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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1361/88

of 19 May 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) 1097/88 ⁽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 18 May 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 20 May 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 378, 31. 12. 1987, p. 99.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 19 May 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	16,55	179,33
0712 90 19	16,55	179,33
1001 10 10	73,91	253,31 ⁽¹⁾ ⁽²⁾
1001 10 90	73,91	253,31 ⁽¹⁾ ⁽²⁾
1001 90 91	11,45	191,09
1001 90 99	11,45	191,09
1002 00 00	51,75	165,03 ⁽³⁾
1003 00 10	45,43	175,21
1003 00 90	45,43	175,21
1004 00 10	101,89	146,73
1004 00 90	101,89	146,73
1005 10 90	16,55	179,33 ⁽²⁾ ⁽³⁾
1005 90 00	16,55	179,33 ⁽²⁾ ⁽³⁾
1007 00 90	40,05	185,13 ⁽⁴⁾
1008 10 00	45,43	100,51
1008 20 00	45,43	146,76 ⁽⁴⁾
1008 30 00	45,43	62,69 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	45,43	62,69
1101 00 00	31,23	282,73
1102 10 00	87,65	246,25
1103 11 10	128,41	406,48
1103 11 90	31,32	302,94

⁽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 1362/88

of 19 May 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 1097/88 ⁽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 18 May 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 20 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽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 19 May 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	5	6	7	8
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	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	5	6	7	8	9
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 1363/88

of 19 May 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 16 and 17 May 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⁾, as last amended by Regulation (EEC) No 1058/88⁽¹⁵⁾, 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.

⁽¹⁵⁾ OJ No L 104, 23. 4. 1988, 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 20 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	62,00 ⁽¹⁾
1510 00 90	100,00 ⁽³⁾

⁽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 1364/88
of 19 May 1988
on the supply of various lots of butteroil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid management⁽¹⁾, as amended by Regulation (EEC) No 3785/87⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 2 500 tonnes of butteroil;

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

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX I

LOT A

1. **Operation No⁽¹⁾**: 270/88 — Commission Decision of 30 July 1987
2. **Programme**: 1987
3. **Recipient**: National authorizing officer, attn. Ms. Quist, Ministry of Finance and Economic Planning, PO Box M 40 Accra, Ghana
4. **Representative of the recipient⁽²⁾**: Ambassade du Ghana, rue Gachard 44, 1050 Bruxelles; telex: 22572 Ghana B; tel. 649 01 63
5. **Place or country of destination**: Ghana
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods⁽³⁾**: Copper: 0,05 ppm maximum: to be made from intervention butter (*Official Journal of the European Communities* No C 216 of 14 August 1987, page 7, (I.3.1 and I.3.2))
8. **Total quantity**: 300 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 200 kilograms⁽¹⁰⁾ and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 7 and 8 (I.3.3. and I.3.4.)
Supplementary markings on the packaging:
'ACTION No 270/88 / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO GHANA' and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (I.1.3.4)
11. **Method of mobilization**: Purchase of butter from OBEA (Office Belge de l'Économie et de l'Agriculture), rue de Trèves 82, B-1040 Bruxelles; tel. 230 17 40; telex 24076
The addresses of the places of storage are given in Annex II
Selling price determined in accordance with Article 2 of Regulation (EEC) No 2315/76 (*Official Journal of the European Communities* No L 261 of 25 September 1976, page 12)
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Tema
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 15 July 1988
18. **Deadline for the supply**: 15 August 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁴⁾**: 6 June 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20 June 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31 July 1988
 - (c) deadline for the supply: 31 August 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Berlaymont, bureau 6/73,
200 rue de la Loi,
B-1049 Brussels;
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁵⁾**: refund applicable on 15 April 1988 fixed by Regulation (EEC) No 977/88, *Official Journal of the European Communities* No L 98 of 15 April 1988

LOT B

1. **Operation No** ⁽¹⁾: 275/88 — Commission Decision of 16 December 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome; telex 626675 WFP I
4. **Representative of the recipient**: cfr ⁽³⁾
5. **Place or country of destination**: Pakistan
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾ ⁽⁹⁾: to be made from intervention butter (*Official Journal of the European Communities* No C 216, 14 August 1987, page 7 (I.3.1 and I.3.2))
8. **Total quantity**: 2 000 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 5 kilograms ⁽¹¹⁾ and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 7 and 8 (I.3.3 and I.3.4)

Supplementary markings on the packaging:
'ACTION No 275/88 / PAKISTAN / ACTION OF THE WORLD FOOD PROGRAMME / KARACHI'
and *Official Journal of the European Communities* No 216 of 14 August 1987, page 8 (I.1.3.4)
11. **Method of mobilization**: Purchase of butter from Onilait (Office national interprofessionnel du lait et des produits laitiers) 2, rue St Charles, F-75740 Paris Cedex 15; tel. (1) 575 62 60, telex 200745+, telefax 45792849.

The addresses and places of storage are given in Annex II.

Selling price is determined in accordance with Article 2 of Commission Regulation (EEC) No 2315/76 (*Official Journal of the European Communities* No L 261 of 25 September 1976, page 12)
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 20 June to 15 July 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 6 June 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20 June 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 15 to 31 July 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Berlaymont, bureau 6/73,
200, rue de la Loi,
B-1049, Brussels,
Telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 15 April 1988 fixed by Regulation (EEC) No 977/88, *Official Journal of the European Communities* No L 98 of 15 April 1988

