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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2024/88

of 23 June 1988

amending for the fifth time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 170/83 of 25 January 1983 establishing a Community system for the conservation and management of fishery resources ⁽¹⁾, as amended by the Act of Accession of Spain and Portugal, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Article 2 of Regulation (EEC) No 170/83 states that the conservation measures necessary to achieve the aims set out in Article 1 of the same Regulation must be formulated in the light of the available scientific advice;

Whereas Council Regulation (EEC) No 3094/86 ⁽²⁾, as last amended by Regulation (EEC) No 1555/88 ⁽³⁾, lays down general rules for the fishing and landing of biological resources found in Community waters;

Whereas the selection of Norway lobster caught by towed gears is not precise and covers a wide length range; whereas it is therefore appropriate to reduce the minimum landing sizes for Norway lobster to those at which 25 % of the Norway lobster entering the towed gear are retained in Region 2, except Skagerrak and Kattegat, where the minimum landing sizes are established on the basis of trilateral consultations with Norway and Sweden, and except for the North Sea; whereas the existing minimum landing sizes for Norway lobster in Region 3 already correspond to that criterion taking account of the increased minimum mesh size and should therefore not be modified;

Whereas in the light of the latest scientific advice a more rational management of the stocks of Norway lobster and cod in the Irish Sea would be obtained by minimizing predation on Norway lobster by cod; whereas it is

therefore no longer appropriate to maintain a minimum landing size of 45 centimetres for cod caught in the Irish Sea during the last quarter of the year;

Whereas it is necessary to clarify the provisions concerning the non-application of minimum landing sizes to protected species which have been caught in small-mesh nets and which have not been sorted;

Whereas it is necessary to amend the scientific names of certain species in accordance with the latest scientific nomenclature,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3094/86 is hereby amended as follows:

1. Article 2 (9) is deleted.
2. Article 5 (3) (a) is replaced by the following:
'(a) catches of protected species which have been taken within the limits specified in Article 2 (1), which have not been sorted from the authorized target species and which are not sold, displayed or offered for sale for human consumption.'
3. In Annexes I and II the scientific name '*Solea solea*' is replaced by '*Solea vulgaris*'.
In Annex I the scientific name '*Clupea sprattus*' is replaced by '*Sprattus sprattus*' and the scientific name '*Leander adspersus*' by '*Palaemon adspersus*'.
4. Footnote 1 to Annex II is deleted.
5. The entries in Annex III for Region 2, except Skagerrak and Kattegat, for whole Norway lobster (*Nephrops norvegicus*) and for tails of Norway lobster are replaced by the entries as set out in Annex II hereto.

Article 2

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

⁽¹⁾ OJ No L 24, 27. 1. 1983, p. 1.

⁽²⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽³⁾ OJ No L 140, 7. 6. 1988, p. 1.

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

Done at Luxembourg, 23 June 1988.

For the Council

The President

W. von GELDERN

ANNEX

Whole Norway lobster (<i>Nephrops norvegicus</i>)	2	Skagerrak and Kattegat only	40 mm carapace length 130 mm overall length
	2	Except West of Scotland and Irish Sea (ICES divisions VI a and VII a) and Skagerrak and Kattegat	25 mm carapace length 85 mm overall length
	2	West of Scotland and Irish Sea (ICES divisions VI a and VII a)	20 mm carapace length 70 mm overall length
	3		20 mm carapace length 70 mm overall length
Tails of Norway lobster	2	Skagerrak and Kattegat only	72 mm
	2	Except West of Scotland and Irish Sea (ICES divisions VI a and VII a) and Skagerrak and Kattegat	46 mm
	2	Except West of Scotland and Irish Sea (ICES divisions VI a and VII a)	37 mm
	3		37 mm

COMMISSION REGULATION (EEC) No 2025/88

of 8 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 7 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 9 July 1988.

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

Done at Brussels, 8 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. 8.

ANNEX

to the Commission Regulation of 8 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	126,06
0712 90 19	12,38	126,06
1001 10 10	24,08	157,41 ⁽¹⁾ ⁽²⁾
1001 10 90	24,08	157,41 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	135,99
1001 90 99	0,00	135,99
1002 00 00	25,83	100,77 ⁽³⁾
1003 00 10	19,52	108,78
1003 00 90	19,52	108,78
1004 00 10	76,15	51,36
1004 00 90	76,15	51,36
1005 10 90	12,38	126,06 ⁽³⁾ ⁽²⁾
1005 90 00	12,38	126,06 ⁽³⁾ ⁽²⁾
1007 00 90	35,85	132,44 ⁽⁴⁾
1008 10 00	19,52	30,96
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	204,22
1102 10 00	49,16	154,93
1103 11 10	50,32	256,99
1103 11 90	7,75	220,56

⁽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 2026/88

of 8 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 7 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 9 July 1988.

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

Done at Brussels, 8 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 8 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 2027/88**of 8 July 1988****fixing the import levies on rice and broken rice**

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

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 4042/87⁽⁴⁾, as last amended by Regulation (EEC) No 1947/88⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 11 July 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 378, 31. 12. 1987, p. 88.

⁽⁵⁾ OJ No L 170, 2. 7. 1988, p. 42.

