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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 839/88
of 28 March 1988

**totally suspending certain customs duties applicable by the Community of Ten
to imports from Spain and Portugal**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 33 and 192 thereof,

Having regard to the proposal from the Commission,

Whereas it has been found that during the transitional period laid down by the Act of Accession certain customs duties applicable by the Community of Ten to imports from Spain and Portugal fall to a level such that their collection becomes unjustified from an economic point of view; whereas their collection should therefore be totally suspended as soon as their level falls to 2 % or less,

HAS ADOPTED THIS REGULATION:

Article 1

1. The collection of customs duties applicable in the Community of Ten pursuant to the Act of Accession of

Spain and Portugal to the following products, imported from Spain and Portugal, shall be totally suspended as soon as they fall to the level of 2 % or less:

- products listed in Annex II to the Treaty as far as they are the subject of Council Regulation (EEC) No 3796/81 of 29 December 1981 on the common organization of the market in fishery products⁽¹⁾, as last amended by Regulation (EEC) No 2315/86⁽²⁾,
- products not listed in Annex II to the Treaty.

2. Paragraph 1 shall apply *mutatis mutandis* to specific customs duties which do not exceed 2 % *ad valorem*.

Article 2

This Regulation shall enter into force on 1 July 1988.

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

Done at Brussels, 28 March 1988.

For the Council

The President

I. KIECHLE

⁽¹⁾ OJ No L 379, 31. 12. 1981, p. 1.

⁽²⁾ OJ No L 202, 25. 7. 1986, p. 1.

COUNCIL REGULATION (EEC) No 840/88

of 28 March 1988

amending Regulation (EEC) No 775/87 temporarily withdrawing a proportion of the reference quantities referred to in Article 5c (1) of Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COUNCIL 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 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 775/87⁽³⁾ provides for the temporary withdrawal of a uniform proportion of each reference quantity mentioned in Article 5c (1) of Regulation (EEC) No 804/68 so that the total quantity withdrawn is equal to 4 % for the fourth period of the additional levy arrangements, and 5,5 % for the fifth period, of the guaranteed total quantity for each Member State, provided for in Article 5c (3) of Regulation (EEC) No 804/68 ;

Whereas Article 2 of Regulation (EEC) No 775/87 provides for the payment of compensation to producers for quantities withdrawn ; whereas for administrative reasons the period during which the compensation must be paid by the national authorities should be extended,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 775/87 is hereby amended as follows :

In the first and second indents of the second subparagraph of Article 2 (1), 'three months' is replaced by 'six months'.

*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, 28 March 1988.

*For the Council**The President*

I. KIECHLE

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.⁽³⁾ OJ No L 78, 20. 3. 1987, p. 5.

COUNCIL REGULATION (EEC) No 841/88**of 28 March 1988****amending Regulation (EEC) No 1336/86 fixing compensation for the definitive discontinuation of milk production**

THE COUNCIL 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 5c (6) thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 (5) of Regulation (EEC) No 1336/86⁽³⁾, as last amended by Regulation (EEC) No 776/87⁽⁴⁾, specified that where the payment of compensation of at least 6 ECU to all those entitled for discontinuing milk production does not permit the required reductions to be achieved, unutilized Community funds are to be paid to producers whose reference quantities are reduced; whereas account should be taken of cases where, having regard to the economic and structural situation of milk production in a Member State, it may be necessary also to

allocate funds to the financing of the restructuring measures provided for in the first indent of the second subparagraph of Article 2 (5) of the said Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is added to Article 2 (5) of Regulation (EEC) No 1336/86:

'However, in the case referred to the second indent of the first subparagraph, the portion of the amounts available may also be utilized under the conditions laid down in the first indent of the second subparagraph, if it proves necessary in view of the economic and structural situation of milk production in a Member State.'

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, 28 March 1988.

For the Council

The President

I. KIECHLE

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.

⁽³⁾ OJ No L 119, 8. 5. 1986, p. 21.

⁽⁴⁾ OJ No L 78, 20. 3. 1987, p. 8.

COUNCIL REGULATION (EEC) No 842/88**of 28 March 1988****amending Regulation (EEC) No 985/68 laying down general rules for
intervention on the market in butter and cream**

THE COUNCIL 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 (6) thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 985/68⁽³⁾, as last amended by Regulation (EEC) No 3466/87⁽⁴⁾, provides that butter bought in by intervention agencies must meet certain requirements; whereas one of those requirements is that butter must be graded top quality in the Member State where it is produced; whereas the grade of that butter in Luxembourg may be 'Marque Rose' or 'Beurre de

première qualité'; whereas the grade name in Article 1 of the said Regulation should accordingly be supplemented,

HAS ADOPTED THIS REGULATION:

Article 1

The seventh indent of Article 1 (3) (b) of Regulation (EEC) No 985/68 is hereby replaced by the following:

— graded "Marque Rose" or "Beurre de première qualité" as regards Luxembourg butter,

*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, 28 March 1988.

*For the Council**The President*

I. KIECHLE

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.⁽⁴⁾ OJ No L 329, 20. 11. 1987, p. 8.

COMMISSION REGULATION (EEC) No 843/88**of 30 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 29 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 31 March 1988.

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

Done at Brussels, 30 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 30 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	258,78 ⁽¹⁾ ⁽²⁾
1001 10 90	68,97	258,78 ⁽¹⁾ ⁽²⁾
1001 90 91	7,92	188,85
1001 90 99	7,92	188,85
1002 00 00	47,51	166,45 ⁽⁴⁾
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 ⁽²⁾ ⁽³⁾
1005 90 00	12,29	172,60 ⁽²⁾ ⁽³⁾
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 ⁽²⁾
1008 90 10	(7)	(7)
1008 90 90	41,19	62,87
1101 00 00	25,17	279,15
1102 10 00	82,12	247,79
1103 11 10	119,84	414,78
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 844/88

of 30 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 29 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 31 March 1988.

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

Done at Brussels, 30 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 30 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 845/88
of 30 March 1988
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice and broken rice were
fixed by Commission Regulation (EEC) No 4042/87 ⁽⁴⁾, as
last amended by Regulation (EEC) No 792/88 ⁽⁵⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 4042/87 to today's
offer prices and quotations known to the Commission
that the levies at present in force should be altered to the
amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in
Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76
shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1988.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 378, 31. 12. 1987, p. 88.

⁽⁵⁾ OJ No L 81, 26. 3. 1988, p. 35.

ANNEX

to the Commission Regulation of 30 March 1988 fixing the import levies on rice and broken rice

(ECU / tonne)

CN Code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²) (³)	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	322,02	157,41	—
1006 10 99	—	294,18	143,49	220,64
1006 20 10	—	402,52	197,66	—
1006 20 90	—	367,72	180,26	275,79
1006 30 11	13,05	530,94	253,54	—
1006 30 19	12,97	598,32	287,27	448,74
1006 30 91	13,90	565,46	270,38	—
1006 30 99	13,90	641,40	308,35	481,05
1006 40 00	0,00	162,87	78,43	—

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

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

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

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

COMMISSION REGULATION (EEC) No 846/88

of 30 March 1988

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 3990/87⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2604/87⁽³⁾, as last amended by Regulation (EEC) No 793/88⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.

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

Article 2

This Regulation shall enter into force on 1 April 1988.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.⁽³⁾ OJ No L 245, 29. 8. 1987, p. 39.⁽⁴⁾ OJ No L 81, 26. 3. 1988, p. 37.⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 March 1988 fixing the premiums to be added to the import levies on rice and broken rice

CN Code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 7
1006 10 91	0	0	0	—
1006 10 99	0	0	0	—
1006 20 10	0	0	0	—
1006 20 90	0	0	0	—
1006 30 11	0	0	0	—
1006 30 19	0	0	0	—
1006 30 91	0	0	0	—
1006 30 99	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 847/88**of 30 March 1988****fixing the import levies on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3989/87⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 3990/87⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No 1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than 3,02 ECU per tonne from the average of the levies calculated as described above;

Whereas in accordance with Article 5 of Regulation (EEC) No 2744/75 and Article 2 of Regulation (EEC) No 1579/74, the levy on certain processed products must be reduced by an amount equal to the production refund granted in respect of basic products for processing; whereas Commission Regulation (EEC) No 1921/75⁽⁹⁾, as amended by Regulation (EEC) No 2415/75⁽¹⁰⁾, laid down certain transitional measures in respect of starches;

Whereas the fixed component of the levy is specified in Regulation (EEC) No 2744/75; whereas, in accordance with Council Regulation (EEC) No 2742/75⁽¹¹⁾, as last amended by Regulation (EEC) No 3794/85⁽¹²⁾, the variable component of the levy on certain processed products must be reduced by the incidence of the production refund granted in respect of basic products intended for processing;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of Council Regulation (EEC) No 486/85 of 26 February 1985 on the

⁽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 281, 1. 11. 1975, p. 65.

⁽⁶⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁷⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁸⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁹⁾ OJ No L 195, 26. 7. 1975, p. 25.

⁽¹⁰⁾ OJ No L 247, 23. 9. 1975, p. 22.

⁽¹¹⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽¹²⁾ OJ No L 367, 31. 12. 1985, p. 20.

gements 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 amended by Regulation (EEC) No 1821/87 ⁽²⁾;

Whereas, in respect of products falling within subheading 07.06 A of the Common Customs Tariff, Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within subheading 07.06 A of the Common Customs Tariff coming from third countries and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾ lays down the terms on which the import levy may be charged at 6 % *ad valorem*; whereas account should be taken of the introduction on 1 January 1988 of the new tariff nomenclature laid down by Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽⁴⁾ and to that end former subheading 07.06 A should be replaced by the corresponding subheadings 0714 10 90 and 0714 90 10 of the new nomenclature;

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 Council Regulation (EEC) No 1676/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾,

- 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75, shall be as set out 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, 30 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 43, 13. 2. 1987, p. 9.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 March 1988 fixing the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
0714 10 10	46,21	179,23 (1)	174,40 (1) (2)
0714 10 90	43,19	176,21 (1)	174,40 (1) (2)
0714 90 10	43,19	176,21 (1)	174,40 (1) (2)
1102 20 10 (2)	31,76	317,08	311,04
1102 20 90 (2)	17,60	179,28	176,26
1102 30 00 (2)	3,02	175,38	172,36
1102 90 10 (2)	83,78	323,22	317,18
1102 90 30 (2)	185,54	267,17	261,13
1102 90 90 (2)	41,59	185,54	182,52
1103 12 00 (2)	185,54	267,17	261,13
1103 13 11 (2)	31,76	299,08	293,04
1103 13 19 (2)	31,76	317,08	311,04
1103 13 90 (2)	17,60	179,28	176,26
1103 14 00 (2)	3,02	175,38	172,36
1103 19 10 (2)	95,16	308,93	302,89
1103 19 30 (2)	83,78	323,22	317,18
1103 19 90 (2)	41,59	185,54	182,52
1103 21 00 (2)	23,01	349,46	343,42
1103 29 10 (2)	95,16	308,93	302,89
1103 29 20 (2)	83,78	323,22	317,18
1103 29 30 (2)	185,54	267,17	261,13
1103 29 40 (2)	31,76	317,08	311,04
1103 29 50 (2)	3,02	175,38	172,36
1103 29 90 (2)	41,59	185,54	182,52
1104 11 10 (2)	47,07	182,75	179,73
1104 11 90 (2)	92,42	358,46	352,42
1104 12 10 (2)	104,73	150,99	147,97
1104 12 90 (2)	205,48	296,18	290,14
1104 19 10 (2)	23,01	349,46	343,42
1104 19 30 (2)	95,16	308,93	302,89
1104 19 50 (2)	31,76	317,08	311,04
1104 19 91 (2)	6,04	298,72	292,68
1104 19 99 (2)	74,10	328,13	322,09
1104 21 10 (2)	72,12	284,96	281,94
1104 21 30 (2)	72,12	284,96	281,94
1104 21 50 (2)	114,02	446,57	440,53
1104 21 90 (2)	47,07	182,75	179,73
1104 22 10 (2)	182,52	264,15	261,13
1104 22 30 (2)	182,52	264,15	261,13
1104 22 50 (2)	162,57	235,13	232,11
1104 22 90 (2)	104,73	150,99	147,97
1104 23 10 (2)	25,88	279,50	276,48
1104 23 30 (2)	25,88	279,50	276,48
1104 23 90 (2)	17,60	179,28	176,26

