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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1853/88
of 29 June 1988
amending quantitative limits fixed for imports of certain textile products
(category 9) originating in Brazil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries ⁽¹⁾, as amended by Regulation (EEC) No 768/88 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas, under Article 9 (2) of Regulation (EEC) No 4136/86, quantitative limits may be increased where it appears that additional imports are required;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantitative limits for textile products originating in Brazil, as fixed in Annexes III and IVa to Regulation (EEC) No 4136/86, are hereby amended for 1988 as laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 29 June 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.

⁽²⁾ OJ No L 84, 29. 3. 1988, p. 1.

ANNEX

ANNEX III

Category	CN code	Description	Third country	Unit	Year	Quantitative limits from 1 January to 31 December
9	5802 11 00 5802 19 00 6302 60 00	Terry towelling and similar woven terry fabrics of cotton ; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	Brazil	tonnes	1988	5 249

ANNEX IVa

Category	CN code	Description	Third country	Unit	Member State	Quantitative limits from 1 January to 31 December 1988
9	5802 11 00 5802 19 00 6302 60 00	Terry towelling and similar woven terry fabrics of cotton ; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	Brazil	tonnes	IRL EEC	286 5 249'

COMMISSION REGULATION (EEC) No 1854/88

of 29 June 1988

concerning the stopping of fishing for cod by vessels flying the flag of Germany

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulations (EEC) No 3806/87⁽²⁾ and (EEC) No 930/88⁽³⁾, allocating, for 1988, catch quotas between Member States for vessels fishing in Swedish waters, provides for cod quotas for 1988;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES

division III d (Swedish waters) by vessels flying the flag of Germany or registered in Germany have reached the quota allocated for 1988,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division III d (Swedish waters) by vessels flying the flag of Germany or registered in Germany are deemed to have exhausted the quota allocated to Germany for 1988.

Fishing for cod in the waters of ICES division III d (Swedish waters) by vessels flying the flag of Germany or registered in Germany is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

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

Done at Brussels, 29 June 1988.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 357, 19. 12. 1987, p. 3.

⁽³⁾ OJ No L 92, 9. 4. 1988, p. 1.

COMMISSION REGULATION (EEC) No 1855/88

of 30 June 1988

extending Regulations (EEC) No 570/85, (EEC) No 316/86 and (EEC) No 3561/86
fixing, in respect of 1984, 1985 and 1986 crops, export refunds for raw tobacco

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

Having regard to Council Regulation (EEC) No 727/70 of
21 April 1970 on the common organization of the market
in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC)
No 1114/88 ⁽²⁾, and in particular the first sentence of the
third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain
varieties of tobacco from the 1984, 1985 and 1986 crops
by Commission Regulations (EEC) No 570/85 ⁽³⁾, (EEC)
No 316/86 ⁽⁴⁾ and (EEC) No 3561/86 ⁽⁵⁾ respectively, as
last amended by Regulation (EEC) No 3834/87 ⁽⁶⁾;

Whereas the final date for granting those refunds was set
at 30 June 1988; whereas, in respect of certain varieties of
that tobacco, export possibilities after that date have
presented themselves; whereas it is advisable to grant
refunds in respect of the varieties in question from the
1984, 1985 and 1986 harvests, in order to enable those
exports to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In Article 2 of Regulation (EEC) No 570/85, '30 June 1988' is hereby replaced by '31 December 1988'.
2. In Article 2 of Regulation (EEC) No 316/86, '30 June 1988' is hereby replaced by '31 December 1988'.
3. In Article 2 of Regulation (EEC) No 3561/86, '30 June 1988' is hereby replaced by '31 December 1988'.

Article 2

This Regulation shall enter into force on 1 July 1988.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 35.

⁽³⁾ OJ No L 65, 6. 3. 1985, p. 14.

⁽⁴⁾ OJ No L 39, 14. 2. 1986, p. 17.

⁽⁵⁾ OJ No L 327, 22. 11. 1986, p. 23.

⁽⁶⁾ OJ No L 361, 22. 12. 1987, p. 8.

COMMISSION REGULATION (EEC) No 1856/88**of 30 June 1988****amending Regulation (EEC) No 3815/87 on the sale at prices fixed at a standard rate in advance of certain bone-in beef and veal held by certain intervention agencies and intended for export**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 3815/87 ⁽³⁾, as last amended by Regulation (EEC) No 1658/88 ⁽⁴⁾, provides for a sale of hindquarters for export without further processing or after boning; whereas, in order to avoid the further storage of some beef, the quantities put up for sale under the abovementioned Regulation should be increased;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (1) of Regulation (EEC) No 3815/87, the third indent is hereby replaced by the following:

— 4 000 tonnes of bone-in beef held by the Irish intervention agency, and bought in before 1 January 1987.

Article 2

This Regulation shall enter into force on 4 July 1988.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 7.

⁽³⁾ OJ No L 357, 19. 12. 1987, p. 24.

⁽⁴⁾ OJ No L 148, 15. 6. 1988, p. 11.

COMMISSION REGULATION (EEC) No 1857/88

of 30 June 1988

instituting a system for the authorization of imports into France of footwear originating in South Korea or Taiwan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, as last amended by Regulation (EEC) No 1243/86⁽²⁾, and in particular Article 15 (1) thereof,

After consultations within the Advisory Committee set up by the above Regulation,

Whereas :

A. Procedure

- (1) On 28 August 1987 the French authorities informed the Commission that imports into France of footwear originating in South Korea or Taiwan had increased and were continuing to increase in such quantities and in such manner that there was, or threatened to be, serious injury to the national industry.
- (2) The French request was supported by evidence regarding the trend of imports and the terms on which they were taking place, in particular concerning prices. Information had also been supplied regarding the effects of such imports on the footwear industry.
- (3) Having decided, after consultations, that the evidence in its possession was sufficient to justify an investigation, the Commission accordingly announced, in a notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of a Community investigation in respect of imports into France of the products concerned originating in South Korea or Taiwan, and commenced the investigation.
- (4) The Commission officially informed the producers and importers known to be concerned and gave all interested parties the opportunity to make known their views in writing and to request a hearing.

