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## Legislation

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## I

*(Acts whose publication is obligatory)*

# COUNCIL REGULATION (EEC) No 1378/88

of 3 May 1988

opening, allocating and providing for the administration of Community tariff quotas for new potatoes and fresh table grapes originating in Cyprus (1988)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement establishing an association between the European Economic Community and the Republic of Cyprus, as supplemented by the Protocol laying down the conditions and procedures for the implementation of the second stage of the said Agreement and adapting certain provisions thereof<sup>(1)</sup>, provides for the opening of annual Community tariff quotas of 60 000 tonnes for new potatoes falling within CN code 0701 90 59 and for 7 500 tonnes for fresh table grapes falling within CN codes ex 0806 10 15 and ex 0806 10 19, originating in Cyprus; whereas, under Article 18 of the Protocol in question, these volumes are subject to gradual increases from the entry into force of the Protocol, and will therefore be 65 000 tonnes and 8 100 tonnes respectively in 1988; whereas, within the limits of these tariff quotas the customs duties applicable are to be abolished progressively according to the same timetables and under the same conditions as laid down in Articles 5 and 16 of the said Protocol;

Whereas, however, the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community<sup>(2)</sup> lays down that those two Member States will postpone, until 31 December 1989 and 31 December 1990 respectively, implementation of the preferential arrangements for the products covered by Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(3)</sup> as last amended by Regulation (EEC) No 00/88<sup>(4)</sup>; whereas, consequently, the tariff quota for fresh table grapes applies only to the Community as constituted

on 31 December 1985, whilst that for new potatoes applies to the Community of Twelve;

Whereas the Community tariff quotas should therefore be opened for the period 16 May to 30 June 1988 for new potatoes and for the period 8 June to 4 August 1988 for fresh table grapes;

Whereas it is in particular necessary to ensure for all Community importers equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for these quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, having regard to the above principles, the Community nature of the quotas can be respected by allocating the Community tariff quotas among the Member States; whereas, in order to reflect as accurately as possible the true trend of the market in the products in question, such allocation should be in proportion to the requirements of the Member States, calculated by reference to the statistics for imports from Cyprus over a representative reference period and also to the economic outlook for the quota periods in question;

Whereas, during the last three years for which statistics are available, imports of new potatoes into each of the Member States were as follows:

*(in tonnes)*

| Member States  | 1984   | 1985   | 1986   |
|----------------|--------|--------|--------|
| Benelux        | 4 714  | 1 861  | 3 999  |
| Denmark        | —      | —      | 1      |
| Germany        | 3 071  | 1 932  | 4 120  |
| Greece         | —      | —      | —      |
| Spain          | —      | —      | —      |
| France         | —      | —      | —      |
| Ireland        | 630    | 854    | 92     |
| Italy          | —      | —      | —      |
| Portugal       | —      | —      | —      |
| United Kingdom | 68 524 | 63 846 | 64 496 |

<sup>(1)</sup> OJ No L 393, 31. 12. 1987, p. 2.

<sup>(2)</sup> OJ No L 393, 31. 12. 1987, p. 37.

<sup>(3)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(4)</sup> OJ No L 110, 29. 4. 1988, p. 33.

Whereas in view of these factors and of market forecasts for the products in question and in particular of the estimates submitted by certain Member States, initial quota shares may be fixed approximately at the following percentages :

|                |       |
|----------------|-------|
| Benelux        | 5,03  |
| Denmark        | 0,53  |
| Germany        | 4,77  |
| Greece         | —     |
| Spain          | —     |
| France         | —     |
| Ireland        | 0,67  |
| Italy          | —     |
| Portugal       | —     |
| United Kingdom | 89,00 |

Whereas, however, neither Community nor national statistics showing the breakdown for imports of fresh table grapes corresponding to the period in question are available and no reliable estimates of future imports can be made ; whereas, in these circumstances, the quota volumes should be allocated in initial shares, to take into account demand for these products on the markets of the various Member States ;

Whereas during the last three years these products were imported regularly only by certain Member States and not at all or only occasionally by the other Member States ; whereas under these circumstances, in the first phase, initial shares should be allocated only to the genuine importing Member States and the other Member States should be guaranteed access to the benefit of the tariff quotas when imports actually take place in non-Member States ; whereas these allocation arrangements will ensure the uniform application of the Common Customs Tariff ;

Whereas, to allow for the trend of imports of the products concerned in the various Member States, each quota volume should be divided into two parts, the first being allocated among certain Member States and the second held as a reserve to cover any subsequent requirements of those Member States which have used up their initial shares and any requirements which might arise in the

other Member States ; whereas, to afford importers in each Member State some degree of certainty, an appropriate level for the first part of the Community quotas would, in the present circumstances, be approximately 86 % of the quota volume for new potatoes and 75 % of the quota volume for fresh table grapes.

Whereas the Member States initial shares may be used up at different times ; whereas in order to take this fact into account and avoid any break in continuity, any Member State which has almost used up its initial quota shares should draw an additional share from the corresponding reserve ; whereas this must be done by each Member State as and when each of its additional shares is almost used up, and repeated as many times as the reserve allows ; whereas the initial and additional shares must be valid until the end of the quota period ; whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must be in a position to monitor the extent to which the quota amounts have been used up and to inform Member States thereof ;

Whereas, if, at a given date in the quota period, a substantial quantity remains unused in any Member State, it is essential that that Member State should return a significant proportion to the corresponding reserve to prevent a part of a Community quota from remaining unused in one Member State when it could be used in others ;

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

HAS ADOPTED THIS REGULATION :

#### Article 1

1. From 16 May to 30 June 1988 on import into the Community the customs duty applicable for the following products originating in Cyprus shall be suspended at the level and within the limits of a Community tariff quota as follows :

| Order No | CN code    | Description  | Amount of quota (in tonnes) | Quota duty (%) |
|----------|------------|--------------|-----------------------------|----------------|
| 09.1401  | 0701 90 59 | New potatoes | 65 000                      | 8,5            |

Within the limits of this tariff quota, Spain and Portugal shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of Spain and Portugal.

2. From 8 June to 4 August 1988, on import into the Community as constituted on 31 December 1985, the duties applicable for the following products, originating in Cyprus, shall be suspended at the levels and within the limit of a Community tariff quota as follows:

| Order No | CN code                        | Description                                                                | Amount of quota (in tonnes) | Quota duty (%) |
|----------|--------------------------------|----------------------------------------------------------------------------|-----------------------------|----------------|
| 09.1407  | ex 0806 10 15<br>ex 0806 10 19 | Fresh table grapes :<br>from 8 June to 14 July<br>from 15 July to 4 August | 8 100                       | 6,5<br>8,0     |

#### Article 2

1. The tariff quotas laid down in Article 1 shall be divided into two instalments.

2. The first part of each Community tariff quota referred to in Article 1 shall be allocated among certain Member States; without prejudice to Article 5, the quota shares shall be valid until 30 June and 4 August 1988 respectively and shall be as follows:

| Member States  | New potatoes<br>CN code<br>0701 90 59 | Fresh table grapes<br>CN code<br>ex 0806 10 15<br>ex 0806 10 19 |
|----------------|---------------------------------------|-----------------------------------------------------------------|
| Benelux        | 2 820                                 | 155                                                             |
| Denmark        | 300                                   | 40                                                              |
| Germany        | 2 675                                 | 195                                                             |
| Greece         | —                                     | —                                                               |
| Spain          | —                                     | —                                                               |
| France         | —                                     | —                                                               |
| Ireland        | 375                                   | 20                                                              |
| Italy          | —                                     | —                                                               |
| Portugal       | —                                     | —                                                               |
| United Kingdom | 49 930                                | 5 700                                                           |

3. The second part of each quota, 8 900 and 1 990 tonnes respectively shall constitute the corresponding reserve.

4. If an importer gives notification of imminent imports of these products into the other Member States and applies to take advantage of the quota, the Member State concerned shall inform the Commission and draw

an amount corresponding to its requirements to the extent that the available balance of the reserve so permits.

