograms net of packed products of groups I and II, of class I, of all sizes, shall be as follows for each of the groups of varieties:

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 5 of this Official Journal.

	<i>Group I</i>	<i>Group II</i>
11 June to 31 July:	69,39	—
August:	69,39	55,37
September:	60,11	47,23

2. The groups of varieties referred to in paragraph 1 shall be composed of the following varieties:

Group I:

Altesse double (Italian quetsche), Précoce favourite, Belle de Louvain, Conducta, Early Rivers, Kirk's Blue, Jefferson Gage, Lützelsachser (early Lützelsachsen quetsche), Anna Späth, Ersinger (early Ersingen quetsche), Zimmers (Zimmer quetsche), Bühler (early Bühl quetsche), Burbank, Florentina, Goccia d'oro, Reine-Claude, Czar, Victorias, Damsons and Santa Rosa;

Group II:

Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins, Sveskeblommer, Ruth Gerstetter and Ontario;

3. The entry prices of imported products are to be compared:

(a) with the prices fixed for group I where the imported products belong to varieties other than those shown in (b);

(b) with the prices fixed for group II where the imported products belong to the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (yellow egg), Mirabelle, Bosniche and Ortenauer.

Amendments to the preceding subparagraph shall be adopted in accordance with the procedure laid down in Article 33 of Regulation (EEC) No 1035/72, having regard to changes in the varieties imported from third countries.

Article 2

This Regulation shall enter into force on 11 June 1988.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 828/88

of 29 March 1988

fixing for the 1988 marketing year the reference prices for apricots

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 824/88⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas apricots are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas apricots harvested during a given crop year are marketed from May to August; whereas the quantities harvested in May and in August are so small that there is no need to fix reference prices for these months; whereas reference prices should be fixed only for the period 1 June up to and including 31 July;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs

less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal price variations into account, the marketing year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988 marketing year, the reference prices for apricots falling within CN code 0809 10 00, expressed in ECU per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

June (1 to 10):	106,26,
(11 to 20):	93,00,
(21 to 30):	82,07,
July:	73,15.

Article 2

This Regulation shall enter into force on 1 June 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 5 of this Official Journal.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 829/88**of 29 March 1988****fixing for the 1988 marketing year the reference prices for peaches including nectarines**

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 824/88⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas peaches are produced in such quantities in the Community that reference prices should be fixed for them and be operative also for nectarines;

Whereas, however, both on the Community market and for imports, prices for both types of nectarine run parallel at different levels to those for peaches; whereas, moreover, quotations for nectarines are not regularly recorded on these markets; whereas there is no need, therefore, to take producer prices for nectarines into consideration for the application of Article 23 (2) of Regulation (EEC) No 1035/72;

Whereas peaches harvested during a given crop year are marketed from May to October; whereas the quantities harvested in May, during the first 10 days of June and in October are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 11 June to 30 September inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year,

adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 5 of this Official Journal.

HAS ADOPTED THIS REGULATION :

June (11 to 20) :	81,10,
(21 to 30) :	71,65,
July :	71,22,
August :	56,44,
September :	55,70.

Article 1

For the 1988 marketing year, the reference prices for peaches including nectarines, falling within CN code 0809 30 00, expressed in ECU per 100 kilograms net of packed products of class I, of all sizes, shall be as follows :

Article 2

This Regulation shall enter into force on 11 June 1988.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 830/88

of 29 March 1988

fixing for the 1988 marketing year the reference prices for table grapes

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 824/88⁽²⁾, and in particular Article 27 (1) thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas table grapes are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas table grapes harvested during a given crop year are marketed from May to April of the next year; whereas the quantities harvested in May and June, during the first 20 days of July and also January to April of the next year are so small that there is no need to fix reference prices for these periods; whereas, due principally to developments in production techniques, a relatively large increase in the marketing of Community products during the last 10 days of November and in the month of December can be expected; whereas, however, the figures at present available are insufficiently conclusive to justify fixing a reference price for that period; whereas, reference prices should be fixed only for the period 21 July to 20 November inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas, in accordance with Articles 140 (2) and 272 (3) of the Act of Accession, the prices of Spanish and Portuguese products will not be used for the purpose of calculating reference prices, during the first phase in the case of Spain and during the first stage in the case of Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1988 marketing year, the reference prices for table grapes, falling within CN codes 0806 10 15 and 0806 10 19, expressed in ECU per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