CN code	Import levies (ECU/tonne)		
	Portugal	Third countries (other than ACP or OCT)	ACP or OCT
1104 29 10*10 (?) (?)	15,56	256,77	253,75
1104 29 10*20 (?) (?)	68,87	226,82	223,80
1104 29 10*30 (?) (?)	63,52	289,32	286,30
1104 29 10*40 (?) (?)	63,52	289,32	286,30
1104 29 10*90 (?) (10)	63,52	289,32	286,30
1104 29 30*10 (?) (?)	18,11	308,28	305,26
1104 29 30*20 (?) (?)	82,24	272,25	269,23
1104 29 30*30 (?) (?)	63,52	289,32	286,30
1104 29 30*40 (?) (?)	63,52	289,32	286,30
1104 29 30*90 (?) (10)	63,52	289,32	286,30
1104 29 91 (?)	12,64	197,63	194,61
1104 29 95 (?)	53,52	174,66	171,64
1104 29 99 (?)	41,59	185,54	182,52
1104 30 10	13,11	149,13	143,09
1104 30 90	16,76	135,64	129,60
1106 20 10	46,21	179,23	172,58 (?)
1106 20 91	43,56	282,66	258,48 (?)
1106 20 99	43,56	298,76	274,58 (?)
1107 10 11	27,67	350,49	339,61
1107 10 19	23,42	264,63	253,75
1107 10 91	87,76	324,53 (?)	313,65
1107 10 99	68,32	245,24	234,36
1107 20 00	77,82	284,01 (?)	273,13
1108 11 00	41,30	409,49	388,94
1108 12 00	43,56	282,66	262,11
1108 13 00	43,56	282,66	262,11
1108 14 00	43,56	282,66	131,05 (?)
1108 19 10	30,83	259,74	228,91
1108 19 90	43,56	282,66	131,05
1109 00 00	219,06	888,50	707,16
1702 30 91 (?)	126,73	438,60	341,88
1702 30 99 (?)	89,50	328,60	262,11
1702 40 90 (?)	89,50	328,60	262,11
1702 90 50 (?)	89,50	328,60	262,11
1702 90 75	128,16	454,88	358,16
1702 90 79	88,35	315,57	249,08
2106 90 55	89,50	328,60	262,11
2302 10 10	15,37	81,57	75,57
2302 10 90	26,07	167,94	161,94
2302 20 10	15,37	81,57	75,57
2302 20 90	26,07	167,94	161,94
2302 30 10	15,37	81,57	75,57
2302 30 90	26,07	167,94	161,94
2302 40 10	15,37	81,57	75,57
2302 40 90	26,07	167,94	161,94
2303 10 11	209,92	506,94	325,60

- (¹) This levy is limited to 6 % of the value for customs purposes, subject to certain conditions.
- (²) For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:
- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
 - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.
- (³) Pursuant to Regulation (EEC) No 2730/75 the products falling within subheadings 1702 30 51 and 1702 30 59 are subject to the same levy as products falling within subheading 1702 30 91 and 1702 30 99.
- (⁴) In accordance with Regulation (EEC) No 1180/77 this levy is reduced by 5,44 ECU/tonne for products originating in Turkey.
- (⁵) In accordance with Regulation (EEC) No 486/85 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States and in the overseas countries and territories:
- arrow-root falling within subheading 0714 90 10,
 - flours and meal of arrow-root falling within subheading 1106 20,
 - arrow-root starch falling within subheading 1108 19 90.
- (⁶) Taric code : wheat.
- (⁷) Taric code : rye.
- (⁸) Taric code : millet.
- (⁹) Taric code : sorghum.
- (¹⁰) Taric code : others.
-

COMMISSION REGULATION (EEC) No 848/88

of 30 March 1988

fixing the import levies on compound feedingstuffs

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 14 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas the levy thus determined, increased by the fixed component, is valid for one month; whereas the amount of the fixed component of the levy is laid down in Article 6 of Regulation (EEC) No 2743/75;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States and of the overseas countries and territories, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 12 of 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⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87⁽⁶⁾;

Whereas, pursuant to Article 272 of the Act of Accession, the Community as constituted at 31 December 1985 must, in the case of products specified in Article 1 of Regulation (EEC) No 2727/75 and in Article 1 of Council Regulation (EEC) No 1418/76⁽⁷⁾, as last amended by Regulation (EEC) No 3990/87⁽⁸⁾, which are imported from Portugal, apply the arrangements which were applicable in respect of Portugal before accession; whereas, under Article 4 of Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁹⁾, the same arrangements are to be applied in the case of Spain; whereas a levy should be applied pursuant to those arrangements and whereas that levy should be calculated in accordance with the rules laid down in Commission Regulation 156/67/EEC⁽¹⁰⁾, as last amended by Regulation (EEC) No 31/76⁽¹¹⁾, and taking into account the situation with regard to market prices in Portugal; and whereas, in the case of imports into Spain the accession compensatory amount applicable to trade between Spain and the Community as constituted at 31 December 1985 should be deducted from the levy;

Whereas Council Regulation (EEC) No 2658/87⁽¹²⁾ 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, 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 Council Regulation (EEC) No 1676/85⁽¹³⁾, as last amended by Regulation (EEC) No 1636/87⁽¹⁴⁾,

⁽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. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 61, 26. 2. 1986, p. 4.

⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁸⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽⁹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽¹⁰⁾ OJ No L 128, 27. 6. 1967, p. 2533/67.

⁽¹¹⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽¹²⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the import levies on compound feedingstuffs

(ECU / tonne)

CN code	Levies		
	Portugal	Third countries (other than ACP and OCT)	ACP and OCT
2309 10 11	10,88	38,53	27,65
2309 10 13	10,88	652,63	641,75
2309 10 31	10,88	97,28	86,40
2309 10 33	10,88	711,38	700,50
2309 10 51	10,88	183,68	172,80
2309 10 53	10,88	797,78	786,90
2309 90 31	10,88	38,53	27,65
2309 90 33	10,88	652,63	641,75
2309 90 41	10,88	97,28	86,40
2309 90 43	10,88	711,38	700,50
2309 90 51	10,88	183,68	172,80
2309 90 53	10,88	797,78	786,90

COMMISSION REGULATION (EEC) No 849/88**of 29 March 1988****establishing unit values for the determination of the customs value of certain perishable goods**

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 Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods ⁽¹⁾, as last amended by Regulation (EEC) No 3773/87 ⁽²⁾, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table 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, 29 March 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	40,48	1 754	321,08	83,82	284,58	6 703	31,35	62 028	94,16	27,25
1.20	0702 00 10 0702 00 90	Tomatoes	112,35	4 870	891,15	232,66	789,86	18 604	87,03	172 158	261,35	75,64
1.30	0703 10 19	Onions (other than sets)	16,04	695	127,28	33,23	112,81	2 657	12,43	24 590	37,33	10,80
1.40	0703 20 00	Garlic	179,39	7 777	1 422,89	371,49	1 261,15	29 704	138,96	274 882	417,30	120,78
1.50	ex 0703 90 00	Leeks	32,90	1 425	260,35	68,05	231,85	5 476	25,46	50 535	76,51	22,13
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	24,64	1 063	194,92	50,89	171,59	4 055	19,14	37 482	57,16	17,15
1.70	0704 20 00	Brussels sprouts	44,76	1 931	355,63	92,23	312,60	7 362	34,82	68 116	103,74	31,19
1.80	0704 90 10	White cabbages and red cabbages	22,70	980	179,18	46,90	158,67	3 757	17,60	34 562	52,66	15,66
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	181,70	7 877	1 441,20	376,27	1 277,38	30 087	140,75	278 419	422,67	122,34
1.100	ex 0704 90 90	Chinese cabbage	93,66	4 060	742,89	193,95	658,44	15 508	72,55	143 515	217,87	63,06
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	90,46	3 921	717,52	187,33	635,96	14 979	70,07	138 615	210,43	60,90
1.120	ex 0705 29 00	Endives	55,52	2 406	440,36	114,97	390,30	9 193	43,00	85 071	129,14	37,38
1.130	ex 0706 10 00	Carrots	25,87	1 121	205,18	53,57	181,86	4 283	20,04	39 639	60,17	17,41
1.140	ex 0706 90 90	Radishes	71,77	3 111	569,29	148,63	504,58	11 884	55,60	109 980	166,96	48,32
1.150	0707 00 11 0707 00 19	Cucumbers	74,96	3 249	594,56	155,23	526,98	12 412	58,06	114 861	174,37	50,47
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	142,33	6 170	1 128,89	294,73	1 000,57	23 567	110,25	218 086	331,08	95,83
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna spp.</i> , <i>Phaseolus spp.</i>)	191,06	8 282	1 515,41	395,64	1 343,16	31 636	148,00	292 756	444,44	128,64
1.180	ex 0708 90 00	Broad beans	57,72	2 502	457,85	119,53	405,81	9 558	44,71	88 450	134,27	38,86
1.190	0709 10 00	Globe artichokes	87,27	3 783	692,19	180,71	613,51	14 450	67,60	133 721	203,00	58,75
1.200		Asparagus										
1.200.1	ex 0709 20 00	— green	295,05	12 791	2 340,24	610,99	2 074,24	48 856	228,56	452 102	686,34	198,65
1.200.2	ex 0709 20 00	— other	415,02	17 991	3 291,71	859,40	2 917,55	68 719	321,49	635 911	965,39	279,42
1.210	0709 30 00	Aubergines (egg-plants)	101,22	4 388	802,83	209,60	711,58	16 760	78,41	155 096	235,45	68,15
1.220	ex 0709 40 00	Celery stalks and leaves	42,02	1 821	333,33	87,02	295,44	6 958	32,55	64 395	97,75	28,29
1.230	0709 51 30	Chantarelles	380,81	16 444	3 035,75	791,09	2 634,74	60 745	294,66	570 911	890,27	264,14
1.240	0709 60 10	Sweet peppers	130,03	5 637	1 031,39	269,28	914,16	21 531	100,73	199 251	302,48	87,55
1.250	0709 90 50	Fennel	25,32	1 097	200,82	52,43	177,99	4 192	19,61	38 796	58,89	17,04
1.260	0709 90 70	Courgettes	31,41	1 362	249,20	65,06	220,87	5 202	24,33	48 141	73,08	21,15
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	86,60	3 752	685,31	179,12	610,30	14 416	67,02	133 023	201,41	58,26
2.10	ex 0802 40 00	Chestnuts (<i>Castanea spp.</i>), fresh	50,95	2 199	403,00	105,23	354,76	8 384	39,58	77 493	118,17	35,46
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	54,06	2 343	428,77	111,94	380,03	8 951	41,87	82 833	125,75	36,39
2.30	ex 0804 30 00	Pineapples, fresh	48,62	2 108	385,70	100,70	341,86	8 052	37,67	74 512	113,11	32,74
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	148,67	6 445	1 179,21	307,87	1 045,17	24 617	115,16	227 806	345,83	100,10
2.50	ex 0804 50 00	Guavas and mangoes, fresh	195,58	8 479	1 551,29	405,01	1 374,96	32 385	151,51	299 687	454,96	131,68
2.60		Sweet oranges, fresh:										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	43,27	1 875	343,20	89,60	304,19	7 164	33,51	66 302	100,65	29,13