#### Article 3

1. If a Member State has used 90 % or more of one of its initial quota shares as specified in Article 2 (2), or of that share less any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission and to the extent that the reserve so permits, draw a second share equal to 10 % of its initial share, rounded up where necessary to the next whole number.

2. If, after one of its initial quota shares has been used up, a Member State has used 90 % or more of its second share as well, it shall, using the procedure provided for in paragraph 1 and to the extent that the reserve so permits, draw a third share equal to 5 % of the initial share, rounded up where necessary to the next whole number.

3. If, after one of its second shares has been used up, a Member State has used 90 % or more of its third share, it shall, using the procedure provided for in paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares smaller than those fixed in those paragraphs if there is reason to believe that they might not be used up. It shall inform the Commission of its reasons for applying this paragraph.

#### Article 4

Each of the additional shares drawn pursuant to Article 3 shall be valid until 30 June and 4 August 1988 respectively.

*Article 5*

The Member States shall return to the reserve not later than 15 June and 20 July respectively, such unused portion of their initial share as, on 10 June and 15 July 1988 respectively, is in excess of 20 % of the initial volume. They may return a larger quantity if there are grounds for believing that this quantity may not be used.

The Member States shall notify the Commission, not later than 15 June and 20 July respectively, of the total quantities of the products in question imported up to 10 June and 15 July 1988 respectively, and charged against the tariff quotas and of any quantity of the initial shares returned to the corresponding reserves.

*Article 6*

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and, as soon as it is notified, shall inform each State of the extent to which the reserves have been used up.

It shall inform the Member States, not later than 20 June and 25 July 1988 respectively, of the amount in each reserve after quantities have been returned thereto pursuant to Article 5.

It shall ensure that the drawing which exhausts any reserve does not exceed the balance available and, to this end, shall notify the amount of that balance to the Member State making the last drawing.

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

Done at Brussels, 3 May 1988.

*Article 7*

1. The Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community tariff quotas.

2. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

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

4. The extent to which a Member State has used up its shares shall be determined on the basis of the imports charged in accordance with paragraph 3.

*Article 8*

At the Commission's request, the Member States shall inform it of imports actually charged against their shares.

*Article 9*

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

*Article 10*

This Regulation shall enter into force on 16 May 1988.

*For the Council*

*The President*

M. BANGEMANN

## COMMISSION REGULATION (EEC) No 1379/88

of 20 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<sup>(1)</sup>, as last amended by Regulation (EEC) 1097/88<sup>(2)</sup>, 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<sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87<sup>(4)</sup>, 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<sup>(5)</sup> 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 19 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 21 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 7.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 378, 31. 12. 1987, p. 99.

## ANNEX

to the Commission Regulation of 20 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    | 177,41                               |
| 0712 90 19 | 16,55    | 177,41                               |
| 1001 10 10 | 73,91    | 253,31 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 10 90 | 73,91    | 253,31 <sup>(1)</sup> <sup>(2)</sup> |
| 1001 90 91 | 11,45    | 191,09                               |
| 1001 90 99 | 11,45    | 191,09                               |
| 1002 00 00 | 51,75    | 165,03 <sup>(3)</sup>                |
| 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    | 177,41 <sup>(4)</sup> <sup>(5)</sup> |
| 1005 90 00 | 16,55    | 177,41 <sup>(4)</sup> <sup>(5)</sup> |
| 1007 00 90 | 40,05    | 185,13 <sup>(6)</sup>                |
| 1008 10 00 | 45,43    | 100,51                               |
| 1008 20 00 | 45,43    | 146,76 <sup>(6)</sup>                |
| 1008 30 00 | 45,43    | 62,69 <sup>(7)</sup>                 |
| 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                               |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

<sup>(2)</sup> 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'.

<sup>(3)</sup> Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

<sup>(4)</sup> Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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.

<sup>(7)</sup> The levy applicable to rye shall be charged on imports of the product falling within subheading 1008 90 10 (triticale).

**COMMISSION REGULATION (EEC) No 1380/88****of 20 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1097/88 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1636/87 <sup>(4)</sup>, 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 <sup>(5)</sup> 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 19 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 21 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 7.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 153, 13. 6. 1987, p. 1.

<sup>(5)</sup> OJ No L 378, 31. 12. 1987, p. 102.

## ANNEX

to the Commission Regulation of 20 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 1381/88**  
**of 20 May 1988**  
**fixing the import levies on rice and broken rice**

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 4042/87<sup>(4)</sup>, as last amended by Regulation (EEC) No 1297/88<sup>(5)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 23 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 378, 31. 12. 1987, p. 88.

<sup>(5)</sup> OJ No L 122, 12. 5. 1988, p. 35.

## ANNEX

to the Commission Regulation of 20 May 1988 fixing the import levies on rice and broken rice

(ECU/tonne)

| CN Code    | Portugal | Third countries<br>(except ACP or OCT)<br>( <sup>1</sup> ) | ACP or OCT<br>( <sup>1</sup> ) ( <sup>2</sup> ) | Arrangement<br>in Regulation (EEC)<br>No 3877/86 |
|------------|----------|------------------------------------------------------------|-------------------------------------------------|--------------------------------------------------|
| 1006 10 91 | —        | 325,67                                                     | 159,23                                          | —                                                |
| 1006 10 99 | —        | 309,20                                                     | 151,00                                          | 231,90                                           |
| 1006 20 10 | —        | 407,09                                                     | 199,94                                          | —                                                |
| 1006 20 90 | —        | 386,50                                                     | 189,65                                          | 289,88                                           |
| 1006 30 11 | 13,05    | 536,45                                                     | 256,30                                          | —                                                |
| 1006 30 19 | 12,97    | 616,82                                                     | 296,52                                          | 462,62                                           |
| 1006 30 91 | 13,90    | 571,32                                                     | 273,31                                          | —                                                |
| 1006 30 99 | 13,90    | 661,24                                                     | 318,27                                          | 495,93                                           |
| 1006 40 00 | 0        | 148,92                                                     | 71,46                                           | —                                                |

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

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

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

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

## COMMISSION REGULATION (EEC) No 1382/88

of 20 May 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(1)</sup>, as last amended by Regulation (EEC) No 3990/87<sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2604/87<sup>(3)</sup>, as last amended by Regulation (EEC) No 1298/88<sup>(4)</sup>;

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

*Article 1*

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

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

*Article 2*

This Regulation shall enter into force on 23 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 15.

<sup>(3)</sup> OJ No L 245, 29. 8. 1987, p. 39.

<sup>(4)</sup> OJ No L 122, 12. 5. 1988, p. 37.

