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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1959/88 of 4 July 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1960/88 of 4 July 1988 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1961/88 of 4 July 1988 closing the invitation to tender on the supply of skimmed-milk powder to the United Nations High Commission for Refugees (UNHCR) as food aid	5
Commission Regulation (EEC) No 1962/88 of 4 July 1988 on the supply of common wheat flour to the World Food Programme (WFP) as food aid	6
* Commission Regulation (EEC) No 1963/88 of 4 July 1988 amending Regulation (EEC) No 1528/78 laying down detailed rules for the application of the system of aid for dried fodder	9
* Commission Regulation (EEC) No 1964/88 of 4 July 1988 amending Regulation (EEC) No 1443/82 laying down detailed rules for the application of the quota system in the sugar sector	10
Commission Regulation (EEC) No 1965/88 of 4 July 1988 introducing a new countervailing charge on fresh lemons originating in Argentina, and repealing Regulation (EEC) No 1828/88	12
Commission Regulation (EEC) No 1966/88 of 4 July 1988 fixing the import levies on white sugar and raw sugar	14
Commission Regulation (EEC) No 1967/88 of 4 July 1988 altering the export refunds on white sugar and raw sugar exported in the natural state	16
Commission Regulation (EEC) No 1968/88 of 4 July 1988 altering the basic amount of the import levies on syrups and certain other products in the sugar sector	18

Contents (continued)

Corrigenda

- * Corrigendum to Council Directive 86/298/EEC of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors (OJ No L 186 of 8.7.1986) 20
- * Corrigendum to Council Regulation (EEC) No 4182/87 of 22 December 1987 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature and originating in Morocco (1988) (OJ No L 399 of 31.12.1987) 20

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1959/88

of 4 July 1988

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) 1097/88 ⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1871/88 ⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 1 July 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 5 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 168, 1. 7. 1988, p. 8.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 4 July 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	12,38	122,87
0712 90 19	12,38	122,87
1001 10 10	24,08	156,56 ⁽¹⁾ ⁽²⁾
1001 10 90	24,08	156,56 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	135,99
1001 90 99	0,00	135,99
1002 00 00	25,83	100,77 ⁽⁴⁾
1003 00 10	19,52	110,23
1003 00 90	19,52	110,23
1004 00 10	76,15	50,55
1004 00 90	76,15	50,55
1005 10 90	12,38	122,87 ⁽²⁾ ⁽³⁾
1005 90 00	12,38	122,87 ⁽²⁾ ⁽³⁾
1007 00 90	35,85	130,38 ⁽⁴⁾
1008 10 00	19,52	30,03
1008 20 00	19,52	55,94 ⁽⁴⁾
1008 30 00	19,52	0 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	19,52	0
1101 00 00	7,18	203,38
1102 10 00	49,16	154,08
1103 11 10	50,32	255,67
1103 11 90	7,75	219,65

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

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

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

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

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

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

COMMISSION REGULATION (EEC) No 1960/88

of 4 July 1988

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1097/88⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1872/88⁽⁵⁾ and subsequent amending Regulations;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 1 July 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 5 July 1988.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 168, 1. 7. 1988, p. 11.

ANNEX

to the Commission Regulation of 4 July 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10
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

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1961/88
of 4 July 1988

**closing the invitation to tender on the supply of skimmed-milk powder to the
United Nations High Commission for Refugees (UNHCR) as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, by Regulation (EEC) No 1621/88 ⁽³⁾, the Commission issued an invitation to tender for the supply of 150 tonnes of skimmed-milk powder to the UNHCR as food aid; whereas the conditions of the supply should be reviewed and the invitation to tender in question should consequently be closed,

HAS ADOPTED THIS REGULATION:

Article 1

For lot B of the Annex to Regulation (EEC) No 1621/88 the tender is closed.

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, 4 July 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.

⁽³⁾ OJ No L 145, 11. 6. 1988, p. 19.