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	39,05	1 693	309,75	80,87	274,54	6 466	30,25	59 840	90,84	26,29
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	38,56	1 670	305,14	79,75	271,74	6 418	29,84	59 230	89,68	25,94
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	Clementines	91,01	3 945	721,88	188,47	639,83	15 070	70,50	139 458	211,71	61,27
2.70.2	ex 0805 20 30	Monreales and Satsumas	55,73	2 416	442,03	115,40	391,79	9 228	43,17	85 394	129,64	37,52
2.70.3	ex 0805 20 50	Mandarins and Wilkings	74,27	3 220	589,12	153,81	522,16	12 298	57,53	113 810	172,77	50,01
2.70.4	ex 0805 20 70 ex 0805 20 90	Tangerines and others	76,40	3 312	605,98	158,21	537,10	12 650	59,18	117 067	177,72	51,44
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	38,22	1 656	303,14	79,14	268,68	6 328	29,60	58 562	88,90	25,73
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	136,05	5 898	1 079,14	281,74	956,48	22 528	105,39	208 475	316,49	91,60
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	39,19	1 699	310,87	81,16	275,53	6 489	30,36	60 055	91,17	26,38
2.90.2	ex 0805 40 00	— pink	53,28	2 310	422,64	110,34	374,60	8 823	41,27	81 649	123,95	35,87
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	119,93	5 199	951,26	248,35	843,14	19 859	92,90	183 771	278,98	80,75
2.110	0807 10 10	Water-melons	28,08	1 212	224,02	57,91	196,89	4 556	21,77	42 751	65,15	19,38
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Röchet, Tendral	75,26	3 262	596,95	155,85	529,09	12 462	58,30	115 322	175,07	50,67
2.120.2	ex 0807 10 90	— Other	156,62	6 789	1 242,24	324,32	1 101,04	25 933	121,32	239 984	364,32	105,45
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	61,09	2 648	484,59	126,51	429,51	10 116	47,32	93 617	142,12	41,13
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	64,75	2 807	513,56	134,08	455,19	10 721	50,15	99 214	150,61	43,59
2.150	0809 10 00	Apricots	121,16	5 229	958,33	250,23	843,61	19 937	94,12	184 276	281,02	84,33
2.160	0809 20 10 0809 20 90	Cherries	115,53	4 978	911,55	240,12	799,31	18 105	89,61	173 756	270,27	80,21
2.170	ex 0809 30 00	Peaches	187,59	8 132	1 487,87	388,45	1 318,75	31 061	145,31	287 436	436,36	126,30
2.180	ex 0809 30 00	Nectarines	146,80	6 364	1 164,37	303,99	1 032,02	24 308	113,72	224 940	341,48	98,84
2.190	0809 40 11 0809 40 19	Plums	121,83	5 281	966,29	252,28	856,45	20 172	94,37	186 673	283,39	82,02
2.200	0810 10 10 0810 10 90	Strawberries	180,09	7 807	1 428,44	372,94	1 266,07	29 820	139,51	275 954	418,93	121,25
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>)	155,23	6 688	1 240,23	322,25	1 074,37	24 633	120,26	232 567	362,70	108,08
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	120,90	5 241	958,97	250,37	849,97	20 019	93,66	185 260	281,24	81,40
2.230	ex 0810 90 90	Pomegranates	51,26	2 213	406,77	105,84	357,82	8 456	39,85	77 884	118,89	35,56
2.240	ex 0810 90 90	Khakis	89,66	3 884	709,47	185,44	631,81	14 924	69,38	137 712	208,51	60,31
2.250	ex 0810 90 90	Lychees	179,04	7 761	1 420,05	370,75	1 258,64	29 645	138,69	274 333	416,47	120,54

COMMISSION REGULATION (EEC) No 850/88
of 30 March 1988
fixing the specific levies on beef and veal from Portugal

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

Having regard to the Act of Accession of Spain and Portugal and in particular Article 272 thereof,

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 Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 552/88 ⁽⁴⁾, lays down detailed implementing rules and fixes the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

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, 30 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 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 54, 1. 3. 1988, p. 36.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

ANNEX

Special levies on imports of beef and veal from Portugal

CN code	(ECU/100 kg)
	Amount of the special levies
0102 90 10	31,20
0102 90 31	31,20
0102 90 33	31,20
0102 90 35	31,20
3102 90 37	31,20
0201 10 10	58,87
0201 10 90	58,87
0201 20 11	58,87
0201 20 19	58,87
0201 20 31	47,10
0201 20 39	47,10
0201 20 51	70,64
0201 20 59	70,64
0201 20 90	88,31
0201 30	101,26
0202 10 00	52,98
0202 20 10	52,98
0202 20 30	42,39
0202 20 50	65,93
0202 20 90	79,47
0202 30 10	65,93
0202 30 50	65,93
0202 30 90	91,25
0206 10 95	101,26
0206 29 91	91,25
0210 20 10	88,31
0210 20 90	101,26
0210 90 41	101,26
0210 90 90	101,26
1602 50 10	101,26
1602 90 61	101,26

COMMISSION REGULATION (EEC) No 851/88

of 30 March 1988

fixing 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 Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 4055/87 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by the Act of Accession ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 262/79 of 12 February 1979 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 665/86 ⁽⁸⁾, Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83 ⁽⁹⁾, as last amended by Regulation (EEC) No 698/86 ⁽¹⁰⁾, and Commission Regulation (EEC) No 1932/81 of 13 July 1981 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽¹¹⁾, as last amended by Regulation (EEC) No 698/86, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹²⁾ has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 78, 23. 3. 1988, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 41, 16. 2. 1979, p. 1.

⁽⁸⁾ OJ No L 66, 8. 3. 1986, p. 38.

⁽⁹⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽¹⁰⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽¹¹⁾ OJ No L 191, 14. 7. 1981, p. 6.

⁽¹²⁾ OJ No L 256, 7. 9. 1987, p. 1.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

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, 30 March 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)		
CN code	Description	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	220,00
	c) On exportation of other goods	208,00

COMMISSION REGULATION (EEC) No 852/88

of 30 March 1988

fixing the rates of the refunds applicable to certain cereal and rice 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 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 first sentence of the
fourth subparagraph of Article 16 (2) thereof,

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

Whereas Article 16 (1) of Regulation (EEC) No 2727/75
and Article 17 (1) of Regulation (EEC) No 1418/76
provides that the difference between quotations of prices
on the world market for the products listed in Article 1 of
each of those Regulations and the prices within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11
November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds ⁽⁵⁾, as last amended by Regulation (EEC) No
4055/87 ⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80
provides that, when the rate of the refunds is being fixed,
account should be taken, where appropriate, of produc-
tion refunds, aids or other measures having equivalent
effect applicable in all Member States in accordance with
the Regulation on the common organization of the
market in the product in question to the basic products
listed in Annex A to that Regulation or to assimilated
products; whereas such production refunds are granted
under the conditions laid down in Council Regulation
(EEC) No 2742/75 of 29 October 1975 on production
refunds in the cereals and rice sectors ⁽⁷⁾, as last amended
by Regulation (EEC) No 3794/85 ⁽⁸⁾, and Council Regula-
tion (EEC) No 1009/86 of 25 March 1986 establishing
general rules applying to production refunds in the
cereals and rice sector ⁽⁹⁾;

Whereas account should be taken, for the purposes of
Article 4 (3) of Regulation (EEC) No 3035/80, of the
production refund provided for in Regulation (EEC) No
2742/75 applicable during the month in which exporta-
tion occurs; whereas, moreover, in the absence of
evidence that no production refund was granted under
Regulation (EEC) No 1009/86 the export refund should
be further reduced by the amount of the production
refund applicable on the day of acceptance of the export
declaration; whereas this system is the only one which
discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4
March 1980 on the advance payment of export refunds in
respect of agricultural products ⁽¹⁰⁾, as last amended by

⁽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 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.

⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.

⁽⁹⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

Regulation (EEC) No 2026/83 ⁽¹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽²⁾ lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽³⁾, it is necessary to differentiate the refund on goods falling within subheadings 1902 11 00 and 1902 19 of the combined nomenclature according to their destination;

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

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 30 March 1988 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	13,150 16,235
1001 90 99	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	10,411 9,567 11,811
1002 00 00	Rye	10,025
1003 00 90	Barley	12,982
1004 00 90	Oats	11,767
1005 90 00	Maize, other than hybrid maize for sowing : — For the manufacture of starch — Other than for the manufacture of starch	11,684 12,684
1006 20 10	Round grain husked rice	40,219
1006 20 90	Long grain husked rice	36,065
1006 30 91	Round grain wholly milled rice	51,895
1006 30 99	Long grain wholly milled rice	52,268
1006 40 00	Broken rice : — For the manufacture of starch — Other than for the manufacture of starch	15,060 16,260
1007 00 90	Sorghum	8,052
1101 00 00	Wheat or meslin flour : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	11,321 13,977
1102 10 00	Rye flour	22,551
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	20,383 25,164
1103 11 90	Common wheat groats and meal : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	11,321 13,977

COMMISSION REGULATION (EEC) No 853/88
of 30 March 1988

fixing the rates of the refunds applicable to certain products from the sugar sector 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 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3993/87⁽²⁾ and in particular Article 19 (4) (a) and (7) thereof;

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 4055/87⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾ provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within subheadings ex 1702 60 90 and ex 1702 90 90 of the combined nomenclature having a certain purity, and unprocessed isoglucose falling within subheadings 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁶⁾, as last amended by Regulation (EEC) No 2026/83⁽⁷⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁸⁾, as last amended by Regulation (EEC) No 471/87⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽⁹⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

(2) For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

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, 30 March 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	42,05
	Raw sugar:	36,46
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$42,05 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose ⁽²⁾ :	42,05 ⁽³⁾

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 854/88

of 30 March 1988

fixing the export refunds on white sugar and raw sugar exported in the natural state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of

2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1467/77⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas, following the introduction of the 'combined nomenclature' by Council Regulation (EEC) No 2658/87⁽¹⁰⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (CEE) No 3846/87⁽¹¹⁾;

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

(1) OJ No L 177, 1. 7. 1981, p. 4.

(2) OJ No L 377, 31. 12. 1987, p. 23.

(3) OJ No L 143, 25. 6. 1968, p. 6.

(4) OJ No L 167, 26. 6. 1976, p. 13.

(5) OJ No L 89, 10. 4. 1968, p. 3.

(6) OJ No L 50, 4. 3. 1970, p. 1.

(7) OJ No L 162, 1. 7. 1977, p. 6.

(8) OJ No L 164, 24. 6. 1985, p. 1.

(9) OJ No L 153, 13. 6. 1987, p. 1.

(10) OJ No L 256, 7. 9. 1987, p. 1.

