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(Acts whose publication is obligatory)

COUNCIL REGULATION (ECSC, EEC, EURATOM) No 1990/88

of 30 June 1988

amending Regulation (EEC, Euratom, ECSC) No 2891/77 implementing the Decision of 21 April 1970 on the replacement of financial contributions from Member States by the Communities' own resources

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78h thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 209 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 183 thereof,

Having regard to the Council Decision 85/257/EEC, Euratom of 7 May 1985 on the Communities' system of own resources ⁽¹⁾, and in particular Article 7 (2) thereof,

Having regard to the proposal from the Commission ⁽²⁾,

Having regard to the opinion of the European Parliament ⁽³⁾,

Having regard to the opinion of the Court of Auditors ⁽⁴⁾,

Whereas the practical application of Regulation (EEC, Euratom, ECSC) No 2891/77 ⁽⁵⁾ has revealed that a number of its provisions require adjustment;

Whereas it appears necessary to adjust certain provisions relating to the making available to the Commission of adjustments to the monthly entries of own resources derived from value added tax, hereinafter referred to as 'VAT resources', or financial contributions based on gross national product referred to in Article 3 (7), and (8) of Decision 85/257/EEC, Euratom, hereinafter referred to as 'GNP-based financial contributions', consequent upon an amending or supplementary budget;

Whereas the provisions relating to the making available of VAT resources or GNP-based financial contributions if the budget has not been finally adopted before the beginning of the financial year require clarification;

Whereas the provisions relating to the adjustment of GNP-based financial contributions following receipt of the annual statements of VAT resources require clarification;

Whereas Regulation (EEC, Euratom, ECSC) No 2891/77 should be supplemented so as to contain provisions relating to the budgetary management of corrections to the annual statements of VAT resources;

Whereas the balance to be carried forward to the next financial year should be redefined,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC, Euratom, ECSC) No 2891/77 is hereby amended as follows:

1. in Article 1, 'Decision of 21 April 1970' is replaced by 'Decision 85/257/EEC, Euratom';

2. the following paragraph is added to Article 3:

'If verification of these supporting documents by the national administration alone or in conjunction with the Commission shows that a finding to which they relate may have to be corrected, they shall be kept beyond the time limit provided for in the first subparagraph for a sufficient period to permit the correction to be made and monitored.'

3. Article 5 becomes Article 8 and is replaced by the following:

'Article 8

Each Member State shall draw up yearly a summary account of entitlements established together with a report on the establishment and entry in the accounts of own resources and shall forward this to the Commission before 1 May of the year following the financial year in question';

⁽¹⁾ OJ No L 128, 14. 5. 1985, p. 15.

⁽²⁾ OJ No C 231, 4. 9. 1982, p. 15 and
OJ No C 146, 4. 6. 1983, p. 4.

⁽³⁾ OJ No C 13, 17. 1. 1983, p. 220.

⁽⁴⁾ OJ No C 133, 20. 5. 1983, p. 3.

⁽⁵⁾ OJ No L 336, 27. 12. 1977, p. 1.

4. Article 6 becomes Article 5 and is replaced by the following :

'Article 5

The rate referred to in Article 3 (3) (a) of Decision 85/257/EEC, Euratom, which shall be fixed within the framework of the budgetary procedure, shall be calculated as a percentage of the estimated assessment basis for VAT resources in such a manner that it fully covers that part of the budget not financed from customs duties, agricultural levies, financial contributions to supplementary research programmes, miscellaneous revenue and, where appropriate, GNP-based financial contributions. This rate shall be expressed in the budget by a figure rounded off to the fourth decimal point.';

5. Article 7 becomes Article 6 and its paragraphs 2 and 3 are replaced by the following :

'2. The established entitlements shall be entered in the accounts at the latest on the first working day after the 19th day of the second month following the month during which the entitlements were established.

VAT resources shall, however, be included in the accounts as follows :

- on the first working day of each month, the twelfth referred to in Article 10 (3),
- annually as regards the balance referred to in Article 10 (4) and the adjustments referred to in Article 10 (6), except for the particular adjustments referred to in the first indent of Article 10 (6), which shall be entered in the accounts on the first working day of the month following agreement between the Member State concerned and the Commission.