COMMISSION REGULATION (EEC) No 1962/88

of 4 July 1988

on the supply of common wheat flour to the World Food Programme (WFP) as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, by its Decision of 16 December 1987 on the supply of food aid to WFP, the Commission allocated to that organization 13 974 tonnes of cereals to be supplied free at port of shipment;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat flour to WFP in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annexes 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, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 8.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation Nos** (1): 240/88, 241/88
2. **Programme**: 1987
3. **Recipient**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Rome, telex 626675 WFP I
4. **Representative of the recipient** (2): see *Official Journal of the European Communities* No C 103 of 16 April 1987
5. **Place or country of destination**: Somalia
6. **Product to be mobilized**: common wheat flour
7. **Characteristics and quality of the goods** (3):
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.A.6)
8. **Total quantity**: 10 200 tonnes (equal to 13 974 tonnes of cereals)
9. **Number of lots**: two: (I: 5 000 tonnes; II: 5 200 tonnes)
10. **Packaging and marking** (4):
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II. B. 2 a):
Marking on the bags in letters at least 5 cm high:
I: 5 000 tonnes: 'ACTION No 240/88 / SOMALIA 0364900B / BERBERA / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME'
II: 5 200 tonnes: 'ACTION No 241/88 / SOMALIA 0365200B / MOGADISHU / WHEAT FLOUR / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY / ACTION OF THE WORLD FOOD PROGRAMME'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**:
I: 1 to 15 August 1988
II: 10 to 30 September 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 19 July 1988 at 12 noon
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 2 August 1988 at 12 noon
(b) period for making the goods available at the port of shipment:
I: 15 to 30 August 1988
II: 10 to 30 September 1988
(c) deadline for the supply: —
22. **Amount of the tendering security**: 5 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders** (5):
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (6):
refund applicable on 1 July 1988

Notes :

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to be contacted by the successful tenderer : see list published in *Official Journal of the European Communities* No C 227 of 7 September 1985, page 4.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- The radioactivity certificate must indicate the caesium-134 and -137 levels.
- The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- certificate of origin,
 - phytosanitary certificate.
- (4) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (5) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably :
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels :
235 01 32,
236 10 97,
235 01 30,
236 20 05.
- (6) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

COMMISSION REGULATION (EEC) No 1963/88

of 4 July 1988

amending Regulation (EEC) No 1528/78 laying down detailed rules for the application of the system of aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3996/87⁽²⁾, and in particular Article 6 (3) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽³⁾, as last amended by Regulation (EEC) No 1173/87⁽⁴⁾, provides that in certain cases the average world market price is to be determined on the basis of the price for competing products; whereas the competing products in question are defined in Article 3 of Commission Regulation (EEC) No 1528/78⁽⁵⁾, as last amended by Regulation (EEC) No 2334/87⁽⁶⁾; whereas, among those competing products, barley was valued for the 1987/88 marketing year for dried fodder at the intervention price plus a fixed amount equal to 10 ECU per tonne; whereas barley must be valued at a price which is closer to the real market situation; whereas, to that end, the fixed amount which is added to the intervention price for barley should be abolished; whereas Regulation (EEC) No 1528/78 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1528/78 is hereby amended as follows:

1. The second subparagraph of Article 3 (3) is replaced by the following:

'For the purposes of determining the value of barley, reference shall be made to the intervention price for barley. That price shall be equal to the average of the intervention prices for barley valid during the barley marketing year in which the month for which the average world market price is determined falls.'

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

'4. Where, pursuant to paragraph 3 and Article 6, the average world forward market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the price for barley to be taken into account shall be equal to the average of the intervention prices for barley valid during the barley marketing year in which the month for which the average world forward market price is determined falls.'

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.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 35.

⁽³⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁴⁾ OJ No L 113, 30. 4. 1987, p. 13.

⁽⁵⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁶⁾ OJ No L 210, 1. 8. 1987, p. 63.