ANNEX

to the Commission Regulation of 8 July 1988 fixing the import levies on rice and broken rice

(ECU/tonne)

CN Code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²)	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	320,92	156,86	—
1006 10 99	—	287,24	140,02	215,43
1006 20 10	—	401,15	196,97	—
1006 20 90	—	359,05	175,92	269,29
1006 30 11	13,05	530,38	253,26	—
1006 30 19	12,97	597,96	287,09	448,47
1006 30 91	13,90	564,86	270,08	—
1006 30 99	13,90	641,02	308,16	480,77
1006 40 00	0	125,49	59,74	—

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

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

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

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

COMMISSION REGULATION (EEC) No 2028/88

of 8 July 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 3990/87⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2604/87⁽³⁾, as last amended by Regulation (EEC) No 1948/88⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 11 July 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.⁽³⁾ OJ No L 245, 29. 8. 1987, p. 39.⁽⁴⁾ OJ No L 170, 2. 7. 1988, p. 44.

ANNEX

to the Commission Regulation of 8 July 1988 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN Code	Current 7	1st period 8	2nd period 9	3rd period 10
1006 10 91	0	0	0	—
1006 10 99	0	0	0	—
1006 20 10	0	0	0	—
1006 20 90	0	0	0	—
1006 30 11	0	0	0	—
1006 30 19	0	0	0	—
1006 30 91	0	0	0	—
1006 30 99	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 2029/88

of 8 July 1988

fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 3990/87 ⁽²⁾, and in particular Article 11 thereof,Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt ⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, under Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules for the application of Regulation (EEC) No 2412/73 ⁽⁴⁾, as amended by Regulation (EEC) No 3817/85 ⁽⁵⁾, the reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during April, May and June 1988,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 16.

ANNEX

to the Commission Regulation of 8 July 1988 fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)

CN code	Amounts to be deducted
1006 10 91	81,19
1006 10 99	75,42
1006 20 10	101,48
1006 20 90	94,27
1006 30 11	133,79
1006 30 19	151,71
1006 30 91	142,48
1006 30 99	162,63
1006 40 00	37,83

COMMISSION REGULATION (EEC) No 2030/88

of 8 July 1988

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

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 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in

Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 provides that the variable component of the levy calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last modified by Regulation (EEC) No 1906/87⁽⁵⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within subheadings 2302 30 and 2302 40 of the combined nomenclature during April, May and June 1988 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

to the Commission Regulation of 8 July 1988 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

CN code	ECU/tonne
2302 30 10	45,73
2302 30 90	98,00
2302 40 10	45,73
2302 40 90	98,00

COMMISSION REGULATION (EEC) No 2031/88

of 8 July 1988

fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

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 1030/77 of 17 May 1977 concluding the Interim Agreement between the European Economic Community and the Arab Republic of Egypt⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation (EEC) No 1030/77 provides that the variable component of the levy calculated in accordance with Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽²⁾, as last amended by Regulation (EEC) No 1906/87⁽³⁾, is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the

levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable during April, May and June 1988 to the products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature are to be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph of paragraph 3 of the exchange of letters covered by Regulation (EEC) No 1030/77 to be deducted from the variable component applicable to bran and sharps originating in Egypt shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

CN code	ECU/tonne
2302 10 10	45,73
2302 10 90	98,00
2302 20 10	45,73
2302 20 90	98,00
2302 30 10	45,73
2302 30 90	98,00
2302 40 10	45,73
2302 40 90	98,00

COMMISSION REGULATION (EEC) No 2032/88

of 8 July 1988

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88
of 28 March 1988 on the import of bran, sharps and other
residues derived from the sifting, milling or other working
of cereals other than maize and rice and amending
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽¹⁾, as
amended by Commission Regulation (EEC) No
1193/88⁽²⁾, and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the
variable component of the levy, calculated in accordance
with Article 2 of Council Regulation (EEC) No 2744/75
of 29 October 1975 on the import and export system for
products processed from cereals and from rice⁽³⁾ as last
amended by Regulation (EEC) No 1906/87⁽⁴⁾, is to be
reduced by an amount equal to 40 % of the average of
the variable components of the levies applicable to the
product in question in the three months preceding the
months during which that amount is fixed; whereas that
reduction is applicable to products covered by CN codes
2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90 for up
to a maximum of 550 000 tonnes per year on the import
of the products in question originating in Argentina and
from any other third country which applies to exports of
those products a special tax of an amount equal to that by

which the variable amount of the levy is reduced and
which provides satisfactory proof of payment of that tax;

Whereas Regulation (EEC) No 1193/88 lays down the
detailed rules of application of the special arrangements
for imports of bran, sharps and other residues, whether or
not in the form of pellets, derived from the sifting,
milling or other working of cereals other than maize and
rice covered by CN codes 2302 30 and 2302 40,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1058/88 by which the variable amount of the levy
applicable to imports of bran, sharps and other residues
originating in Argentina and in any other third country
meeting the conditions laid down in that Article must be
reduced shall be as 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 1 August 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.

⁽²⁾ OJ No L 111, 30. 4. 1988, p. 87.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 49.