3. Each Member State shall forward to the Commission a monthly statement of its accounts within the period specified in paragraph 2.';

6. Article 8 becomes Article 7;

7. Article 9 is amended as follows :

- (a) in paragraph 2, 'referred to the fifth subparagraph of Article 3 (1) of the Decision of 21 April 1970' is replaced by 'referred to in Article 5 of Decision 85/257/EEC, Euratom' ;

- (b) paragraph 3 is replaced by the following :

'3. The amounts entered shall be converted by the Commission and entered in its accounts in ECU on the basis of the ECU rate used for the month during which such entry took place.';

8. Article 10 is amended as follows :

- (a) in paragraph 1, '20th' is replaced by 'first working day after the 19th' ;
- (b) in paragraph 3, the second, third and fourth subparagraphs are replaced by the following :

'Any change in the rates of VAT resources or, if appropriate, in GNP-based financial contributions shall be occasioned by the final adoption of a supplementary or amending budget and shall give rise to a readjustment of the twelfths which have been entered since the beginning of the financial year.

This readjustment shall be carried out when the first entry is made following the final adoption of the supplementary or amending budget if it is adopted before the 16th day of the month. Otherwise it shall be carried out when the second entry following final adoption is made. By way of derogation from Article 5 of the Financial Regulation, this readjustment shall be entered in the accounts in respect of the financial year of the amending or supplementary budget in question.

Calculation of the twelfth for the month of January of each financial year shall be based on the amounts provided for in the draft budget referred to in Article 78 (3) of the ECSC Treaty, Article 203 (3) of the EEC Treaty and Article 177 (3) of the Euratom Treaty ; the adjustment shall be made together with the entry for the following month.

If the budget has not been finally adopted before the beginning of the financial year, the Member States shall enter on the first working day of each month, including January, one twelfth of the amount of VAT own resources or, if appropriate, of the GNP-based financial contributions entered in the last budget finally adopted ; the adjustment shall be made on the first due date following final adoption of the budget if it is adopted before the 16th of the month. Otherwise, the adjustment shall be made on the second due date following final adoption of the budget.';

- (c) in the first sentence of paragraph 4, 'the rate adopted for the previous financial year' is replaced by 'the rate to be applied to each Member State in accordance with Article 3 (3) of Decision 85/257/EEC, Euratom, for the previous financial year' ;

- (d) paragraph 5 is replaced by the following :

'5. The Commission shall then calculate adjustments to the financial contributions so as to restore, in the light of the actual yield from VAT resources, the original distribution in the budget between the latter and the financial contributions based on the GNP. In calculating these

adjustments, the balances referred to in paragraph 4 shall be converted into ECU at the rates of exchange applying on the first working day after the 15th day of July preceding the entries provided for in paragraph 4. For each Member State concerned, the total of VAT balances shall be adjusted by the ratio between VAT resources and the financial contributions entered in the budget. The Commission shall communicate the results of this calculation to the Member States which, during the previous financial year, paid GNP-based financial contributions so that they can make a credit or debit entry as appropriate in the account referred to in Article 9 (1) on the first working day of August of the same year.';

(e) the following paragraph is inserted:

'6. Any corrections to the VAT resources basis under Article 10b (1) of Regulation (EEC, Euratom, ECSC) No 2892/77 shall give rise for each Member State concerned to the following adjustments to the balance referred to in paragraph 4 of this Article:

- the corrections under the first subparagraph of Article 10b (1) of the said Regulation, prior to 30 June, shall give rise to a general adjustment to be entered in the account referred to in Article 9 (1) of this Regulation on the first working day of August of the same year. However, a particular adjustment shall be entered before that date if the Member State concerned and the Commission are in agreement,
- where the measures, which the Commission takes under the second subparagraph of Article 10b (1) of Regulation (EEC, Euratom, ECSC) No 2892/77 to correct the basis, lead to an adjustment of the entries in the account as referred to in Article 9 (1) of this Regulation, that adjustment shall be made on the first working day of the month following expiry of the time limit laid down under the application of the said measures.