Arguments were presented on behalf of the French producers by the Fédération Nationale de

l'Industrie de la chaussure de France and by the European Confederation of the Footwear Industries (CEC). Information was also supplied by French importers.

- (5) In the course of its investigation, the Commission endeavoured to gather and verify all the information it considered necessary. It carried out on-the-spot checks.

The Commission selected the following producers as being most representative of the various types of footwear imported.

French producers

- Adidas, Dettwiller
- Bata, Moussey-Bataville
- Bopy SA, Beaupreau
- Cadet-Roussel, Merignac
- GEP — Groupe Pasquier SA, Montfaucon
- Hoki, Ingwiller
- Imbert, Miramont de Guienne
- Labelle SARL, Saint-Pierre-du-Vauvray
- Ets Maudouit, Blanquefort
- Ets Norbert Moche, La Ferté Macé
- Chaussures Noel, Vitre
- Patrick International SA, Pouzauges
- Ets Rondinaud, La Rochefoucauld
- Virona, La Verrie

French importers

- Chauss Europ SA, Le Havre
- Nike France, Cergy-Pontoise
- Netter & Cie, Paris

- (6) The reference period for price comparisons was 1 January to 31 December 1987.

B. Products and industries concerned

- (7) The investigation concerns footwear articles falling within Common Customs Tariff heading Nos 64.01 to 64.04 and specifically those corresponding to NIMEXE codes 64.01-11 to 64.04-90 and CN codes 6401 10 to 6405 90 90.
- (8) The Commission examined whether it was appropriate, in order to determine the impact on French industry of imports of footwear originating in South Korea or Taiwan — which includes a high proportion of leisure and sports footwear — to classify footwear in distinct categories and to

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.⁽²⁾ OJ No L 113, 30. 4. 1986, p. 1.⁽³⁾ OJ No C 274, 13. 10. 1987, p. 3.

confine the assessment of the impact of imports originating in South Korea or Taiwan to French producers of the types of footwear concerned. The Commission investigation showed that, in addition to the practical difficulties arising on account of the incompatibility of import and production statistics and the uncertain classification of products in those statistics, classification in subcategories was not justified because the various types of footwear are interchangeable.

On account of the said interchangeability, which was clearly demonstrated in the investigation, not only do imports from South Korea and Taiwan have a particularly serious impact on French producers of leisure and sports footwear, but that impact extends also to producers of other types of footwear.

For that reason the Commission decided that the impact of the imports on French producers as a whole should be considered in order to assess the injury caused.

- (9) Notwithstanding the difficulties involved in classifying the various types of footwear in distinct categories, the investigation among the producers and importers concerned and new classification possibilities showed that certain very specialized types of footwear originating in the countries in question which were imported into France or produced there in negligible quantities could be excluded from the protective measures to be introduced.

C. Footwear

- (10) The recent trend of footwear imports into France is as follows :

(millions of pairs)

	1984	1985	1986	1987
South Korea	8,7	8,7	11,5	23,1
Taiwan	5,5	8,6	12,0	15,3

This has resulted in an increase in the market share of imports from South Korea from 3,5 % in 1984 to 10,1 % in 1987, and of the market share of Taiwanese imports from 2,2 % in 1984 to 6,7 % in 1987. The growth of imports from Taiwan has, however, been restrained by the national quota applied during this period to some of the types of footwear which were the subject of the inquiry.

Taiwan were about 69 and 60 % respectively below the prices charged by French producers.

This undercutting has forced French producers of leisure and sports footwear and of other footwear to cut their prices to a level which does not cover their production costs and to abandon market share to South Korean and Taiwanese exporters. The French producers' market share fell from 42,5 % in 1984 to 32,0 % in 1987. The situation of the French producers has deteriorated as a result and their financial results have been adversely affected, with most of the firms concerned making losses which increased still further during the period of investigation.

The capacity utilization rate fell in France from 87 % in 1984 to 71 % in 1987. Employment has continued to fall, from 54 153 units in 1984 to 43 362 units in 1987.

The current attempt to restructure this sector could be severely compromised by the difficulties caused by extremely aggressive competition from imports originating in South Korea or Taiwan, particularly in terms of prices, which are such as to deprive the firms concerned of the finance needed to achieve that objective.

- (12) Both the increase in imports from South Korea and Taiwan and the price charged for such imports are thus a cause of material injury to the French industry concerned. In view of the substantial production capacity existing in South Korea and Taiwan and the expiry at the end of 1988 of the existing quota for imports from Taiwan, there are also grounds for believing that, in the absence of adequate protective measures, the increase in imports from South Korea and Taiwan will continue at the present rate.

In order to eliminate this injury and to prevent further injury being caused to the French producers, it is therefore advisable to adopt urgently for this market protective measures which, while taking account of the need to hinder as little as possible the harmonious development of world trade, also allow the French firms concerned to pursue the efforts to modernize. These protective measures will apply from 1 July 1988 to 30 June 1990 in the case of South Korea and from 1 January 1988 to 30 June 1990 as regards Taiwan. In the case of this latter country for the year 1988, these measures supersede the national quota in force until 31 December 1988, after adding to the products covered by this quota the other types of footwear included in the investigation, with the exception of those products referred to in paragraph 9.