ANNEX

CN code	ECU/tonne
2302 30 10	30,49
2302 30 90	65,33
2302 40 10	30,49
2302 40 90	65,33

COMMISSION REGULATION (EEC) No 2033/88**of 8 July 1988****amending Regulation (EEC) No 1799/88 on the supply of various consignments of cereals to non-governmental organizations (NGOs) as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1870/88 ⁽²⁾, and in particular 6 (1) (c) thereof,

Whereas, by Annex IV to Regulation (EEC) No 1799/88 ⁽³⁾, the Commission opened an invitation to tender for the supply of 2 125 tonnes of rolled oats for certain NGOs; whereas the period during which the goods are to be made available at the port of shipment has proved to be too short; whereas that period should accordingly be extended,

Article 1

Annex IV to Regulation (EEC) No 1799/88:

- in point 17 (Period for making the goods available at the port of shipment):
'1 to 15 August 1988' is hereby replaced by '1 to 31 August 1988';
- in point 21 (b) (Period for making the goods available at the port of shipment):
'15 to 31 August 1988' is hereby replaced by '15 August to 15 September 1988'.

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, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 160, 28. 6. 1988, p. 15.

COMMISSION REGULATION (EEC) No 2034/88

of 8 July 1988

opening a standing invitation to tender for the export of 44 000 tonnes of durum
wheat held by the Belgian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals ⁽¹⁾, as last amended by Regulation (EEC)
No 1097/88 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Article 3 of Council Regulation (EEC) No
1581/86 of 23 May 1986 laying down general rules for
intervention on the market in cereals ⁽³⁾ provides that
cereals held by the intervention agencies shall be disposed
of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁴⁾,
as last amended by Regulation (EEC) No 2418/87 ⁽⁵⁾, lays
down the procedure and conditions for the disposal of
cereals held by intervention agencies;

Whereas it is appropriate, in the present market situation,
to open a tender for the export of 44 000 tonnes of
durum wheat held by the Belgian intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Belgian intervention agency may, on the conditions
laid down in Regulation (EEC) No 1836/82, open a stand-
ing invitation to tender for the export of 44 000 tonnes of
durum wheat held by it.

Article 2

1. The invitation to tender shall cover a maximum of
44 000 tonnes of durum wheat to be exported to all third
countries.

2. The regions in which the 44 000 tonnes of durum
wheat are stored are listed in Annex I hereto.

Article 3

The export licences shall be valid from their date of issue,
within the meaning of Article 9 of Regulation (EEC) No
1836/82, until the end of the second month following.

Tenders submitted in response to this invitation to tender
may not be accompanied by applications for export certi-
ficates under Article 43 of Commission Regulation (EEC)
No 3183/80 ⁽⁶⁾.

Article 4

1. By way of derogation from Article 7 (1) of Regula-
tion (EEC) No 1836/82, the time limit for submission of
tenders under the first partial invitation to tender shall
expire on 13 July 1988 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the
last partial invitation to tender shall expire on 27 July
1988 at 1 p.m. (Brussels time).

3. The tenders shall be lodged with the Belgian inter-
vention agency.

Article 5

The Belgian intervention agency shall notify the
Commission of the tenders received not later than two
hours after expiry of the time limit for the submission
thereof. Notification shall be given as specified in the
table in Annex II hereto.

Article 6

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁵⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁶⁾ OJ No L 338, 13. 12. 1980, p. 1.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Oost-Vlaanderen	44 000

ANNEX II

Standing invitation to tender for the export of 44 000 tonnes of durum wheat held by the Belgian intervention agency

(Regulation (EEC) No 2034/88)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (−) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

COMMISSION REGULATION (EEC) No 2035/88

of 8 July 1988

opening a standing invitation to tender for the export of 50 000 tonnes of bread-making wheat held by the Danish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1097/88⁽²⁾, and in particular Article 7(5) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾ provides that cereals held by the intervention agencies shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁴⁾, as last amended by Regulation (EEC) No 2418/87⁽⁵⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas it is appropriate, in the present market situation, to open a tender for the export of 50 000 tonnes of bread-making wheat held by the Danish intervention agency;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Danish intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 50 000 tonnes of bread-making wheat held by it.

Article 2

1. The invitation to tender shall cover a maximum of 50 000 tonnes of bread-making wheat to be exported to all third countries.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 110, 29. 4. 1988, p. 7.
⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.
⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁵⁾ OJ No L 223, 11. 8. 1987, p. 5.

2. The regions in which the 50 000 tonnes of bread-making wheat are stored are listed in Annex I hereto.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the end of the second month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates under Article 43 of Commission Regulation (EEC) No 3183/80⁽⁶⁾.

Article 4

1. By way of derogation from Article 7(1) of Regulation (EEC) No 1836/82, the time limit for submission of tenders under the first partial invitation to tender shall expire on 13 July 1988 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the last partial invitation to tender shall expire on 27 July 1988 at 1 p.m. (Brussels time).

3. The tenders shall be lodged with the Danish intervention agency.

Article 5

The Danish intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II hereto.

Article 6

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

⁽⁶⁾ OJ No L 338, 13. 12. 1980, p. 1.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

(tonnes)	
Place of storage	Quantity
Sjælland	50 000

ANNEX II

Standing invitation to tender for the export of 50 000 tonnes of bread-making wheat held by the Danish intervention agency

(Regulation (EEC) No 2035/88)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (—) (ECU/tonne)	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

COMMISSION REGULATION (EEC) No 2036/88

of 8 July 1988

amending Regulation (EEC) No 3150/87 increasing to one million tonnes the quantity of durum wheat held by the Italian intervention agency for which a standing invitation to tender for export has been opened

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1097/88 ⁽²⁾, and in particular Article 7(5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 3150/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 1975/88 ⁽⁶⁾, opened a standing invitation to tender for the export of 900 000 tonnes of durum wheat held by the Italian intervention agency; whereas, in a communication of 30 June 1988, Italy informed the Commission of the intention of its intervention agency to increase by 100 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of durum wheat held by the Italian intervention agency for which a standing invitation to tender for export has been opened should be increased to one million tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 3150/87 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 3150/87 is replaced by the following:

Article 2

1. This invitation to tender shall cover a maximum of one million tonnes of durum wheat to be exported to all third countries.