(11) 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 Sugar,

exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and

Article 2

This Regulation shall enter into force on 31 March 1988.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the export refunds on white sugar and raw sugar exported in the natural state

Product code	(ECU) Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	38,87 ⁽¹⁾	0,4226
1701 11 90 300		
1701 11 90 500	36,42 ⁽¹⁾	
1701 11 90 900	⁽²⁾	0,4226
1701 12 90 100	38,87 ⁽¹⁾	
1701 12 90 300		
1701 12 90 500	36,42 ⁽¹⁾	0,4226
1701 12 90 900	⁽²⁾	
1701 91 00 000		
1701 99 10 100	42,26	
1701 99 10 900	41,16	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 855/88

of 30 March 1988

fixing the export refunds on syrups and certain other sugar products exported in the natural state

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 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 1702 30 91 of the combined nomenclature and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;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, 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⁽¹¹⁾, as last amended by Regulation (EEC) No 1636/87⁽¹²⁾;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.⁽¹⁰⁾ OJ No L 366, 24. 12. 1987, p. 1.⁽¹¹⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽¹²⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given 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 situa-

tion 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out 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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		42,05
1702 60 10 000		42,05
1702 60 90 000	0,4205	
1702 90 30 000		42,05
1702 90 60 000	0,4205	
1702 90 71 000	0,4205	
1702 90 90 900	0,4205	
2106 90 30 000		42,05
2106 90 59 000	0,4205	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70).
Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

COMMISSION REGULATION (EEC) No 856/88

of 30 March 1988

fixing the import levies on syrups and certain other products in the sugar sector

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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 3989/87⁽⁶⁾, for the fixing of the import levy on the products falling within subheadings 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50 of the combined nomenclature, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas Council Regulation (EEC) No 2658/87⁽⁷⁾ 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, 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 Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 377, 31. 12. 1987, p. 1.

⁽⁷⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4935	—
1702 20 90	0,4935	—
1702 30 10	—	59,02
1702 40 10	—	59,02
1702 60 10	—	59,02
1702 60 90	0,4935	—
1702 90 30	—	59,02
1702 90 60	0,4935	—
1702 90 71	0,4935	—
1702 90 90	0,4935	—
2106 90 30	—	59,02
2106 90 59	0,4935	—

COMMISSION REGULATION (EEC) No 857/88

of 30 March 1988

fixing the production refund for white sugar used in the chemical industry

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 9 (6) thereof,

Whereas under Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾ establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in

respect of the production refund for sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 3834/86⁽⁵⁾, specifies the method to be used for establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at 41,952 ECU for three months from 1 April to 30 June 1988.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 April 1988.

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

Done at Brussels, 30 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 94, 9. 4. 1986, p. 9.⁽⁴⁾ OJ No L 356, 17. 12. 1986, p. 13.⁽⁵⁾ OJ No L 179, 3. 7. 1986, p. 20.

COMMISSION REGULATION (EEC) No 858/88

of 30 March 1988

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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, in accordance with Article 303 of the Act of Accession of Spain and Portugal, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 541/88 ⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ 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 the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (subheadings 1701 11 10 and 1701 12 10 of the combined nomenclature) is fixed for this quality type at 28,96 ECU/100 kg.

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, 30 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 54, 1. 3. 1988, p. 12.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

COMMISSION REGULATION (EEC) No 859/88

of 30 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 28 and 29 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 2

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

Article 1

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

Article 3

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, 30 March 1988.

For the Commission

Frans ANDRIËSEN

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 860/88

of 30 March 1988

fixing the export refunds on olive oil

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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations (EEC) No 1650/86 and (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appro-

priate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries 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⁽⁶⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87⁽⁷⁾;

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⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾;
- 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;

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁷⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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 Oils and Fats,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out 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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	53,40
1509 10 90 900	102,00
1509 90 00 100	55,85
1509 90 00 900	107,01
1509 00 90 100	13,50
1509 00 90 900	53,27

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

COMMISSION REGULATION (EEC) No 861/88**of 30 March 1988****fixing the maximum export refunds on olive oil for the fifth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3129/87**

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 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⁾, as amended by Regulation (EEC) 834/88 ⁽⁵⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3129/87 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, the maximum export refunds should be set at the levels specified in Article 1;

Whereas, following the introduction of the 'combined nomenclature' by Council Regulation (EEC) No 2658/87 ⁽⁶⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽⁷⁾;

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

The maximum export refunds for olive oil for the fifth partial invitation to tender under the standing invitation to tender issued by amended Regulation (EEC) No 3129/87 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 March 1988.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 296, 21. 10. 1987, p. 10.

⁽⁵⁾ OJ No L 85, 30. 3. 1988, p. 22.

⁽⁶⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁷⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 March 1988 fixing the maximum export refunds on olive oil for the fifth partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3129/87

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	56,95
1509 10 90 900	107,00
1509 90 00 100	59,95
1509 90 00 900	112,40
1510 00 90 100	17,00
1510 00 90 900	59,67

COMMISSION REGULATION (EEC) No 862/88

of 30 March 1988

fixing the export refunds on oil 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 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⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece⁽⁴⁾, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the exchange rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 696/88⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 1869/87⁽⁸⁾, in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁹⁾, as last amended by Regulation (EEC) No 2662/87⁽¹⁰⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee;

Whereas the export refunds on oil seeds were set by Commission Regulation (EEC) No 2615/87⁽¹¹⁾, as last amended by Regulation (EEC) No 546/88⁽¹²⁾;

Whereas it follows from applying the rules governing the fixing of the refund, as contained in Regulation (EEC) No 2615/87, to the present situation on the market in oil seeds as regards quotations and prices that, pursuant to Article 4 of Commission Regulation (EEC) No 651/71⁽¹³⁾ as last amended by Regulation (EEC) No 1815/84⁽¹⁴⁾, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed as shown in the Annex to this Regulation and that it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

1. The refund amounts for colza and rape seed referred to in Article 4 (1) of Regulation (EEC) No 651/71 are indicated in the Annex hereto.
2. No refund is fixed for sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 April 1988.

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 72, 18. 3. 1988, p. 5.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 176, 1. 7. 1987, p. 30.

⁽⁹⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽¹⁰⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹¹⁾ OJ No L 248, 1. 9. 1987, p. 10.

⁽¹²⁾ OJ No L 54, 1. 3. 1988, p. 19.

⁽¹³⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁴⁾ OJ No L 170, 29. 6. 1984, p. 46.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 March 1988 fixing the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
1. Gross refunds (ECU):						
— Spain	22,742	23,139	—	—	—	—
— Portugal	27,502	27,899	—	—	—	—
— other Member States	23,000	23,397	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	56,00	56,95	—	—	—	—
— Netherlands (Fl)	62,11	63,17	—	—	—	—
— BLEU (Bfrs/Lfrs)	1 101,79	1 120,87	—	—	—	—
— France (FF)	165,61	168,57	—	—	—	—
— Denmark (Dkr)	198,41	201,89	—	—	—	—
— Ireland (£ Irl)	18,405	18,735	—	—	—	—
— United Kingdom (£)	13,399	13,659	—	—	—	—
— Italy (Lit)	34 571	35 203	—	—	—	—
— Greece (Dr)	1 968,06	1 991,44	—	—	—	—
— Spain (Pta)	3 467,26	3 528,48	—	—	—	—
— Portugal (Esc)	4 419,89	4 481,87	—	—	—	—

COMMISSION REGULATION (EEC) No 863/88**of 30 March 1988****fixing for April 1988 the levy applicable in Spain to products subject to the price control system**

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 410/88 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1988, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, the average price of soya oil in Spain during the 1984/85 marketing year and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a state organization; whereas therefore, the system providing for the said levy will make any further intervention by the state superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 422,64 ECU per tonne of oil for April 1988.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 40, 13. 2. 1988, p. 24.

COMMISSION REGULATION (EEC) No 864/88

of 30 March 1988

fixing the amount of the subsidy on oil 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 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 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 696/88⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1869/87⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increments in the target price for colza, rape and sunflower seed for the 1987/88 marketing year have been fixed in Council Regulations (EEC) No 1917/87⁽⁷⁾ and (EEC) No 1918/87⁽⁸⁾;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 4018/87⁽⁹⁾, as last amended by Regulation (EEC) No 806/88⁽¹⁰⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 4018/87 to the information known to the Commission that the amount of the

subsidy at present in force should be altered to the amount set out in the Annexes hereto;

Whereas, in the absence of the target price for the 1988/89 marketing year for colza and rape seed, the abatement of the subsidy from the system of maximum guaranteed quantities, the amount of the subsidy in the case of advance fixing for this period for colza and rape seed has been obtainable only provisionally on the basis of the target price and the abatement of the subsidy for the marketing year 1987/88; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative prices of the 1988/89 marketing year are known,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽¹¹⁾ shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86⁽¹²⁾ shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.
3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87⁽¹³⁾ for sunflower seed harvested and processed in Portugal is fixed in Annex III.
4. However, the amount of the subsidy in the case of advance fixing for the 1988/89 marketing year for colza and rape will be confirmed or replaced as from 1 April 1988 to take into account the target price, and where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 1 April 1988.

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

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 30.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 72, 17. 3. 1988, p. 5.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 176, 1. 7. 1987, p. 30.

⁽⁷⁾ OJ No L 183, 3. 7. 1987, p. 14.

⁽⁸⁾ OJ No L 183, 3. 7. 1987, p. 16.

⁽⁹⁾ OJ No L 378, 31. 12. 1987, p. 27.

⁽¹⁰⁾ OJ No L 81, 26. 3. 1988, p. 58.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹³⁾ OJ No L 183, 3. 7. 1987, p. 18.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kilograms)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	0,000	0,000	0,000	0,000	0,000	0,000
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	23,751	24,442	24,561	21,382	21,631	21,631
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	57,74	59,37	59,66	50,92	51,50	51,80
— Netherlands (Fl)	64,09	65,92	66,24	57,28	57,93	58,23
— BLEU (Bfrs/Lfrs)	1 138,05	1 171,33	1 177,07	1 023,53	1 035,57	1 030,76
— France (FF)	171,50	176,78	177,46	153,04	155,01	155,72
— Denmark (Dkr)	205,12	211,22	212,28	184,38	186,60	184,81
— Ireland (£ Irl)	19,061	19,648	19,749	17,057	17,275	17,194
— United Kingdom (£)	13,967	14,450	14,540	12,414	12,602	12,475
— Italy (Lit)	35 867	37 006	37 079	31 772	32 206	32 004
— Greece (Dr)	2 108,26	2 188,24	2 202,49	1 735,78	1 783,34	1 712,78
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Pta)	3 584,84	3 692,10	3 682,62	3 205,10	3 244,31	3 214,81
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 562,62	4 680,87	4 700,15	4 101,39	4 149,58	4 103,56

(1) Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)
1. Gross aids (ECU):						
— Spain	2,500	2,500	2,500	2,500	2,500	2,500
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	26,251	26,942	27,061	23,882	24,131	24,131
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	63,71	65,33	65,62	56,82	57,40	57,71
— Netherlands (Fl)	70,77	72,61	72,92	63,90	64,55	64,85
— BLEU (Bfrs/Lfrs)	1 258,21	1 291,49	1 297,24	1 143,70	1 155,73	1 150,92
— France (FF)	190,19	195,47	196,15	171,73	173,70	174,41
— Denmark (Dkr)	227,01	233,11	234,17	206,27	208,49	206,70
— Ireland (£ Irl)	21,139	21,726	21,828	19,135	19,353	19,272
— United Kingdom (£)	15,607	16,090	16,180	14,054	14,243	14,115
— Italy (Lit)	39 859	40 998	41 071	35 765	36 199	35 997
— Greece (Dr)	2 429,11	2 509,09	2 523,34	2 056,63	2 104,19	2 033,63
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	385,53	385,53	385,53	385,53	385,53	385,53
— in another Member State (Pta)	3 970,38	4 077,63	4 068,15	3 590,64	3 629,85	3 600,35
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	429,31	429,31	429,31	429,31	429,31	429,31
— in another Member State (Esc)	4 991,93	5 110,18	5 129,46	4 530,70	4 578,89	4 532,88