11. Resale prices on the French market of certain types of footwear imported from South Korea and

- (13) Quantitative limits applicable to imports into France of footwear originating in Taiwan have been fixed by reference to imports into France during the last three years.

To ensure that those limits are observed, the French authorities should make imports of the products in question originating in Taiwan subject to a system of import authorizations to be issued up to the quantitative ceilings laid down by this Regulation.

- (14) On being informed of the Commission's findings, the South Korean authorities undertook in a letter to the Commission to make exports of the products specified below subject from 1 July 1988 to the issue of an export certificate and to issue the certificates in such a way as to comply with the quantitative limits set out below, in respect of exports of the products concerned to France, up to and including 30 June 1990:

CN code	Description
6401 92 to 6401 99 90	Waterproof footwear with outer soles and uppers of rubber or plastics
6402 19 00 6402 20 00 6402 91 to 6402 99 99	Other footwear with outer soles and uppers of rubber or plastics
6403 19 00 6403 20 00 6403 51 to 6403 99 99	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
6405	Other footwear

South Korea : (1 000 pairs)

Period : 1 July to 31 December 1988 5 400

1 January to 30 June 1989 9 100

1 July 1989 to 30 June 1990 15 225

- (15) In view of the measures adopted by the Government of South Korea, appropriate steps should be taken upon import of the products concerned into France to check the proper functioning of the machinery set up by the South Korean authorities to limit exports.

- (16) The Commission noted during the investigation that increased penetration by imports originating in South Korea or Taiwan was not restricted to the French market. A marked increase was also observed on other Community markets, in particular the Italian market, in respect of which an investigation has already taken place, resulting in

the institution of a system for the authorization of imports into Italy of footwear originating in South Korea or Taiwan⁽¹⁾.

However, given the particular gravity of the situation in France, it is necessary, in order to safeguard Community interests, to take measures for this market alone as a matter of urgency.

However, following requests from a number of Member States and in the light of the results of the investigation of the Italian and French markets and information forthcoming from the Community statistical surveillance of imports, the Commission intends in the near future to conduct an investigation of the overall situation of the industry Community-wide, taking account, with a view to the completion of the internal market, of the different import arrangements existing in the Member States,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import into France of the products specified in paragraph 2 and originating in Taiwan shall be subject to presentation of an import authorization to be issued by the French authorities within the following limits:

Taiwan :	(1 000 pairs)
Period : 1988	14 332
1989	15 049
1990 (6 months)	7 901

2. The limits shall apply to the following products:

CN code	Description
6401 92 to 6401 99 90	Waterproof footwear with outer soles and uppers of rubber or plastics
6402 19 00 6402 20 00 6402 91 to 6402 99 99	Other footwear with outer soles and uppers of rubber or plastics
6403 19 00 6403 20 00 6403 51 to 6403 99 99	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather
6404	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials
6405	Other footwear

⁽¹⁾ OJ No L 54, 1. 3. 1988, p. 59.

3. This import authorization shall be valid only in France. The quantitative limits are, as appropriate, to be increased by unused quantities carried over from the previous period or reduced by quantities used in advance from the quantitative limits for the following period, subject to a maximum of 6 % of the quantitative limit for the current year.

4. The import authorization referred to in paragraph 1 shall be issued automatically, free of charge, within a maximum of five working days from the date of the request presented by the importer, subject to the annual quantitative limits for France.

Article 2

1. The import into France of the products specified in Article 1 (2) and originating in South Korea shall be subject to presentation of an import authorization issued by the French authorities. The authorization shall be valid only in France.

2. The import authorization referred to in paragraph 1 shall be issued automatically, free of charge, within a maximum of five working days from the date of presentation by the importer of the original of the export

certificate corresponding to the quantities requested, issued by the South Korean authorities within the quantitative limits set for France.

Article 3

This Regulation shall not prevent the import into France of products described in Article 1 (2) and originating in South Korea or Taiwan which, at the time of its entry into force, were under way to France, provided that such products cannot be delivered to any other destination.

Article 4

The Community investigation into the trend of imports into France of footwear originating in South Korea or Taiwan is hereby terminated.

Article 5

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

It shall apply from 1 July 1988 to 30 June 1990 in respect of South Korea and from 1 January 1988 to 30 June 1990 in respect of Taiwan.

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

Done at Brussels, 30 June 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION REGULATION (EEC) No 1858/88

of 30 June 1988

amending Regulation (EEC) No 1058/77 on the characteristics of olive oil and of certain products containing olive oil and amending the Common Customs Tariff Nomenclature as regards olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1098/88 ⁽²⁾, and in particular Articles 14 (4), 15 (3) and 20 (3) thereof,

Whereas Commission Regulation (EEC) No 1058/77 ⁽³⁾, as last amended by Regulation (EEC) No 2550/83 ⁽⁴⁾, defined physico-chemical and organoleptic characteristics for products covered by the various customs subheadings used for olive oil; whereas it appears that certain virgin olive oils can contain tetrachloroethylene, an undesirable substance that does not occur in the normal olive oil production process; whereas this substance can be tolerated in lampante olive oil since that oil is for refining and not directly marketed; whereas the presence of this substance beyond insignificant levels should mean that the virgin oil concerned is automatically classed under the customs subheading for lampante virgin oil to be refined;

Whereas there must be a standard Community analysis method for the detection of tetrachloroethylene, in olive oil; whereas however different methods are in use in Member States; whereas the use of these methods should be permitted during a transitional period;

Whereas Council Regulation (EEC) No 2658/87 ⁽⁵⁾ must be adapted as a consequence of the amendments made to Regulation (EEC) No 1058/77;

Whereas fixing a maximum tetrachloroethylene level in virgin oils other than lampante might create difficulties

for the disposal of certain oils by producers in the current season; whereas consequently the measures in this Regulation relating to intervention buying should apply only from the start of the next season;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1058/77 is hereby amended as follows:

1. The title is replaced by the following: 'Commission Regulation (EEC) No 1058/77 of 18 May 1977 concerning the characteristics of olive oil and certain products containing olive oil'.
2. The following paragraph 3 is added to Article 2:

'3. The tetrachloroethylene content of olive oil and of olive-pomace oil shall be determined by the method set out in Annex X. However, until 31 October 1989 Member States may decide that the tetrachloroethylene content can be determined by other methods giving results which are compatible with the standard method. The Member States concerned shall communicate to the Commission those other methods before using them. If the tetrachloroethylene content determined by another method differs from that determined by the standard Community method, the content determined by the standard method shall apply.'