The adjustments to be made to the VAT balances by the first working day of August of each year under the first subparagraph of this paragraph shall also give rise to the calculation by the Commission of further adjustments to the GNP-based financial contributions. The exchange rates to be employed in calculating these further adjustments shall be those used for the initial calculation referred to in paragraph 5. The Commission shall communicate these adjustments to the Member States so that they can enter them in the account referred to in Article 9

(1) on the first working day of August of the same year.';

(f) the former paragraph 6 becomes paragraph 7 and is amended as follows:

'paragraphs 4 and 5' is replaced by 'paragraphs 4, 5 and 6';

9. Article 11 is replaced by the following:

Article 11

Any delay in making the entry in the account referred to in Article 9 (1) shall give rise to the payment of interest by the Member State concerned at the interest rate applicable on the Member State's money market on the due date for short-term public financing operations, increased by two percentage points. This rate shall be increased by 0,25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay.';

10. the heading of Title V is replaced by 'Procedure for the application of Article 3 (7) and (8) of Decision 85/257/EEC, Euratom';

11. Article 13 is hereby amended as follows:

(a) in paragraph 1, 'in Article 4 (2) and (3) of the Decision of 21 April 1970' is replaced by 'in Article 3 (7) and (8) of Decision 85/257/EEC, Euratom';

(b) paragraph 2 is replaced by the following:

'2. The gross national product at market prices shall be calculated by the Statistical Office of the European Communities, on the basis of statistics prepared according to the European System of Integrated Economic Accounts (ESA), and corresponding, for each Member State, to the arithmetical average of the first three years of the five-year period preceding the financial year in respect of which the provisions of Article 3 (7) of Decision 85/257/EEC, Euratom have been applied. No account shall be taken of any revisions of statistical data made after the final adoption of the budget.';

(c) in paragraph 3, 'EUA' is replaced by 'ECU';

(d) in paragraph 4:

— the beginning of the first sentence is amended as follows:

'As long as the derogation provided for in Article 3 (7) of Decision 85/257/EEC, Euratom applies...';

— at the end of the first sentence, 'VAT rate' is replaced by 'uniform VAT resources rate';

12. in Article 14 (b), 'taxes' is replaced by 'VAT on products and net taxes';

13. the heading of Title VI is replaced by 'Procedure for the application of Article 6 of Decision 85/257/EEC, Euratom';

14. Article 15 is replaced by the following:

'Article 15

For the purposes of applying Article 6 of Decision 85/257/EEC, Euratom, the balance of a given financial year shall consist of the difference between:

- all the revenue collected in respect of that financial year, and
- the amount of payments made against appropriations for that financial year increased by the amount of the appropriation for the same financial year carried over pursuant to Article 6 (1) (b) and (c) and 2 (b) and the second subparagraph of Article 88 (4) of the Financial Regulation.

This difference shall be increased or decreased by, on the one hand, the net amount of appropriations carried forward from previous financial years which have lapsed and, on the other hand, by way of derogation from Article 4 of the Financial Regulation, by:

- payments made in excess of non-differentiated appropriations carried over from the previous financial year under Article 6 (1) of the Financial Regulation as a result of changes in ECU rates, and
- the balance resulting from exchange gains and losses during the financial year.'

15. In Article 16 (2), '(4) and (5)' is replaced by '(4), (5) and (6)';

16. Article 17 (3) is replaced by the following:

'3. Member States shall notify the Commission, in six-monthly reports, of the outcome of their inspections and of comprehensive information and questions of principle concerning the most important problems arising out of the application of this Regulation and, in particular, matters in dispute.

This report shall be submitted within two months of the end of each half year and shall include the number of cases of significant irregularities

concerning own resources and an overall estimate of the own resources diverted. The report shall also describe serious irregularities which could have a significant financial impact on own resources.'

17. in the second subparagraph of Article 18 (2), the last sentence is replaced by the following:

'In order to restrict additional inspection measures to the minimum:

- (a) the Commission may, in specific cases, request that certain documents be forwarded to it;
- (b) in the monthly statement of accounts referred to in Article 6 (3) the amounts entered in the accounts which relate to irregularities or delays in the establishment, entry in the accounts and making available of own resources, discovered during the inspections referred to above, must be identified by means of appropriate notes.'

18. Article 19 is replaced by the following:

'Article 19

The provisions of Community law in the sectors referred to in the first paragraph of Article 2 of Decision 85/257/EEC, Euratom, shall be applied by the appropriate authorities of Member States when establishing own resources.'