(1) Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8 (1)
1. Gross aids (ECU):					
— Spain	3,440	3,440	3,440	3,440	3,440
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	34,077	34,333	34,260	34,415	30,960
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	82,46	83,08	82,93	83,40	73,58
— Netherlands (Fl)	91,74	92,43	92,24	92,77	82,70
— BLEU (Bfrs/Lfrs)	1 634,11	1 646,36	1 642,84	1 649,61	1 483,51
— France (FF)	248,24	250,07	249,21	249,90	224,01
— Denmark (Dkr)	295,31	297,51	296,86	298,24	267,97
— Ireland (£ Irl)	27,594	27,797	27,730	27,830	24,951
— United Kingdom (£)	20,619	20,765	20,710	20,827	18,546
— Italy (Lit)	52 200	52 579	52 304	52 383	46 844
— Greece (Dr)	3 361,89	3 353,39	3 330,48	3 322,29	2 869,85
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	530,49	530,49	530,49	530,49	530,49
— in another Member State (Pta)	3 984,47	4 023,43	3 979,40	4 020,08	3 486,81
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 739,16	6 773,73	6 755,51	6 735,55	6 121,32
— in another Member State (Esc)	6 544,10	6 577,67	6 559,98	6 540,59	5 944,15
3. Compensatory aids:					
— in Spain (Pta)	3 938,19	3 979,36	3 935,32	3 976,00	3 442,73
4. Special aid:					
— in Portugal (Esc)	6 544,10	6 577,67	6 559,98	6 540,59	5 944,15

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,029807.

ANNEX IV

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8	5th period 9
DM	2,072320	2,067370	2,061990	2,056960	2,056960	2,042350
Fl	2,328750	2,324280	2,319510	2,315260	2,315260	2,302450
Bfrs/Lfrs	43,384100	43,377800	43,370500	43,365100	43,365100	43,352800
FF	7,034030	7,044990	7,059440	7,073440	7,073440	7,111150
Dkr	7,944460	7,960420	7,979670	7,995510	7,995510	8,049810
£Irl	0,775345	0,775909	0,776482	0,777353	0,777353	0,780918
£	0,669365	0,670743	0,671925	0,673076	0,673076	0,676914
Lit	1 534,66	1 540,74	1 547,38	1 553,13	1 553,13	1 569,91
Dr	165,67500	167,42700	169,23700	171,09900	171,09900	176,86000
Esc	169,85100	170,85800	171,95800	173,34500	173,34500	175,95500
Pta	138,40400	138,87200	139,32300	139,75400	139,75400	141,10500

COMMISSION REGULATION (EEC) No 865/88
of 30 March 1988
fixing the aid for cotton

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 the Act of Accession of Greece, and in
particular paragraphs 3 and 10 of Protocol 4 thereto, as
amended by the Act of Accession of Spain and Portugal,
and in particular Protocol 14 annexed thereto, and Regu-
lation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81
of 27 July 1981 laying down the general rules for the
system of aid for cotton ⁽²⁾, as last amended by Regulation
(EEC) No 2276/87 ⁽³⁾, and in particular Article 5 (1)
thereof,

Whereas the amount of the additional aid referred to in
Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by
Commission Regulation (EEC) No 548/88 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 548/88 to
the information at present available to the Commission
that the amount of the aid at present in force should be
altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of
Regulation (EEC) No 2169/81 shall be 67,082 ECU per
100 kilograms.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 209, 31. 7. 1987, p. 5.

⁽⁴⁾ OJ No L 54, 1. 3. 1988, p. 25.

COMMISSION REGULATION (EEC) No 866/88

of 30 March 1988

fixing the aid for soya beans

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 1491/85
of 23 May 1985 laying down special measures in respect
of soya beans ⁽¹⁾, as amended by Regulation (EEC) No
4002/87 ⁽²⁾, and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1)
of Regulation (EEC) No 1491/85 was fixed by Commis-
sion Regulation (EEC) No 2946/87 ⁽³⁾, as last amended by
Regulation (EEC) No 672/88 ⁽⁴⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 2946/87 to

the information at present available to the Commission
that the amount of the aid at present in force should be
altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid referred to in Article 2 of amended Regulation
(EEC) No 1491/85 is hereby fixed in the Annex.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 44.

⁽³⁾ OJ No L 278, 1. 10. 1987, p. 75.

⁽⁴⁾ OJ No L 70, 16. 3. 1988, p. 5.

ANNEX

Aid for soya beans

(ECU/100 kg)

	Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in:			
— Spain	0,000	31,315	31,315
— Portugal	19,489	0,000	31,315
— another Member State	19,489	31,315	31,315

COMMISSION REGULATION (EEC) No 867/88

of 30 March 1988

fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 4004/87 ⁽²⁾, and in particular Article 3 (6) point (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 3741/87 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 1958/87 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1987/88 marketing year was fixed by Council Regulation (EEC) No 1957/87 ⁽⁷⁾; whereas, as provided for in Article 2a of

Regulation (EEC) No 1431/82 the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning on the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87 ⁽⁸⁾;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products;

Whereas, under Article 1 of Commission Regulation (EEC) No 2049/82 ⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 46.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 352, 15. 12. 1987, p. 26.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 184, 3. 7. 1987, p. 3.

⁽⁷⁾ OJ No L 184, 3. 7. 1987, p. 1.

⁽⁸⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Regulation (EEC) No 1935/87⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas, since there are no valid activating threshold or guide prices for the 1988/89 marketing year for peas, field

beans and sweet lupins or intervention price for barley, the amount of the subsidy in the case of advance fixing for this marketing year for peas, field beans and sweet lupins has only been calculated provisionally on the basis of the prices valid for the 1987/88 marketing year; whereas that amount must be applied provisionally only and will have to be confirmed or replaced when the prices and related measures for the 1988/89 marketing year are known,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the subsidy in the case of advance fixing for the 1988/89 marketing year for peas, field beans and sweet lupins will be confirmed or replaced as from 1 April 1988 to take into account, where appropriate, the effects of the application of the activating price for these products for the 1988/89 marketing year and, particularly those concerning maximum guaranteed quantities.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 185, 4. 7. 1987, p. 21.

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
Peas used :							
— in Spain	13,599	13,599	13,599	12,159	12,159	12,339	12,519
— in Portugal	13,641	13,641	13,641	12,201	12,201	12,381	12,561
— in another Member State	13,960	13,960	13,960	12,520	12,520	12,700	12,880
Field beans used :							
— in Spain	13,960	13,960	13,960	12,520	12,520	12,700	12,880
— in Portugal	13,641	13,641	13,641	12,201	12,201	12,381	12,561
— in another Member State	13,960	13,960	13,960	12,520	12,520	12,700	12,880

Products used in animal feed

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
A. Peas and field beans used :							
— in Spain	13,373	13,934	13,934	12,494	12,494	12,674	12,854
— in Portugal	13,066	13,649	13,649	12,209	12,209	12,389	12,569
— in another Member State	13,479	14,033	14,033	12,593	12,593	12,773	12,953
B. Sweet lupins harvested in Spain and used :							
— in Spain	13,312	14,061	14,061	14,061	14,061	14,061	14,061
— in Portugal	12,904	13,681	13,681	13,681	13,681	13,681	13,681
— in another Member State	13,454	14,193	14,193	14,193	14,193	14,193	14,193
C. Sweet lupins harvested in another Member State and used :							
— in Spain	14,884	15,633	15,633	15,633	15,633	15,633	15,633
— in Portugal	14,476	15,253	15,253	15,253	15,253	15,253	15,253
— in another Member State	15,026	15,765	15,765	15,765	15,765	15,765	15,765

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
Products harvest in :							
— BLEU (Bfrs/Lfrs)	671,00	671,00	671,00	601,78	601,78	610,44	619,09
— Denmark (Dkr)	122,22	122,22	122,22	109,61	109,61	111,19	112,76
— Federal Republic of Germany (DM)	33,30	33,30	33,30	29,56	29,56	29,99	30,41
— Greece (Dr)	1 005,31	1 005,31	1 005,31	816,02	816,02	839,68	863,34
— Spain (Pta)	2 152,81	2 152,81	2 152,81	1 930,75	1 930,75	1 958,51	1 986,26
— France (FF)	104,33	104,33	104,33	93,56	93,56	94,91	96,26
— Ireland (£ Irl)	11,592	11,592	11,592	10,394	10,394	10,544	10,694
— Italy (Lit)	22 041	22 041	22 041	19 716	19 716	20 006	20 297
— Netherlands (Fl)	37,33	37,33	37,33	33,14	33,14	33,62	34,09
— Portugal (Esc)	2 249,72	2 249,72	2 249,72	2 001,60	2 001,60	2 032,61	2 063,63
— United Kingdom (£)	8,137	8,137	8,137	7,186	7,186	7,305	7,424

Amounts to be deducted in the case of :

- peas used in Spain (Pta) 55,67
- peas and field beans used in Portugal (Esc) 54,78

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	647,88	674,51	674,51	605,29	605,29	613,94	622,60
— Denmark (Dkr)	118,01	122,86	122,86	110,25	110,25	111,83	113,40
— Federal Republic of Germany (DM)	32,15	33,47	33,47	29,73	29,73	30,16	30,58
— Greece (Dr)	918,60	1 018,47	1 018,47	829,17	829,17	852,84	876,50
— Spain (Pta)	2 078,64	2 164,07	2 164,07	1 942,00	1 942,00	1 969,76	1 997,52
— France (FF)	100,73	104,88	104,88	94,11	94,11	95,46	96,80
— Ireland (£ Irl)	11,191	11,652	11,652	10,455	10,455	10,609	10,754
— Italy (Lit)	21 250	22 161	22 161	19 836	19 836	20 127	20 417
— Netherlands (Fl)	36,04	37,52	37,52	33,33	33,33	33,81	34,29
— Portugal (Esc)	2 162,44	2 262,97	2 262,97	2 014,84	2 014,84	2 045,86	2 076,88
— United Kingdom (£)	7,788	8,189	8,189	7,239	7,239	7,358	7,476
Amounts to be deducted in the case of use :							
— Spain (Pta)	16,35	15,27	15,27	15,27	15,27	15,27	15,27
— Portugal (Esc)	70,92	65,94	65,94	65,94	65,94	65,94	65,94

ANNEX IV

Corrective amount in national currency to be added to the amounts in Annex III, per 100 kilograms (1)

Use of the products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	129,82	0,00	0,13	0,52	8,62	0,00	24,20	42,08
— Denmark (Dkr)	0,00	0,00	0,00	23,65	0,00	0,02	0,09	1,57	0,00	4,41	7,66
— Federal Republic of Germany (DM)	0,00	0,00	0,00	6,44	0,00	0,01	0,03	0,43	0,00	1,20	2,09
— Greece (Dr)	0,00	0,00	0,00	486,87	0,00	0,49	1,94	32,32	0,00	90,76	157,82
— Spain (Pta)	0,00	0,00	0,00	416,50	0,00	0,42	1,66	27,65	0,00	77,64	135,01
— France (FF)	0,00	0,00	0,00	20,20	0,00	0,02	0,08	1,34	0,00	3,76	6,55
— Ireland (£ Irl)	0,000	0,000	0,000	2,248	0,000	0,002	0,009	0,149	0,000	0,419	0,729
— Italy (Lit)	0	0	0	4 441	0	4	18	295	0	828	1 440
— Netherlands (Fl)	0,00	0,00	0,00	7,22	0,00	0,01	0,03	0,48	0,00	1,35	2,34
— Portugal (Esc)	0,00	0,00	0,00	490,11	0,00	0,49	1,95	32,54	0,00	91,36	158,87
— United Kingdom (£)	0,000	0,000	0,000	1,955	0,000	0,002	0,008	0,130	0,000	0,364	0,634