21 July to 31 August:	51,13,
September and October:	48,45,
November (1 to 20):	44,20.

Article 2

This Regulation shall enter into force on 21 July 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 5 of this Official Journal.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 831/88

of 29 March 1988

fixing advance payments in respect of the production levies in the sugar sector
for the 1987/88 marketing year

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

Having regard to Council Regulation (EEC) No 1785/81
of 30 June 1981 on the common organization of the
markets in the sugar sector ⁽¹⁾, as last amended by Regula-
tion (EEC) No 3993/87 ⁽²⁾, and in particular Article 28 (7)
thereof,

Whereas Article 5 of Commission Regulation (EEC) No
1443/82 of 8 June 1982 laying down detailed rules for the
application of the quota system in the sugar sector ⁽³⁾, as
last amended by Regulation (EEC) No 3819/85 ⁽⁴⁾,
provides for the fixing before 1 April, and the collection
before the following 1 June, of the unit amounts to be
paid by sugar producers and isoglucose producers as
advance payments of the production levies for the current
marketing year; whereas the estimate of the basic produc-
tion levy and of the B levy, referred to in Article 6 of
Regulation (EEC) No 1443/82, gives an amount which is
more than 60 % of the maximum amounts indicated in
Article 28 (3) and (4) of Regulation (EEC) No 1785/81;
whereas, in accordance with Article 6 of Regulation (EEC)
No 1443/82, the unit amounts for sugar should therefore
be fixed at 50 % of the maximum amounts concerned
and for isoglucose the unit amount of the advance
payment should therefore be fixed at 40 % of the unit
amount of the basic production levy estimated for sugar;

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

HAS ADOPTED THIS REGULATION:

Article 1

The unit amounts referred to in Article 5 (1) (b) of
Regulation (EEC) No 1443/82 in respect of the 1987/88
marketing year are hereby fixed as follows:

- (a) the advance payment of the basic production levy for
A sugar and B sugar shall be 0,542 ECU per 100 kilo-
grams of white sugar;
- (b) the advance payment of the B levy for B sugar shall
be 10,159 ECU per 100 kilograms of white sugar;
- (c) the advance payment of the basic production levy for
A isoglucose and B isoglucose shall be 0,433 ECU per
100 kilograms of dry matter.

Article 2

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

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 24.

⁽³⁾ OJ No L 158, 9. 6. 1982, p. 17.

⁽⁴⁾ OJ No L 368, 31. 12. 1985, p. 25.

COMMISSION REGULATION (EEC) No 832/88

of 29 March 1988

amending Regulation (EEC) No 2330/87 laying down detailed rules for the export of products supplied as Community food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EEC) No 3989/87⁽²⁾, and in particular Article 16 (6) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Commission Regulation (EEC) No 3990/87⁽⁴⁾, and in particular Article 17 (6) thereof,

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⁽⁵⁾, as last amended by Regulation (EEC) No 744/88⁽⁶⁾, and in particular Article 17 (4) thereof,

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⁽⁷⁾, as last amended by Commission Regulation (EEC) No 3994/87⁽⁸⁾,

Whereas, for the purposes of applying Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽⁹⁾, as amended by Regulation (EEC) No 3785/87⁽¹⁰⁾, general rules for the mobilization in the Community of products to be supplied as Community food aid are laid down in Commission Regulation (EEC) No 2200/87⁽¹¹⁾; whereas the detailed rules of application are laid down in Commission Regulation (EEC) No 2330/87⁽¹²⁾;

Whereas the aforementioned new rules on mobilization imply the application of export refunds; whereas in the case of supply to the port of shipment, the period initially laid down for the supply may in certain cases be extended

for reasons outside the control of the Community operator supplying the products, thereby leading to the 60-day limit between acceptance of the export declaration and departure from the Community customs territory as provided for in Article 4 of Commission Regulation (EEC) No 3665/87⁽¹³⁾ being exceeded; whereas, to avoid the adverse legal consequences, unwarranted having regard to the aims of Community food aid, of that situation, the 60-day limit should not be applied in this particular case;

Whereas the measures provided for in this Regulation are in accordance with the opinions of all the relevant Management Committees,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (1) of Regulation (EEC) No 2330/87 is hereby replaced by the following:

'1. Notwithstanding Article 3 (2) of Commission Regulation (EEC) No 3665/87^(*) the export refund paid to the operator or the levy collected on export shall be that applicable on the date specified in the Annex to the Regulation laying down the conditions under which a food-aid operation is to be carried out (heading No 25).