2. The regions in which the one million tonnes of durum wheat are stored are listed in Annex I hereto.

Article 2

Annex I to Regulation (EEC) No 3150/87 is replaced by the Annex hereto.

Article 3

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, 8 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 223, 11. 8. 1987, p. 5.

⁽⁵⁾ OJ No L 300, 23. 10. 1987, p. 13.

⁽⁶⁾ OJ No L 174, 6. 7. 1988, p. 17.

ANNEX

ANNEX I

Place of storage	Quantity (tonnes)
Cuneo	10 976,337
Torino	2 851,107
Genova	12 792,700
Venezia	14 950,975
Pavia	15 415,673
Treviso	5 000,000
Verona	7 149,397
Padova	4 084,826
Ravenna	91 202,720
Bologna	33 463,602
Ferrara	116 309,752
Reggio Emilia	25 337,757
Rovigo	12 781,811
Ancona	11 609,536
La Spezia	43 580,565
Firenze	15 726,800
Livorno	24 897,000
Grosseto	19 251,310
Siena	15 325,486
Macerata	1 361,676
Perugia	555,940
Chieti	312,612
Pescara	1 675,396
Viterbo	24 544,229
Roma	22 479,190
Caserta	16 391,625
Napoli	82 736,368
Brindisi	9 202,864
Foggia	156 439,861
Bari	45 736,262
Matera	33 000,000
Caltanissetta	26 163,114
Palermo	24 067,389
Catania	14 790,780
Lucca	1 800,000
Messina	5 000,000
Catanzaro	41 535,340
Cagliari	9 500,000

COMMISSION REGULATION (EEC) No 2037/88

of 8 July 1988

**abolishing certain Portuguese import quotas in the eggs and poultrymeat sector
on products from Spain fixed by Regulation (EEC) No 4009/87**

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 thereof,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽¹⁾, amended by Regulation (EEC) No 222/88⁽²⁾, and in particular Article 13 thereof,

Whereas Portuguese import quotas for 1988 on certain eggs and poultrymeat sector products from Spain were set by Commission Regulation (EEC) No 4009/87⁽³⁾;

Whereas under Article 4 (4) (b) of Regulation (EEC) No 3792/85 these quotas are added to the quotas determined under Article 269 of the Act of Accession and Article 269 (2) (d) applies to the combined quotas; whereas consequently the quantitative restrictions in force in Portugal against Spanish products are abolished if imports into Portugal from the other Member States are in two consecutive years less than 90 % of the total annual

quotas opened; whereas final import statistics show that for turkey and chicken chicks and for certain eggs in shell this percentage was not reached in either 1986 or 1987; whereas the quotas for these products should therefore be abolished;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 4009/87 is replaced by the Annex to this Regulation.

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, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽³⁾ OJ No L 378, 31. 12. 1987, p. 4.

ANNEX

ANNEX

(1 000 units)		
CN code	Description	Quota for 1988
0407 00	Birds' eggs, in shell, fresh, preserved or cooked :	
	– Of poultry :	
	– – For hatching :	
ex 0407 00 11	– – – Of turkeys or geese :	
	– – – – Of turkeys	22
ex 0407 00 19	– – – Other :	
	– – – – Other of the species Gallus domesticus	64'

COMMISSION REGULATION (EEC) No 2038/88

of 8 July 1988

abolishing the Portuguese import quota on certain eggs in shell from the Community as constituted on 31 December 1985 fixed by Regulation (EEC) No 4071/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 257 thereof,

Having regard to Council Regulation (EEC) No 493/86 of 25 February 1986 fixing for 1986 the initial quotas applicable to Portuguese imports from the Community as constituted on 31 December 1985 of certain egg and poultrymeat products⁽¹⁾, and in particular Article 2 thereof,

Whereas a Portuguese import quota for 1988 for eggs in shell of combined nomenclature subheading 0407 00 30 was fixed by Commission Regulation (EEC) No 4071/87⁽²⁾;

Whereas Article 269 (2) (d) of the Act of Accession stipulates that if imports into Portugal in two consecutive years are less than 90 % of the annual quota opened the quantitative restrictions in force are to be abolished; whereas final import statistics show that in the case of

eggs in shell of combined nomenclature subheading 0407 00 30 this percentage was not reached in either 1986 or 1987; whereas the quota for these eggs should therefore be abolished;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quota fixed by Article 1 of Regulation (EEC) No 4071/87 is abolished.

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, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 54, 1. 3. 1986, p. 31.

⁽²⁾ OJ No L 380, 31. 12. 1987, p. 35.