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 4	1st period 5	2nd period 6	3rd period 7 (1)	4th period 8 (1)	5th period 9 (1)	6th period 10 (1)
Products harvested in :							
— BLEU (Bfrs/Lfrs)	722,24	757,76	757,76	757,76	757,76	757,76	757,76
— Denmark (Dkr)	131,55	138,02	138,02	138,02	138,02	138,02	138,02
— Federal Republic of Germany (DM)	35,84	37,60	37,60	37,22	37,22	37,22	37,22
— Greece (Dr)	1 114,98	1 248,20	1 248,20	1 248,20	1 248,20	1 248,20	1 248,20
— Spain (Pta)	2 317,20	2 431,17	2 431,17	2 431,17	2 431,17	2 431,17	2 431,17
— France (FF)	112,30	117,82	117,82	117,82	117,82	117,82	117,82
— Ireland (£ Irl)	12,477	13,092	13,092	13,092	13,092	13,092	13,092
— Italy (Lit)	23 744	24 960	24 960	24 960	24 960	24 960	24 960
— Netherlands (Fl)	40,18	42,15	42,15	41,73	41,73	41,73	41,73
— Portugal (Esc)	2 427,69	2 561,80	2 561,80	2 561,80	2 561,80	2 561,80	2 561,80
— United Kingdom (£)	8,801	9,336	9,336	9,336	9,336	9,336	9,336
Amounts to be deducted in the case of use in :							
— Spain (Pta)	21,90	20,36	20,36	20,36	20,36	20,36	20,36
— Portugal (Esc)	94,45	87,92	87,92	87,92	87,92	87,92	87,92

ANNEX VI

Corrective amount in the national currency to be added to amounts in Annex V, per 100 kilograms (1)

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	94,41	0,00	0,10	0,38	6,27	0,00	17,60	30,60
— Denmark (Dkr)	0,00	0,00	0,00	17,20	0,00	0,02	0,07	1,14	0,00	3,21	5,57
— Federal Republic of Germany (DM)	0,00	0,00	0,00	4,68	0,00	0,00	0,02	0,31	0,00	0,87	1,52
— Greece (Dr)	0,00	0,00	0,00	354,09	0,00	0,36	1,41	23,51	0,00	66,01	114,78
— Spain (Pta)	0,00	0,00	0,00	302,91	0,00	0,30	1,21	20,11	0,00	56,47	98,19
— France (FF)	0,00	0,00	0,00	14,69	0,00	0,01	0,06	0,98	0,00	2,74	4,76
— Ireland (£ Irl)	0,000	0,000	0,000	1,635	0,000	0,002	0,007	0,109	0,000	0,305	0,530
— Italy (Lit)	0	0	0	3 230	0	3	13	214	0	602	1 047
— Netherlands (Fl)	0,00	0,00	0,00	5,25	0,00	0,01	0,02	0,35	0,00	0,98	1,70
— Portugal (Esc)	0,00	0,00	0,00	356,45	0,00	0,36	1,42	23,67	0,00	66,45	115,54
— United Kingdom (£)	0,000	0,000	0,000	1,422	0,000	0,001	0,006	0,094	0,000	0,265	0,461

ANNEX VII

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	164,150	138,037	6,90403	0,768411	1 516,86	2,31943	167,490	0,665212

(1) Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.

COMMISSION REGULATION (EEC) No 868/88
of 30 March 1988
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 5 thereof,

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3996/87⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is given for dried fodder as described under Article 1 (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas this aid is equal to a percentage of the difference between these two prices for dehydrated fodder and for protein concentrates; whereas the aid for fodder otherwise dried includes an amount to be deducted;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1961/87 of 2 July 1987 fixing the guide price for dried fodder for the 1987/88 marketing year⁽³⁾;

Whereas Commission Regulation (EEC) No 2334/87⁽⁴⁾, fixed the rate referred to in Article 5 (2) of Regulation (EEC) No 1117/78;

Whereas, in the absence of the guide price for dried fodder and of the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 and of the intervention price for barley for the 1988/89 marketing year, the rate of the aid in case of advance fixing for the months concerned has been obtainable only provisionally and should be confirmed or replaced once the guide price and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 and of the intervention price for barley for the 1988/89 marketing year are known;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 1173/87⁽⁶⁾, the average world market price for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the supplementary aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁷⁾, as last amended by Regulation (EEC) No 2334/87⁽⁸⁾;

Whereas, when no offer of or quotation for the products described in the first indent of Article 1 (b) of Regulation (EEC) No 1117/78 can be used to determine the average world market price, it is to be determined from offers on the world market of, and quotations on, the exchanges important for international trade for the products described in the second indent of Article 1 (b) of Regulation (EEC) No 1117/78;

Whereas, under Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, this price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, under Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽³⁾ OJ No L 184, 3. 7. 1987, p. 7.

⁽⁴⁾ OJ No L 210, 1. 8. 1987, p. 63.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 113, 30. 4. 1987, p. 13.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 210, 1. 8. 1987, p. 63.

Whereas the correcting amount is equal to the difference between the average world market price and the average forward world market price multiplied by the percentage fixed in Article 3 of Council Regulation (EEC) No 1315/85⁽¹⁾; whereas when for one of the months following that of the introduction of aid the average forward world market price cannot be determined by applying the criteria specified in Article 1 of Regulation (EEC) No 1417/78, the price determined for the previous month is used to calculate the difference; whereas when for two or more consecutive months following that of the introduction of aid, the average forward world market prices cannot be determined by applying the criteria set out in Article 1 of Regulation (EEC) No 1417/78, the prices for the months in question are determined by applying the criteria laid down in Article 3 of Regulation (EEC) No 1417/78;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 for the product concerned; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

Whereas, if the aid 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 Regula-

tion (EEC) No 1676/85⁽²⁾, as last amended by Regulation (EEC) No 1636/87⁽³⁾;

- 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 Articles 120 (2) and 306 (2) of the Act of Accession, the aid applicable in these two Member States is to be adjusted by an amount equal to the incidence of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage and the amount referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.
2. The rate of the aid in case of advance fixing for the 1988/89 marketing year shall, however, be confirmed or replaced with effect from 1 April 1988 to take into account the prices and measures in the Annex fixed for the 1988/89 marketing year.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 137, 27. 5. 1985, p. 28.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 March 1988 fixing the rate of the aid for dried fodder

Aid applicable from 1 April 1988 to dried fodder

(ECU/tonne)

	Fodder dehydrated by artificial heat-drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	59,854	80,095	81,914	16,854	37,095	38,914

Aid in case of advance fixing for the month of:

(ECU/tonne)

May 1988 ⁽¹⁾	62,095	82,378	84,155	19,095	39,378	41,155
June 1988 ⁽¹⁾	62,450	82,740	84,510	19,450	39,740	41,510
July 1988 ⁽¹⁾	65,031	85,369	87,091	22,031	42,369	44,091
August 1988 ⁽¹⁾	65,031	85,369	87,091	22,031	42,369	44,091
September 1988 ⁽¹⁾	64,205	84,528	86,265	21,205	41,528	43,265
October 1988 ⁽¹⁾	64,934	85,270	86,994	21,934	42,270	43,994
November 1988 ⁽¹⁾	64,436	84,763	86,496	21,436	41,763	43,496
December 1988 ⁽¹⁾	64,436	84,763	86,496	21,436	41,763	43,496
January 1989 ⁽²⁾	0,000	0,000	0,000	0,000	0,000	0,000
February 1989 ⁽²⁾	0,000	0,000	0,000	0,000	0,000	0,000
March 1989 ⁽²⁾	0,000	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ Subject in the case of advance fixing for the 1988/89 marketing year to the adoption of prices and related measures for that marketing year.⁽²⁾ In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 869/88**of 30 March 1988****replacing Annex B to Council Regulation (EEC) No 3626/82 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3626/82 of 3 December 1982 on the implementation in the Community of the Convention on international trade in endangered species of wild fauna and flora⁽¹⁾, as last amended by Regulation (EEC) No 3143/87⁽²⁾,

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⁾, as amended by Regulation (EEC) No 3985/87⁽⁴⁾, and in particular Article 15 thereof,

Whereas Annex B of Council Regulation (EEC) No 3626/82 is based on use of the Customs Cooperation Council Nomenclature; whereas the Customs Cooperation Council approved the International Convention on the Harmonized Commodity Description and Coding System (hereinafter referred to as the 'HS') on 14 June 1983;

Whereas the Council approved it by Decision 87/369/EEC of 7 April 1987⁽⁵⁾ which provides for its application with effect from 1 January 1988; whereas consequently a combined nomenclature has been drawn up with a view to the implementation of the HS within the European Economic Community; whereas consequently Annex B to Regulation (EEC) No 3626/82 must be based on the aforesaid combined nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Annex B to Regulation (EEC) No 3626/82 is replaced by the Annex to this Regulation.

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, 30 March 1988.

For the Commission

Stanley CLINTON DAVIS

Member of the Commission

⁽¹⁾ OJ No L 384, 31. 12. 1982, p. 1.

⁽²⁾ OJ No L 299, 22. 10. 1987, p. 1.

⁽³⁾ OJ No L 256, 23. 7. 1987, p. 1.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 198, 20. 7. 1987, p. 1.