## ANNEX

to the Commission Regulation of 20 May 1988 fixing the premiums to be added to the import levies on rice and broken rice

| CN Code    | Current | 1st period | 2nd period | 3rd period |
|------------|---------|------------|------------|------------|
|            | 5       | 6          | 7          | 8          |
| 1006 10 91 | 0       | 0          | 0          | —          |
| 1006 10 99 | 0       | 0          | 0          | —          |
| 1006 20 10 | 0       | 0          | 0          | —          |
| 1006 20 90 | 0       | 0          | 0          | —          |
| 1006 30 11 | 0       | 0          | 0          | —          |
| 1006 30 19 | 0       | 0          | 0          | —          |
| 1006 30 91 | 0       | 0          | 0          | —          |
| 1006 30 99 | 0       | 0          | 0          | —          |
| 1006 40 00 | 0       | 0          | 0          | 0          |

## COMMISSION REGULATION (EEC) No 1383/88

of 20 May 1988

laying down special detailed rules for the sale of butter from intervention stock for export to Bangladesh in the form of butteroil or ghee and amending Regulations (EEC) No 1687/76 and (EEC) No 569/88

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1109/88<sup>(2)</sup>, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture<sup>(3)</sup>, as last amended by Regulation (EEC) No 1889/87<sup>(4)</sup>, and in particular Article 12 thereof,

Whereas Article 6 of Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream<sup>(5)</sup>, as last amended by Regulation (EEC) No 842/88<sup>(6)</sup>, provides that special conditions may be laid down when butter is put on sale for export, in order to take account of the special requirements for such sales and to guarantee that the product is not diverted from its destination;

Whereas Bangladesh is experiencing a severe food shortage, a situation which is made worse by floods; whereas help from the Community cannot consist solely of food-aid supplies, given the budget limits on such supplies; whereas a programme is currently being implemented for the disposal, at a reduced price, of butter from intervention stocks; whereas some of that butter should be earmarked for export to Bangladesh in the form of butteroil or ghee in order to meet at least part of that country's requirements in terms of oils and fats;

Whereas the butter should not be offered for sale unless it has a fat content of less than 82 % and is at least 18 months old on the day the contract of sale is concluded; whereas it is advisable that the butter should be processed prior to export to Bangladesh and, accordingly, that only processing undertakings recognized pursuant to this Regulation should be eligible to purchase it;

Whereas in order to ensure that the butter is not diverted from its destination its movement should be monitored from the moment it is removed from store until it is imported into Bangladesh;

Whereas it should be pointed out that the control arrangements specified in Commission Regulation (EEC) No 1687/76<sup>(7)</sup>, as last amended by Regulation (EEC) No 1335/88<sup>(8)</sup>, will apply; whereas, moreover, in view of the particular nature of the operation, the Bangladesh authorities must undertake to ensure that the product is not re-exported;

Whereas buyers may process the butter in a Member State other than that in which it was stored; whereas, therefore, the monetary compensatory amounts should be adjusted according to the intervention butter's selling price;

Whereas account should be taken of the obligations arising under the International Dairy Arrangement, in particular those provided for in the decision adopted on 22 March 1988 by the Protocol Committee concerning fat;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

(1) Butter which has a fat content of less than 82 % and which was bought in pursuant to Article 6 (1) of Regulation (EEC) No 804/68 shall be put up for sale at a specified price under the terms of this Regulation. The butter must not be less than 18 months old on the day the contract of sale is concluded.

(2) The butter shall be sold, by the Irish and United Kingdom intervention agencies only, solely to establishments approved pursuant to Article 8 (3), and with a view to being exported, after processing into butteroil or ghee, to Bangladesh only.

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 27.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 6.

<sup>(4)</sup> OJ No L 182, 3. 7. 1987, p. 1.

<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 1.

<sup>(6)</sup> OJ No L 87, 31. 3. 1988, p. 4.

<sup>(7)</sup> OJ No L 190, 14. 7. 1976, p. 1.

<sup>(8)</sup> OJ No L 124, 18. 5. 1988, p. 11.

(3) The quantities of butter from intervention stock which are to be made available pursuant to this Regulation shall not exceed 15 625 tonnes in the case of butter held by the Irish intervention agency, and 15 625 tonnes in the case of butter held by the United Kingdom intervention agency.

#### Article 2

- (1) The butter's selling price shall be 10 ECU per 100 kg.
- (2) The Irish and United Kingdom intervention agencies shall keep up to date and make available to interested parties at their request a list of the cold stores where the butter is held and the corresponding quantities.
- (3) The intervention agency shall take the necessary action to permit interested parties at their own expense to examine samples of the butter prior to its removal.

#### Article 3

At the time of the contract's conclusion purchasers must submit proof that:

- the competent authorities in Bangladesh have undertaken to ensure, on their responsibility, that butteroil or ghee imported pursuant to this Regulation is not re-exported,
- they have lodged security of 10 ECU per tonne, intended to ensure that the principal requirements regarding the lodging of the destination security specified in Article 5, the payment of the price specified in Article 2 (1), and the removal of the entire quantity purchased are met within the time-limit specified in the first paragraph of Article 4.

The contract of sale shall be for a quantity of not less than 2 000 tonnes of butter, which the purchaser shall undertake to process and pack as laid down in Article 8 (1) and (2).

#### Article 4

The butter purchased must be paid for and removed by 15 September 1988 at the latest.

The declaration of export to Bangladesh must be accepted by 31 December 1988 at the latest.

#### Article 5

1. Purchasers shall, for each quantity that they remove, pay the intervention agency the purchase price and submit proof that they have lodged a destination security of 310 ECU per 100 kg, designed to ensure that the principal requirements regarding the butter's processing into butteroil or ghee in accordance with Article 8 (1), the export declaration's acceptance by the time-limit specified in the second paragraph of Article 4, and import of the product into Bangladesh are met.

2. Except in cases of *force majeure*, the security referred to in the second indent of the first paragraph of Article 3 shall be forfeit and the sale cancelled in respect of the quantities remaining, if the purchase price is not paid by 15 September 1988 at the latest.

#### Article 6

1. Once the purchase price has been paid and the destination security lodged, the intervention agency shall issue a removal voucher showing:

- the quantity in respect of which the conditions set out above have been met, and
- the cold store where the said quantity is being kept.

2. Butter to be put up for sale shall be delivered by the intervention agency in packages bearing, in clearly visible and legible characters, at least one of the following forms of wording:

- Mantequilla destinada a la transformación en butteroil/ghee — Reglamento (CEE) n° 1383/88
- Smør bestemt til forarbejdning til koncentreret smør/ghee — forordning (EØF) nr. 1383/88
- Butter zur Verarbeitung zur Butteroil/Ghee — Verordnung (EWG) Nr. 1383/88
- Βούτυρο που προορίζεται να μεταποιηθεί σε βουτυρέλαιο/ghee — Κανονισμός (ΕΟΚ) αριθ. 1383/88
- Butter for processing into butteroil/ghee — Regulation (EEC) No 1383/88
- Beurre destiné à être transformé en butter oil/ghee — règlement (CEE) n° 1383/88
- Burro destinato ad essere trasformato in burro concentrato/ghee — regolamento (CEE) n. 1383/88
- Boter bestemd voor verwerking tot butteroil/ghee — Verordening (EEG) nr. 1383/88
- Manteiga destinada à transformação em butteroil/ghee — Regulamento (CEE) n° 1383/88.

#### Article 7

Butteroil or ghee exported pursuant to this Regulation shall not be eligible for an export refund.

The following statement shall be entered in the export declaration and the control copy referred to in Article 5 or Article 12 of Regulation (EEC) No 1687/76, as the case may be:

'No export refund — Exported to Bangladesh pursuant to Regulation (EEC) No 1383/88; coefficient of 0,0327 applicable to the monetary compensatory amount.'

#### Article 8

1. The total quantity of butter covered by the contract of sale shall be processed in an approved establishment into butteroil or ghee with a butterfat content of 99,8 % or more.