LOT C

1. **Operation No⁽¹⁾:** 233/88 — Commission Decision of 8 February 1988
2. **Programme:** 1987
3. **Recipient:** Pakistan
4. **Representative of the recipient⁽²⁾:** Ministry of Health, Dr M. A. Basit Khan, Assistant Project Director, WFP, Block 47, Pak Sec Karachi
5. **Place or country of destination:** Pakistan
6. **Product to be mobilized:** butteroil
7. **Characteristics and quality of the goods⁽³⁾:** to be made from intervention butter (*Official Journal of the European Communities* No C 216 of 14 August 1987, page 7 (I.3.1 and I.3.2))
8. **Total quantity:** 200 tonnes
9. **Number of lots:** one
10. **Packaging and marking:** 5 kilograms and *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 7 and 8 (I.3.3 and I.3.4)
Supplementary markings on the packaging:
'ACTION No 233/88 / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / FOR FREE DISTRIBUTION' and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 8 (I.1.3.4)
11. **Method of mobilization:** Purchase of butter from OBEA (Office Belge de l'Économie et de l'Agriculture), Rue de Trèves 82, B-1040 Bruxelles, tel. 230 17 40; telex 24076+
The addresses of the places of storage are given in Annex II
Selling price determined in accordance with Article 2 of Regulation (EEC) No 2315/76 (*Official Journal of the European Communities* No L 261 of 25 September 1976, page 12)
12. **Stage of supply:** Free at port of landing — landed
13. **Port of shipment:** —
14. **Port of landing specified by the recipient:** —
15. **Port of landing:** Karachi
16. **Address of the warehouse and, if appropriate, port of landing:** —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage:** 1 to 15 July 1988
18. **Deadline for the supply:** 15 August 1988
19. **Procedure for determining the costs of supply:** invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders⁽⁴⁾:** 6 June 1988 at 12 noon
21. **In the case of a second invitation to tender:**
 - (a) deadline for the submission of tenders: 20 June 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 to 31 July 1988
 - (c) deadline for the supply: 31 August 1988
22. **Amount of the tendering security:** 20 ECU/tonne
23. **Amount of the delivery security:** 10 % of the amount of the tender in ECU
24. **Address for submission of tenders:**
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Berlaymont, bureau 6/73,
200 rue de la Loi,
B-1049 Brussels;
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁵⁾:** refund applicable on 15 April 1988 fixed by Regulation (EEC) No 977/88, *Official Journal of the European Communities* No L 98 of 15 April 1988

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity and certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to contact by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
- (⁵) Regulation (EEC) No 2330/87 (OJ L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) Veterinary certificate issued by an official entity stating that the product derives from healthy animals, was processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease.
- (⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (⁸) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (⁹) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate in English stating that the butteroil does not contain any port fat (lard).
- (¹⁰) In new bunged metal drums, coated inside with food-can varnish or having been subject to a procedure giving equivalent guarantees, of 190 to 200 kilograms (to be indicated in the tender) net weight, fully filled and hermetically sealed in an atmosphere of nitrogen. The drums should be strong enough to withstand a long sea journey. Their composition must not be such as to be harmful to human health or to cause a change in the colour, taste or odour of their contents. Each drum must be fully leakproof.
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ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Número de la partida Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij Número do lote	Cantidad Mængde Menge Τόνοι Quantity Quantité Quantità Hoeveelheid Quantidade	Nombre y dirección del almacenista Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder Nome e direcção do armazenista
A 270/88	366 000 kg	NV Vanden Avenne Hanestraat 172, postbus 5 B-9360 Buggenhout
B 275/88	2 440 000 kg	— 197 000 : Cofral 1335, avenue Georges Clémenceau F-07500 Granges-les-Valence — 254 100 : Union frigorifique des docks 12, quai du Lazaret F-13002 Marseille — 60 000 : Compagnie générale frigorifique 18, boulevard Frédéric Sauvage F-13014 Marseille — 323 900 : SA Soprodix 24-26, 4 ^e avenue — zone industrielle F-13700 Vitrolles — 470 000 : SNAC 3214, route de Montpellier Saint-Cézaire F-30000 Nîmes — 22 000 : SA Compagnie française entrepôts frigorifiques Sayat F-63530 Volvic — 705 000 : SA Compagnie des docks frigorifiques de Bordeaux quai de l'Adour F-64600 Anglet-Blancoignon — 220 000 : SA STEF Boulevard Saint-Assisclé F-66 Perpignan — 144 000 : SA Tramier Michel route d'Orange F-84260 Sarrians — 28 000 : Sofrica La Cabaude, boîte postale 45 F-85102 Les Sables-d'Olonne

Número de la partida Partiets nummer Nummer der Partie Αριθμός παρτίδων Number of lot Numéro du lot Numero della partita Nummer van de partij Número do lote	Cantidad Mængde Menge Τόνοι Quantity Quantité Quantità Hoeveelheid Quantidade	Nombre y dirección del almacenista Lagerindehaverens navn og adresse Name und Adresse des Lagerhalters Όνομα και διεύθυνση εναποθηκευτού Address of store Nom et adresse du stockeur Nome e indirizzo del detentore Naam en adres van de depothouder Nome e direcção do armazenista
		— 16 000 : SA frigorifique de Normandie route de la Roche-sur-Yon — zone industrielle F-85800 Saint-Gilles-Croix de Vie
C 233/88	244 000 kg	NV Vanden Avenne Hanestraat 172, postbus 5 B-9360 Buggenhout

COMMISSION REGULATION (EEC) No 1365/88

of 19 May 1988

on the supply of various lots of skimmed-milk powder as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as amended by Regulation (EEC) No 3875/87⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 987 tonnes of skimmed-milk powder;

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

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A

1. **Operation No** ⁽¹⁾: 291/88 — Commission Decisions of 15 April 1987 and 16 March 1988
2. **Programme**: 1987: 106 tonnes; 1988: 261 tonnes
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, 00145 Roma, (telex 626675 WFP I)
4. **Representative of the recipient** ⁽³⁾: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Uganda
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 — I.1.B.3)
8. **Total quantity**: 367 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg; see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.4.3)
Supplementary markings on the packaging:
'ACTION No 291/88 / UGANDA 0241701 / ACTION OF THE WORLD FOOD PROGRAMME / MOMBASA IN TRANSIT TO TORORO'
and see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization**: Community market. The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 15 to 30 July 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 6 June 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20 June 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1 to 15 August 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Berlaymont, bureau 6/73,
200 rue de la Loi,
B-1049 Brussels;
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 29 April 1988 fixed by Regulation (EEC) No 1153/88 (OJ No L 108, 29. 4. 1988, p. 54)