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

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 10.

⁽³⁾ OJ No L 128, 24. 5. 1977, p. 6.

⁽⁴⁾ OJ No L 252, 13. 9. 1983, p. 7.

⁽⁵⁾ OJ No L 256, 7. 9. 1987, p. 1.

3. The following line is added in the Table of Annexes :
'Annex X Tetrachloroethylene content 26'
4. In paragraph 1 of Annex I and in paragraph B.I of Annex III the following point (g) is added :
'(g) a tetrachloroethylene content measured by the method set out in Annex X no greater than 0,1 mg/kg.'
5. The following indent is added in paragraph 2 of Annex I and in paragraph B.II of Annex III :
'— those indicated at (a), (b), (c), (d), (e) and (f) in paragraph 1 and a tetrachloroethylene content measured by the method set out in Annex X greater than 0,1 mg/kg.'
6. Annex X annexed hereto is added.

Article 2

Regulation (EEC) No 2658/87 is hereby adapted as a consequence of Article 1 (4) and (5).

Article 3

This Regulation shall enter into force on 1 July 1988.

However, Article 1 (4) and (5) shall apply from 1 November 1988 for buying into intervention pursuant to Commission Regulation (EEC) No 3472/85⁽¹⁾.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 333, 11. 12. 1985, p. 5.

ANNEX

ANNEX X

DETERMINATION OF TETRACHLOROETHYLENE CONTENT OF OLIVE OIL

Method

Analysis by gas chromatography using the head space technique.

Equipment

1. Gas chromatography apparatus fitted with an electron capture detector (ECD).
2. Head space.
3. Gas chromatography column, of glass, 2 metres long and 2 mm in diameter, stationary phase. OV101 10 % or equivalent, impregnating a calcined diatomaceous earth, acid washed and silanized and of a particle size of 80 to 100 mesh.
4. Carrier and auxiliary gas : nitrogen for gas chromatography, suitable for detection by electron capture.
5. Glass flasks, 10 to 15 ml, with teflon coating and aluminium stopper with fitment for entry of syringe.
6. Hermetically sealing clamps.
7. Gas syringe 0,5 to 2 ml.

Reagents

Standard : — tetrachloroethylene of a degree of purity suitable for gas chromatography,
— pentane of a degree of purity suitable for gas chromatography.

Procedure

1. Exactly weigh around 3 g of oil in a glass flask (not to be reused), hermetically seal it. Place it in a thermostat at 70 °C for one hour. Using a syringe carefully remove 0,2 to 0,5 ml of the head space. Inject this into the column of the gas chromatography apparatus regulated as follows :
 - injector temperature 150 °C
 - column temperature : 70 to 80 °C
 - detector temperature : 200 to 250 °COther temperatures may also be used provided the results remain equivalent.
2. Reference solutions. Prepare standard solutions using refined olive oil with no trace of solvents with tetrachloroethylene/concentrations ranging from 0,05 to 1 mg/kg and corresponding to the presumed content of the sample. The tetrachloroethylene may be diluted using pentane.
3. Quantitative assessment. Correlate the surfaces or the elevations of the peaks of the sample and of the standard solution of the concentration presumed closest. If the deviation is greater than 10 % the analysis must be repeated in comparison with another standard solution until the deviation is within 10 %. The tetrachloroethylene content is determined on the basis of the average of the elementary injections.
4. Expression of results : in mg/kg (ppm). The detection limit for the method is 0,01 mg/kg.

COMMISSION REGULATION (EEC) No 1859/88

of 30 June 1988

amending Regulation (EEC) No 3472/85 on the buying-in and storage of olive oil
by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1098/88⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Commission Regulation (EEC) No 3472/85⁽³⁾, as last amended by Regulation (EEC) No 3236/87⁽⁴⁾, specifies the olive oil qualities that may be offered for intervention; whereas experience has shown that intervention purchasing of olive-pomace oil is of no direct benefit to producers; whereas intervention purchasing of pomace oil is not therefore fully consonant with the aims of Article 12 (1) of Regulation No 136/66/EEC such as market stability and protection of producers' incomes; whereas, pursuant to Commission Regulation (EEC) No 3635/86⁽⁵⁾, intervention purchasing of olive-pomace oil was already suspended during the 1986/87 marketing year; whereas intervention purchasing of this quality of oil should therefore be terminated; whereas the Annex to Regulation (EEC) No 3472/85 must therefore be amended;

Whereas the maximum acidity of lampante virgin olive oil offered for intervention must be altered to improve the quality;

Whereas Council Regulation (EEC) No 1915/87⁽⁶⁾ altered the definition of virgin olive oil; whereas the price increase applicable on that quality should therefore be altered to take account of market conditions; whereas the Annex to Regulation (EEC) No 3472/85 must therefore be amended;

Whereas Commission Regulation (EEC) No 1058/77⁽⁷⁾, as last amended by Regulation (EEC) No 1858/88⁽⁸⁾, stipulates that virgin oils with a tetrachloroethylene

content above a certain level are to be classed as lampante virgin olive oils; whereas as far as intervention purchasing is concerned this downgrading will be effective only from the beginning of the next marketing year; whereas on account of the depreciation in the market value of these oils a special intervention price should apply to them temporarily;

Whereas the Management Committee for Oils and Fats has not issued an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3472/85 is hereby amended as follows:

1. Article 1 is replaced by the following:

'Article 1

Intervention under Article 12 (1) of Regulation No 136/66/EEC shall be restricted to olive oil as defined at point 1 of the Annex to that Regulation. The water and impurity content of such oil may not be more than 1 %.

