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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2488/88 of 8 August 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2489/88 of 8 August 1988 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2490/88 of 8 August 1988 on the supply of common wheat to the Republic of Niger as food aid	5
* Commission Regulation (EEC) No 2491/88 of 8 August 1988 concerning the stopping of fishing for cod by vessels flying the flag of the United Kingdom	8
Commission Regulation (EEC) No 2492/88 of 8 August 1988 amending for the fifth time Regulation (EEC) No 2001/88 introducing a countervailing charge on fresh lemons originating in Spain (except the Canary Islands)	9
Commission Regulation (EEC) No 2493/88 of 8 August 1988 altering the export refunds on cereals and on wheat or rye flour, groats and meal	10
Commission Regulation (EEC) No 2494/88 of 8 August 1988 altering the import levies on products processed from cereals and rice	13
Commission Regulation (EEC) No 2495/88 of 8 August 1988 fixing the import levies on white sugar and raw sugar	15
Commission Regulation (EEC) No 2496/88 of 8 August 1988 altering the export refunds on white sugar and raw sugar exported in the natural state	17

II *Acts whose publication is not obligatory*

Commission

88/438/EEC :

- * Commission Decision of 4 February 1988 amending Decision 86/614/EEC authorizing Greece to take certain safeguard measures under Article 108 (3) of the EEC Treaty 19

88/439/EEC :

- * Commission Decision of 27 June 1988 approving the programme relating to the poultry sector communicated by the Spanish Government in accordance with Council Regulation (EEC) No 355/77 22

88/440/EEC :

- * Commission Decision of 27 June 1988 approving a programme concerning the rabbit meat sector in Spain in accordance with Council Regulation (EEC) No 355/77 23

88/441/EEC :

- * Commission Decision of 27 June 1988 approving a second programme for the milk and milk products sector in the Land North Rhine-Westphalia pursuant to Council Regulation (EEC) No 355/77 24

88/442/EEC :

- * Commission Decision of 27 June 1988 amending Decision 86/414/EEC as regards the list of establishments in Argentina approved for the purpose of importing meat products into the Community 26

88/443/EEC :

- * Commission Decision of 27 June 1988 concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider programme) 28

88/444/EEC :

- * Commission Decision of 29 June 1988 concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider) 29

Corrigenda

- * Corrigendum to Commission Regulation (EEC) No 3790/87 of 15 December 1987 amending and extending Regulation (EEC) No 2819/79 making imports of certain textile products from certain third countries subject to Commission surveillance (OJ No L 356 of 18.12.1987) 30

- * Corrigendum to Commission Regulation (EEC) No 3928/87 of 15 December 1987 amending and extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 on Community surveillance of imports of certain textile products originating in Malta, Egypt and Turkey (OJ No L 369 of 29.12.1987) 31

Corrigendum to Commission Regulation (EEC) No 2381/88 of 29 July 1988, fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty (OJ No L 205 of 30.7.1988) 32

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2488/88

of 8 August 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) 2221/88⁽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 2401/88⁽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 August 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 2401/88 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 August 1988.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 8 August 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	11,21	135,39
0712 90 19	11,21	135,39
1001 10 10	21,88	163,78 ⁽¹⁾ ⁽²⁾
1001 10 90	21,88	163,78 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	128,89
1001 90 99	0,00	128,89
1002 00 00	26,32	96,61 ⁽³⁾
1003 00 10	19,98	104,51
1003 00 90	19,98	104,51
1004 00 10	76,92	47,42
1004 00 90	76,92	47,42
1005 10 90	11,21	135,39 ⁽²⁾ ⁽³⁾
1005 90 00	11,21	135,39 ⁽²⁾ ⁽³⁾
1007 00 90	34,79	145,66 ⁽⁴⁾
1008 10 00	19,98	25,45
1008 20 00	19,98	59,81 ⁽⁵⁾
1008 30 00	19,98	0,00 ⁽⁶⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	19,98	0,00
1101 00 00	6,74	193,61
1102 10 00	50,02	148,42
1103 11 10	51,18	266,04
1103 11 90	7,46	208,92

⁽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 2489/88

of 8 August 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 2221/88⁽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 2402/88⁽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 August 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 August 1988.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 8 August 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	1,61	1,61	1,61
1001 10 90	0	1,61	1,61	1,61
1001 90 91	0	0	0	2,55
1001 90 99	0	0	0	2,55
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	3,59

B. Malt

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
1107 10 11	0	0	0	4,54	4,54
1107 10 19	0	0	0	3,39	3,39
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 2490/88

of 8 August 1988

on the supply of common wheat to the Republic of Niger as food aid

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

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

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

Whereas, by its Decision of 27 April 1988 on the supply of food-aid to the Republic of Niger the Commission allocated to the latter country 10 000 tonnes of cereals;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July

1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food-aid⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to the Republic of Niger in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in the Annex hereto.