LOT B

1. **Operation No** ⁽¹⁾: 276/88 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, 00145 Roma, Telex 626675 WFP I
4. **Representative of the recipient** ⁽²⁾: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: People's Democratic Republic of Yemen
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾: see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 to I.1.B.3)
8. **Total quantity**: 135 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: 25 kg; see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.4.3)
Supplementary markings on the packaging:
'ACTION No 276/88 / PDR YEMEN 0226502 / ACTION OF THE WORLD FOOD PROGRAMME / ADEN'
and see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization**: Community market. The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 to 15 August 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁷⁾: 6 June 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20 June 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 1 to 31 August 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Berlaymont, bureau 6/73,
200 rue de la Loi,
B-1049 Brussels;
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁸⁾: refund applicable on 29 April 1988 fixed by Regulation (EEC) No 1153/88 (OJ No L 108, 29. 4. 1988, p. 54)

LOT C

1. **Operation No** ⁽¹⁾: 277/88 to 281/88 — Commission Decision of 15 April 1987
2. **Programme**: 1987
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, 00145 Roma, (telex 626675 WFP I)
4. **Representative of the recipient** ⁽³⁾: see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Niger
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽⁶⁾ ⁽⁷⁾ ⁽⁸⁾: see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 — I.1.B.3)
8. **Total quantity**: 185 tonnes
9. **Number of lots**: one (Five parts: C1: 90 tonnes; C2: 25 tonnes; C3: 20 tonnes; C4: 30 tonnes; C5: 20 tonnes)
10. **Packaging and marking**: 25 kg; see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.4.3)

Supplementary markings on the packaging:
C1: 90 tonnes
'ACTION N° 277/88 / NIGER 0244502 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / APAPA EN TRANSIT À NIAMEY'
C2: 25 tonnes
'ACTION N° 278/88 / NIGER 0244502 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / APAPA EN TRANSIT À MARADI'
C3: 20 tonnes
'ACTION N° 279/88 / NIGER 0244502 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / APAPA EN TRANSIT À ZINDER'
C4: 30 tonnes
'ACTION N° 280/88 / NIGER 0244502 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / APAPA EN TRANSIT À AGADEZ'
C5: 20 tonnes
'ACTION N° 281/88 / NIGER 0244502 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL / APAPA EN TRANSIT À TAHOUA'
and see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization**: Community market. The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 10 to 20 July 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 6 June 1988 at 12 noon

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

- (a) deadline for the submission of tenders : 20 June 1988 at 12 noon
- (b) period for making the goods available at the port of shipment : 20 to 31 July 1988
- (c) deadline for the supply : —

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

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

25. Refund payable on request by the successful tenderer (*) : refund applicable on 29 April 1988 fixed by Regulation (EEC) No 1153/88 (OJ No L 108, 29. 4. 1988, p. 54)

LOT D

1. **Operation No** ⁽¹⁾: 258/88 — Commission Decision of 15 April 1987
2. **Programme**: 1988
3. **Recipient**: Republic of Cape Verde
4. **Representative of the recipient** ⁽²⁾: Empresa Pública de Abastecimento (EMPA): Praia: CP 104, tel. 24 93 05, telex: 54 EMPA CV. Mindelo: CP 148, tel: 23 69/27 81, telegrams: EMPA-S. Vicente
5. **Place or country of destination**: Republic of Cape Verde
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (I.1.B.1 — I.1.B.3)
8. **Total quantity**: 300 tonnes [D1: 200 tonnes (Praia); D2: 100 tonnes (Mindelo)]
9. **Number of lots**: one
10. **Packaging and marking**: 1 kg; see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 5 (I.1.B.4.1)

Supplementary markings on the packaging:
‘ACÇÃO Nº 258/88 / LEITE / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA À REPÚBLICA DE CABO VERDE’

and see *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (I.1.B.5)
11. **Method of mobilization**: Community market. The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the supply
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: D1: Praia; D2: Mindelo
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 15 June 1988
18. **Deadline for the supply**: 15 July 1988
19. **Procedure for determining the costs of supply**: invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 6 June 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20 June 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 25 to 30 June 1988
 - (c) deadline for the supply: 30 July 1988
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Berlaymont, bureau 6/73,
200 rue de la Loi,
B-1049 Brussels;
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: refund applicable on 29 April 1988 fixed by Regulation (EEC) No 1153/88 (OJ No L 108, 29. 4. 1988, p. 54)

Notes

- (1) The operation number is to be quoted in all correspondence.
- (2) At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity and certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (3) Commission delegate to contact by the successful tenderer: see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (4) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7a (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex;
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
- (5) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (6) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a health certificate.
- (7) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (8) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
-

COMMISSION REGULATION (EEC) No 1366/88

of 19 May 1988

laying down detailed rules for the granting of private storage aid for long-keeping cheeses

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 1109/88 ⁽²⁾, and in particular Articles 9 (3) and 28 thereof,

Whereas Council Regulation (EEC) No 508/71 ⁽³⁾ provides that private storage aid may be granted for certain long-keeping cheeses where there is a serious imbalance in the market which may be eliminated or reduced by seasonal storage;

Whereas the seasonal nature of Emmentaler and Gruyère cheese production is aggravated by the fact that the seasonal consumption of these cheeses is the opposite of their production; whereas, therefore, provision should be made for recourse to such storage in respect of a quantity corresponding to the difference between summer and winter production;

Whereas the detailed rules for the application of this measure should essentially be the same as those laid down for a similar measure during previous years;

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

HAS ADOPTED THIS REGULATION:

Article 1

Aid shall be granted in respect of the private storage of 20 150 tonnes of Emmentaler and Gruyère cheeses manufactured in the Community which satisfy the requirements of Articles 2 and 3 hereof.

Article 2

1. The intervention agency may conclude storage contracts only if the following conditions are satisfied:

- (a) the batch of cheeses to which a contract relates must comprise at least five tonnes;

- (b) the cheeses shall be indelibly marked with an indication (which may take the form of a number) of the undertaking in which they were manufactured and of the day and month of manufacture;

- (c) the cheeses must have been manufactured at least 10 days before the date specified in the contract as being the date of commencement of storage;

- (d) the cheeses must have undergone quality tests which established that their classification after maturing could be expected to be:

- 'class A' in France,
- 'Markenkäse' or 'Klasse Fein' in Germany,
- '1st quality' in Denmark,
- 'Special Grade' in Ireland;

- (e) the storer shall undertake:

- to keep the cheese during the entire period of storage in premises where the maximum temperature is as indicated under paragraph 2,
- not, during the term of the contract, to alter the composition of the batch which is the subject of the contract without authorization from the intervention agency. If the condition concerning the minimum quantity fixed for each batch continues to be met, the intervention agency may authorize an alteration which is limited to the removal or replacement of cheeses which are found to have deteriorated to such an extent that they can no longer be stored.