In the case of lampante virgin olive oil the free fatty acid content expressed as oleic acid may not be more than 10 %.'

2. In Article 2 (2), 'and, in the case of olive residue oil, the accounts of the extraction industries of this oil' is deleted.
3. The fourth indent in Article 2 (3) is deleted.
4. In Article 3 (3), 'and of 0,5 % for residue oil' is deleted.
5. The third indent in Article 8 (2) is deleted.
6. The Annex is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 July 1988.

However until 31 October 1988 Annex A to this Regulation shall apply in place of the Annex to Regulation (EEC) No 3472/85.

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

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 10.

⁽³⁾ OJ No L 333, 11. 12. 1985, p. 5.

⁽⁴⁾ OJ No L 308, 30. 10. 1987, p. 12.

⁽⁵⁾ OJ No L 336, 29. 11. 1986, p. 39.

⁽⁶⁾ OJ No L 183, 3. 7. 1987, p. 7.

⁽⁷⁾ OJ No L 128, 24. 5. 1977, p. 6.

⁽⁸⁾ See page 10 of this Official Journal.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

ANNEX

(ECU/100 kg)

Description and quality as defined in the Annex to Regulation No 136/66/EEC (the degree of acidity represents the free fatty acid content, expressed as grams of oleic acid/100 grams of oil)	Price increase	Price reduction
Extra virgin olive oil	17,29	—
Virgin olive oil	6,05	—
Ordinary virgin olive oil	—	—
Lampante virgin olive oil 1°		8,14
Other lampante virgin olive oils :		
— more than 1°, up to and including 8° acidity		Reduction increased by 0,32 ECU for each additional tenth of a degree of acidity
— more than 8° acidity		Reduction increased by 0,35 ECU for each additional tenth of a degree of acidity

ANNEX A

(ECU/100 kg)

Description and quality as defined in the Annex to Regulation No 136/66/EEC (the degree of acidity represents the free fatty acid content, expressed as grams of oleic acid/100 grams of oil)	Price increase	Price reduction
Extra virgin olive oil with a tetrachloroethylene content of not more than 0,1 mg/kg	17,29	
Extra virgin olive oil with a tetrachloroethylene content of more than 0,1 mg/kg but not more than 1 mg/kg	3,46	
Virgin olive oil with a tetrachloroethylene content of not more than 0,1 mg/kg	6,05	
Virgin olive oil with a tetrachloroethylene content of more than 0,1 mg/kg but not more than 1 mg/kg	1,21	
Ordinary virgin olive oil with a tetrachloroethylene content of not more than 0,1 mg/kg		
Ordinary virgin olive oil with a tetrachloroethylene content of more than 0,1 mg/kg but not more than 1 mg/kg		6,51
Lampante virgin olive oil 1° and other virgin olive oils 1° with a tetrachloroethylene content of more than 1 mg/kg		8,14
Other lampante virgin olive oils and other virgin olive oils with a tetrachloroethylene content of more than 1 mg/kg		
— more than 1°, up to and including 8° activity		Reduction increased by 0,32 ECU for each additional tenth of a degree of activity
— more than 8° activity		Reduction increased by 0,35 ECU for each additional tenth of a degree of activity

COMMISSION REGULATION (EEC) No 1860/88

of 30 June 1988

establishing special marketing standards for olive oil and amending Regulation (EEC) No 983/88 laying down special provisions on the marketing of olive oil containing undesirable substances

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Commission Regulation (EEC) No 1098/88⁽²⁾, and in particular Articles 11 (8), 12 (4), 20 (3), 20d (4) and 35a (3) thereof,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules concerning the production refund for olive oils used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 3788/85⁽⁴⁾, and in particular Article 9 thereof,

Having regard to Council Regulation (EEC) No 473/86 of 25 February 1986 laying down detailed rules for the application of accession compensatory amounts to olive oil⁽⁵⁾, and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽⁶⁾, as last amended by Regulation (EEC) No 1889/87⁽⁷⁾, and in particular Article 12 thereof,

Whereas, under Commission Regulation (EEC) No 983/88⁽⁸⁾, the benefits afforded by Community legislation are no longer granted for olive oil with a tetrachloroethylene content of more than one milligram per kilogram; whereas a toxicity study made in collaboration with the Scientific Committee for Food has shown that the contamination levels detected present no danger whatever to human health but that the substance, the presence of which is abnormal and undesirable, should be eliminated from olive oil; whereas a marketing standard should therefore be determined imposing an insignificant tetrachloroethylene content;

Whereas however, in order not to harm the interests of traders, a limited period should be allowed for the disposal of oils prepared before a certain date for

marketing that have a tetrachloroethylene content not exceeding that set by Regulation (EEC) No 983/88;

Whereas the introduction of this marketing standard and the adoption of Commission Regulation (EEC) No 1858/88⁽⁹⁾ amending Regulation (EEC) No 1058/77 on the characteristics of olive oil and of certain products containing olive oil and amending the Common Customs Tariff Nomenclature as regards olive oil⁽¹⁰⁾ permit reduction of the scope of Regulation (EEC) No 983/88 to the oils indicated at points 3 and 6 of the Annex to Regulation No 136/66/EEC; whereas this will prevent diversion to blends containing virgin olive oil;

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

HAS ADOPTED THIS REGULATION:

Article 1

Olive oils and olive-pomace oils with a tetrachloroethylene content of more than 0,1 milligram per kilogram measured by the method indicated in Article 2 (3) of Regulation (EEC) No 1058/77 may not be offered for retail sale. Olive oils and olive-pomace oils with a tetrachloroethylene content of not more than one milligram per kilogram prepared before 1 August 1988 for marketing may however be sold up to 31 December 1988.