COMMISSION REGULATION (EEC) No 2039/88

of 8 July 1988

amending for the second time Regulation (EEC) No 3590/85 on the certificate and analysis report required for the importation of wine, grape juice and grape must

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1441/88 ⁽²⁾, and in particular Article 70 (1) thereof,

Whereas, in accordance with Article 2 (2) of Council Regulation (EEC) No 354/79 of 5 February 1979 laying down general rules for the import of wines, grape juice and grape must ⁽³⁾, as last amended by Regulation (EEC) No 3805/85 ⁽⁴⁾, third countries which export to the Community, within an overall quantity of less than 1 000 hectolitres per year, wine or grape juice put up in containers of four litres or less, are not required to submit a certificate or analysis report; whereas the third countries qualifying for that exemption for their exports to the Community are listed in Annex V to Commission Regulation (EEC) No 3590/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1614/86 ⁽⁶⁾; whereas India has requested to qualify for that exemption and has stated

that it is willing to comply with the relevant conditions; whereas that third country should accordingly be included on the list in Annex V to the abovementioned Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following is hereby added to Annex V to Regulation (EEC) No 3590/85:

‘— India.’

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, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 132, 28. 5. 1988, p. 1.

⁽³⁾ OJ No L 54, 5. 3. 1979, p. 97.

⁽⁴⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽⁵⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽⁶⁾ OJ No L 142, 28. 5. 1986, p. 22.

COMMISSION REGULATION (EEC) No 2040/88

of 8 July 1988

adding an entry for nectarines to Annex XV to Regulation (EEC) No 3587/86
fixing the conversion factors to be applied to the buying-in prices for fruit and
vegetables

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
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 1117/88⁽²⁾, and in particular Article
16 (4) thereof,

Whereas by Regulation (EEC) No 223/88⁽³⁾ the Council
added nectarines to the list given in Annex II to
Regulation (EEC) No 1035/72 of products covered by
price and intervention arrangements; whereas
Commission Regulation (EEC) No 3587/86⁽⁴⁾, as last
amended by Regulation (EEC) No 1403/88⁽⁵⁾, should
therefore be supplemented by the addition of a packaging
cost amount for nectarines;

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

In Annex XV, headed 'Amount referred to in Article 2' to
Regulation (EEC) No 3587/86 the entry:

— nectarines: 7,0 ECU for 100 kg net'

is inserted after the entry for peaches.

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 June 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 23, 28. 1. 1988, p. 1.

⁽⁴⁾ OJ No L 334, 27. 11. 1986, p. 1.

⁽⁵⁾ OJ No L 129, 25. 5. 1988, p. 11.

COMMISSION REGULATION (EEC) No 2041/88

of 8 July 1988

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 6 to 12 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 6 to 12 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 6 to 12 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 6 June 1988.

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

Done at Brussels, 8 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 6 to 12 June 1988

<i>(ECU/100 kg net weight)</i>	
CN code	Amount
0201 10 10	26,26474
0201 10 90	26,26474
0201 20 11	26,26474
0201 20 19	26,26474
0201 20 31	21,01179
0201 20 39	21,01179
0201 20 51	31,51769
0201 20 59	31,51769
0201 20 90	21,01179
0201 30	35,98269
0202 10 00	26,26474
0202 20 10	26,26474
0202 20 30	21,01179
0202 20 50	31,51769
0202 20 90	21,01179
0202 30 10	35,98269
0202 30 50	35,98269
0202 30 90	35,98269
0206 10 95	35,98269
0206 29 91	35,98269
0210 20 10	21,01179
0210 20 90	29,94180
0210 90 41	29,94180
1602 50 10 ⁽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 2042/88

of 8 July 1988

amending Regulation (EEC) No 1965/88 introducing a countervailing charge on fresh lemons originating in Argentina

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 Commission Regulation (EEC) No 1965/88⁽³⁾ introduced a countervailing charge on fresh lemons originating in Argentina;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1965/88 '10,42' ECU is hereby replaced by '17,07' ECU.

Article 2

This Regulation shall enter into force on 9 July 1988.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 107, 28. 4. 1988, p. 1.

⁽³⁾ OJ No L 173, 5. 7. 1988, p. 12.

COMMISSION REGULATION (EEC) No 2043/88

of 8 July 1988

introducing a countervailing charge on tomatoes originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 723/88 of 18 March 1988 fixing for the 1988 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at 99,96 ECU per 100 kilograms net for the period from 1 June to 10 July 1988;

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

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

(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets; whereas it is necessary to multiply the prices with the coefficient fixed in the third indent of Article 1 (2) of Regulation (EEC) No 723/88;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 39,91 ECU per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Poland

Article 2

This Regulation shall enter into force on 12 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 74, 19. 3. 1988, p. 51.
(⁴) OJ No L 220, 10. 8. 1974, p. 20.

(⁵) OJ No L 368, 31. 12. 1985, p. 1.
(⁶) OJ No L 164, 24. 6. 1985, p. 1.
(⁷) OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2044/88

of 8 July 1988

suspending the advance fixing of the periodic refund on white sugar

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 the second subparagraph of Article 19 (3),

Whereas the second subparagraph of Article 19 (5) of Regulation (EEC) No 1785/81 provides that, in cases of extreme urgency, the Commission may, after examining the situation on the basis of all the information available to it, decide to suspend advance fixing for the products in question for a maximum period of three working days ;

Whereas examination of the latest prices quoted on the world sugar market indicates that the prices concerned are again showing a sharp increase ; whereas in the space of a few days there has twice been a massive influx of applications for export licences with advance fixing of the periodic refund for a total of 245 000 tonnes of white

sugar and whereas, consequently, any further rise in prices could lead to a further influx of applications for the advance fixing of the said refund, despite the fact that the level of the refund has been repeatedly lowered ; whereas, in these circumstances, immediate steps should be taken to suspend, for three working days, the advance fixing of the periodic export refund on white sugar in order to prevent any serious disturbance which could affect the proper management of the Community's sugar supplies,

HAS ADOPTED THIS REGULATION :

Article 1

The advance fixing of the export refund periodically fixed for white sugar (product code 1701 99 10 900) is hereby suspended from 11 July 1988 to 13 July 1988 inclusive.