In the event of release from store of certain quantities:

- (i) if the aforesaid quantities are replaced with the authorization of the intervention agency, the contract is deemed not to have undergone any alteration,
- (ii) if the aforesaid quantities are not replaced, the contract is deemed to have been concluded *ab initio* for the quantity permanently retained.

Any supervisory costs arising from an alteration shall be met by the storer,

- to keep stock records and to inform the intervention agency each week of the cheeses put into and withdrawn from storage during the previous week.

2. The maximum temperature in the storage premises shall be +6 °C for Emmentaler and +10 °C for Gruyère. In the case of Emmentaler which has already been matured, Member States may permit a maximum temperature of +10 °C.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 58, 11. 3. 1971, p. 1.

3. The storage contract shall be concluded :

- (a) in writing, stating the date when storage covered by the contract begins ; this date may not be earlier than the day following that on which the operations connected with putting the batch of cheese covered by the contract into storage were completed ;
- (b) after completion of the operations connected with putting the batch of cheese covered by the contract into storage and at the latest 40 days after the date when storage by the contract begins.

Article 3

1. Aid shall be granted only for such cheeses as are put into storage during the storing period. This period shall begin on 1 May 1988 and end on or before 30 September of the same year.

2. Stored cheese may be withdrawn from storage only during the period for withdrawal. This period shall begin on 1 October 1988 and end on 31 March of the following year.

Article 4

1. The amount of the aid shall be 2,24 ECU per tonne per day.

Conversion into national currency shall be carried out using the representative rate applicable on the day of withdrawal from storage.

2. No aid shall be granted in respect of storage under contract for less than 90 days. The maximum aid payable shall not exceed an amount corresponding to 180 days' storage under contract.

By way of derogation from the second indent of Article 2 (1) (e), when the period of 90 days specified in the first subparagraph has elapsed and the period for withdrawal referred to in Article 3 (2) has begun, the storer may remove all or part of the batch under contract. The

minimum quantity that may be removed shall be 500 kilograms. The Member States may, however, increase this quantity to two tonnes.

The date of the start of operations to remove the batch of cheese covered by the contract, shall not be included in the period of storage under contract.

Article 5

The periods, dates and time limits referred to in this Regulation shall be determined in accordance with Council Regulation (EEC, Euratom) No 1182/71⁽¹⁾. Nevertheless, Article 3 (4) of that Regulation shall not apply in respect of the determination of the periods referred to in this Regulation.

Article 6

The intervention agency shall take the measures necessary to ensure that checks are kept on the batches which are the subject of contracts. It shall, in particular, see that the cheeses comprised in those batches are marked.

Article 7

The Member States shall communicate to the Commission on or before the Tuesday of each week particulars as to the following :

- (a) the quantities of cheese for which storage contracts have been concluded during the preceding week ;
- (b) any quantities in respect of which the authorization referred to in the second indent of Article 2 (1) (e) has been given.

Article 8

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 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 124, 8. 6. 1971, p. 1.

COMMISSION REGULATION (EEC) No 1367/88

of 19 May 1988

re-establishing the levying of customs duties on jerseys, pullovers, slipovers, anoraks and the like, knitted or crocheted, products of category 5 (order No 40.0050) originating in India, woven breeches, shorts and trousers, products of category 6 (order No 40.0060) originating in Pakistan, yarn of man-made filament, yarn of staple artificial fibres, cotton yarn put up for retail sale, products of category 43 (order No 40.0430) originating in Brazil 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 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 Regulation (EEC) No 3782/87⁽²⁾, to individual ceilings, within the limits of the quantities specified in column 7 of its Annex 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 jerseys, pullovers, slipovers, anoraks and the like, knitted or crocheted, products of category 5 (order No 40.0050), woven breeches, shorts and trousers, products of category 6 (order No 40.0060), yarn of

man-made filament, yarn of staple artificial fibres, cotton yarn put up for retail sale, products of category 43 (code 40.0430) the relevant ceiling amounts to 955 000 pieces, 859 000 pieces and 39 tonnes;

Whereas on 2 May 1988 imports of the products in question into the Community originating in India for category 5, in Pakistan for category 6 and in Brazil for category 43 preferential tariff arrangements, reached and where charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to India for category 5, Pakistan for category 6 and Brazil for category 43,

HAS ADOPTED THIS REGULATION:

Article 1

As from 23 May 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 India for category 5, Pakistan for category 6 and Brazil for category 43:

Order No	Category (Unit)	CN code	Description	Origin
40.0050	5 (1 000 pieces)	6101 10 90	Jerseys, pullovers, slipovers, waistcoats, twinsets, cardigans, bed jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	India
		6101 20 90		
		6101 30 90		
		6102 10 90		
		6102 20 90		
		6102 30 90		
		6110 10 10		
		6110 10 31		
		6110 10 39		
		6110 10 91		
		6110 10 99		
		6110 20 91		
		6110 20 99		
		6110 30 91		
		6110 30 99		

⁽¹⁾ OJ No L 367, 28. 12. 1987, p. 58.

⁽²⁾ OJ No L 367, 28. 12. 1987, p. 1.