ANNEX

ANNEX B

Animal and plant parts or products

No	CN code	Description
1 (a)	ex 4101 ex 4102 ex 4103 ex 4104 10 91 ex 4104 10 95 ex 4104 10 99 ex 4104 21 00 ex 4104 29 00 ex 4104 31 11 ex 4104 31 19 ex 4104 31 30 ex 4104 31 90 ex 4104 39 10 ex 4104 39 90 ex 4107 10 10 ex 4107 10 90 ex 4107 29 10 ex 4107 29 90 ex 4107 90 10 ex 4107 90 90 ex 4301 ex 4302	Furskins, skins, and hides (complete or bellies and backs) of <i>Colobus angolensis</i> , <i>Colobus guereza</i> and <i>Colobus polykomos</i> and of animals belonging to the families Canidae, Ursidae, Lutrinae, Viverridae, Felidae, Elephantidae, Equidae and Camelidae and the genus <i>Arctocephalus</i> , included in Appendices I, II and III to the Convention
1 (b)	ex 4303	Articles, covers, rugs and wall-hangings made from furskins, skins and hides referred to in 1 (a)
2	ex 0507 ex 0511 91 90 ex 0511 99 10 ex 0511 99 90 ex 9705	Heads, trophies or parts of trophies of animals belonging to the families Elephantidae, Rhinocerotidae, Suidae, Cervidae and Bovidae and the species <i>Choeropsis liberiensis</i> , included in Appendices I, II and III to the Convention
3 (a)	ex 0507 ex 9601 10 00 ex 9601 90 90 ex 9705	Tusks and substantial parts thereof of animals belonging to the family Elephantidae and the species <i>Monodon monoceros</i> and <i>Odobenus rosmarus</i>
3 (b)	ex Chapters 66, 71, 92, 95, 96 and 97	Articles made wholly or partly of the ivory mentioned under 3 (a)
4	ex 0507 ex 9601 10 00 ex 9601 90 90 ex 9705	Horns, entire or worked, of animals belonging to the family Rhinocerotidae
5	ex 0510	Musk of animals belonging to the genus <i>Moschus</i>

[illegible]

No	CN code	Description
11 (b)	ex 4202 11 10 ex 4202 11 90 ex 4202 21 00 ex 4202 31 00 ex 4202 91 10 ex 4202 91 50 ex 4202 91 90 ex 4203 ex 9113 90 10 ex 9605	Travel goods, handbags and similar containers, clothing and clothing accessories of leather made from the hides and skins mentioned in 11 (a)
12	ex 0507 90 00 ex 9601 90 90 ex 9705	Shells, unworked or simply prepared of turtles ; tortoiseshell
13	ex 0208 90 90 ex 0210 90 20 ex 2104 10 00	Turtle meat and turtle soup
14	ex 0511 99 90 ex 9705	Wings of the species of butterfly included in Appendices I, II and III to the Convention and articles made from them
15	ex 9705	Preserved or stuffed animals of the species listed in Appendices I and II to the Convention and parts thereof
16	ex 0602 ex 0604 ex 4403 10 91 ex 4403 10 99 ex 4403 20 00 ex 4403 31 00 ex 4403 32 00 ex 4403 33 00 ex 4403 34 10 ex 4403 34 30 ex 4403 34 50 ex 4403 34 70 ex 4403 34 90 ex 4403 35 10 ex 4403 35 90 ex 4403 91 00 ex 4403 92 00 ex 4403 99 10 ex 4403 99 90	Stems of tree ferns (<i>Cyatheaceae</i> and <i>Dicksoniaceae</i>) as well as timber and roots designated in Appendix II to the Convention

COMMISSION REGULATION (EEC) No 870/88

of 30 March 1988

providing for the granting of aid for the private storage of short flax fibres and of hemp fibres

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp⁽¹⁾, as last amended by Regulation (EEC) No 3995/87⁽²⁾, and in particular Article 5 (1) thereof,

Whereas Article 5 of Regulation (EEC) No 1308/70 provides for the granting of private storage aid when the supply of flax fibres shows a temporary imbalance when compared with foreseeable demand; whereas Council Regulation (EEC) No 1172/71 of 3 June 1971 laying down general rules concerning private storage aid for flax and hemp fibres⁽³⁾ specifies the principal items to be taken into account to ascertain the existence of such an imbalance, as well as the recipients;

Whereas, during the current marketing year, Community production and imports of short flax and of hemp fibres are likely to be such as to suggest that the quantities available will be higher than in the previous marketing year;

Whereas during recent months the demand for fibres on the part of Community and of third country users is down on last year; whereas that situation threatens to continue owing to the current crisis in the dry spinning of flax and of the paper-making industry, the most important outlets for such fibres;

Whereas a feature of the market situation has for some time been a market fall in prices for such fibres; whereas that downward trend is likely to continue owing to the foreseeable development of demand for the fibres in question;

Whereas the imbalance on the market is basically due to the poor weather conditions in the summer of 1987, which led to an abnormally high yield of short flax fibres; whereas a normal yield for such fibres may be anticipated for the forthcoming harvest; whereas, on that assumption and on account of the foreseeable maintenance of areas sown, a fall in the production of short flax fibres is to be anticipated in the forthcoming marketing year; whereas it may be expected that the

balance between the supply of short flax fibres and their foreseeable demand will be restored towards the beginning of the coming marketing year; whereas, as hemp fibres have the same outlet, the restoration of balance will be reflected on the market for hemp fibres;

Whereas an assessment of the market situation, of which the main points are set out above, thus leads to the conclusion that a temporary imbalance does exist between the supply of short flax fibres and of hemp fibres and the foreseeable demand for such fibres; whereas, in those circumstances, aid for the private storage of such fibres should be granted in accordance with Commission Regulation (EEC) No 1524/71 of 16 July 1971 laying down detailed rules concerning private storage aid for flax and hemp fibres⁽⁴⁾;

Whereas the maximum quantity which may be covered by contracts should be specified taking into account the need on the one hand to remove the surplus from the market gradually and on the other to simplify the administration of the system of storage aids;

Whereas the temporary imbalance referred to above is likely to last until the beginning of the next harvest; whereas under those conditions the term of such contracts should be set at six months;

Whereas, pursuant to Article 8 (2) (b) of Regulation (EEC) No 1172/71, the term of existing contracts may in certain circumstances be curtailed; whereas provision should therefore be made, in addition to the aid to be paid, where the obligations under the contracts are fulfilled, for the deductions to be made where the storage aid is thus reduced;

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

HAS ADOPTED THIS REGULATION:

Article 1

Intervention agencies of producer Member States shall grant private storage aid for short flax fibres and for hemp fibres of Community origin pursuant to the provisions of Regulation (EEC) No 1524/71 and of this Regulation.

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽³⁾ OJ No L 123, 5. 6. 1971, p. 7.

⁽⁴⁾ OJ No L 160, 17. 7. 1971, p. 16.

Article 2

For the purposes of this Regulation:

- (a) 'short flax fibres' or 'flax tow' means flax fibres corresponding to CN code 5301 30 10;
- (b) 'hemp fibres' means hemp corresponding to CN code 5302 90 00 other than waste.

Article 3

- 1. The maximum quantity per contract shall be 200 tonnes.
- 2. Contracts may be concluded only with persons in possession of the product on 31 December 1987.

Article 4

- 1. Without prejudice to Article 8 (2) (b) of Regulation (EEC) No 1172/71, contracts shall be concluded for a term of six months.

- 2. Contracts must be concluded not later than 6 May 1988.

Article 5

- 1. The aid shall be 1 ECU per 100 kilograms per month.
- 2. Should Article 8 (2) (b) of Regulation (EEC) No 1172/71 be applied, the aid shall be reduced in proportion to the reduction in the term of the contract.

Article 6

For the purposes of this Regulation a month means a period of 30 days.

Article 7

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, 30 March 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 871/88

of 30 March 1988

amending Regulation (EEC) No 346/88 introducing special surveillance of imports of dessert apples from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 29 (2) thereof,

Whereas Council Regulation (EEC) No 2707/72⁽³⁾ lays down the conditions for applying protective measures for fruit and vegetables;

Whereas Commission Regulation (EEC) No 346/88⁽⁴⁾ introduces special surveillance of imports of dessert apples from third countries;

Whereas, in order to ensure the proper operation of those arrangements, provisions should be made for weekly notification by the Member States of the quantities for totally or partly unused licences;

Whereas import licences are issued in accordance with the most detailed CN code; whereas the combined nomenclature has several codes depending on the periods of import of dessert apples, which may lead to difficulties at the end of each period; whereas provision should accordingly be made for import licences to be issued for all the CN codes concerned;

Whereas import licences were issued in March 1988 for CN code 0808 10 93; whereas provisions should be made for the possibility for operators to include in import licences the CN code covering in particular April;

Whereas, in order to take account of the time required to transport table apples to the Community, in particular from southern-hemisphere countries, and of the special characteristics of such trade, the period of validity of import licences should be extended from 30 to 40 days and the percentage tolerance should be increased from 5 to 7 %,

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 85, 30. 3. 1988, p. 5.

⁽³⁾ OJ No L 291, 28. 12. 1972, p. 3.

⁽⁴⁾ OJ No L 34, 6. 2. 1988, p. 21.

Article 1

Regulation (EEC) No 346/88 is hereby amended as follows:

1. Article 2 is replaced by the following:

Article 2

1. Import licences shall be issued subject to the lodging of a security of 1,5 ECU per 100 kilograms net. The security shall be forfeit in whole or in part under the conditions laid down in paragraph 2 if, during the period of validity of the licence, the quantities stated in the licence are not released for free circulation or are released for circulation in part only.

2. Regulation (EEC) No 3183/80 shall apply subject to the following specific provisions:

— Article 8 (4) shall not apply,

— by way of derogation from Article 8 (5), the obligation to import shall be deemed to be fulfilled where the quantity imported is at most 7 % less than the quantity indicated in the licence,

— by way of derogation from the second sentence of Article 9 (1), rights deriving from import licences shall not be transferable,

— by way of derogation from the first subparagraph of Article 33 (3), where the obligation to import has not been fulfilled, the security shall be forfeited in an amount equal to the difference between:

(a) 93 % of the net quantity indicated in the licence; and

(b) the net quantity actually imported.

3. Import licences shall be valid for 40 days from the date of issue as defined in Article 3 (3). However, licences shall not be valid after 31 August 1988.

2. The following Article 3a is added:

Article 3a

1. Applications for import licences and the licences themselves must bear the three CN codes 0808 10 91, 0808 10 93 and 0808 10 99 in boxes 7 and 8.

2. As regards licences issued before 31 March 1988, the competent authority shall, at the request of the operator, enter CN code 0808 10 99 in boxes 7 and 8, as the case may be, of the application and/or the licence.

3. Article 4 is replaced by the following :

Article 4

The Member States shall notify the Commission :

1. of the quantities of dessert apples for which import licences have been applied for, by combined nomenclature code and by country of origin.

Such notifications shall take place :

- every Wednesday, in respect of applications submitted on the Monday or Tuesday of that week,
 - every Friday, in respect of applications submitted on the Wednesday or Thursday of that week,
 - every Monday, in respect of applications submitted the previous week on Friday;
2. of unused or partly used quantities relating to import licences, corresponding to the difference

between the quantities entered on the back of the licences and the quantities for which the latter have been issued.

Such notifications shall take place on Wednesday every week, in respect of data received the previous week ;

3. as soon as possible of quantities unused in accordance with the definition in 2, for licences issued since 14 February 1988.

If no application for an import licence has been submitted in one of the periods referred to in 1, or if there are no unused quantities within the meaning of 2, the Member State in question shall notify the Commission thereof by telex on the days indicated in this Article.

Article 2

This Regulation shall enter into force on 31 March 1988.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 872/88

of 30 March 1988

re-establishing the levying of customs duties on mixed alkylbenzenes and mixed alkyl-naphthalenes falling within CN code 3817, originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3635/87 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3635/87 of 17 November 1987 applying generalized tariff preferences for 1988 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 16 thereof,

Whereas, pursuant to Articles 1 and 14 of Regulation (EEC) No 3635/87, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceiling fixed in column 9 of Annex I;

Whereas, as provided for in Article 14 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of mixed alkylbenzenes and mixed alkyl-naphthalenes falling within CN code 3817 the individual ceiling was fixed at 850 000 ECU; whereas, on 23 March 1988 imports of these products into the Community originating in South Korea reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 3 April 1988, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3635/87 shall be re-established on imports into the Community of the following products originating in South Korea:

Order No	CN code	Description
10.0450	3817	Mixed alkylbenzenes and mixed alkyl-naphthalenes, other than those of code 2707 or 2902

Article 2

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

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

Done at Brussels, 30 March 1988.