Article 2

Article 1 (1) of Regulation (EEC) No 983/88 is hereby replaced by:

'1. Export refunds, production refunds, accession compensatory amounts and monetary compensatory amounts may not be granted on olive oils and olive-pomace oils as indicated at points 3 and 6 of the Annex to Regulation (EEC) No 136/66/EEC that have a tetrachloroethylene content measured by the method indicated in Article 2 (3) of Commission Regulation (EEC) No 1058/77^(*) of more than 0,1 milligram per kilogram.

(*) OJ No L 128, 24. 5. 1977, p. 6.'

Article 3

This Regulation shall enter into force on 1 July 1988.

(⁹) See page 10 of this Official Journal.

(¹⁰) OJ No L 128, 24. 5. 1977, p. 6.

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

(²) OJ No L 110, 29. 4. 1988, p. 10.

(³) OJ No L 78, 30. 3. 1979, p. 2.

(⁴) OJ No L 367, 31. 12. 1985, p. 1.

(⁵) OJ No L 53, 1. 3. 1986, p. 43.

(⁶) OJ No L 164, 24. 6. 1985, p. 6.

(⁷) OJ No L 182, 3. 7. 1987, p. 1.

(⁸) OJ No L 98, 15. 4. 1988, p. 36.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1861/88

of 30 June 1988

temporarily suspending certain provisions of Regulation (EEC) No 2042/75 on special detailed rules for the application of the system of import and export licences for cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1097/88⁽²⁾, and in particular Article 12 (2) thereof,

Whereas Article 9a of Commission Regulation (EEC) No 2042/75⁽³⁾, as last amended by Regulation (EEC) No 1623/88⁽⁴⁾, provided for the issue of licences with a long period of validity for products falling within codes 1107 10 19, 1107 10 99 and 1107 20 00 of the combined nomenclature; whereas this special facility was granted in order to take account of commercial practices concerning the products in question; whereas, however, in order to avoid speculative use of this extended period of validity, the issue of such licences was made subject to very stringent conditions, consisting, in particular, in the requirement that the exporter state the destination of export, actually export to that destination and furnish proof of arrival at destination;

Whereas the situation and the foreseeable trend of the world market in barley and malt and, in particular, the keen competition and uncertainty on the world market justify a temporary relaxation of the requirements imposed by the existing rules; whereas, for the period of the marketing year, it appears warranted in order to enable those concerned to adapt to market conditions to suspend the requirement that the destination of export be stated and that the goods be exported to that destination;

Whereas it is likewise necessary to suspend for the same period the special requirements imposed by the existing rules as regards the release of the securities accompanying applications for such long-period licences; whereas this suspension must cover the requirements both as to the statement of destination and as to the provision of proof of arrival at destination;

Whereas the suspension measures adopted temporarily by this Regulation must in no way affect the existing requirements imposed in the case of licences currently valid at the time of its entry into force;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 9c of Regulation (EEC) No 2042/75 is hereby replaced by the following:

Article 9c

1. In the case of applications for export licences relating to products falling within codes 1107 10 19, 1107 10 99 and 1107 20 00 of the combined nomenclature and submitted between 1 July 1988 and 30 April 1989 the provisions of Article 9a shall be suspended.
2. Notwithstanding Article 9, export licences for the products mentioned in paragraph 1, applications for which are submitted between 1 July 1988 and 30 April 1989, shall, at the request of the party concerned, be valid from the day of their issue within the meaning of Article 2 (1) of Regulation (EEC) No 3183/80:
 - until 30 September 1989 in respect of licences issued from 1 January to 30 April 1989,
 - until the end of the 11th month following that of issue, in respect of licences issued from 1 July to 31 October 1988,
 - until 30 September 1987 in respect of licences issued from 1 November to 31 December 1988.
3. Notwithstanding Article 9 of Regulation (EEC) No 3183/80, rights deriving from the licences referred to in paragraph 2 shall not be transferable.
4. In the case of licences issued pursuant to paragraph 2, the security shall be:
 - 30 ECU per tonne in the case of licences issued on or before 31 December 1988,
 - 24 ECU per tonne in the case of licences issued between 1 January and 30 April 1989.

Article 2

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

It shall apply with effect from 1 July 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 213, 11. 8. 1975, p. 5.