In the case of supply to the port of shipment, the time limit laid down in Articles 4 (1) and 32 (1) of Regulation (EEC) No 3665/87 shall not apply.

(*) OJ No L 351, 14. 12. 1987, p. 1.'

Article 2

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

At the request of the parties concerned, it shall apply with effect from 2 August 1987.

(13) OJ No L 351, 14. 12. 1987, p. 1.

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 377, 31. 12. 1987, p. 1.

(3) OJ No L 166, 25. 6. 1976, p. 1.

(4) OJ No L 377, 31. 12. 1987, p. 15.

(5) OJ No L 148, 28. 6. 1968, p. 13.

(6) OJ No L 78, 23. 3. 1988, p. 1.

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

(8) OJ No L 377, 31. 12. 1987, p. 31.

(9) OJ No L 370, 30. 12. 1986, p. 1.

(10) OJ No L 356, 18. 12. 1987, p. 8.

(11) OJ No L 204, 25. 7. 1987, p. 1.

(12) OJ No L 210, 1. 8. 1987, p. 56.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 833/88**of 29 March 1988****laying down an exception to certain detailed rules for implementing the import system applicable to certain third countries for sheepmeat and goatmeat as from 1986, provided for in Regulation (EEC) No 3653/85**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import system applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986⁽¹⁾, as amended by Regulation (EEC) No 3939/87⁽²⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 3653/85⁽³⁾ lays down detailed rules for implementing the import system applicable to certain third countries for sheepmeat and goatmeat as from 1986; whereas, however, as a result of the late receipt of a telex, applications submitted in Greece for the first quarter of 1988 for products falling within CN codes 0104 10 90 and 0104 20 90 were not taken into account when calculating the coefficient of reduction; whereas, as a consequence, the quantities for which import licences were issued exceeded the quantities available by 9,432 tonnes carcase equivalent; whereas an exception should therefore be introduced to Article 1 (1) of Regulation (EEC) No 3653/85 for the

deduction of that quantity from the quantity normally available for the second quarter of 1988;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Article 1 (1) of Regulation (EEC) No 3653/85, in the second quarter of 1988 the Member States shall deliver import licences for products falling within CN codes 0104 10 90 and 0104 20 90 for up to 3,068 tonnes carcase equivalent.

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, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 348, 24. 12. 1985, p. 2.

⁽²⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 348, 24. 12. 1985, p. 21.

COMMISSION REGULATION (EEC) No 834/88**of 29 March 1988****amending Regulation (EEC) No 3129/87 issuing a standing invitation to tender in order to determine refunds on exports of olive oil**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) 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 Commission Regulation (EEC) No 3994/87 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3129/87 ⁽⁴⁾ issues a standing invitation to tender in order to determine refunds on exports of olive oil at monthly intervals;

Whereas the market situation and the objectives of Community exports make it necessary to fix refunds as quickly as possible; whereas provision should therefore be made for fixing refunds twice a month in periods of intense trade; whereas Regulation (EEC) No 3129/87 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3129/87 is hereby amended as follows:

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 31.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 296, 21. 10. 1987, p. 10.

1. In Article 1 (2), 'monthly' is deleted.

2. Article 3 (1) is replaced by the following:

'1. The periods during which tenders may be submitted in response to the partial invitations to tender shall be as follows:

— for April, May, June, September and October: from the fifth day to the ninth day of each month at 1 p.m. and from the 15th to the 23rd day of each month at 1 p.m.,

— for July and August: from the 15th to the 23rd day of each month at 1 p.m.

That deadline shall be in Belgian time. Where the day on which the deadline expires in a Member State is a public holiday for the authority responsible for receiving the tenders, the deadline shall expire at 1 p.m. on the last preceding working day.'

3. Article 7 (1) is replaced by the following:

'1. In the light in particular of the current situation and foreseeable development of the Community and world olive oil markets and of the tenders received, a maximum refund shall, in accordance with the procedure laid down in Article 38 of Regulation (EEC) No 136/66/EEC, be fixed for exports of the product falling within the subheadings listed in Article 1. Refunds shall be fixed no later than the eighth working day after the expiry of each deadline for the submission of tenders.'