Article 2

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

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

Done at Brussels, 8 August 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 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

1. **Operation No⁽¹⁾**: 783/88 to 787/88
2. **Programme**: 1987: 5 000 tonnes; 1988: 5 000 tonnes
3. **Recipient**: Ministre du Plan, Ordonnateur National de la République du Niger, Niamey
4. **Representative of the recipient⁽²⁾**: Ambassade du Niger, Av. Franklin Roosevelt 78, B-1050 Bruxelles, Tel.: 648 61 40
5. **Place or country of destination**: Republic of Niger
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods⁽³⁾**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.A.1)
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: 5 (A: 2 000 tonnes; B: 2 000 tonnes; C: 2 000 tonnes; D: 2 000 tonnes; E: 2 000 tonnes)
10. **Packaging and marking⁽⁴⁾**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under II.B.e):
marking on the bags, in letters at least 5 cm high:
A: 'ACTION N° 783/88'
B: 'ACTION N° 784/88'
C: 'ACTION N° 785/88'
D: 'ACTION N° 786/88'
E: 'ACTION N° 787/88'
} and ' / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**:
Moulins du Sahel, boîte postale 12170, Niamey, tel. 73 35 84, telex 5347 NI
Lieu de fourniture: Zone Industrielle entre la route de l'aéroport et la route de Kollon (derrière SOGANI)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: A: 1 to 15 September 1988; B: 1 to 15 October 1988; C: 1 to 15 November 1988; D: 1 to 15 December 1988; E: 1 to 15 January 1989
18. **Deadline for the supply**: A: 15 October 1988; B: 15 November 1988; C: 15 December 1988; D: 15 January 1989; E: 15 February 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 23 August 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 6 September 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: A: 15 to 30 September 1988; B: 15 to 30 October 1988; C: 15 to 30 November 1988; D: 15 to 30 December 1988; E: 15 to 30 January 1989
 - (c) deadline for the supply: A: 30 October 1988; B: 30 November 1988; C: 30 December 1988; D: 30 January 1989; E: 28 February 1989
22. **Amount of the tendering security**: 5 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders⁽⁵⁾**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels
Telex: AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁶⁾**:
Refund applicable on 10 July 1988 fixed by Regulation (EEC) No 1877/88 in *Official Journal of the European Communities* No L 168 of 1 July 1988, page 30

Notes:

- (¹) The operation number is to be quoted in all correspondence.
- (²) Commission delegate to be contacted by the successful tenderer:
M. David, boîte postale 10388, Niamey (Niger). Telex : DELEGFED 5267 NI (NIGER), Tel. : 73 23 60.
- (³) The successful tenderer shall supply to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 level.
- (⁴) Since the goods may be rebagged, the successful tenderer must provide 2% of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁵) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the Office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
- 235 01 32
236 10 97
235 01 30
236 20 05
- (⁶) Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
-

COMMISSION REGULATION (EEC) No 2491/88

of 8 August 1988

concerning the stopping of fishing for cod by vessels flying the flag of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, and in particular Article 11 (3) thereof,Whereas Council Regulation (EEC) No 3983/87 of 15 December 1987, allocating, for 1988, Community catch quotas in Greenland waters⁽²⁾, amended by Regulation (EEC) No 1345/88⁽³⁾, provides for cod quotas for 1988 ;

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

Whereas, according to the information communicated to the Commission, catches of cod in the waters of NAFO zone 1 (Greenland waters) by vessels flying the flag of the

United Kingdom or registered in the United Kingdom have reached the quota allocated for 1988,

HAS ADOPTED THIS REGULATION :

Article 1

Catches of cod in the waters of NAFO zone 1 (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1988.

Fishing for cod in the waters of NAFO zone 1 (Greenland waters) by vessels flying the flag of the United Kingdom or registered in the United Kingdom is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 8 August 1988.

For the Commission

Karl-Heinz NARJES

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1987, p. 61.

⁽³⁾ OJ No L 125, 19. 5. 1988, p. 2.

COMMISSION REGULATION (EEC) No 2492/88

of 8 August 1988

amending for the fifth time Regulation (EEC) No 2001/88 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 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 2001/88⁽³⁾, as last amended by Regulation (EEC) No 2404/88⁽⁴⁾, introduced a countervailing charge on fresh lemons originating in Spain (except the Canary Islands);

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge introduced 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 Spain (except the Canary Islands) must be altered;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁵⁾, 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

In Article 1 of Regulation (EEC) No 2001/88, '8,13 ECU' is hereby replaced by '4,25 ECU'.