For the Commission
COCKFIELD
Vice-President

⁽¹⁾ OJ No L 350, 12. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 873/88

of 30 March 1988

re-establishing the levying of customs duties on swimwear products of category 72 (order No 40.0720) originating in South Korea, to which the preferential tariff arrangements of Council Regulation (EEC) No 3783/87 apply

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

Having regard to Council Regulation (EEC) No 3783/87 of 3 December 1987 concerning the administration of the generalized tariff preferences for 1988 in respect of textile products originating in developing countries⁽¹⁾, and in particular Article 4 thereof,

Whereas Article 2 of that Regulation provides that preferential tariff treatment shall be accorded, for each category of products subjected in Annexes I and II to Council Regulation (EEC) No 3782/87⁽²⁾ to individual ceilings, within the limits of the quantities specified in column 7 of its Annexes I or II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 3 of that Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of swimwear, products of category 72 (order No 40.0720) the relevant ceiling amounts to 88 000 pieces;

Whereas on 23 March 1988 imports of the products in question into the Community originating in South Korea, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 3 April 1988 the levying of customs duties, suspended pursuant to Council Regulation (EEC) No 3782/87, shall be re-established in respect of the following products, imported into the Community and originating in South Korea:

Order No	Category	CN code	Description
40.0720	72 (1 000 pieces)	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres

Article 2

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

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

Done at Brussels, 30 March 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 367, 28. 12. 1987, p. 58.

⁽²⁾ OJ No L 367, 28. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 874/88

of 30 March 1988

on the release of securities for certain import licences for orange juice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3909/87 ⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Commission Regulation (EEC) No 3518/86 ⁽³⁾, as last amended by Regulation (EEC) No 210/88 ⁽⁴⁾, makes imports of orange juice subject to the presentation of an import licence under specific surveillance measures;

Whereas Regulation (EEC) No 210/88 limits surveillance measures on import to certain products and certain forms of presentation, and reduces the amounts of the securities for the licences; whereas provision should accordingly be made, in respect of products and forms of presentation which have not been subject since 11 February 1988 to surveillance measures on imports for the release of securities for licences on presentation by the operators of the licences to the competent authorities; whereas provision should also be made for the possibility, on

application by the operators, of exchanging the licences relating to products and forms of presentation which remain subject to surveillance measures on import,

HAS ADOPTED THIS REGULATION:

Article 1

1. Securities for import licences for orange juice issued for products and forms of presentation falling within CN codes 2009 11 91, 2009 11 99, 2009 19 91 and 2009 19 99, the validity of which expires after 10 February 1988 shall be released immediately by the competent national authorities on presentation of the licences by the operators concerned.

2. On application by operators and on presentation of the licences issued previously, new import licences shall be issued under the conditions laid down in Regulation (EEC) No 3518/86, for products falling within CN codes 2009 11 11, 2009 11 19, 2009 19 11 and 2009 19 19.

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, 30 March 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 20.

⁽³⁾ OJ No L 325, 20. 11. 1986, p. 14.

⁽⁴⁾ OJ No L 21, 27. 1. 1988, p. 7.

COMMISSION REGULATION (EEC) No 875/88

of 30 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) No 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 29 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 1 April 1988.

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

Done at Brussels, 30 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 30 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	14,54	174,61
0712 90 19	14,54	174,61
1001 10 10	71,19	261,48 ⁽¹⁾ ⁽²⁾
1001 10 90	71,19	261,48 ⁽¹⁾ ⁽²⁾
1001 90 91	9,43	190,81
1001 90 99	9,43	190,81
1002 00 00	49,73	168,45 ⁽³⁾
1003 00 10	43,41	175,52
1003 00 90	43,41	175,52
1004 00 10	99,87	150,36
1004 00 90	99,87	150,36
1005 10 90	14,54	174,61 ⁽²⁾ ⁽³⁾
1005 90 00	14,54	174,61 ⁽²⁾ ⁽³⁾
1007 00 90	38,03	185,25 ⁽⁴⁾
1008 10 00	43,41	101,65
1008 20 00	43,41	147,01 ⁽⁴⁾
1008 30 00	43,41	64,80 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	43,41	64,80
1101 00 00	28,19	282,12
1102 10 00	84,61	250,81
1103 11 10	124,11	419,05
1103 11 90	28,27	302,52

⁽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 876/88

of 30 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 29 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 1 April 1988.

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

Done at Brussels, 30 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 30 March 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7
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

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 877/88
of 30 March 1988

concerning applications for export licences for products falling within CN code
1103 11 10 with advance fixing of the refund

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 Regulation (EEC) No 3989/87 ⁽²⁾,

Whereas Article 9e (1) of Commission Regulation (EEC) No 2042/75 ⁽³⁾, as last amended by Regulation (EEC) No 761/88 ⁽⁴⁾, provides until 30 June 1988 for an interval of four working days between the day of submission of applications and the granting of export licences with advance fixing of the refund for durum-wheat meal falling within CN code 1103 11 10; whereas paragraph 2 of that Article provides that the Commission is to fix a uniform percentage reduction in the quantities if applications for export licences exceed the quantities which may be exported; whereas applications for licences submitted on 28 March 1988 relate to 454 000 tonnes and the

maximum quantity which may be exported is 150 000 tonnes; whereas the percentage for the reduction in the export licence applications submitted on 28 March 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for export licences with advanced fixing of the refund conveyed to the Commission before 29 March 1988 for durum-wheat meal falling within CN code 1103 11 10, submitted on 28 March 1988 shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,33. Requests that are not conveyed to the Commission before 29 March 1988 shall be refused.

Article 2

This Regulation shall enter into force on 31 March 1988.

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

Done at Brussels, 30 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 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 79, 24. 3. 1988, p. 19.

COMMISSION REGULATION (EEC) No 878/88
of 30 March 1988
correcting Regulation (EEC) No 772/88 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,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EEC) No 772/88⁽³⁾;

Whereas a check has shown that the Annex thereto does not correspond to the measures submitted for an opinion to the management committee; whereas the Regulation in question should be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 772/88, '41,41' opposite Taric code 0406 90 31 151, for destination 400, is hereby replaced by '40,41'.

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 31 March 1988.

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

Done at Brussels, 30 March 1988.

For the Commission

Frans ANDRIESSEN

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 80, 25. 3. 1988, p. 7.

COMMISSION REGULATION (EEC) No 879/88
of 30 March 1988

fixing the maximum export refund for white sugar for the 46th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1092/87

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1092/87 of 15 April 1987 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1092/87, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 46th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas the Management Committee for Sugar has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the 46th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1092/87 the maximum amount of the export refund is fixed at 43,230 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 31 March 1988.

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

Done at Brussels, 30 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 106, 22. 4. 1987, p. 9.

COMMISSION REGULATION (EEC) No 880/88
of 30 March 1988

altering the export refunds on white sugar and raw sugar exported in the natural state

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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 854/88 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 854/88 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 854/88 are hereby altered to the amounts 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, 30 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⁾ See page 34 of this Official Journal.

ANNEX

to the Commission Regulation of 30 March 1988 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	38,68 ⁽¹⁾	0,4205
1701 11 90 300		
1701 11 90 500	36,42 ⁽¹⁾	
1701 11 90 900	⁽²⁾	0,4205
1701 12 90 100	38,68 ⁽¹⁾	
1701 12 90 300		
1701 12 90 500	36,42 ⁽¹⁾	0,4205
1701 12 90 900	⁽²⁾	
1701 91 00 000		
1701 99 10 100	42,05	
1701 99 10 900	41,16	

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 881/88**of 30 March 1988****altering the export refunds on cereals and on wheat or rye flour, groats and meal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Regulation (EEC) No 807/88⁽³⁾, as amended by Regulation (EEC) No 821/88⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 807/88 to

the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 807/88 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 1 April 1988.

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

Done at Brussels, 30 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 81, 26. 3. 1988, p. 62.

⁽⁴⁾ OJ No L 83, 29. 3. 1988, p. 30.

ANNEX

to the Commission Regulation of 30 March 1988 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)		
Product code	Destination (%)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	80,00
1001 10 90 000	04	30,00 (?)
	05	25,00 (?)
	11	24,00 (?)
	02	20,00 (?)
1001 90 91 000	01	80,00
1001 90 99 000	03	88,00
	02	0
	08	98,00
1002 00 00 000	03	88,00
	06	20,00
	07	15,00
	02	25,00
	09	95,00
	13	95,00
1003 00 10 000	01	80,00
1003 00 90 000	03	96,00
	02	25,00
1004 00 10 000	01	50,00
1004 00 90 000	—	—
1005 10 90 000	—	—
1005 90 00 000	03	106,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	140,00
1101 00 00 120	01	140,00
1101 00 00 130	01	121,00
1101 00 00 150	01	112,00
1101 00 00 170	01	103,00
1101 00 00 180	01	92,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	140,00
1102 10 00 200	01	140,00
1102 10 00 300	01	140,00
1102 10 00 500	01	140,00
1102 10 00 900	—	—
1103 11 10 100	02	280,00
1103 11 10 200	01	265,00
1103 11 10 500	01	236,00
1103 11 10 900	01	223,00
1103 11 90 100	01	140,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

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

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

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

COMMISSION REGULATION (EEC) No 882/88**of 30 March 1988****altering 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⁾, and in particular the fourth sentence of the second subparagraph of Article 16(4) thereof,

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⁾,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 783/88⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 783/88, which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out 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, 30 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 80, 25. 3. 1988, p. 45.

ANNEX

to the Commission Regulation of 30 March 1988 altering the corrective amount applicable
to the refund on cereals

(ECU/tonne)

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

COMMISSION REGULATION (EEC) No 883/88

of 30 March 1988

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3989/87 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 3990/87 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 847/88 ⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽⁹⁾ as regards products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature;

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 over 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 29 March 1988;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹⁰⁾ the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 847/88 are hereby altered to the amounts set out in the Annex.

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, 30 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ See page 13 of this Official Journal.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 March 1987 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 90 30 ⁽²⁾	278,04	272,00
1102 90 90 ⁽²⁾	191,70	188,68
1103 12 00 ⁽²⁾	278,04	272,00
1103 19 90 ⁽²⁾	191,70	188,68
1103 29 30 ⁽²⁾	278,04	272,00
1103 29 90 ⁽²⁾	191,70	188,68
1104 12 10 ⁽²⁾	157,05	154,13
1104 12 90 ⁽²⁾	308,26	302,22
1104 19 99 ⁽²⁾	339,00	332,96
1104 22 10 ⁽²⁾	275,02	272,00
1104 22 30 ⁽²⁾	275,02	272,00
1104 22 50 ⁽²⁾	244,80	241,78
1104 22 90 ⁽²⁾	157,15	154,13
1104 29 10*30 ⁽²⁾ ⁽⁹⁾	298,99	295,97
1104 29 10*40 ⁽²⁾ ⁽⁹⁾	298,99	295,97
1104 29 10*90 ⁽²⁾ ⁽¹⁰⁾	298,99	295,97
1104 29 30*30 ⁽²⁾ ⁽⁹⁾	298,99	295,97
1104 29 30*40 ⁽²⁾ ⁽⁹⁾	298,99	295,97
1104 29 30*90 ⁽²⁾ ⁽¹⁰⁾	298,99	295,97
1104 29 99 ⁽²⁾	191,70	188,68

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewert polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.

⁽⁹⁾ Taric code: millet.

⁽⁹⁾ Taric code: sorghum.

⁽¹⁰⁾ Taric code: others.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 4184/87 of 21 December 1987 opening and providing for the administration of a Community tariff quota for cut flowers and flower buds, fresh, falling within code 0603 of the combined nomenclature, originating in Jordan (1988)

(Official Journal of the European Communities No L 400 of 31 December 1987)

Page 2, Article 1 (1), column 'Quota duty (%)', first indent:

for: '— From 1 January to 31 May 1988: 10',

read: '— From 1 January to 31 May 1988: 10,6'.