Article 2

This Regulation shall enter into force on 9 July 1988.

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

Done at Brussels, 8 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.

COMMISSION REGULATION (EEC) No 2045/88**of 8 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 markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1107/88 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1966/88 ⁽³⁾, as last amended by Regulation (EEC) No 2019/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1966/88 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 July 1988.

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

Done at Brussels, 8 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 173, 5. 7. 1988, p. 14.

⁽⁴⁾ OJ No L 177, 8. 7. 1988, p. 35.

ANNEX

to the Commission Regulation of 8 July 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	29,24 ⁽¹⁾
1701 11 90	29,24 ⁽¹⁾
1701 12 10	29,24 ⁽¹⁾
1701 12 90	29,24 ⁽¹⁾
1701 91 00	40,38
1701 99 10	40,38
1701 99 90	40,38

⁽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.

COMMISSION REGULATION (EEC) No 2046/88

of 8 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 1107/88 ⁽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 last amended by Regulation (EEC) No 2018/88 ⁽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 9 July 1988.

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

Done at Brussels, 8 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. 51.

⁽⁴⁾ OJ No L 177, 8. 7. 1988, p. 33.

ANNEX

to the Commission Regulation of 8 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	0,4038	—
1702 20 90	0,4038	—
1702 30 10	—	50,05
1702 40 10	—	50,05
1702 60 10	—	50,05
1702 60 90	0,4038	—
1702 90 30	—	50,05
1702 90 60	0,4038	—
1702 90 71	0,4038	—
1702 90 90	0,4038	—
2106 90 30	—	50,05
2106 90 59	0,4038	—

COMMISSION REGULATION (EEC) No 2047/88

of 8 July 1988

fixing for Great Britain the level of the variable slaughter premium for sheep
and the amounts to be charged on products leaving region 5

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1860/86 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 30 May 1988, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

Whereas in the Annex to Commission Regulation (EEC) No 1310/88 of 11 May 1988 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat ⁽⁵⁾ the weekly amounts of the guide level are set out pursuant to Article 9a (3) of Regulation (EEC) No 1837/80;

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 30 May 1988, the variable slaughter premium for sheep certified as eligible in the United Kingdom is to be in accordance with the amounts fixed in the Annexes hereto; whereas, for that week, in the light of the Judgment of the Court of Justice of 2 February 1988 in Case 61/86, the provisions of Article 9 (3) of Regulation (EEC) No 1837/80 and of Article 4 of Regulation (EEC) No 1633/84 lead to the amounts to be charged on products, leaving region 5, being fixed in accordance with those Annexes;

Whereas, as regards the controls necessary for the application of the provisions relating to the said amounts, the system of controls provided for by Regulation (EEC) No 1633/84 should be maintained without prejudice to the preparation of any more specific provisions following the abovementioned Judgment of the Court of Justice,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 30 May 1988, the level of the premium is fixed at 27,154 ECU/100 kilograms of estimated or actual dressed carcass weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80, which left the territory of region 5 during the week beginning 30 May 1988, the amounts to be charged shall be equivalent to those fixed in the Annexes hereto.

Article 3

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.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 8 July 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing 30 May 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	12,762	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	27,154	0
0204 21 00	27,154	0
0204 50 11		0
0204 22 10	19,008	
0204 22 30	29,869	
0204 22 50	35,300	
0204 22 90	35,300	
0204 23 00	49,420	
0204 30 00	20,366	
0204 41 00	20,366	
0204 42 10	14,256	
0204 42 30	22,403	
0204 42 50	26,476	
0204 42 90	26,476	
0204 43 00	37,066	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	35,300	
0210 90 19	49,420	
1602 90 71		
— unboned (bone-in)	35,300	
— boned or boneless	49,420	

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 9 June 1988

on the protection of workers by the banning of certain specified agents and/or certain work activities (Fourth individual Directive within the meaning of Article 8 of Directive 80/1107/EEC)

(88/364/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 118 A thereof,

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas the Council adopts, by means of Directives, minimum progressively applicable provisions, with a view towards promoting the improvement, in particular, of the working environment, so as to protect the safety and health of workers;

Whereas the Council resolution of 27 February 1984 on a second programme of action of the European Communities on safety and health at work ⁽⁴⁾ provides for the development of protective measures for substances recognized as being carcinogenic and other dangerous substances and processes which may have serious harmful effects on health;

Whereas certain differences are revealed by an examination of the measures taken by Member States to protect workers against the risks related to exposure to specified work agents and work activities; whereas,

therefore, in the interest of balanced development, these measures should be harmonized and improved as progress is made; whereas this harmonization and improvement should be based on common principles;

Whereas, to this end, Council Directive 80/1107/EEC of 27 November 1980 on the protection of workers from the risks related to exposure to chemical, physical and biological agents at work ⁽⁵⁾ contains such principles;

Whereas, under the terms of the said Directive, such protection must as far as possible be ensured by measures to prevent exposure or to keep it at as low a level as is reasonably practicable; whereas, also under these terms, for the provision of adequate protection of workers it is necessary to ban in the workplace certain specified agents and/or work activities which can give rise to serious effects on health in cases where use of other means does not make it possible to ensure adequate protection;

Whereas provision should be made in these circumstances to ban certain specified agents and/or certain work activities in the workplace, subject to certain exceptions and derogations;

Whereas representatives of employers and workers have a role to play in the protection of workers;

Whereas these principles need to be applied uniformly and speedily to encourage wherever possible the early development of alternative non-dangerous agents and/or work activities,

⁽¹⁾ OJ No C 270, 10. 10. 1984, p. 3.