19. in article 21 (a), 'in Article 5' is replaced by 'in Article 8';

20. Article 22 is replaced by the following:

'Article 22

The Commission shall, by the end of 1990, submit a report on the implementation of this Regulation together with any proposals for amendments.'

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 Luxembourg, 30 June 1988.

For the Council

The President

Ch. SCHWARZ-SCHILLING

COUNCIL REGULATION (EEC) No 1991/88**of 30 June 1988****amending Regulation (EEC) No 3568/83 on the fixing of rates for the carriage of goods by road between Member States**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

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

Whereas the fixing of rates and conditions for the carriage of goods by road between Member States is currently governed by Council Regulation (EEC) No 3568/83 of 1 December 1983 on the fixing of rates for the carriage of goods by road between Member States ⁽⁴⁾;

Whereas, pursuant to Article 20 thereof, that Regulation expires on 31 December 1988 and the Council must therefore decide on the subsequent arrangements applicable to rates and conditions for the said carriage;

Whereas rapid development is taking place in the organization of the market for the carriage of goods by road;

Whereas in order to ensure the continuity of the Community policy on tariffs, the period of validity of Regulation (EEC) No 3568/83 should be extended until 31 December 1989; whereas the time limit for decision by the Council on the future system of prices and conditions for this sector should, in consequence, be extended until 31 December 1988,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3568/83 is hereby amended as follows:

1. in the second paragraph of Article 20, '31 December 1988' is replaced by '31 December 1989';
2. in the third paragraph of Article 20, '31 December 1987' is replaced by '31 December 1988'.

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

Done at Luxembourg, 30 June 1988.

For the Council

The President

Ch. SCHWARZ-SCHILLING

⁽¹⁾ OJ No C 3, 7. 1. 1988, p. 5.

⁽²⁾ OJ No C 167, 27. 6. 1988.

⁽³⁾ OJ No C 35, 8. 2. 1988, p. 10.

⁽⁴⁾ OJ No L 359, 22. 12. 1983, p. 1.

COMMISSION REGULATION (EEC) No 1992/88

of 6 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 5 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 7 July 1988.

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

Done at Brussels, 6 July 1988.

For the Commission

Frans ANDRIESSEN

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. 8.

ANNEX

to the Commission Regulation of 6 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 ⁽⁶⁾
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 ⁽⁵⁾
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 1993/88

of 6 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 5 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 7 July 1988.

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

Done at Brussels, 6 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 6 July 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 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

CN code	(ECU/tonne)				
	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 1994/88

of 6 July 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

(2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 20.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 7 July 1988.

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

Done at Brussels, 6 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 6 July 1988 fixing the export refunds on white sugar and raw sugar exported in the natural state

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	28,53 ⁽¹⁾	
1701 11 90 900	⁽²⁾	
1701 12 90 100	32,49 ⁽¹⁾	
1701 12 90 500	28,53 ⁽¹⁾	
1701 12 90 900	⁽²⁾	
1701 91 00 000		0,3532
1701 99 10 100	35,32	
1701 99 10 900	34,79	
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 1995/88

of 5 July 1988

establishing unit values for the determination of the customs value of certain perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 8 July 1988.

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

Done at Brussels, 5 July 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 154, 13. 6. 1981, p. 26.

⁽²⁾ OJ No L 355, 17. 12. 1987, p. 19.