4. Article 7 (5) is replaced by the following:

'5. Export refunds shall be adjusted during the period of validity of the export licences as referred to in Article 9, in the light of changes in the threshold price occurring between the day of entry into force of the refund and the day on which the export declaration is accepted.'

5. In Article 11 (1), 'the maximum rate of refund accepted in respect of the preceding month's invitation to tender' is replaced by 'the last maximum rate of refund fixed under the standing invitation to tender.'

Article 2

This Regulation shall enter into force on 4 April 1988.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 835/88

of 29 March 1988

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat⁽¹⁾, as last amended by
Regulation (EEC) No 3939/87⁽²⁾,

Having regard to Commission Regulation (EEC) No
1633/84 of 8 June 1984 laying down detailed rules for
applying the variable slaughter premium for sheep and
repealing Regulation (EEC) No 2661/80⁽³⁾, as last
amended by Regulation (EEC) No 1860/86⁽⁴⁾, and in
particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 3 (5) of Regulation (EEC) No
1837/80; whereas it is necessary therefore for the
Commission to fix, for the week beginning 7 March 1988,
the level of the premium and the amount to be charged
on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84
stipulates that the level of the variable slaughter premium
is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84
lays down that the amount to be charged on products
leaving region 5 shall be fixed weekly by the Commis-
sion;

Whereas Council Regulation (EEC) No 2658/87⁽⁵⁾ intro-
duced 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, pursuant to the provisions of Article 9 (1) of
Regulation (EEC) No 1837/80, for the week beginning 7
March 1988, the variable slaughter premium for sheep
certified as eligible in the United Kingdom is to be in
accordance with the amounts fixed in the Annexes
hereto; whereas, for that week, in the light of the Judg-
ment of the Court of Justice of 2 February 1988 in Case
61/86, the provisions of Article 9 (3) of Regulation (EEC)
No 1837/80 and of Article 4 of Regulation (EEC) No
1633/84 lead to the amounts to be charged on products,
leaving region 5, being fixed in accordance with those
Annexes;

Whereas, as regards the controls necessary for the appli-
cation of the provisions relating to the said amounts, the
system of controls provided for by Regulation (EEC) No
1633/84 should be maintained without prejudice to the
preparation of any more specific provisions following the
abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 5, within the meaning of Article 3 (5)
of Regulation (EEC) No 1837/80, for the variable
slaughter premium during the week beginning 7 March
1988, the level of the premium is fixed at 125,893
ECU/100 kilograms of estimated or actual dressed carcase
weight within the limits laid down by Article 1 (1) (b) of
Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regula-
tion (EEC) No 1837/80 which left the territory of region 5
during the week beginning 7 March 1988, the amounts to
be charged shall be equivalent to those fixed in the
Annexes hereto.

Article 3

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

It shall apply with effect from 7 March 1988.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 373, 31. 12. 1987, p. 1.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing
7 March 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 (1)
	Live weight	Live weight
0104 10 90	59,170	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	125,893	0
0204 21 00	125,893	0
0204 50 11		0
0204 22 10	88,125	
0204 22 30	138,482	
0204 22 50	163,661	
0204 22 90	163,661	
0204 23 00	229,125	
0204 30 00	94,420	
0204 41 00	94,420	
0204 42 10	66,094	
0204 42 30	103,862	
0204 42 50	122,746	
0204 42 90	122,746	
0204 43 00	171,844	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	163,661	
0210 90 19	229,125	
1602 90 71		
— unboned (bone-in)	163,661	
— boned or boneless	229,125	

(1) Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 836/88

of 29 March 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 824/88⁽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 3006/87 of 7 October 1987 fixing for the 1987/88 marketing year the reference prices for artichokes⁽³⁾ fixed the reference price for products of class I at 78,03 ECU per 100 kilograms net for the period 1 January to 30 April 1988;

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 12,44 ECU per 100 kilograms net is applied to artichokes (code 0709 10 00 of the combined nomenclature) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 31 March 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ See page 5 of this Official Journal.

⁽³⁾ OJ No L 285, 8. 10. 1987, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 837/88

of 29 March 1988

abolishing the countervailing charge on fresh lemons originating in Spain
(except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 824/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 764/88⁽³⁾ introduced a countervailing charge on fresh lemons originating in Spain (except the Canary Islands);Whereas the present trend of prices for these products on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicates that the application of the first subparagraph of Article 26 (1) of Regulation (EEC) No 1035/72 would result in the countervailing charge being

fixed at zero; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁶⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 764/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 March 1988.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ See page 5 of this Official Journal.⁽³⁾ OJ No L 79, 24. 3. 1988, p. 22.⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.⁽⁶⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 838/88
of 29 March 1988
fixing the import levies on white sugar and raw sugar

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 3993/87⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2054/87⁽³⁾, as last amended by Regulation (EEC) No 804/88⁽⁴⁾;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 March 1988.