Order No	Category (Unit)	CN code	Description	Origin
40.0060	6 (1 000 pieces)	6203 41 10	Men's or boys' woven breeches, shorts (other than swimwear) and trousers (including slacks); women's or girl's woven trousers and slacks, of wool of cotton or of man-made fibres	Pakistan
		6203 41 90		
		6203 42 31		
		6203 42 33		
		6203 42 35		
		6203 42 90		
		6203 43 19		
		6203 43 90		
		6203 49 19		
		6203 49 50		
		6204 61 10		
		6204 62 31		
		6204 62 33		
		6204 62 35		
		6204 63 19		
		6204 69 19		
40.0430	43 (tonnes)	5204 20 00	Yarn of man-made filament, yarn of staple artificial fibres, cotton yarn put up for retail sale	Brazil
		5207 10 00		
		5207 90 00		
		5401 10 90		
		5401 20 90		
		5406 10 00		
		5406 20 00		
		5508 20 90		
		5511 30 00		

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, 19 May 1988.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 1368/88

of 18 May 1988

specifying the conditions for the inclusion of certain live animals of the domestic bovine species and certain meat of the bovine species within the CN codes listed in Annex E to the Additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia establishing new trade arrangements

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁽¹⁾, as last amended by Regulation (EEC) No 1058/88⁽²⁾, and in particular Article 11 thereof,

Whereas Commission Regulation (EEC) No 4129/87⁽³⁾ specified the conditions for the inclusion of certain live animals of the domestic bovine species and certain meat of the bovine species within the CN codes listed in Annex C to the Agreement between the European Economic Community and Yugoslavia;

Whereas by its Decision 87/605/EEC of 21 December 1987 concerning the conclusion of an Additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia establishing new trade arrangements⁽⁴⁾, the Council has amended several details of Annex C to Regulation (EEC) No 314/83⁽⁵⁾ on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia; whereas the said Regulation (EEC) No 4129/87 was based, amongst other things, on the details of the said Annex; whereas, this Regulation should be amended to take account of these amendments; whereas, furthermore, for reasons of clarity, it is appropriate to replace it by a new Regulation;

Whereas the Additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia establishing new trade arrangements, approved by Decision 87/605/EEC, lists in Annex E the following

products falling within CN codes 0102 90 31, 0102 90 35, 0102 90 37, 0201 10 90, 0201 20 11, 0201 20 19, 0201 20 39, 0201 20 51, 0201 20 59 of the domestic bovine species, respectively:

1. live animals including buffalo other than pure-bred breeding animals, not yet having any permanent teeth, of a weight of not less than 350 kg but not more than 500 kg in respect of male animals, or of not less than 320 kg but not more than 470 kg in respect of female animals;
2. carcasses, fresh or chilled, of a weight of not less than 180 kg but not more than 300 kg, and half carcasses or 'compensated' quarters of bovine animals other than calves, fresh or chilled, of a weight of not less than 90 kg but not more than 150 kg, with a low degree of ossification of the cartilages (in particular those of the symphysis pubis and the vertebral apophyses), the meat of which is a light pink colour and the fat of which, of extremely fine texture, is white to light yellow in colour;
3. separated forequarters, fresh or chilled, of a weight of not less than 45 kg but not more than 75 kg, with a low degree of ossification of the cartilages (in particular those of the vertebral apophyses), the meat of which is a light pink colour and the fat of which, of extremely fine texture, is white to light yellow in colour;
4. separated hindquarters, fresh or chilled, of a weight of not less than 45 kg but not more than 75 kg (not less than 38 kg but not more than 68 kg in the case of 'Pistola' cuts), with a low degree of ossification of the cartilages (in particular those of the vertebral apophyses), the meat of which is a light pink colour and the fat of which, of extremely fine texture, is white to light yellow in colour;

Whereas inclusion under those subheadings is subject to production of the certificate referred to in Article 5 (4) of the aforementioned Additional Protocol; whereas the certificate must show that the goods of which it relates correspond exactly to the wording of those CN codes and that they originated in and come from Yugoslavia;

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1987, p. 9.

⁽⁴⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽⁵⁾ OJ No L 41, 14. 2. 1983, p. 1.

Whereas, pursuant to Article 9 of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of the origin of goods⁽¹⁾, as last amended by Regulation (EEC) No 3860/87⁽²⁾, the certificate must comply with certain conditions;

Whereas it is appropriate to specify the form which such certificate must take and the conditions for its use; whereas it is appropriate to lay down certain rules governing the appointment of issuing bodies so as to enable the Community to ensure that the conditions of issue of certificates are observed;

Whereas the wording of the certificate and the conditions of issue and use thereof were determined by mutual agreement with the competent authorities of Yugoslavia; whereas those authorities have communicated the name of the issuing body;

Whereas, pursuant to Article 20 (1) of Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽³⁾, as last amended by Regulation (EEC) No 3905/87⁽⁴⁾, the general rules for the interpretation of the combined nomenclature and detailed rules for the application thereof apply to the classification of products covered by that Regulation;

Whereas the certificate should be drawn up in an official Community language and, where appropriate, an official language of the exporting country;

Whereas the Additional Protocol mentioned above entered into force on January 1988 following the notifications provided for in its Article 8 (2) and, as a result, it is appropriate that this Regulation be applied from the moment of entry into force of the said Protocol;

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

HAS ADOPTED THIS REGULATION:

Article 1

The inclusion of certain live animals of the domestic bovine species and certain meat of bovine species falling within CN codes:

- ex 0102 90 31, ex 0102 90 35 and ex 0102 90 37,
- ex 0201 10 90, ex 0201 20 11 and ex 0201 20 19,
- ex 0201 20 39,
- ex 0201 20 51 and ex 0201 20 59

referred to in Annex E to the Additional Protocol between the European Economic Community and the Socialist Federal Republic of Yugoslavia establishing new

trade arrangements shall be subject to the conditions laid down in this Regulation.

Article 2

Without prejudice to the provisions of Article 9 (2) of Regulation (EEC) No 802/68, a certificate issued in Yugoslavia and fulfilling the requirements laid down in this Regulation shall be submitted when the products referred to in Article 1 are placed in free circulation in the Community.

Article 3

1. The certificate, corresponding to the specimen in Annex I, shall be prepared in one original and two copies. It shall be printed and completed in one of the official languages of the Community and also, where appropriate, in the official language or one of the official languages of the exporting country.

The competent authority of the Member States in which the products are presented may require a translation of the certificate.

2. The original and the copies thereof shall be typewritten or completed by hand. In the latter case they must be completed in ink and in block capitals.

3. The size of the certificate shall be about 210 × 297 mm. The paper used shall weigh not less than 40 grams per square metre. White paper shall be used for the original, pink for the first copy and yellow for the second copy.

4. Each certificate shall bear an individual serial number followed by the nationality symbol 'YU'.

The copies shall bear the same serial number and the same nationality symbol as the original.

Article 4

1. The original and the first copy of the certificate shall be submitted, with the products to which they refer and within 12 days of the date of issue, to the customs authorities of the Member State in which the products are placed in free circulation.