2. The butteroil or ghee shall, in the same establishment, be packed in hermetically-sealed metal containers of a net weight of 20 kg or less each and bearing, in clearly visible and legible lithographed letters, the words 'butteroil (or ghee) intended for export to Bangladesh — Regulation (EEC) No 1383/88', in at least the language or languages of the country of destination and in English.

(c) it undertakes to present to the control agency, in accordance with detailed rules laid down by the Member State, a copy of its batch production programme.

#### Article 9

3. An establishment shall not be approved unless :

- (a) it has suitable technical facilities ;
- (b) it has premises in which stocks, if any, of oils and fats other than butteroil and butterfat can be isolated and identified ;

The competent authority of the Member State on whose territory the processing and packing operations referred to in Article 8 (1) and (2) are carried out shall supervise those operations on the basis of the production programme notified by the processing establishment.

The control costs shall be borne by the buyer.

#### Article 10

1. Regulation (EEC) No 1687/86 is hereby amended as follows :

In Part II of the Annex, 'Products subject to a use and/or destination other than that mentioned under I', the following item and footnote are added :

'50. Commission Regulation (EEC) No 1383/88 of 20 May 1988 laying down special detailed rules for the sale of butter from intervention stock for export to Bangladesh in the form of butteroil or ghee <sup>(50)</sup> :

(a) on dispatch of the butter for processing :

— Section 104 :

- destinada a la transformación y exportación posterior — Reglamento (CEE) n° 1383/88
- til forarbejdning og senere eksport — forordning (EØF) nr. 1383/88
- zur Verarbeitung und späteren Ausfuhr bestimmt — Verordnung (EWG) Nr. 1383/88
- προοριζόμενο για μεταποίηση και εν συνεχεία εξαγωγή — Κανονισμός (ΕΟΚ) αριθ. 1383/88
- intended for processing and, subsequently, export — Regulation (EEC) No 1383/88
- destiné à la transformation et à l'exportation — règlement (CEE) n° 1383/88
- destinato alla trasformazione e alla successiva esportazione — regolamento (CEE) n. 1383/88
- bestemd om te worden verwerkt en vervolgens te worden uitgevoerd — Verordening (EEG) nr. 1383/88
- destinada à transformação e à exportação posterior — Regulamento (CEE) n° 1383/88

— Section 106 :

Monetary compensatory amount adjusted by the coefficient 0,0327 ;

(b) on export of the butteroil or ghee :

— Section 104 :

- destinada a la exportación — Reglamento (CEE) n° 1383/88
- til eksport — forordning (EØF) nr. 1383/88
- zur Ausfuhr bestimmt — Verordnung (EWG) Nr. 1383/88
- προοριζόμενο για εξαγωγή — Κανονισμός (ΕΟΚ) αριθ. 1383/88
- intended for export — Regulation (EEC) No 1383/88
- destiné à l'exportation — règlement (CEE) n° 1383/88
- destinato all'esportazione — regolamento (CEE) n. 1383/88
- bestemd voor uitvoer — Verordening (EEG) nr. 1383/88
- destinado à exportação — Regulamento (CEE) n° 1383/88 ;

## — Section 106 :

- closing date for acceptance of the export declaration : 31 December 1988,
- the weight of butter used to manufacture the quantity of butteroil or ghee shown in Section 103,
- monetary compensatory amount adjusted by the coefficient 0,0327.

<sup>(30)</sup> OJ No L 128, 21. 5. 1988, p. 13.

2. Commission Regulation (EEC) No 569/88 <sup>(1)</sup> is hereby amended as follows :

In Part II of the Annex, 'Products subject to a use and/or destination other than that mentioned under I', the following item and footnote are added :

'28. Commission Regulation (EEC) No 1383/88 of 20 May 1988 laying down special detailed rules for the sale of butter from intervention stock for export to Bangladesh in the form of butteroil or ghee <sup>(2)</sup> :

## (a) on dispatch of the butter for processing :

## — Section 104 of the T5 control copy :

- destinada a la transformación y exportación posterior — Reglamento (CEE) n° 1383/88
- til forarbejdning og senere eksport — forordning (EØF) nr. 1383/88
- zur Verarbeitung und späteren Ausfuhr bestimmt — Verordnung (EWG) Nr. 1383/88
- προοριζόμενο για μεταποίηση και εν συνεχεία εξαγωγή — Κανονισμός (ΕΟΚ) αριθ. 1383/88
- intended for processing and, subsequently, export — Regulation (EEC) No 1383/88
- destiné à la transformation et à l'exportation — règlement (CEE) n° 1383/88
- destinato alla trasformazione e alla successiva esportazione — regolamento (CEE) n. 1383/88
- bestemd om te worden verwerkt en vervolgens te worden uitgevoerd — Verordening (EEG) nr. 1383/88
- destinada à transformação e à exportação posterior — Regulamento (CEE) n° 1383/88

## — Section 106 of the T5 control copy :

monetary compensatory amount adjusted by the coefficient 0,0327 ;

## (b) on export of the butteroil or ghee :

## — Section 104 of the T5 control copy :

- destinada a la exportación — Reglamento (CEE) n° 1383/88
- til eksport — forordning (EØF) nr. 1383/88
- zur Ausfuhr bestimmt — Verordnung (EWG) Nr. 1383/88
- προοριζόμενο για εξαγωγή — Κανονισμός (ΕΟΚ) αριθ. 1383/88
- intended for export — Regulation (EEC) No 1383/88
- destiné à l'exportation — règlement (CEE) n° 1383/88
- destinato all'esportazione — regolamento (CEE) n. 1383/88
- bestemd voor uitvoer — Verordening (EEG) nr. 1383/88
- destinado à exportação — Regulamento (CEE) n° 1383/88 ;

<sup>(1)</sup> OJ No L 55, 1. 3. 1988, p. 1.

- Section 106 of the T 5 control copy :
  - closing date for acceptance of the export declaration : 31 December 1988,
  - the weight of butter used to manufacture the quantity of butteroil or ghee shown in Section 103,
  - monetary compensatory amount adjusted by the coefficient 0,0327.

(<sup>28</sup>) OJ No L 128, 21. 5. 1988, p. 13'

#### *Article 11*

Member States shall immediately notify the Commission of the quantities of butter :

- for which a contract of sale has been concluded,
- which have been removed,
- which have been processed,
- which have been exported.

#### *Article 12*

Expenditure arising from this Regulation shall be financed as provided for in the second, third and fourth subparagraphs of Article 4 (1) of Council Regulation (EEC) No 1883/78 (<sup>1</sup>).

#### *Article 13*

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, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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(<sup>1</sup>) OJ No L 216, 5. 8. 1978, p. 1.

## COMMISSION REGULATION (EEC) No 1384/88

of 20 May 1988

amending for the 26th time Regulation (EEC) No 2213/76 on the sale of skimmed-milk powder from public storage

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1109/88 <sup>(2)</sup>, and in particular Article 7 <sup>(5)</sup> thereof,Whereas Article 2 (1) (a) of Commission Regulation (EEC) No 2213/76 <sup>(3)</sup>, as last amended by Regulation (EEC) No 2931/87 <sup>(4)</sup>, provides that skimmed-milk powder is to be sold in quantities equal to or more than 10 tonnes; whereas, where the quantity available in the storage depot is less than 10 tonnes, provision should be made for the contract of sale to relate to the quantity available;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The following subparagraph is hereby added to Article 2 (1) (b) of Regulation (EEC) No 2213/76:

‘Where the quantity available in the storage depot is less than 10 tonnes, the contract of sale may be concluded for that quantity.’