ANNEX

Code	CN code	Description	Amount of unit-values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	18,66	811	147,08	38,71	130,48	3 098	14,41	28 738	43,65	12,49
1.20	0702 00 10 0702 00 90	Tomatoes	37,89	1 646	298,66	78,60	264,95	6 292	29,27	58 354	88,63	25,37
1.30	0703 10 19	Onions (other than sets)	22,43	975	176,82	46,54	156,86	3 725	17,33	34 548	52,47	15,02
1.40	0703 20 00	Garlic	131,70	5 723	1 038,02	273,21	920,85	21 870	101,74	202 815	308,05	88,19
1.50	ex 0703 90 00	Leeks	24,81	1 078	197,15	51,51	174,74	4 100	19,27	38 215	57,81	16,44
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	24,64	1 063	194,92	50,89	171,59	4 055	19,14	37 482	57,16	17,15
1.70	0704 20 00	Brussels sprouts	44,76	1 931	355,63	92,23	312,60	7 362	34,82	68 116	103,74	31,19
1.80	0704 90 10	White cabbages and red cabbages	23,04	1 001	183,06	47,82	162,25	3 807	17,89	35 484	53,68	15,26
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	161,77	7 030	1 275,03	335,59	1 131,11	26 863	124,98	249 124	378,39	108,33
1.100	ex 0704 90 90	Chinese cabbage	47,17	2 050	371,81	97,86	329,84	7 833	36,44	72 646	110,34	31,59
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	48,41	2 103	382,81	100,58	339,20	8 054	37,50	74 654	113,01	32,21
1.120	ex 0705 29 00	Endives	91,00	3 955	723,03	188,90	640,84	15 038	70,68	140 150	212,02	60,29
1.130	ex 0706 10 00	Carrots	22,16	963	174,68	45,97	154,96	3 680	17,12	34 131	51,84	14,84
1.140	ex 0706 90 90	Radishes	80,89	3 513	645,34	168,03	570,65	13 481	62,92	124 906	188,51	53,21
1.150	0707 00 11 0707 00 19	Cucumbers	41,87	1 818	331,05	86,98	293,34	6 965	32,43	64 560	97,73	27,85
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	265,98	11 559	2 096,34	551,76	1 859,71	44 167	205,48	409 596	622,13	178,10
1.170	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	92,78	4 032	731,32	192,48	648,77	15 408	71,68	142 891	217,03	62,13
1.180	ex 0708 90 00	Broad beans	48,85	2 122	387,72	101,69	343,94	8 151	38,04	75 454	113,88	32,05
1.190	0709 10 00	Globe artichokes	82,78	3 596	657,05	172,33	582,85	13 814	64,46	127 867	192,99	54,32
1.200		Asparagus										
1.200.1	ex 0709 20 00	— green	431,12	18 737	3 397,98	894,36	3 014,43	71 591	333,07	663 918	1 008,42	288,69
1.200.2	ex 0709 20 00	— other	184,28	8 005	1 457,02	382,82	1 291,06	30 656	142,74	284 144	430,16	122,61
1.210	0709 30 00	Aubergines (egg-plants)	70,69	3 072	557,14	146,64	494,26	11 738	54,61	108 859	165,34	47,33
1.220	ex 0709 40 00	Celery stalks and leaves	73,33	3 187	578,02	152,13	512,77	12 178	56,65	112 937	171,54	49,10
1.230	0709 51 30	Chantarelles	380,81	16 444	3 035,75	791,09	2 634,74	60 745	294,66	570 911	890,27	264,14
1.240	0709 60 10	Sweet peppers	61,23	2 661	482,58	127,02	428,11	10 167	47,30	94 291	143,21	41,00
1.250	0709 90 50	Fennel	32,53	1 412	259,53	67,57	229,50	5 422	25,30	50 234	75,81	21,40
1.260	0709 90 70	Courgettes	43,72	1 899	345,70	90,83	306,32	7 273	33,86	67 417	102,06	29,09
1.270	ex 0714 20 00	Sweet potatoes, whole fresh	86,60	3 752	685,31	179,12	610,30	14 416	67,02	133 023	201,41	58,26
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	50,95	2 199	403,00	105,23	354,76	8 384	39,58	77 493	118,17	35,46
2.20	ex 0803 00 10	Bananas (other than plantains), fresh	51,32	2 230	404,53	106,47	358,87	8 523	39,65	79 041	120,05	34,37
2.30	ex 0804 30 00	Pineapples, fresh	54,62	2 374	430,53	113,31	381,94	9 070	42,20	84 121	127,77	36,57
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	163,67	7 113	1 290,05	339,54	1 144,43	27 179	126,45	252 058	382,85	109,60
2.50	ex 0804 50 00	Guavas and mangoes, fresh	141,27	6 139	1 113,46	293,07	987,78	23 459	109,14	217 556	330,44	94,60
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	18,06	784	143,39	37,61	127,20	3 014	14,06	27 906	42,11	11,85