2. The second copy of the certificate shall be sent by the issuing body direct to the competent authorities of the Member State in which the products are placed in free circulation.

Article 5

1. A certificate shall be valid only if it is duly authenticated by an issuing body appearing in the list in Annex II.

2. A duly authenticated certificate is one which shows the place and date of issue and bears the stamp of the issuing body and the signature of the person or persons authorized to sign it.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 1.

⁽²⁾ OJ No L 363, 23. 12. 1987, p. 30.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 370, 30. 12. 1987, p. 7.

Article 6

1. An issuing agency may appear on the list only if:
 - (a) it is recognized as such by the exporting country;
 - (b) it undertakes to verify the particulars shown in the certificates;
 - (c) it undertakes to provide the Commission and Member States, on request, with all appropriate information to enable an assessment to be made of the particulars shown in the certificates;
 - (d) it undertakes to send to the authorities indicated in Article 4 (2) the second copy of each authenticated certificate within three days of the date of issue.
2. The list shall be revised where the conditions specified in paragraph 1 (a) is no longer satisfied or where an issuing body does not fulfil any of the obligations which it has undertaken.

Article 7

Invoices produced in support of customs declarations shall bear the serial number(s) of the corresponding certificate(s).

Article 8

Yugoslavia shall send the Commission of the European Communities specimens of the stamps used by its issuing

authorities. The Commission shall forward this information to the customs authorities of the Member States.

Article 9

Regulation (EEC) No 4129/87 is hereby repealed.

Article 10

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

It shall apply with effect from 1 January 1988.

However,

- until 31 March 1988, the products covered by this Regulation shall also be admitted under the relevant subheadings listed in Article 1 on presentation of a certificate of the kind used until 31 December 1987,
- until 31 August 1988, the products covered by this Regulation shall also be admitted under the relevant subheadings listed in Article 1 on presentation of a certificate of the kind annexed to Regulation (EEC) No 4129/87.

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

Done at Brussels, 18 May 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX I

1 Consignor (full name and address)		CERTIFICATE No 0000		YU
		ORIGINAL		
2 Consignee (full name and address)		CERTIFICATE for exports to the EEC of bovine animals and meat of bovine animals (Application of Article 5 (4) of the Additional Protocol to the Cooperation Agreement between the EEC and Yugoslavia)		
		NOTES A This certificate shall be prepared in one original and two copies. B The original and its two copies shall be typewritten or completed by hand ; in the latter case, they must be completed in block letters in ink. C The original and the first copy of the certificate shall be submitted, with the products to which they refer, to the customs authorities of the Member State in which the products are placed in free circulation within 12 days of the date of issue.		
3 Item number ; makes, numbers, number and kind of packages or head of cattle ; description of goods		4 CN code	5 Gross weight (kg)	6 Net weight (kg)
7 Net weight (kg) (in words)				
8 I, the undersigned, acting on behalf of the authorized issuing body (box 9) certify that the goods described above were subjected to health inspection at in accordance with the attached veterinary certificate of and they originate in and come from Yugoslavia and correspond exactly to the definition contained in Annex E of the Additional Protocol to the Cooperation Agreement of 10 December 1987 between the EEC and Yugoslavia.				
9 Authorized issuing body		Place :	Date :	
		(Stamp of issuing body)	(Signature)	

ANNEX II

Issuing body: SAVEZNI TRŽIŠNI INSPEKTORAT BEOGRAD

COMMISSION REGULATION (EEC) No 1369/88**of 19 May 1988****repealing Regulation (EEC) No 1204/88 on the supply of refined rape seed oil to India as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES;

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as amended by Regulation (EEC) No 3785/87 ⁽²⁾, and in particular Article 6 (1) (c) thereof,Whereas, by Regulation (EEC) No 1204/88 ⁽³⁾, the Commission issued an invitation to tender for the supply of 9 000 tonnes of refined rape seed oil to India as food aid ; whereas the conditions of the supply should be reviewed and the invitation to tender in question should consequently be closed,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1204/88 is hereby repealed.

*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, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.
⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.
⁽³⁾ OJ No L 115, 3. 5. 1988, p. 17.

COMMISSION REGULATION (EEC) No 1370/88

of 19 May 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1117/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 825/88 of 29 March 1988 fixing for the 1988 marketing year the reference prices for courgettes⁽³⁾ fixed the reference price for products of class I for the month of May 1988 at 62,49 ECU per 100 kilograms net;

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

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

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

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

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

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

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

Whereas Article 140 (1) provides for a 4 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the second year after accession,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 32,04 ECU per 100 kilograms net is applied to courgettes (CN code 0709 90 70) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 21 May 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 85, 30. 3. 1988, p. 6.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1371/88

of 19 May 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1117/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1426/87 of 25 May 1987 fixing for the 1987/88 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the month of May 1988 at 47,53 ECU per 100 kilograms net;

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 2,72 ECU per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 21 May 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 13.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1372/88

of 19 May 1988

introducing a countervailing charge on cucumbers originating in Poland

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1117/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 297/88 of 1 February 1988 fixing for the 1988 marketing year the reference prices for cucumbers⁽³⁾ fixed the reference price for products of class I at 76,12 ECU per 100 kilograms net for the month of April 1988;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 43,10 ECU per 100 kilograms net is applied to cucumbers (CN codes 0707 00 11 and 0707 00 19) originating in Poland.

Article 2

This Regulation shall enter into force on 21 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 30, 2. 2. 1988, p. 12.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1373/88

of 19 May 1988

introducing a countervailing charge on tomatoes originating in Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1117/88⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 723/88 of 18 March 1988 fixing for the 1988 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at 136,75 ECU per 100 kilograms net for the month of May 1988;

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

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

eration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the second indent of Article 1 (2) of Regulation (EEC) No 723/88;

Whereas, for tomatoes originating in Romania the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 17,34 ECU per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Romania.

Article 2

This Regulation shall enter into force on 21 May 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 74, 19. 3. 1988, p. 51.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1374/88

of 19 May 1988

introducing a countervailing charge on tomatoes originating in Albania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1117/88⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 723/88 of 18 March 1988 fixing for the 1988 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at 136,75 ECU per 100 kilograms net for the month of May 1988;

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

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

eration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the second indent of Article 1 (2) of Regulation (EEC) No 723/88;

Whereas, for tomatoes originating in Albania the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 5,24 ECU per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Albania.