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

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 27.<sup>(3)</sup> OJ No L 249, 11. 9. 1976, p. 6.<sup>(4)</sup> OJ No L 278, 1. 10. 1987, p. 44.

## COMMISSION REGULATION (EEC) No 1385/88

of 20 May 1988

laying down special detailed rules for the application of the system of import  
licences for fresh sour cherries originating in Yugoslavia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1200/88 of 28 April 1988 establishing a surveillance mechanism for imports of fresh sour cherries originating in Yugoslavia<sup>(1)</sup>, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1200/88 provides in particular for a system of import licences to ensure the proper application of the agreement concluded with Yugoslavia on its exports of fresh sour cherries to the Community; whereas the special rules governing that system should be laid down;

Whereas exceptions to certain provisions of Commission Regulation (EEC) No 3183/80 of 3 December 1980 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products<sup>(2)</sup>, as last amended by Regulation (EEC) No 2082/87<sup>(3)</sup>, should be made to avoid exceeding the quantities fixed in Regulation (EEC) No 1200/88;

Whereas import licences are issued using the most detailed CN code; whereas the combined nomenclature comprises two codes according to the periods of importation of sour cherries; whereas provision should accordingly be made for the issue of import licences for the two CN codes concerned; whereas, however, the period of validity of licences take into account the time for transporting the product to the Community;

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

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

HAS ADOPTED THIS REGULATION:

## Article 1

1. The provisions of Regulation (EEC) No 3183/80 shall apply to import licences for fresh sour cherries originating in Yugoslavia subject to the specific provisions of this Regulation.

<sup>(1)</sup> OJ No L 115, 3. 5. 1988, p. 7.

<sup>(2)</sup> OJ No L 338, 13. 12. 1980, p. 1.

<sup>(3)</sup> OJ No L 195, 16. 7. 1987, p. 11.

Notwithstanding Article 8 (4) of the abovementioned Regulation, the provisions permitting a tolerance for quantities in excess shall not apply.

2. CN codes ex 0809 20 10 and ex 0809 20 90 must be marked in section 8 of applications for licences and import licences.

3. The security shall be 0,60 ECU/100 kg net.

4. Import licences shall be valid for eight days from the date of actual issue.

## Article 2

1. Yugoslavia must be marked in section 14 of applications for licences and import licences proper as the country of origin of the products. Import licences shall be valid for products originating in Yugoslavia only.

2. One of the following must be marked in section 20 of import licences:

- no válido en España y Portugal
- ikke gyldig i Spanien og Portugal
- in Spanien und Portugal ungültig
- δεν ισχύει στην Ισπανία και στην Πορτογαλία
- not valid in Spain and Portugal
- non valable en Espagne et au Portugal
- non valido in Spagna e in Portogallo
- niet geldig in Spanje en Portugal
- não é válido em Espanha ou em Portugal.

3. Import licences shall be issued on the fifth working day following the day on which the application was lodged unless measures are taken within that time.

4. The Commission shall take the necessary measures to limit imports on the basis of the import licences to 3 000 tonnes as provided for in Regulation (EEC) No 1200/88.

## Article 3

Member States shall notify the Commission of:

1. quantities of fresh sour cherries corresponding to import licences applied for in respect of each of the following days.

Such quantities shall be notified at the following intervals:

- each Wednesday for applications lodged on Mondays and Tuesdays,
- each Friday for applications lodged on Wednesdays and Thursdays,
- each Monday for applications lodged in the previous week on Friday;

2. quantities corresponding to import licences not used or partly used amounting to the difference between the quantities deducted on the back of the licences and the quantities for which the latter were issued.

Such quantities shall be notified on Wednesday each week as regards data received the previous week.

If no application for an import licence is lodged during one of the periods mentioned in point 1 or if there are no quantities unused within the meaning of point 2, the Member State in question shall so inform the Commission on the days indicated in this Article.

*Article 4*

This Regulation shall enter into force on the eighth day following that 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, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## COMMISSION REGULATION (EEC) No 1386/88

of 20 May 1988

fixing for the 1988/89 marketing year the reference prices for lemons

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1113/88<sup>(2)</sup>, and in particular Article 27 (1) thereof,

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

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

Whereas lemons harvested during a given crop year are marketed from June to May of the next year; whereas reference prices should therefore be fixed for the period 1 June to 31 May of the following year;

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

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

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

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State with regard to Article 23 (2) plus transport costs for

the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

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

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

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

HAS ADOPTED THIS REGULATION:

## Article 1

For the 1988/89 marketing year, the reference prices for fresh lemons (CN code 0805 30 10), expressed in ECU per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

|                      |        |
|----------------------|--------|
| — June:              | 54,59  |
| — July and August:   | 60,24  |
| — September:         | 55,48  |
| — October:           | 49,82  |
| — November to April: | 47,15  |
| — May:               | 47,73. |

## Article 2

This Regulation shall enter into force on 1 June 1988.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 33.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## COMMISSION REGULATION (EEC) No 1387/88

of 20 May 1988

applying additional quality classes to asparagus and witloof chicory

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972, on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1113/88<sup>(2)</sup>, and in particular Article 4 (1) thereof,

Whereas, in accordance with Article 4 (1) of Regulation (EEC) No 1035/72, products complying with the characteristics of quality class III or certain of its requirements may be marketed only under exceptional conditions, in particular to take account of the special characteristics of a product during part or all of the marketing year; whereas there is such a need at present for asparagus and witloof chicory;

Whereas quality class III was added to the common quality standards, in particular for asparagus, by Council Regulation (EEC) No 1194/69<sup>(3)</sup>; whereas, in the case of witloof chicory, that additional class is included in the standards fixed by Commission Regulation (EEC) No 2213/83<sup>(4)</sup>;

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

*Article 1*

Quality class III provided for in the common quality standards shall apply to asparagus and witloof chicory until 30 June 1989.

*Article 2*

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

It shall apply with effect from 1 May 1988.

*Article 3*

Commission Regulation (EEC) No 1018/70<sup>(5)</sup> is hereby repealed.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 110, 29. 4. 1988, p. 33.

<sup>(3)</sup> OJ No L 157, 28. 6. 1969, p. 1.

<sup>(4)</sup> OJ No L 213, 4. 8. 1983, p. 13.

<sup>(5)</sup> OJ No L 118, 1. 6. 1970, p. 12.

## COMMISSION REGULATION (EEC) No 1388/88

of 20 May 1988

amending Regulation (EEC) No 1787/87 introducing the buying-in of beef in respect of certain Member States and qualities and fixing the buying-in prices for beef

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal <sup>(1)</sup>, as last amended by Regulation (EEC) No 3905/87 <sup>(2)</sup>, and in particular Article 6a (4) thereof,

Whereas Commission Regulation (EEC) No 1787/87 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1336/88 <sup>(4)</sup>, introduced the buying-in of beef in respect of certain Member States or regions thereof and quality groups, and fixed the buying-in prices in the beef sector;

Whereas, pursuant to the abovementioned Article 6a (4) and to Article 3 (2) of Commission Regulation (EEC) No

2226/78 <sup>(5)</sup>, as last amended by Regulation (EEC) No 797/88 <sup>(6)</sup>, the buying-in prices should be replaced, on the basis of the data and prices available to the Commission, by the list of Member States or regions thereof and the quality groups eligible for intervention annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to amended Regulation (EEC) No 1787/87 is hereby replaced by the Annex hereto.