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

Done at Brussels, 29 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 192, 11. 7. 1987, p. 38.

⁽⁴⁾ OJ No L 81, 26. 3. 1988, p. 55.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 29 March 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	40,26 ⁽¹⁾
1701 11 90	40,26 ⁽¹⁾
1701 12 10	40,26 ⁽¹⁾
1701 12 90	40,26 ⁽¹⁾
1701 91 00	49,35
1701 99 10	49,35
1701 99 90	49,35

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 March 1988

concerning the establishment of overall quantities of food aid for 1988 and
establishing a list of products to be supplied as food aid

(88/189/EEC)

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

Having regard to Council Regulation (EEC) No 3972/86
of 22 December 1986 on food-aid policy and food-aid
management⁽¹⁾, as amended by Regulation (EEC) No
3785/87⁽²⁾, and in particular Article 15 thereof,

Having regard to Council Regulation (EEC) No 2658/87
of 23 July 1987 on the tariff and statistical nomenclature
and on the Common Customs Tariff⁽³⁾, and in particular
Article 15 thereof,

Whereas, in order to implement Regulation (EEC) No
3972/86, it is necessary to determine the total quantities
of each product to be supplied under the food-aid
operations and to establish the products involved;

Whereas with effect from 1 January 1988 Regulation
(EEC) No 2658/87 established on the basis of the
nomenclature of the harmonized system a combined
nomenclature of goods which will meet the requirements
of both the Common Customs Tariff and the external
trade statistics of the Community;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Food Aid Committee,

HAS DECIDED AS FOLLOWS:

Sole Article

1. The total quantities of each product to be supplied
under the 1988 food-aid programme to certain developing
countries and certain organizations are set out in Annex I.
2. The products which may be supplied as food aid are
listed in Annex II.

Done at Brussels, 16 March 1988.

For the Commission

Lorenzo NATALI

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.

⁽³⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX I

Quantities of food aid to be made available in 1988:

— Cereals

(a) an initial instalment of 927 700 tonnes

(b) a second instalment of up to 232 300 tonnes

— Milk powder

A maximum of 94 100 tonnes

— Butteroil

A maximum of 25 000 tonnes

— Sugar

A maximum of 11 000 tonnes

— Vegetable oil (seed oil and olive oil)

A maximum of 34 000 tonnes

— Other products

Quantities corresponding to not more than 291 262 tonnes of cereal equivalent.

ANNEX II

CN code	Description
0202	Meat of bovine animals, frozen
0210 20	Meat of bovine animals, salted, in brine, dried or salted
0305	Fish, dried, salted or in brine; smoked fish, whether or not cooked before or during the smoking process; fish meal fit for human consumption
ex 0402	Milk and cream, in powder, granules or other solid forms
ex 0405 00	Butteroil (as defined in Annex III to Regulation (EEC) No 1354/83 ⁽¹⁾)
0713	Dried leguminous vegetables, shelled, whether or not skinned or split
0806 20	Dried grapes
Chapter 10	Cereals
1101 00 00	Cereal flours
1102	
1103	Cereal groats, meal and pellets
1104	Cereal grains otherwise worked, except rice of CN code 1006; germ of cereals, whole, rolled, flaked or ground
1106 10 00	Flour and meal of the dried leguminous vegetables of CN code 0713
1509	Olive oils
ex 1507	Vegetable oils and their fractions, whether or not refined, but not chemically modified, for human consumption
ex 1508	
ex 1512	
ex 1513	
ex 1514	
ex 1515	
1602 50	Other prepared or preserved meat, meat offal or blood of bovine animals
ex 1604 13 to	Prepared or preserved fish: sardines, sardinella and brisling or sprats; tunas, skipjack and Atlantic bonito (<i>Sarda</i> spp.); mackerel; anchovies
1604 16 00	
1701	Cane or beet sugar and chemically pure sucrose, in solid form
ex 1901	Food preparations of flour, meal, etc., not elsewhere specified or included
ex 1902	Uncooked pasta, not stuffed or otherwise prepared
ex 1905	Sweet biscuits; waffles and wafers
2002	Tomatoes prepared or preserved otherwise than by vinegar or acetic acid
ex 2106 10	Food preparations not elsewhere specified or included: protein concentrates and textured protein substances derived from milk

⁽¹⁾ OJ No L 142, 1. 6. 1983, p. 1.