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	34,84	1 514	274,62	72,28	243,62	5 786	26,91	53 658	81,50	23,33
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	20,65	897	162,82	42,85	144,44	3 430	15,96	31 813	48,32	13,83
2.70		Mandarins (including tangerines and satsumas), fresh; clementines, wilkings and similar citrus hybrids, fresh:										
2.70.1	ex 0805 20 10	Clementines	86,17	3 745	679,20	178,77	602,53	14 310	66,57	132 707	201,56	57,70
2.70.2	ex 0805 20 30	Monreales and Satsumas	75,31	3 273	593,58	156,23	526,58	12 506	58,18	115 977	176,15	50,43
2.70.3	ex 0805 20 50	Mandarins and Wilkings	79,90	3 472	629,80	165,76	558,71	13 269	61,73	123 056	186,90	53,51
2.70.4	ex 0805 20 70 ex 0805 20 90	Tangerines and others	53,19	2 311	419,22	110,34	371,90	8 832	41,09	81 911	124,41	35,61
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	49,68	2 159	391,56	103,06	347,36	8 249	38,38	76 506	116,20	33,26
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	117,31	5 098	924,63	243,36	820,26	19 481	90,63	180 661	274,40	78,55
2.90		Grapefruit, fresh:										
2.90.1	ex 0805 40 00	— white	37,26	1 619	293,72	77,30	260,56	6 188	28,79	57 389	87,16	24,95
2.90.2	ex 0805 40 00	— pink	54,70	2 377	431,18	113,48	382,51	9 084	42,26	84 246	127,96	36,63
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	119,83	5 208	944,48	248,59	837,87	19 899	92,58	184 538	280,29	80,24
2.110	0807 10 10	Water-melons	28,24	1 227	222,57	58,58	197,45	4 689	21,81	43 488	66,05	18,91
2.120		Melons (other than water-melons)										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	35,12	1 526	276,80	72,85	245,55	5 831	27,13	54 083	82,14	23,51
2.120.2	ex 0807 10 90	— Other	60,18	2 615	474,34	124,84	420,79	9 993	46,49	92 679	140,77	40,30
2.130	0808 10 91 0808 10 93 0808 10 99	Apples	55,60	2 416	438,24	115,34	388,77	9 233	42,95	85 626	130,05	37,23
2.140	ex 0808 20 31 ex 0808 20 33 ex 0808 20 35 ex 0808 20 39	Pears (other than the Nashi variety (<i>Pyrus Pyrifolia</i>))	59,74	2 596	470,86	123,93	417,71	9 920	46,15	92 000	139,73	40,00
2.150	0809 10 00	Apricots	49,50	2 151	390,20	102,70	346,15	8 221	38,24	76 239	115,80	33,15
2.160	0809 20 10 0809 20 90	Cherries	119,73	5 203	943,71	248,38	837,19	19 882	92,50	184 388	280,06	80,17
2.170	ex 0809 30 00	Peaches	74,78	3 250	589,39	155,13	522,86	12 417	57,77	115 159	174,91	50,07
2.180	ex 0809 30 00	Nectarines	97,85	4 252	771,21	202,98	684,16	16 248	75,59	150 684	228,87	65,52
2.190	0809 40 11 0809 40 19	Plums	100,53	4 369	792,38	208,56	702,94	16 694	77,67	154 821	235,15	67,32
2.200	0810 10 10 0810 10 90	Strawberries	74,37	3 231	588,08	154,51	521,09	12 373	57,61	114 685	173,62	49,49
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>)	538,30	23 395	4 242,69	1 116,69	3 763,79	89 388	415,87	828 962	1 259,11	360,46
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	207,51	9 018	1 635,57	430,49	1 450,95	34 459	160,32	319 567	485,39	138,96
2.230	ex 0810 90 90	Pomegranates	51,26	2 213	406,77	105,84	357,82	8 456	39,85	77 884	118,89	35,56
2.240	ex 0810 90 90	Khakis	56,80	2 468	447,71	117,84	397,17	9 432	43,88	87 476	132,86	38,03
2.250	ex 0810 90 90	Lychees	381,03	16 528	3 009,01	790,31	2 673,28	63 200	295,59	587 594	887,39	254,84