*Article 2*

This Regulation shall enter into force on 30 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 24.

<sup>(2)</sup> OJ No L 370, 30. 12. 1987, p. 7.

<sup>(3)</sup> OJ No L 168, 27. 6. 1987, p. 22.

<sup>(4)</sup> OJ No L 124, 18. 5. 1988, p. 13.

<sup>(5)</sup> OJ No L 261, 26. 9. 1978, p. 5.

<sup>(6)</sup> OJ No L 81, 26. 3. 1988, p. 43.

*ANNEX***Member States or regions within a Member State and groups of qualities**

| Member State/Region | Groups of qualities<br>(category and class) |
|---------------------|---------------------------------------------|
| Belgium             | AU, AR, AO                                  |
| Denmark             | AR, AO, CR, CO                              |
| Germany             | AU, AR                                      |
| Spain               | AU, AR, AO                                  |
| France              | AU, AR, AO, CR, CO                          |
| Ireland             | CU, CR                                      |
| Italy               | AR, AO                                      |
| Luxembourg          | AR, AO, CR, CO                              |
| Netherlands         | AR                                          |
| Great Britain       | CU                                          |
| Northern Ireland    | CU, CR, CO                                  |

**COMMISSION REGULATION (EEC) No 1389/88**  
**of 20 May 1988**  
**fixing additional amounts for eggs in shell**

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 2771/75 of 29 October 1975 on the common organization of the market in eggs<sup>(1)</sup>, as last amended by Regulation (EEC) No 4000/87<sup>(2)</sup>, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries<sup>(3)</sup>, as last amended by Regulation (EEC) No 1527/73<sup>(4)</sup>;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Regulation No 54/65/EEC<sup>(5)</sup>, No 183/66/EEC<sup>(6)</sup>, No 765/67/EEC<sup>(7)</sup>, (EEC) No 59/70<sup>(8)</sup>, as amended by Regulation (EEC) No 4155/87<sup>(9)</sup>, and (EEC)

No 2164/72<sup>(10)</sup>, as amended by Regulation (EEC) No 3987/87<sup>(11)</sup>, the levies on imports of poultry eggs in shell originating in and coming from Poland, South Africa, Australia, Romania or Bulgaria are not increased by an additional amount, in so far as concerns products imported in accordance with Article 4 (a) of Regulation No 163/67/EEC;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (a) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

*Article 2*

This Regulation shall enter into force on 25 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 49.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 41.

<sup>(3)</sup> OJ No 129, 28. 6. 1967, p. 2577/67.

<sup>(4)</sup> OJ No L 154, 9. 6. 1973, p. 1.

<sup>(5)</sup> OJ No 59, 8. 4. 1965, p. 848/65.

<sup>(6)</sup> OJ No 211, 19. 11. 1966, p. 3602/66.

<sup>(7)</sup> OJ No 260, 27. 10. 1967, p. 24/6/67.

<sup>(8)</sup> OJ No L 11, 16. 1. 1970, p. 1.

<sup>(9)</sup> OJ No L 392, 31. 12. 1987, p. 29.

<sup>(10)</sup> OJ No L 232, 12. 10. 1972, p. 3.

<sup>(11)</sup> OJ No L 376, 31. 12. 1987, p. 20.

**ANNEX****Additional amounts applicable to certain products listed in Article 1 (1) (a) of Regulation (EEC) No 2771/75**

| <i>(ECU/100 kg)</i> |                            |                   |
|---------------------|----------------------------|-------------------|
| CN code             | Description of imports (1) | Additional amount |
| 0407 00 30          | 01                         | 40,00             |

(1) Origin :

01 Finland, Czechoslovakia and the German Democratic Republic (with the exception of the German internal trade pursuant to the Protocol on German internal trade and connected problems).

**COMMISSION REGULATION (EEC) No 1390/88**  
**of 20 May 1988**  
**fixing additional amounts for poultrymeat 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 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat <sup>(1)</sup>, as last amended by the Regulation (EEC) No 3907/87 <sup>(2)</sup>, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries <sup>(3)</sup>, as last amended by Regulation (EEC) No 1527/73 <sup>(4)</sup>;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third coun-

tries, a second offer price must be determined for exports from these other countries;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products other than slaughtered poultry and halves or quarters indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

*Article 2*

This Regulation shall enter into force on 25 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 282, 1. 11. 1975, p. 77.

<sup>(2)</sup> OJ No L 370, 30. 12. 1987, p. 14.

<sup>(3)</sup> OJ No 129, 28. 6. 1967, p. 2577/67.

<sup>(4)</sup> OJ No L 154, 9. 6. 1973, p. 1.

## ANNEX

Additional amounts applicable to poultrymeat products with the exception of live and slaughtered poultry and halves or quarters

| (ECU/100 kg) |                 |                   |
|--------------|-----------------|-------------------|
| CN code      | Description (1) | Additional amount |
| 0207 39 11   | 01              | 10,00             |
| 0207 39 25   | 02              | 10,00             |
| 0207 39 31   | 03              | 6,00              |
| 0207 39 45   | 02              | 35,00             |
| 0207 39 53   | 06              | 10,00             |
| 0207 39 55   | 07              | 10,00             |
| 0207 39 75   | 04              | 40,00             |
| 0207 39 77   | 04              | 10,00             |
| 0207 41 10   | 01              | 10,00             |
| 0207 41 71   | 02              | 10,00             |
| 0207 42 10   | 03              | 6,00              |
| 0207 42 59   | 02              | 35,00             |
| 0207 43 11   | 06              | 10,00             |
| 0207 43 15   | 07              | 10,00             |
| 0207 43 61   | 04              | 40,00             |
| 0207 43 63   | 04              | 10,00             |
| 0209 00 90   | 05              | 45,00             |

(1) Origin :

01 Hungary and Czechoslovakia,

02 Hungary,

03 Brazil, Israel, Czechoslovakia and Yugoslavia,

04 Israel,

05 Hungary, Israel,

06 Bulgaria,

07 China.

**COMMISSION REGULATION (EEC) No 1391/88**  
**of 20 May 1988**  
**amending Regulation (EEC) No 1240/88 introducing a countervailing charge on**  
**tomatoes originating in Morocco**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1117/88<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1240/88<sup>(3)</sup>, as amended by Regulation (EEC) No 1325/88<sup>(4)</sup>, introduced a countervailing charge on tomatoes originating in Morocco;

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

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of tomatoes originating in Morocco must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 1240/88, '21,46 ECU' is hereby replaced by '47,41 ECU'.

*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, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 107, 28. 4. 1988, p. 1.

<sup>(3)</sup> OJ No L 117, 5. 5. 1988, p. 20.

<sup>(4)</sup> OJ No L 123, 17. 5. 1988, p. 24.

**COMMISSION REGULATION (EEC) No 1392/88**

of 20 May 1988

**amending Regulation (EEC) No 1275/88 introducing a countervailing charge on fresh lemons originating in Cyprus**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1117/88<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1275/88<sup>(3)</sup> introduced a countervailing charge on fresh lemons originating in Cyprus;

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

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration the countervailing charge on the import of fresh lemons originating in Cyprus must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 1275/88, '22,80 ECU' is hereby replaced by '38,34 ECU'.

*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, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 107, 28. 4. 1988, p. 1.

<sup>(3)</sup> OJ No L 121, 11. 5. 1988, p. 44.