⁽⁴⁾ OJ No L 145, 11. 6. 1988, p. 26.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1862/88

of 30 June 1988

establishing ceilings and Community surveillance for imports of certain products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1988/89)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 1821/87 ⁽²⁾, and in particular Articles 13a and 22 thereof,

Whereas Article 13a of Regulation (EEC) No 486/85 stipulates that products listed there, originating in the African, Caribbean and Pacific States or in the overseas countries and territories, are subject on importation into the Community to progressively reduced rates of duty; whereas such reduction of duties applies only up to ceilings above which the customs duties actually applied in respect of third countries may be re-established;

Whereas, within the limits of these tariff ceilings, customs duties are reduced progressively by the percentages specified in that Article, during the same periods and in accordance with the same timetables as provided for in Articles 75 and 268 of the Act of Accession of the Kingdom of Spain and the Portuguese Republic; whereas on this basis, the preferential duty rates applicable in 1988 and 1989 must be equal to 70 % and 60 %, respectively, of the basic rates, with the exception of Chinese cabbages and walnuts, for which the rates must be 72,7 % and 63,6 % respectively of the basic rates; whereas, however, the preferential duty applicable to walnuts is equivalent to a reduction of 40 % on the normal duty rate;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities ⁽³⁾, Spain and Portugal are to postpone implementation of the preferential arrangements for fruit and vegetables falling within

Council Regulation (EEC) No 1035/72 ⁽⁴⁾, as last amended by Regulation (EEC) No 1117/88 ⁽⁵⁾, until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the abovementioned tariff concession does not apply at present in Spain or Portugal;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

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. Imports of products listed in the Annex originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall, in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

The products referred to in the first paragraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the Annex.

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁵⁾ OJ No L 107, 28. 4. 1988, p. 1.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which the collection of customs duties is re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, in the manner specified in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

3. As soon as a ceiling has been reached, the Commission may adopt a regulation re-establishing, until the end of its period of validity, the customs duties applicable to third countries.

4. Member States shall send the Commission statements of the quantities charged for the preceding month no later than the 15th day of each month. At the Commission's request, they shall send statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 June 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

Order No	CN code	Description	Customs duty applicable (%)	Level of ceiling (tonnes)
12.0030	ex 0704 90 90	Chinese cabbages, from 1 November to 31 December 1988	10,9	1 000
12.0060	ex 0709 10 00	Artichokes, from 1 October to 30 November 1988	9,1	1 000
12.0070	0802 31 00 0802 32 00	Walnuts, from 1 January to 31 December 1989	4,8	700
12.0080	ex 0809 10 00	Apricots, from 1 October 1988 to 31 January 1989	— from 1 October to 31 December: 17,5 — from 1 to 31 January: 15	2 000
12.0090	ex 0809 20 90	Cherries, from 1 November 1988 to 28 February 1989	— from 1 November to 31 December: 10,5 — from 1 January to 28 February: 9	2 000
12.0100	ex 0809 30 00	Peaches, from 1 December 1988 to 28 February 1989	— from 1 to 31 December: 15,4 — from 1 January to 28 February: 13,2	2 000
12.0110	ex 0809 40 19	Plums, from 15 December 1988 to 28 February 1989	— from 15 to 31 December: 5,6 — from 1 January to 28 February: 4,8	2 000

COMMISSION REGULATION (EEC) No 1863/88**of 30 June 1988****amending Regulation (EEC) No 2169/86 laying down detailed rules for the control and payment of the production refunds in the cereals and rice sectors, and Regulation (EEC) No 745/87 derogating therefrom**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽⁵⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 2169/86 ⁽⁶⁾, as last amended by Regulation (EEC) No 190/88 ⁽⁷⁾, provides for the production refund per tonne of basic starch to be calculated on the basis of the difference between the intervention price for maize and the average of the cif prices used for the calculation of the import levy for maize; whereas, following the modification of the intervention system and the subsequent change in market conditions it is appropriate to calculate the production refund on the basis of the difference between the buying-in price for maize and the average of the cif prices;

Whereas Regulation (EEC) No 2169/86 gives a method to be used for the determination of the degree of purity of the starch; whereas, however, it is provided that the 'modified Ewers polarimetric method' can be used during a transitional period until 30 June 1988; whereas the method to be used remains to be precisely defined and certain improvements are still needed to ensure that this method is applied uniformly across the Community;

whereas it appears that the method currently in force should be maintained until the appropriate results have been achieved;

Whereas a precise definition of the product classified under codes 3505 and 3809 of the combined nomenclature together with the methods required to determine the composition of these products have not yet been established; whereas the definition provided by Commission Regulation (EEC) No 745/87 of 16 March 1987 derogating from Regulation (EEC) No 2169/86 laying down detailed rules for the control and payment of the production refunds in the cereals and rice sectors ⁽⁸⁾, as last amended by Regulation (EEC) No 3924/87 ⁽⁹⁾ should be extended until the necessary precisions have been achieved;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2169/86 is hereby amended as follows:

1. in the first line of Article 2 (2) (i), 'intervention price' is replaced by 'buying-in price';
2. in Article 5 (4), second paragraph, seventh line, 'intervention price' is replaced by 'buying-in price';
3. Annex II is replaced by the Annex to this Regulation.

Article 2

In the first line of Article 1 of Regulation (EEC) No 745/87, 'until 30 June 1988' is hereby deleted.

Article 3

This Regulation shall enter into force on 1 July 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 3.

⁽⁴⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁶⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁷⁾ OJ No L 19, 23. 1. 1988, p. 31.

⁽⁸⁾ OJ No L 75, 17. 3. 1987, p. 15.

⁽⁹⁾ OJ No L 369, 29. 12. 1987, p. 25.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

ANNEX II

The purity level of starch in the dry matter shall be determined using the Ewers modified polarimetric method, as published in Annex I to the Third Commission Directive 72/199/EEC of 27 April 1972 establishing Community methods of analysis for the official control of feedingstuffs⁽¹⁾.

⁽¹⁾ OJ No L 123, 29. 5. 1972, p. 6.