Article 2

This Regulation shall enter into force on 21 May 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 74, 19. 3. 1988, p. 51.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1375/88**of 19 May 1988****altering 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 1109/88⁽²⁾, and in particular Article 17 (5) thereof,

Whereas the export refunds on milk and milk products were fixed by Commission Regulation (EEC) No 1153/88⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1153/88 to the information known to the Commission that the export

refunds for the products listed in the Annex hereto should be altered to the amounts set out therein,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state, as fixed in the Annex to Regulation (EEC) No 1153/88 amended are hereby altered, in respect of the products set out in the Annex hereto, to the amounts set out therein.

Article 2

This Regulation shall enter into force on 20 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 108, 29. 4. 1988, p. 54.

ANNEX

to the Commission Regulation of 19 May 1988 altering the export refunds on milk and milk products

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

Product code	Destination	Amount of refund
0402 10 11 000		80,00
0402 10 19 000		80,00
0402 10 91 000		0,8000
0402 10 99 000		0,8000
0402 21 11 200		80,00
0402 21 11 300		111,73
0402 21 11 500		119,30
0402 21 11 900		130,00
0402 21 17 000		80,00
0402 21 19 300		111,73
0402 21 19 500		119,30
0402 21 19 900		130,00
0402 21 91 100		131,15
0402 21 91 200		132,24
0402 21 91 300		134,24
0402 21 91 400		145,96
0402 21 91 500		149,95
0402 21 91 600		165,09
0402 21 91 700		174,30
0402 21 91 900		184,46
0402 21 99 100		131,15
0402 21 99 200		132,24
0402 21 99 300		134,24
0402 21 99 400		145,96
0402 21 99 500		149,95
0402 21 99 600		165,09
0402 21 99 700		174,30
0402 21 99 900		184,46
0402 29 15 200		0,8000
0402 29 15 300		1,1173
0402 29 15 500		1,1930
0402 29 15 900		1,3000
0402 29 19 200		0,8000
0402 29 19 300		1,1173
0402 29 19 500		1,1930
0402 29 19 900		1,3000
0402 29 91 100		1,3115
0402 29 91 500		1,4596
0402 29 99 100		1,3115
0402 29 99 500		1,4596
0402 91 11 310		21,66
0402 91 11 350		27,37
0402 91 11 370		34,27
0402 91 19 310		21,66
0402 91 19 350		27,37
0402 91 19 370		34,27
0402 91 31 300		35,58
0402 91 39 300		35,58
0402 99 11 310		24,99
0402 99 11 330		30,81
0402 99 11 350		42,21
0402 99 19 310		24,99
0402 99 19 330		30,81
0402 99 19 350		42,21
0403 90 11 000		80,00
0403 90 13 000		80,00
0403 90 19 000		131,15
0403 90 31 000		0,8000
0403 90 33 000		0,8000
0403 90 39 000		1,3115

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

Product code	Destination	Amount of refund
0404 90 11 100		80,00
0404 90 11 950		21,66
0404 90 13 120		80,00
0404 90 13 130		111,73
0404 90 13 140		119,30
0404 90 13 150		130,00
0404 90 13 931		21,66
0404 90 13 933		27,37
0404 90 13 935		34,27
0404 90 13 937		35,58
0404 90 13 939		44,09
0404 90 19 110		131,15
0404 90 19 115		132,24
0404 90 19 120		134,24
0404 90 19 130		145,96
0404 90 19 135		149,95
0404 90 19 150		165,09
0404 90 19 160		174,30
0404 90 19 180		184,46
0404 90 19 900		—
0404 90 31 100		80,00
0404 90 31 950		21,66
0404 90 33 120		80,00
0404 90 33 130		111,73
0404 90 33 140		119,30
0404 90 33 150		130,00
0404 90 33 931		21,66
0404 90 33 933		27,37
0404 90 33 935		34,27
0404 90 33 937		35,58
0404 90 33 939		37,24
0404 90 39 110		131,15
0404 90 39 115		132,24
0404 90 39 120		134,24
0404 90 39 130		145,96
0404 90 39 150		149,95
0404 90 39 900		—
0404 90 51 100		0,8000
0404 90 51 950		24,99
0404 90 53 110		0,8000
0404 90 53 130		1,1173
0404 90 53 150		1,1930
0404 90 53 170		1,3000
0404 90 53 931		24,99
0404 90 53 933		30,81
0404 90 53 935		42,21
0404 90 53 937		44,09
0404 90 53 939		—
0404 90 59 130		1,3115
0404 90 59 150		1,4596
0404 90 91 100		0,8000
0404 90 91 950		24,99
0404 90 93 110		0,8000
0404 90 93 130		1,1173
0404 90 93 150		1,1930
0404 90 93 170		1,3000
0404 90 93 931		24,99
0404 90 93 933		30,81
0404 90 93 935		42,21
0404 90 93 937		44,09
0404 90 93 939		—
0404 90 99 130		1,3115
0404 90 99 150		1,4596

COMMISSION REGULATION (EEC) No 1376/88

of 19 May 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1097/88⁽²⁾, and in particular the fourth subparagraph of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁸⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁹⁾ OJ No L 366, 24. 12. 1987, p. 1.

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

The refund on export to Portugal has not been fixed.

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 20 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 19 May 1988 fixing 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 (?)
	10	24,00 (?)
	02	20,00 (?)
1001 90 91 000	01	80,00
1001 90 99 000	03	96,00
	02	0
	08	98,00
	12	25,00
1002 00 00 000	03	88,00
	06	20,00
	07	15,00
	02	25,00
	09	95,00
	11	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	108,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	144,00
1101 00 00 120	01	144,00
1101 00 00 130	01	125,00
1101 00 00 150	01	116,00
1101 00 00 170	01	107,00
1101 00 00 180	01	96,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	144,00
1102 10 00 200	01	144,00
1102 10 00 300	01	144,00
1102 10 00 500	01	144,00
1102 10 00 900	—	—
1103 11 10 100	01	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	144,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

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

(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 1377/88

of 19 May 1988

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1097/88⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

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

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

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

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices

and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

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

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

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

Whereas it may be altered in the period between fixings;

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹⁰⁾ OJ No L 366, 24. 12. 1987, p. 1.