COMMISSION REGULATION (EEC) No 1964/88

of 4 July 1988

amending Regulation (EEC) No 1443/82 laying down detailed rules for the application of the quota system in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1107/88⁽²⁾, and in particular Articles 28 (8) and 28a (5) thereof,Having regard to Council Regulation (EEC) No 1108/88 of 25 April 1988 introducing a special elimination levy in the sugar sector for the 1987/88 marketing year⁽³⁾, and in particular Article 1 (4) thereof,Whereas the implementation as from the 1988/89 marketing year of the principle of full self-financing of the sector by the manufacturers of sugar and isoglucose as well as by the sugar-beet and sugar-cane producers, in particular by the possible application of a supplementary levy, requires adaptation of the detailed rules for the application of the quota system laid down by Commission Regulation (EEC) No 1443/82⁽⁴⁾, as last amended by Regulation (EEC) No 3819/85⁽⁵⁾;

Whereas one of the characteristics of the common organization of the sugar sector is based on the fact that the relationship between the sugar manufacturers and the sugar-beet producers, in particular as regards the question of delivery and payment of the beet, is governed in general by inter-professional agreements drawn up in the manner prescribed in this connection by Community Regulations; whereas these inter-professional agreements may provide for rules which take account of the particular situation of the region in which they apply; whereas consequently, in so far as the possibility given to manufacturers to allow beet growers to contribute towards the payment of the supplementary levy is concerned, provision should be made that the rules for this participation may be drawn up by way of inter-professional agreement within the framework laid down in Article 28a (3) of Regulation (EEC) No 1785/81;

Whereas this occasion provides the opportunity to bring up to date and to complete certain provisions of Regulation (EEC) No 1443/82 and in particular those concerning the taking into account, for the purpose of establishing the production levies, of the quantities of

sugar and isoglucose in excess of 60 000 tonnes used by the chemical industry as provided for in Council Regulation (EEC) No 1010/86⁽⁶⁾, as amended by Regulation (EEC) No 1714/88⁽⁷⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1443/82 is amended as follows:

1. The opening words of Article 4 (3) shall read:

‘3. Without prejudice to the third, fourth and fifth subparagraphs of Article 24 (1a) of Regulation (EEC) No 1785/81,’

2. The first subparagraph of Article 5 (5) shall read:

‘5. For the purposes of determining the quantity referred to in Article 28 (1) (b) of Regulation (EEC) No 1785/81, there shall be subtracted from the sum of:

- (a) the quantities of sugar and isoglucose disposed of for consumption within the Community either directly or after processing by the user industries, and
- (b) the quantities of denatured sugar, and
- (c) the quantities of sugar and isoglucose imported from non-member countries as processed products,

the sum of the quantities of sugar and isoglucose exported to non-member countries as processed products and the quantities of basic products exceeding in total 60 000 tonnes of white sugar equivalent for which certificates for the production refunds referred to in Article 1 of Council Regulation (EEC) No 1010/86⁽¹⁾ have been issued.⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 9.’

3. The following third subparagraph is added to Article 5 (5):

‘For the calculation of the estimated average loss referred to in Article 28 (1) (d) of Regulation (EEC) No 1785/81 these shall also be taken into account the production refunds for quantities of basic products

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 110, 29. 4. 1988, p. 20.⁽³⁾ OJ No L 110, 29. 4. 1988, p. 25.⁽⁴⁾ OJ No L 158, 9. 6. 1982, p. 17.⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 25.⁽⁶⁾ OJ No L 94, 9. 4. 1986, p. 9.⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

exceeding in total 60 000 tonnes of white sugar equivalent for which certificates for the production refunds referred to in Article 1 of Regulation (EEC) No 1010/86 have been issued during the course of the marketing year in question.'

4. Article 7 (1) shall read :

1. There shall be fixed for sugar and isoglucose before 15 October, in respect of the preceding marketing year :

(a) the amounts of the basic production levy and B levy ;

(b) if required, the coefficient referred to in Article 28a (2) of Regulation (EEC) No 1785/81 ;

(c) the coefficient referred to in Article 1 (2) of Council Regulation (EEC) No 1108/88 (2).

(2) OJ No L 110, 29. 4. 1988, p. 25.'