**COMMISSION REGULATION (EEC) No 1393/88**  
**of 20 May 1988**

**fixing the amounts to be levied in the beef sector on products which left the  
United Kingdom during the week 2 to 8 May 1988**

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

Having regard to Council Regulation (EEC) No 1347/86  
of 6 May 1986 on the granting of a premium for the  
slaughter of certain adult bovine animals in the United  
Kingdom <sup>(1)</sup>, as amended by Regulation (EEC) No  
467/87 <sup>(2)</sup>,

Having regard to Commission Regulation (EEC) No  
1695/86 of 30 May 1986 laying down detailed rules for  
the application of the premium for the slaughter of  
certain adult bovine animals for slaughter in the United  
Kingdom <sup>(3)</sup>, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No  
1347/86, an amount equivalent to the amount of the vari-  
able slaughter premium granted in the United Kingdom  
is levied on meat and meat preparations from animals on  
which it has been paid, when they are consigned to other  
Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No  
1695/86 the amounts to be charged on departure from  
the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each  
week by the Commission;

Whereas, accordingly, the amounts to be levied on  
products which left the United Kingdom during the week  
2 to 8 May 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

*Article 1*

Pursuant to Article 3 of amended Regulation (EEC) No  
1347/86, the amounts to be levied on the products  
referred to in Article 7 (1) of Regulation (EEC) No  
1695/86 which left the territory of the United Kingdom  
during the week 2 to 8 May 1988 shall be those set out in  
the Annex.

*Article 2*

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

It shall apply with effect from 2 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 119, 8. 5. 1986, p. 40.

<sup>(2)</sup> OJ No L 48, 17. 2. 1987, p. 1.

<sup>(3)</sup> OJ No L 146, 31. 5. 1986, p. 56.

## ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during  
the week 2 to 8 May 1988

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

<sup>(1)</sup> Containing 80 % or more by weight of beef meat.

<sup>(2)</sup> Other.

**COMMISSION REGULATION (EEC) No 1394/88**  
**of 20 May 1988**  
**fixing the import levies on white sugar and raw sugar**

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2054/87 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1343/88 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2054/87 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 21 May 1988.

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

Done at Brussels, 20 May 1988.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 377, 31. 12. 1987, p. 23.

<sup>(3)</sup> OJ No L 192, 11. 7. 1987, p. 38.

<sup>(4)</sup> OJ No L 124, 18. 5. 1988, p. 26.

*ANNEX*

to the Commission Regulation of 20 May 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

| CN code    | Levy                 |
|------------|----------------------|
| 1701 11 10 | 39,67 <sup>(1)</sup> |
| 1701 11 90 | 39,67 <sup>(1)</sup> |
| 1701 12 10 | 39,67 <sup>(1)</sup> |
| 1701 12 90 | 39,67 <sup>(1)</sup> |
| 1701 91 00 | 48,38                |
| 1701 99 10 | 48,38                |
| 1701 99 90 | 48,38                |

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

## II

*(Acts whose publication is not obligatory)*

## COUNCIL

## COUNCIL DIRECTIVE

of 17 May 1988

on trade in animals treated with certain substances having a hormonal action  
and their meat, as referred to in Article 7 of Directive 88/146/EEC

(88/299/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/146/EEC of 7 March 1988 prohibiting the use in livestock farming of certain substances having a hormonal action<sup>(1)</sup>, and in particular Article 7 thereof,

Having regard to the proposal from the Commission,

Whereas Directive 88/146/EEC prohibited the use in livestock farming of certain substances having a hormonal action, while permitting those exceptions already laid down in Article 4 of Council Directive 81/602/EEC of 31 July 1981, concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action<sup>(2)</sup>, as last amended by Directive 85/358/EEC<sup>(3)</sup>;

Whereas, in order to ensure the correct operation of the scheme as a whole, trade in animals which have treated, and of their meat has, in general, been prohibited; whereas, however, pursuant to Article 7 of Directive 88/146/EEC, derogations may be allowed in respect of intra-Community trade and importation from third countries of animals intended for reproduction and reproductive animals at the end of their career, which, in the course of their existence, have been treated under Article 4 of Directive 81/602/EEC and in respect of meat from those various animals;

Whereas such derogations may be allowed where satisfactory guarantees can be provided such as would not

cause distortions of trade; whereas these guarantees must be given as regards the products which may be used, the conditions of their use and the control of such conditions in particular, regarding compliance with the necessary waiting period; whereas these requirements should be established in accordance with a Community procedure;

Whereas equivalent guarantees must be accepted, in accordance with a Community procedure, in respect of importations from third countries, taking into account the guarantees given by the third country concerned,

HAS ADOPTED THIS DIRECTIVE:

*Article 1*

This Directive lays down the conditions for applying the derogations provided for in Article 7 of Directive 88/146/EEC from the prohibition on trade in certain categories of animals and their meat.

*Article 2*

Notwithstanding Article 5 of Directive 88/146/EEC, Member States shall authorize trade in animals intended for reproduction and reproductive animals at the end of their career which, during their reproductive career, have undergone one of the treatments referred to in Article 4 of Directive 81/602/EEC, or shall authorize the affixing of the Community stamp to meat from such animals, provided the following conditions are complied with:

<sup>(1)</sup> OJ No L 70, 16. 3. 1988, p. 16.

<sup>(2)</sup> OJ No L 222, 7. 8. 1981, p. 32.

<sup>(3)</sup> OJ No L 191, 23. 7. 1985, p. 46.

1. Only one of the following substances or products has been administered to the animals:

(a) for therapeutic treatment, oestradiol 17 B, testosterone and progesterone and those derivatives which readily yield the parent compound on hydrolysis after absorption at the site of application and which, in accordance with Article 3 of Directive 88/146/EEC, appear on the list of products to be drawn up in compliance with the other conditions laid down in Article 3 (1) (a) and (b);

(b) for synchronization of oestrus, termination of unwanted gestation, the improvement of fertility and the preparation of donors and recipients for the implantation of embryos, the substances mentioned in Article 4 (1) of Directive 81/602/EEC, provided that the products in which they are contained appear on a list drawn up in accordance with the procedure provided for in Article 8 of Directive 88/146/EEC after the Committee for Veterinary Medicinal Products has given its opinion, and in accordance with the conditions set out in point 2 below.

2. In the case referred to in point 1 (b):

- the conditions of use, in particular the conditions under which these products are made available to breeders, the necessary waiting period and detailed provisions concerning the monitoring of those conditions of use, shall be laid down in accordance with the procedure referred to in point 1 (b),
- the means of identification of animals shall be laid down in accordance with the procedure provided for in Article 8 of Directive 88/146/EEC.

Pending the decisions referred to in point 1 (a) and (b), products which have already received authorization to be placed on the market shall continue to be so authorized.

3. The following criteria shall be considered at the time of adoption of the lists of products referred to in point 1 which may be administered to the animals defined in that point and intended for intra-Community trade:

- possibility of monitoring that that product is used in conformity with the provisions of this Directive,
- the need to exclude sustained-release products or salts or esters with long half-life, where the therapeutic objective could be achieved by using products with a shorter half-life which, by reason of their composition, do not act as a deposit, so as to preclude the use of hormones as growth factors and reduce the risk of residues,
- the need to exclude products with a waiting period exceeding 15 days after the end of the treatment,
- the availability of reagents and materials required for the methods of analysis for detecting the presence of residues exceeding the permitted limits.

Products authorized pursuant to the above paragraph shall be subject to Articles 24 to 50 of Council Directive 81/851/EEC of 28 September 1981 on the approximation of the laws of the Member States relating to veterinary medicinal products<sup>(1)</sup>.