COMMISSION DECISION

of 17 March 1988

allocating to Portugal resources to be charged to the 1988 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(88/190/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽²⁾, as amended by Regulation (EEC) No 613/88⁽³⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾, and in particular Article 2 (3) thereof,

Whereas in order to implement the scheme for the supply of such food to that section of the population, to be financed from resources available in the 1988 budget year, it is necessary to allocate the resources between the Member States; whereas in order to facilitate the implementation of this scheme it is necessary to specify the rate of exchange to be employed in converting ECU into the national currency and to do so at a rate which reflects economic reality;

Whereas statistical data upon which the numbers of the most deprived persons in each Member State may be estimated is now available;

Whereas on 24 February 1988, Portugal requested Commission authorization to initiate the action on its territory and indicated the quantities of produce that it wished to distribute; whereas it is desirable to authorize this action and, subject to any further allocation pursuant

to the provisions of Article 4 (2) of Regulation 3744/87, to make a definitive allocation of resources for its implementation;

Whereas in accordance with the provisions of Article 1 (4) of Commission Regulation (EEC) No 3744/87 the Commission has sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. An allocation of the resources referred to in Article 10 of Commission Regulation No 3744/87 shall be made as follows:

— Portugal: 5 700 000 ECU

This sum shall be converted into national currency at the rate applicable on 4 January 1988 and published in the *Official Journal of the European Communities*, C series.

2. Subject to the limit set out in paragraph 1, the following quantities of produce may be withdrawn, from intervention, for distribution in Portugal:

- up to 650 tonnes of soft wheat,
- up to 350 tonnes of durum wheat,
- up to 350 tonnes of butter,
- up to 1 550 tonnes of beef.

3. The withdrawals referred to in paragraph 2 may be made from 17 March 1988.

Article 2

This Decision is addressed to the Member States.

It shall apply with effect from 15 December 1987.

Done at Brussels, 17 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽³⁾ OJ No L 60, 5. 3. 1988, p. 25.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION DECISION

of 22 March 1988

making an initial allocation to Greece of part of the resources to be charged to the 1988 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(88/191/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽²⁾, as amended by Regulation (EEC) No 613/88⁽³⁾, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁴⁾, as last amended by Regulation (EEC) No 1636/87⁽⁵⁾, and in particular Article 2 (4) thereof,

Whereas in order to implement the scheme for the supply of such food to that section of the population, to be financed from resources available in the 1988 budget year, it is necessary to allocate the resources between the Member States; whereas in order to facilitate the implementation of this scheme it is necessary to specify the rate of exchange to be employed in converting ECU into the national currency and to do so at a rate which reflects economic reality;

Whereas statistical data upon which the numbers of the most deprived persons in each Member State may be estimated is now available;

Whereas on 15 February 1988, Greece requested Commission authorization to initiate the action on its territory and indicated the quantities of produce that it wished to distribute; whereas the action has now been initiated in most Member States, whereas it is desirable to

initiate the scheme now in Greece by making an initial partial allocation;

Whereas in accordance with the provisions of Article 1 (4) of Commission Regulation (EEC) No 3744/87 the Commission has sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. An initial partial allocation of the resources referred to in Article 10 of Commission Regulation (EEC) No 3744/87 shall be made as follows:

— Greece: 1 900 000 ECU

This sum shall be converted into national currency at the rate applicable on 4 January 1988 and published in the *Official Journal of the European Communities*, C series.

2. Subject to the limit set out in paragraph 1, the following quantities of produce may be withdrawn, from intervention, for distribution in Greece:

— up to 700 tonnes of beef.

3. The withdrawals referred to in paragraph 2 may be made from 21 March 1988.

Article 2

A further decision shall be taken relating to the allocation of resources for Greece, once the requirements are known.

Article 3

This Decision is addressed to the Member States.

It shall apply with effect from 15 December 1987.

Done at Brussels, 22 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽³⁾ OJ No L 60, 5. 3. 1988, p. 25.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 153, 13. 6. 1987, p. 1.