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

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

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

HAS ADOPTED THIS REGULATION :

Article 2

Article 1

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

This Regulation shall enter into force on 20 May 1988.

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

Done at Brussels, 19 May 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 19 May 1988 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	02	0	- 20,00	- 20,00	- 20,00	- 20,00	- 20,00	- 20,00
	03	0	0	0	- 20,00	- 20,00	- 20,00	- 20,00
1002 00 00 000	01	0	- 20,00	- 20,00	- 20,00	- 20,00	- 20,00	- 20,00
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	- 20,00	- 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	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 120	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 130	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 150	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 170	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 180	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 200	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 300	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 500	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

- 01 All third countries,
- 02 Other third countries,
- 03 Morocco.

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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 3 May 1988

amending Directive 74/150/EEC on the approximation of the laws of the Member States relating to the type-approval of wheeled agricultural or forestry tractors

(88/297/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and, in particular, Article 100A thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas it is important to adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992; whereas the internal market shall comprise an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas in Annex II to Directive 74/150/EEC ⁽⁴⁾, as last amended by Directive 82/890/EEC ⁽⁵⁾, contains a list of parts or characteristics with the indication 'SD', which signifies that Community Directives have been or must be adopted; whereas it has become superfluous to adopt Community rules for some of those parts or characteristics because they are now used less and less frequently in tractor manufacturing or have been replaced by other devices which have since become obligatory;

Whereas, among the Community rules governing the granting of EEC type-approval in respect of tractors, those concerning the parts or characteristics in question can be

replaced by the specification that they conform to the particulars and information provided by the manufacturer,

HAS ADOPTED THIS DIRECTIVE:

Article 1

In Annex II to Directive 74/150/EEC the abbreviation 'SD' shown against items 7.3.4, 7.5 and 7.6.3 are replaced by the abbreviation 'CONF'.

Article 2

1. Member States shall bring into force the provisions necessary in order to comply with this Directive not later than 31 December 1988. They shall forthwith inform the Commission thereof.

2. Member States shall ensure that the texts of the main provisions of national law which they adopt in the field covered by this Directive are communicated to the Commission.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 3 May 1988.

For the Council

The President

M. BANGEMANN

⁽¹⁾ OJ No C 88, 3. 4. 1987, p. 10.

⁽²⁾ OJ No C 156, 15. 6. 1987, p. 190, and OJ No C 94, 11. 4. 1988, p. 66.

⁽³⁾ OJ No C 180, 8. 7. 1987, p. 15.

⁽⁴⁾ OJ No L 84, 28. 3. 1974, p. 10.

⁽⁵⁾ OJ No L 378, 31. 12. 1982, p. 45.

COUNCIL DIRECTIVE

of 16 May 1988

amending Annex II to Directives 76/895/EEC and 86/362/EEC relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables and cereals respectively

(88/298/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 76/895/EEC of 23 November 1976 relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 5 thereof,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals ⁽³⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas, in the light of technical and scientific progress and of the requirements of public health and agriculture, it is necessary to amend the provisions, particularly the maximum levels, contained in Annex II to Directive 76/895/EEC relating to captafol, captan, chlorfenvinphos, dodine, fenitrothion, folpet, formothion and malathion;

Whereas, for the same reasons, it seems desirable to update Directive 76/895/EEC by adding provisions relating to further pesticides, residues of which may occur in and on fruit and vegetables, namely, ethion, ethylene dibromide, mevinphos, phosalone and 2, 4, 5-T, and to update Directive 86/362/EEC by adding provisions relating to a further pesticide the residues of which may occur in cereals, namely, captafol,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 76/895/EEC is hereby amended as follows:

1. For the pesticides set out below, the maximum residual levels contained in the table are replaced by the following:

Common name	Maximum levels (in mg/kg (ppm))
captafol	0,05:
captan	3: pome fruit, berries and small fruit, grapes, tomatoes
folpet	2: beans, broad-leaved endives, endives, leeks, stone-fruit, lettuce, peas
	0,1: other products
chlorfenvinphos (sum of E- and Z-isomers)	1: citrus fruit
	0,5: bulb, tuber and root vegetables, celery and parsley
	0,05: mushrooms, other fruit
	0,1: other vegetables
dodine	1: pome and stone fruit
	0,2: other products
fenitrothion	2: citrus fruit
	0,5: other products
formothion	0,2: citrus fruit
	0,1: other products
malathion (including malaoxon)	2: citrus fruit
	3: vegetables, except root vegetables
	0,5: other products

⁽¹⁾ OJ No L 340, 9. 12. 1976, p. 26.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 221, 7. 8. 1986, p. 37.

2. The following pesticide residues together with their corresponding particulars are inserted in the table :

Pesticide residues		Maximum levels (in mg/kg (ppm))
Common name	Chemical formula	
ethion	0,0,0',0'-tetraethyl S, S'-methylene di (phosphorodithioate)	2 : citrus fruit 0,5 : pome and stone fruit and grapes 0,1 : other products
ethylene dibromide	1,2-dibromoethane	0,01
mevinphos	2-methoxy-carbonyl-1-methyl-vinyl dimethyl phosphate (sum of cis and trans isomers)	0,2 : pome and citrus fruit and apricots 0,5 : other stone fruit, leafy vegetables 0,1 : other products
phosalone	S-(6-chloro-2-oxobenzo-oxazolin-3-yl) methyl 00-diethyl phosphorodithioate	1 : citrus fruit and strawberries 2 : pome fruit and peaches 0,1 : root vegetables and olives 1 : other products
2,4,5-T	(2,4,5-tri-chlorophenoxy)-acetic acid	0,05

Article 2

The following pesticide residue is hereby added to Part A of Annex II to Directive 86/362/EEC :

Pesticide residues	Maximum levels in mg/kg (ppm)
19. captafol	0,05

Article 3

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive

- not later than 1 July 1988 in the case of captafol, captane and folpet ;
- not later than 1 January 1989 in the case of the other pesticides.

They shall forthwith inform the Commission thereof.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 16 May 1988.

For the Council

The President

I. KIECHLE