5. The following paragraph (3) is added to Article 7 :

'3. If a coefficient is adopted pursuant to Article 28a (2) of Regulation (EEC) No 1785/81 the Member States shall, in accordance with the provisions of that paragraph, determine for each sugar-producing and for each isoglucose-producing undertaking, before 1 November and in respect of the preceding marketing year, the additional levy to be paid by the manufacturers in question. This levy shall be collected at the same time as the balance of the production levies for the said marketing year.

In so far as the 1987/88 marketing year is concerned, the Member States shall determine for each sugar-

producing undertaking and for each isoglucose-producing undertaking before 1 November 1988 the special elimination levy to be paid by the manufacturers in question. This levy shall be collected at the same time as the balance of the production levies for the said marketing year.'

6. Point (a) in the second subparagraph of Article 8 (2) shall read :

'(a) the periods between the manufacture of the sugar and the dates laid down for the advance payments and payments of the balances in respect of the production levies and the additional levy ;'.

7. Article 10 shall read :

'Article 10

1. The reimbursement specified in the second and third subparagraph of Article 28a (3) of Regulation (EEC) No 1785/81 may, without prejudice to these provisions, be made in accordance with the rules defined by inter-professional agreement.

2. The reimbursement specified in Article 1 (3) of Regulation (EEC) No 1108/88 may, without prejudice to that provision, be made in accordance with rules defined by inter-professional agreement.'

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 July 1988.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

**COMMISSION REGULATION (EEC) No 1965/88
of 4 July 1988**

introducing a new countervailing charge on fresh lemons originating in Argentina, and repealing Regulation (EEC) No 1828/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 1386/88 of 20 May 1988 fixing for the 1988/89 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I at 60,24 ECU per 100 kilograms net for the months of July and August 1988;

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

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

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

Whereas the entry price thus calculated for fresh lemons originating in Argentina, results in the fixing of a higher countervailing charge than that laid down by Commission Regulation (EEC) No 1828/88 of 28 June 1988, introducing a countervailing charge on fresh lemons originating in Argentina⁽⁶⁾;

Whereas, pursuant to Article 26 (2) of Regulation (EEC) No 1035/72, a new countervailing charge should be fixed and Regulation (EEC) No 1828/88 should be repealed;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 10,42 ECU per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Argentina.

Article 2

This Regulation shall enter into force on 5 July 1988.

Commission Regulation (EEC) No 1828/88 is hereby repealed.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 128, 21. 5. 1988, p. 21.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 162, 29. 6. 1988, p. 40.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 1966/88
of 4 July 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 market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1107/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price ;

Whereas the Council has not to date adopted the prices for the 1988/89 marketing year, which commences on 1 July 1988 ; whereas the price factors determined by Commission Regulation (EEC) No 1912/88 ⁽³⁾ should accordingly be taken into account for the calculation of the levies in order to ensure that the import arrangements continue to operate in the sector concerned ;

Whereas the cif price for raw sugar and white sugar is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁴⁾ ;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on that market adjusted for any deviation from the standard quality for which the threshold price is fixed ; whereas the standard quality for raw sugar was defined by Regulation (EEC) No 431/68 and that for white sugar by Regulation (EEC) No 793/72 of 17 April 1972 ⁽⁵⁾ ;

Whereas, when the most favourable purchasing opportunities on the world market are being established, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States ;

Whereas, however, pursuant to Commission Regulation (EEC) No 784/68 of 26 June 1968 laying down detailed rules for calculating cif prices for white sugar and raw sugar ⁽⁶⁾, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to small quantities and is not representative of the market ; whereas offer prices which can be assumed not to be representative of the actual market trends must also be disregarded ;

Whereas any offer or prices taken into consideration which are not for goods delivered in bulk cif Rotterdam must be adjusted ; whereas when this adjustment is being made account must be taken of the difference in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam ; whereas, if the price or the offer relates to goods in bags, it must be reduced by 0,73 ECU per 100 kilograms under the terms of Article 4 of Regulation (EEC) No 784/68 ;

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 15 of Regulation (EEC) No 1785/81 must be added to or deducted from the offers taken into consideration in the case of white sugar ; whereas, in the case of raw sugar, the corrective factors provided for in Article 5 of Regulation (EEC) No 784/68 must be applied ;

Whereas, pursuant to Article 7 of Regulation (EEC) No 784/68, a special cif price may be established for sugar which has been specially treated or specially packed if the offer price for such sugar is lower than the cif price established pursuant to the provisions referred to above ;

Whereas a cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 20.