COMMISSION REGULATION (EEC) No 1996/88

of 4 July 1988

re-establishing the levying of customs duties on umbrellas falling within CN code 6601, originating in Singapore, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3635/87 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas, as provided for in Article 14 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on

imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of umbrellas falling within CN code 6601, originating in Singapore, the individual ceiling was fixed at 2 100 000 ECU; whereas, on 24 June 1988, imports of these products into the Community originating in Singapore reached the ceiling in question after being charged thereagainst; whereas it is appropriate to re-establish the levying of customs duties in respect of the products in question against Singapore,

HAS ADOPTED THIS REGULATION:

Article 1

As from 10 July 1988, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3635/87 shall be re-established on imports into the Community of the following products originating in Singapore:

Order No	CN code	Description
10.0700	6601	Umbrellas and sun umbrellas, (including walking-stick umbrellas, garden umbrellas and similar umbrellas)

Article 2

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

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

Done at Brussels, 4 July 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 350, 12. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 1997/88

of 6 July 1988

amending quantitative limits fixed for imports of certain textile products
originating in the Philippines (category 4)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Textile Committee,Having regard to the Treaty establishing the European
Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

Having regard to the 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 last amended by Regulation (EEC) No 768/88⁽²⁾, and in particular Article 9 (2) thereof,

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

Article 2

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

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, 6 July 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	Member State	Unit	Year	Annual quantitative limits
4	6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 10 6109 90 30 6110 20 10 6110 30 10	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	Philippines	EEC	1 000 pieces	1988	13 208

ANNEX IV bis

Category	CN code	Description	Third country	Member State	Unit	Quantitative limits from 1 January to 31 December 1988
4	6105 10 00 6105 20 10 6105 20 90 6105 90 10 6109 10 00 6109 90 10 6109 90 30 6110 20 10 6110 30 10	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	Philippines	D F I BNL UK IRL DK GR E P EEC	1 000 pieces	3 239 3 703 796 1 506 3 086 53 606 60 124 35 13 208'

COMMISSION REGULATION (EEC) No 1998/88

of 6 July 1988

amending quantitative limits fixed for imports of certain textile products
originating in Thailand (category 5)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Textile Committee,Having regard to the Treaty establishing the European
Economic Community,

HAS ADOPTED THIS REGULATION:

Article 1

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
last amended by Regulation (EEC) No 768/88 ⁽²⁾, and in
particular Article 9 (2) thereof,

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

Article 2

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

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, 6 July 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	Member State	Unit	Year	Annual quantitative limits
5	6101 10 90 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 10 10 6110 10 31 6110 10 39 6110 10 91	Jersey's, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Thailand	EEC	1 000 pieces	1988	8 986

ANNEX IV bis

Category	CN code	Description	Third country	Member State	Unit	Quantitative limits from 1 January to 31 December 1988
5	6101 10 90 6101 20 90 6101 30 90 6102 10 90 6102 20 90 6102 30 90 6110 10 10 6110 10 31 6110 10 39 6110 10 91	Jersey's, pullovers, slip-overs, waistcoats, twinsets, cardigans, bed-jackets and jumpers (other than jackets and blazers), anoraks, windcheaters, waister jackets and the like, knitted or crocheted	Thailand	D F I BNL UK IRL DK GR E P EEC	1 000 pieces	2 625 1 169 806 904 2 702 117 530 44 69 20 8 986'

COMMISSION REGULATION (EEC) No 1999/88

of 6 July 1988

derogating from Regulation (EEC) No 1292/81 as regards the quality standards
for leeks

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the quality standards for leeks are laid down in Annex I to Commission Regulation (EEC) No 1292/81⁽³⁾;

Whereas experience has shown that production and harvesting methods make it impossible to observe in their entirety the standards laid down for colour and cleanness; whereas this should be taken into account in the quality standards;

Whereas a considerable volume of 'early' leeks is produced in some Member States; whereas 'early' leeks should be included in the quality standards;

Whereas, however, sufficient experience should be gained before the standards are permanently amended; whereas further temporary derogations from the quality standards for leeks should therefore be allowed without the quality of the product being thereby affected;

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

The following derogations from Annex I to Regulation (EEC) No 1292/81 shall apply:

1. In Title II 'Provisions concerning quality' under B 'Classification':

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 129, 15. 5. 1981, p. 38.

- (a) in (i) 'Class I':

— the following is added after the first paragraph:

'Slight traces of soil within the shaft are permitted.';

— the final paragraph is replaced by the following:

'At least one-third of the total length or half the sheathed part must be white to greenish white.'