4. The veterinarian directly responsible must keep a register of at least the following particulars:

- nature of the treatment,
- nature of the products authorized,
- date of the treatment,
- identity of the animals treated.

These particulars shall be made available to the competent authority at its request.

### Article 3

1. Member States shall ensure that the animals mentioned in Article 2 are sent from their territory to the territory of another Member State only if:

- (a) the general conditions laid down in this Directive and in particular the waiting period laid down pursuant to the second indent of Article 3 (a) of Directive 88/146/EEC and to Article 2 (2) of this Directive have been complied with;
- (b) in the case of reproductive animals at the end of their career, they have not received any of the treatments referred to in Article 4 of Directive 81/602/EEC with any of the products authorized in accordance with Article 2 (1) (a) or (b) or Article 6 during the fattening period following the end of their breeding life.

2. However, trade in high-value horses, particularly racehorses, competition horses, circus horses or horses intended for stud purposes or for exhibitions, including horses in these categories to which oral preparations containing allyl Trenbolone have been administered for the purposes mentioned in Article 2 (1) (b), may take place before the end of the waiting period, provided that the other conditions of Article 2 are fulfilled and that the nature and date of the treatment are mentioned on the certificate accompanying the horses.

### Article 4

Without prejudice to the application to the requirements of Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues<sup>(2)</sup>, and by way of derogation from the first paragraph of Article 5 of Directive 88/146/EEC, Member States shall authorize trade in meat of animals intended for reproduction and of reproductive animals at the end of their career which might have been the subject of intra-Community trade in accordance with Article 3 (1) of this Directive.

<sup>(1)</sup> OJ No L 317, 6. 11. 1981, p. 1.

<sup>(2)</sup> OJ No L 275, 26. 9. 1986, p. 36.

The Community stamp may be affixed to the meat only if the waiting time has ended before the animals are slaughtered.

#### *Article 5*

By way of derogation from Article 6 (1) of Directive 88/146/EEC and for the purposes of applying Article 7 (2) of Directive 86/469/EEC, guarantees at least equivalent to those laid down by this Directive shall be established in accordance with the procedure provided for in Article 8 of Directive 88/146/EEC, which imports from third countries of animals intended for reproduction and reproductive animals at the end of their career or the meat of such animals must satisfy.

#### *Article 6*

Pending the decisions provided for in Article 2 (1) (a) and (b), the following transitional measures shall apply:

- Member States shall monitor compliance of the substances or products which have been the subject of a national authorization for placing on the market with the requirements of Article 2 (3). They shall notify the Commission and the other Member States of their findings, within the Standing Veterinary Committee,
- on the basis of these findings, the Commission shall, under the procedure laid down in Article 11 of Directive 85/358/EEC draw up a provisional list of

substances or products which may be used for the requirements of this Directive, and the conditions and means laid down in Article 2 (2).

Animals treated with these substances or products included in the provisional list or lists, and the meat of those animals, cannot be the subject of trade barriers.

The provisional lists shall cease to be valid after 31 December 1991.

#### *Article 7*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31 December 1988 at the latest. They shall forthwith inform the Commission thereof.

Article 2 (1) and Articles 3, 4 and 6 shall apply from the notification <sup>(1)</sup> of this Directive.

#### *Article 8*

This Directive is addressed to the Member States.

Done at Brussels, 17 May 1988.

*For the Council*

*The President*

I. KIECHLE

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<sup>(1)</sup> This Directive was notified to the Member States on 20 May 1988.

# COMMISSION

## COMMISSION DECISION

of 16 May 1988

accepting an undertaking concerning certain electronic typewriters assembled  
or produced in the Community

(88/300/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community<sup>(1)</sup>, as amended by Regulation (EEC) No 1761/87<sup>(2)</sup>, and in particular Article 13 (10) thereof,

After consultations within the Advisory Committee as provided for under the above Regulation.

Whereas :

### A. Procedure

- (1) In July 1987, the Commission received a complaint lodged by CETMA, the Committee of European Typewriter Manufacturers, on behalf of French, German and Italian producers of electronic typewriters whose collective output constitutes practically all Community production of the product in question. The complaint contained sufficient evidence that, following the opening of the investigation on electronic typewriters originating in Japan<sup>(3)</sup>, a number of companies were assembling electronic typewriters in the Community under the conditions referred to in Article 13 (10) of Regulation (EEC) No 2176/84. After consultation, the Commission accordingly announced, by notice published in the *Official Journal of the European Communities*<sup>(4)</sup>, the initiation of an investigation, under Article 13 (10) of the anti-dumping legislation, concerning electronic typewriters assembled in the Community by the following companies :

— Silver Reed International (Europe) Ltd, Watford, United Kingdom,

- Brother Industries (UK) Ltd, Wrexham, United Kingdom,
- Kyushu Matsushita (UK) Ltd, Newport, United Kingdom,
- Sharp Manufacturing Company of UK, Wrexham, United Kingdom,
- Canon Bretagne SA, Liffre, France,
- TEC Elektronik-Werk GmbH, Braunschweig, Germany.

### B. Termination of the investigation and extension of the duty

- (2) As a result of this investigation the proceeding was terminated without the extension of the anti-dumping duty with regard to TEC-Elektronik GmbH and Brother Industries (UK) Ltd by Commission Decision 88/226/EEC<sup>(5)</sup>.
- (3) For all other companies referred to under point 1, and after taking into consideration the circumstances of each case, Council Regulation (EEC) No 1022/88<sup>(6)</sup> extended the anti-dumping duty imposed by Regulation (EEC) No 1698/85<sup>(7)</sup> to certain typewriters assembled in the Community by these companies.

### C. Undertakings

- (4) In March 1988, Kyushu Matsushita offered an undertaking. The Commission verified, at the premises of the company concerned, that the undertaking removed the conditions justifying the extension by Regulation (EEC) No 1022/88 of the anti-dumping duty to typewriters assembled in the Community. In the light of the undertaking offered and of the results of the verification, and after consultation, the Commission is satisfied that the changes in the sourcing of parts and materials and

<sup>(1)</sup> OJ No L 201, 30. 7. 1984, p. 1.

<sup>(2)</sup> OJ No L 167, 26. 6. 1987, p. 9.

<sup>(3)</sup> OJ No C 83, 24. 3. 1984, p. 4.

<sup>(4)</sup> OJ No C 235, 1. 9. 1987, p. 2.

<sup>(5)</sup> OJ No L 101, 20. 4. 1988, p. 26.

<sup>(6)</sup> OJ No L 101, 20. 4. 1988, p. 4.

<sup>(7)</sup> OJ No L 163, 22. 6. 1985, p. 1.

of other aspects of Kyushu Matsushita's assembly or production operation in the Community are sufficient for the undertaking to be accepted.

- (5) The Council has therefore, by Regulation (EEC) No 1329/88<sup>(1)</sup>, appropriately amended Regulation (EEC) No 1022/88, which extended the duty to products assembled or produced in the Community by, *inter alia*, Kyushu Matsushita,

not incorporating calculating mechanisms, falling within CN codes 8469 10 00, ex 8469 21 00 and ex 8469 29 00, introduced into the commerce of the Community after having been assembled in the Community by Kyushu Matsushita (UK), is hereby accepted.

Done at Brussels, 16 May 1988.

HAS DECIDED AS FOLLOWS:

*Sole Article*

The undertaking offered by Kyushu Matsushita (UK) in connection with certain electronic typewriters whether or

*For the Commission*

Willy DE CLERCQ

*Member of the Commission*

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<sup>(1)</sup> OJ No L 123, 17. 5. 1988, p. 31.