⁽³⁾ OJ No L 168, 1. 7. 1988, p. 115.

⁽⁴⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁵⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁶⁾ OJ No L 145, 27. 6. 1968, p. 10.

price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price ;

Whereas the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than 0,24 ECU per 100 kilograms in relation to the levy previously fixed ;

Whereas, in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff ;

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 Article 3 (1), last indent of Regulation (EEC) No 1676/85⁽¹⁾, as amended by Regulation (EEC) No 1636/87⁽²⁾ ;
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

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

Whereas it follows from applying these provisions that the levies for white sugar and raw sugar should be as 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 5 July 1988.

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

Done at Brussels, 4 July 1988.

For the Commission
Frans ANDRIESEN
Vice-President

ANNEX

to the Commission Regulation of 4 July 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)	
CN code	Levy
1701 11 10	28,76 ⁽¹⁾
1701 11 90	28,76 ⁽¹⁾
1701 12 10	28,76 ⁽¹⁾
1701 12 90	28,76 ⁽¹⁾
1701 91 00	40,22
1701 99 10	40,22
1701 99 90	40,22

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

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1967/88

of 4 July 1988

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1107/88 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1758/88 ⁽³⁾, as last amended by Regulation (EEC) No 1952/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1758/88 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 1758/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 July 1988.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 20.

⁽³⁾ OJ No L 156, 23. 6. 1988, p. 18.

⁽⁴⁾ OJ No L 170, 2. 7. 1988, p. 51.

ANNEX

to the Commission Regulation of 4 July 1988 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	32,49 ⁽¹⁾	
1701 11 90 500	26,30 ⁽¹⁾	
1701 11 90 900	⁽²⁾	
1701 12 90 100	32,49 ⁽¹⁾	
1701 12 90 500	26,30 ⁽¹⁾	
1701 12 90 900	⁽²⁾	
1701 91 00 000		0,3532
1701 99 10 100	35,32	
1701 99 10 900	31,00	
ex 1701 99 90		0,3532 ⁽³⁾

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

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

⁽³⁾ This amount applies to white sugar and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 1968/88

of 4 July 1988

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1886/88 ⁽³⁾, as amended by Regulation (EEC) No 1950/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1886/88 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 1886/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 July 1988.

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

Done at Brussels, 4 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 23.

⁽³⁾ OJ No L 168, 1. 7. 1988, p. 51.

⁽⁴⁾ OJ No L 170, 2. 7. 1988, p. 47.

ANNEX

to the Commission Regulation of 4 July 1988 altering the basic amount of the import
levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4022	—
1702 20 90	0,4022	—
1702 30 10	—	49,89
1702 40 10	—	49,89
1702 60 10	—	49,89
1702 60 90	0,4022	—
1702 90 30	—	49,89
1702 90 60	0,4022	—
1702 90 71	0,4022	—
1702 90 90	0,4022	—
2106 90 30	—	49,89
2106 90 59	0,4022	—

CORRIGENDA

Corrigendum to Council Directive 86/298/EEC of 26 May 1986 on rear-mounted roll-over protection structures of narrow-track wheeled agricultural and forestry tractors

(Official Journal of the European Communities No L 186 of 8 July 1986)

Page 27, Article 5, line 3:

for: 'Member State',

read: 'other Member States',

Corrigendum to Council Regulation (EEC) No 4182/87 of 22 December 1987 opening, allocating and providing for the administration of a Community tariff quota for apricot pulp falling within code No ex 2008 50 91 of the combined nomenclature and originating in Morocco (1988)

(Official Journal of the European Communities No L 399 of 31 December 1987)

Page 27, Article 1, table, column 'Quota duty':

for: '10,6',

read: '11,9'.