⁽²⁾ OJ No C 72, 18. 3. 1985, p. 131.

⁽³⁾ OJ No C 104, 25. 4. 1985, p. 6.

⁽⁴⁾ OJ No C 67, 5. 3. 1984, p. 2.

⁽⁵⁾ OJ No L 327, 3. 12. 1980, p. 8.

HAS ADOPTED THIS DIRECTIVE :

Article 1

1. The purpose of this Directive is to protect workers against risks to their health by means of a ban on certain specific agents and or certain work activities.

The ban which is the subject of this Directive including the Annex is based on the following factors :

- there are serious health and safety risks for workers,
- precautions are not sufficient to ensure a satisfactory level of health and safety protection for workers,
- the ban does not lead to the use of substitute products which may involve equal or greater health and safety risks for workers.

2. This Directive shall not apply to :

- sea transport,
- air transport.

3. This Directive shall not prejudice the right of Member States to apply or introduce, subject to compliance with the Treaty, laws, regulations or administrative provisions ensuring greater protection for workers.

Article 2

For the purposes of this Directive :

- (a) 'substances' means chemical elements and their compounds as they occur in the natural state or as produced by industry, including any additives required for the purpose of placing them on the market ;
- (b) 'agents' means any chemical, physical or biological agents present at work and likely to be harmful to health ;
- (c) 'preparations' means mixtures or solutions composed of two or more substances ;
- (d) 'impurities' means substances which are *a priori* present in insignificant amounts in other substances ;
- (e) 'intermediates' means substances which are formed during a chemical reaction, are converted and therefore disappear by the end of the reaction or process ;
- (f) 'by-products' means substances which are formed during a chemical reaction and which remain at the end of the reaction or process ;
- (g) 'waste products' means the remains of a chemical reaction which need to be disposed of at the end of the reaction or process.

Article 3

1. To prevent the exposure of workers to health risks from certain specific agents and/or certain work activities

in the cases referred to in Article 1, Member States shall impose a ban in accordance with the procedures laid down in the Annex.

2. The Council, acting by a qualified majority on a proposal from the Commission, in cooperation with the European Parliament and after consulting the Economic and Social Committee, may amend the Annex, in particular to include further agents or activities.

Article 4

In the case of the derogations provided for in the Annex, the Member States shall be obliged to ensure that employers comply with the following procedures and measures :

- (a) an employer must take adequate precautions to protect the health and safety of the workers concerned ; and
- (b) an employer must submit at least the following information to the competent authority :
 - the quantities used annually,
 - the activities and/or reactions or processes involved,
 - the number of workers exposed,
 - the technical and organizational measures taken to prevent the exposure of workers.

In addition, the Member States may provide for systems of individual authorizations.

Article 5

1. Workers and/or their representatives in undertakings or establishments shall have access, in accordance with national law, to the documents submitted pursuant to Article 4 in regard to their undertaking or establishment.

2. The documents referred to in paragraph 1 shall contain the information necessary to ensure that workers and/or their representatives in undertakings or establishments are made fully aware of the health and safety risks connected with the agent or work activity to which they are or are likely to be exposed, together with the measures to be taken against such risks.

Article 6

1. Before 1 January 1995 the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee a report concerning in particular experience gained in the application of this Directive and progress in scientific knowledge and technology.

2. The Council shall re-examine this Directive before 1 January 1996 on the basis of the report referred to in paragraph 1.

Article 7

1. Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive by 1 January 1990 at the latest. They shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field governed by this Directive.

Article 8

This Directive is addressed to the Member States.

Done at Luxembourg, 9 June 1988.

For the Council

The President

N. BLUM

ANNEX

1. Subject to the conditions listed below, the following may not be produced or used :
 - 2-naphtylamine and its salts (CAS No 91-59-8),
 - 4-aminobiphenyl and its salts (CAS No 92-67-1),
 - benzidine and its salts (CAS No 92-87-5),
 - 4-nitrodiphenyl (CAS No 92-93-3).
 2. This ban does not apply if the agents are present in a substance or a preparation in the form of impurities or by-products, or as a constituent of waste products, provided that their individual concentration therein is less than 0,1 % w/w.
 3. Derogations from point 1 laid down by the Member States shall only be permitted :
 - for the sole purpose of scientific research and testing, including analysis,
 - for work activities intended to eliminate the agents that are present in the form of by-products or waste products,
 - for the production of the substances referred to in paragraph 1 for use as intermediates, and for such use.
 4. The exposure of workers to the substances referred to in paragraph 1 must be prevented, in particular by providing that the production and earliest possible use of these substances as intermediates must take place in a single closed system, from which the aforesaid substances may be removed only to the extent necessary to monitor the process or service the system.
-