However, in early leeks⁽¹⁾ the white to greenish-white part must represent at least one-quarter of the total length or one-third of the sheathed part.

⁽¹⁾ Direct-drilled, non-transplanted leeks, harvested from late winter to early summer.'

- (b) in (ii) 'Class II':

— the following is added after the first paragraph:

'Traces of soil within the shaft are permitted.';

— the last paragraph is replaced by the following:

'In all leeks, the white to greenish-white part must represent at least one-quarter of the total length or one-third of the sheathed part.';

- (c) in (iii) 'Class III', footnote⁽¹⁾ becomes⁽²⁾ and the last indent is replaced by the following:

— 'slight traces of external soil.'

2. In Title III 'Provisions concerning sizing' under (i), the second paragraph is replaced by the following:

'The minimum diameter is fixed at 8 mm for early leeks and 10 mm for other leeks.'

3. In Title VI 'Provisions concerning marking' under B 'Nature of produce', the sentence shall be supplemented by the following:

'... or "early leeks" in all relevant cases'.

Article 2

This Regulation shall enter into force on 1 September 1988.

It shall apply until 31 August 1989.

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

Done at Brussels, 6 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2000/88

of 6 July 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 30 May to 5 June 1988

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 467/87 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, and in particular Article 7 (1) thereof,

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

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

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

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 30 May to 5 June 1988 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 30 May to 5 June 1988 shall be those set out in the Annex.

Article 2

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

It shall apply with effect from 30 May 1988.

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

Done at Brussels, 6 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.

⁽²⁾ OJ No L 48, 17. 2. 1987, p. 1.

⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 30 May to 5 June 1988

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

⁽¹⁾ Containing 80 % or more by weight of beef meat.

⁽²⁾ Other.

COMMISSION REGULATION (EEC) No 2001/88

of 6 July 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 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 for the months of July and August 1988 at 60,24 ECU per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 2,86 ECU per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Spain (except the Canary Islands).

Article 2

This Regulation shall enter into force on 8 July 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.⁽³⁾ OJ No L 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 164, 24. 6. 1985, p. 1.⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁸⁾ OJ No L 302, 15. 11. 1985, p. 9.

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

Done at Brussels, 6 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2002/88

of 6 July 1988

fixing the maximum export refund for white sugar for the 10th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88

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

Whereas Commission Regulation (EEC) No 1035/88 of 18 April 1988 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1035/88, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 10th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

For the 10th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at 36,880 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 7 July 1988.

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

Done at Brussels, 6 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 102, 21. 4. 1988, p. 14.

COMMISSION REGULATION (EEC) No 2003/88
of 6 July 1988
fixing the import levy on molasses

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,

Whereas the import levy on molasses was fixed by Regulation (EEC) No 1887/88⁽³⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1887/88 to the information at present available to the Commission

that the levy at present in force should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of amended Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within subheadings 1703 10 00 and 1703 90 00 of the combined nomenclature, 0,27 ECU/100 kg.

Article 2

This Regulation shall enter into force on 7 July 1988.

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

Done at Brussels, 6 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 168, 1. 7. 1988, p. 53.

COMMISSION REGULATION (EEC) No 2004/88**of 6 July 1988****altering the corrective amount applicable to the refund on cereals**

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

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1097/88 ⁽²⁾, and in particular the fourth sentence of the second subparagraph of Article 16(4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 1906/88 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 1906/88, which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 July 1988.

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

Done at Brussels, 6 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 168, 1. 7. 1988, p. 102.

ANNEX

to the Commission Regulation of 6 July 1988 altering the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	02	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
	03	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1002 00 00 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
	04	0	+ 15,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 120	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 130	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 150	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 170	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 180	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 200	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 300	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 500	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	- 40,00	- 40,00	- 40,00	- 40,00	- 40,00
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

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

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

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 3636/87 of 17 November 1987 applying generalized tariff preferences for 1988 in respect of certain agricultural products originating in developing countries

(Official Journal of the European Communities No L 350 of 12 December 1987)

On page 83, in Annex II, under Order No 52.0850, in column 2:

for: 'ex 0810 90 90',

read: ' 0810 90 10
ex 0810 90 90'.