COMMISSION REGULATION (EEC) No 1864/88

of 30 June 1988

amending certain 'guide' quantities provided for in Regulation (EEC) No 3960/87
under the supplementary mechanism applicable to trade in beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to the Act of Accession of Spain and
Portugal, and in particular Article 84 (4) thereof,

Whereas Commission Regulation (EEC) No 3960/87 of
22 December 1987 fixing the indicative ceilings and the
'guide' quantities for 1988 under the supplementary
mechanism applicable to trade in beef and veal⁽¹⁾ fixes
the 'guide' quantities for 1988 for imports into Spain of
live animals and fresh or chilled meat from the
Community as constituted at 31 December 1985 at
14 850 head and 2 475 tonnes respectively; whereas 90 %
of the said quantities were used during the first six
months; whereas, in order to avoid a major increase in
prices of those products in Spain and to ensure supplies
to that market, provision should be made for the
quantities laid down of the products referred to above to
be exceeded in line with the anticipated trend in Spanish
demand;

Whereas provision also should be made for a review of
the situation on the Spanish market before 31 October
1988, with a view possibly to increasing the 'guide'
quantities to the level of the indicative ceiling in
accordance with the procedure laid down in Article 27 of
Council Regulation (EEC) No 805/68 of 27 June 1968 on
the common organization of the market in beef and
veal⁽²⁾, as last amended by Regulation (EEC) No
3905/87⁽³⁾;

Whereas the conditions for applying Article 6 of
Regulation (EEC) No 3960/87 for the abovementioned
products should accordingly be specified;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For meat of animals of the bovine species, fresh or chilled, the 'guide' quantity laid down in the Annex to Regulation (EEC) No 3960/87 may be exceeded by 2 750 tonnes equivalent carcase weight.
2. For live animals of the bovine species, the 'guide' quantity laid down in the Annex to Regulation (EEC) No 3960/87 may be exceeded by 12 500 head.
3. Before 31 October 1988, the Commission shall review the situation on the Spanish market with a view possibly to increasing the 'guide' quantity to the level of the indicative ceiling in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.
4. The figure '20 %' in Article 6 of Regulation (EEC) No 3960/87 shall be calculated on the basis of the 'guide' quantities originally laid down in the Annex to that Regulation.

Article 2

This Regulation shall enter into force on 1 July 1988.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 371, 30. 12. 1987, p. 33.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 370, 30. 12. 1987, p. 7.

COMMISSION REGULATION (EEC) No 1865/88**of 30 June 1988****suspending customs duties in trade in beef and veal between Spain and the Community as constituted at 31 December 1985**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 75 (4) thereof,

Whereas Council Regulation (EEC) No 3861/87 of 22 December 1987 suspending customs duties in trade in beef and veal between Spain and the Community as constituted at 31 December 1985⁽¹⁾ provides for the partial suspension of customs duties in trade between Spain and the Community as constituted at 31 December 1985 until 30 June 1988; whereas that Regulation also provides that before that date the Commission is to review the situation on the Spanish and Community market with a view possibly to adopting suitable measures;

Whereas recent developments in production and on the Spanish and Community market for beef and veal

products make full liberalization of trade in this sector desirable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The customs duties pursuant to Article 75 (1) of the Act of Accession and applicable to trade in the products covered by Regulation (EEC) No 805/68 between Spain and the Community as constituted at 31 December 1985 shall be suspended from 1 July 1988.

Article 2

This Regulation shall enter into force on 1 July 1988.

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 363, 23. 12. 1987, p. 32.

COMMISSION REGULATION (EEC) No 1866/88

of 30 June 1988

amending Regulation (EEC) No 3155/85 providing for the advance fixing of monetary compensatory amounts

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

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 1889/87 ⁽²⁾, and in particular Article 12 thereof,

Whereas Commission Regulation (EEC) No 3155/85 ⁽³⁾, as last amended by Regulation (EEC) No 1002/86 ⁽⁴⁾, provided for the advance fixing of monetary compensatory amounts;

Whereas monetary compensatory amounts fixed in advance are adjusted if a new agricultural conversion rate takes effect, public announcement of which was made before the application for advance fixing was lodged; whereas the new agricultural conversion rates resulting from the automatic dismantling arrangement indicated in Article 6 of Regulation (EEC) No 1677/85 are known from the dismantling plan for newly created negative monetary gaps; whereas the scope of the provisions on adjustment should be extended to cover monetary compensatory amounts fixed in advance after public announcement of the said plan, in line with the dismantling scheduled; whereas Regulation (EEC) No 3155/85 should be amended accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the management committees concerned,

HAS ADOPTED THIS REGULATION:

Article 1

The following subparagraph is inserted after the first subparagraph of Article 6 (1) of Regulation (EEC) No 3155/85:

'For the purposes of this Article a new agricultural conversion rate shall be:

- the agricultural conversion rate resulting from implementation of the dismantling arrangement indicated in Article 6 (2) of Regulation (EEC) No 1677/85,
- the other agricultural conversion rates.'

Article 2

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

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

Done at Brussels, 30 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽³⁾ OJ No L 310, 21. 11. 1985, p. 22.

⁽⁴⁾ OJ No L 93, 8. 4. 1986, p. 8.

COMMISSION NOTICE

The Commission draws the attention of the parties concerned to the fact that the monetary compensatory amounts will be abolished from 1 July 1988 for the Federal Republic of Germany and the Netherlands.

MEMORANDUM FROM THE COMMISSION

In spite of all the efforts made, the Commission is obliged to recognize that the Council of the European Communities, despite its repeated meetings, has not yet been able to decide on the Commission proposals on agricultural prices and related measures for the 1988/89 marketing year.

The Commission, in light of the budgetary situation facing the Community, and with a greater than ever responsibility to ensure that the CAP continues to operate, is obliged, should the Council still have failed to act by 1 July, to adopt the necessary interim measures of protection.

These measures should cover prices, premiums and aid and any other component that contributes to prices.

The Commission stresses that the measures it would be obliged to take could diverge from previous price levels and that such measures are by definition temporary in nature and would be without prejudice to any decisions that the Council might adopt at a later date.