COUNCIL DECISION

of 13 June 1988

on the conclusion of an Agreement in the form of an Exchange of Letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the guaranteed prices for cane sugar for the 1987/88 delivery period

(88/365/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the proposal from the Commission,

Whereas implementation of the Protocol on ACP Sugar annexed to the Third ACP-EEC Convention⁽¹⁾ is carried out, in accordance with Article 1 (2) thereof, within the framework of the management of the common organization of the sugar market;

Whereas it is appropriate to approve an Agreement in the form of an Exchange of Letters between the European Economic Community and the States referred to in the aforementioned protocol on the guaranteed prices for cane sugar for the 1987/88 delivery period,

HAS DECIDED AS FOLLOWS:

Article 1

An Agreement in the form of an Exchange of Letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the

Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the guaranteed prices for cane sugar for the 1987/88 delivery period is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement in order to bind the Community.

Article 3

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Luxembourg, 13 June 1988.

For the Council

The President

I. KIECHLE

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 164.

AGREEMENT

in the form of an Exchange of Letters between the European Economic Community and Barbados, Belize, the People's Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Democratic Republic of Madagascar, the Republic of Malawi, Mauritius, St Christopher and Nevis, the Republic of Suriname, the Kingdom of Swaziland, the United Republic of Tanzania, the Republic of Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe on the guaranteed prices for cane sugar for the 1987/88 delivery period

Letter No 1

Brussels,

Sir,

The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Third ACP-EEC Convention and of the Commission, on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, to submit to their competent authorities for approval, to be the subject of an Exchange of Letters between the ACP States concerned and the Community, the following.

For the period 1 July 1987 to 30 June 1988 the guaranteed prices referred to in Article 5 (4) of the Sugar Protocol shall, for the purpose of intervention within the terms of Article 6 of that Protocol, be :

- (a) for raw sugar : 44,92 ECU per 100 kilograms ;
- (b) for white sugar : 55,39 ECU per 100 kilograms.

These prices represent no increase over those applicable for the preceding delivery period and shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1987/88 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of Protocol 7 annexed to the Third ACP-EEC Convention.

It was noted that the ACP States consider that measures should be sought for improving the position of the ACP supplying States and solving the problem of ocean freight costs which remained an outstanding and pressing matter, as from the current campaign year. It was further noted that the Commission agreed to undertake this examination in collaboration with ACP States.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the ACP States concerned and the Community.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Communities*

Letter No 2

Brussels,

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'The representatives of the ACP States referred to in Protocol 7 on ACP sugar annexed to the Third ACP-EEC Convention and of the Commission, on behalf of the European Economic Community, have agreed, pursuant to the provisions of the said Protocol, to submit to their competent authorities for approval, to be the subject of an Exchange of Letters between the ACP States concerned and the Community, the following.

For the period 1 July 1987 to 30 June 1988 the guaranteed prices referred to in Article 5 (4) of the Sugar Protocol shall, for the purpose of intervention within the terms of Article 6 of that Protocol, be :

- (a) for raw sugar : 44,92 ECU per 100 kilograms ;
- (b) for white sugar : 55,39 ECU per 100 kilograms ;

These prices represent no increase over those applicable for the preceding delivery period and shall refer to sugar of standard quality as defined in Community legislation, unpacked, cif free out European ports of the Community. The introduction of these prices in no way prejudices the respective positions of the Contracting Parties in respect of the principles appertaining to the determination of the guaranteed prices.

Although retroactivity is not provided for in respect of the 1987/88 prices, it is agreed that this year's decision does not prejudice the position of the ACP States in relation to retroactivity in any future negotiation in accordance with Article 4 (3) of Protocol 7 annexed to the Third ACP-EEC Convention.

It was noted that the ACP States consider that measures should be sought for improving the position of the ACP supplying States and solving the problem of ocean freight costs which remained an outstanding and pressing matter, as from the current campaign year. It was further noted that the Commission agreed to undertake this examination in collaboration with the ACP States.

I should be obliged if you would acknowledge receipt of this letter and confirm that this letter and your reply constitute an Agreement between the Governments of the ACP States concerned and the Community.'

I have the honour to confirm the Agreement of the Governments of the ACP States concerned with the foregoing.

Please accept, Sir, the assurance of my highest consideration.

*For the Governments
of the ACP States concerned*

Information on the date of entry into force of the Additional Protocol to the Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt and of the Protocol on financial and technical cooperation between the European Economic Community and the Arab Republic of Egypt, signed in Brussels on 25 June⁽¹⁾ and 26 October 1987⁽²⁾ respectively

As notification of the completion of the procedures necessary for entry into force of the Protocols was terminated on 30 June 1988, the Additional Protocol will enter into force on 1 July 1988 in accordance with Article 8 (2) thereof, and the Protocol on financial and technical cooperation will enter into force on 1 August 1988, in accordance with Article 21 (2) thereof.

⁽¹⁾ OJ No L 297, 21. 10. 1987, p. 11.

⁽²⁾ OJ No L 22, 27. 1. 1988, p. 10.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1932/88 of 1 July 1988 on the supply of various lots of butteroil as food aid

(Official Journal of the European Communities No L 170 of 2 July 1988)

Page 11, Annex III, fourth entry:

for: '45 | Caritas I | Somalia | Action No 666/88 ...',

read: '15 | Caritas I | Somalia | Action No 666/88 ...'.