Article 2

This Regulation shall enter into force on 9 August 1988.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988.

⁽³⁾ OJ No L 176, 7. 7. 1988, p. 24.

⁽⁴⁾ OJ No L 205, 30. 7. 1988, p. 104.

⁽⁵⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 2493/88

of 8 August 1988

altering the export refunds 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)
No 2221/88 ⁽²⁾, and in particular the fifth subparagraph of
Article 16(2) thereof,

Whereas the export refunds on cereals and on wheat or
rye flour, groats and meal were fixed by Commission
Regulation (EEC) No 2465/88 ⁽³⁾;

Whereas it follows from applying the detailed rules
contained in Commission Regulation (EEC) No 2465/88

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a),
(b) and (c) of Regulation (EEC) No 2727/75, exported in
the natural state, as fixed in the Annex to Regulation
(EEC) No 2465/88 are hereby altered as shown in the
Annex to this Regulation in respect of the products set
out therein.

Article 2

This Regulation shall enter into force on 9 August 1988.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 212, 5. 8. 1988, p. 58.

ANNEX

to the Commission Regulation of 8 August 1988 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	04	30,00 (2)
	05	25,00 (2)
	07	24,00 (2)
	02	20,00 (2)
1001 90 91 000	01	0
1001 90 99 000	03	45,00
	02	25,00
	06	45,00
	08	30,00
1002 00 00 000	03	45,00
	02	25,00
	06	45,00
1003 00 10 000	02	0
	05	55,00
1003 00 90 000	03	45,00
	02	20,00
	07	30,00
1004 00 10 000	02	0
	09	40,00
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	45,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	60,00
1101 00 00 120	01	60,00
1101 00 00 130	01	52,00
1101 00 00 150	01	42,00
1101 00 00 170	01	32,00
1101 00 00 180	01	22,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	60,00
1102 10 00 200	01	60,00
1102 10 00 300	01	60,00
1102 10 00 500	01	60,00
1102 10 00 900	—	—
1103 11 10 100	02	160,00
	05	200,00
1103 11 10 200	02	152,00
	05	200,00
1103 11 10 500	01	135,00
1103 11 10 900	01	128,00
1103 11 90 100	01	60,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Zones II and III,
- 05 Algeria,
- 06 Zone II (b),
- 07 Tunisia,
- 08 Morocco,
- 09 Zone I.

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis); 7 % maximum of which 5 % of soft wheat or other cereals.

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).

The product codes and the footnotes are defined in Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 2494/88

of 8 August 1988

altering the import levies on products processed from cereals and 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 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 2221/88 ⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 2229/88 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation 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 ⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2350/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 2484/88 ⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁹⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽¹⁰⁾ as regards products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature;

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 over 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 August 1988;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹¹⁾ the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2350/88 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 9 August 1988.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁷⁾ OJ No L 204, 29. 7. 1988, p. 25.

⁽⁸⁾ OJ No L 213, 6. 8. 1988, p. 46.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 8 August 1988 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 90 90 ⁽²⁾	151,65	148,63
1103 19 90 ⁽²⁾	151,65	148,63
1103 29 90 ⁽²⁾	151,65	148,63
1104 19 99 ⁽²⁾	268,34	262,30
1104 29 10*30 ⁽²⁾ ⁽⁸⁾	236,17	233,15
1104 29 10*40 ⁽²⁾ ⁽⁹⁾	236,17	233,15
1104 29 10*90 ⁽²⁾ ⁽¹⁰⁾	236,17	233,15
1104 29 30*30 ⁽²⁾ ⁽⁸⁾	236,17	233,15
1104 29 30*40 ⁽²⁾ ⁽⁹⁾	236,17	233,15
1104 29 30*90 ⁽²⁾ ⁽¹⁰⁾	236,17	233,15
1104 29 99 ⁽²⁾	151,65	148,63

⁽²⁾ For the purpose of distinguishing between products falling within heading Nos 1101, 1102, 1103 and 1104 and those falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40, products falling within heading Nos 1101, 1102, 1103 and 1104 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewert polarimetric method), referred to dry matter, exceeding 45 % by weight,
- an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading Nos 1103 and 1104.

⁽⁸⁾ Taric code: millet.

⁽⁹⁾ Taric code: sorghum.

⁽¹⁰⁾ Taric code: others.

COMMISSION REGULATION (EEC) No 2495/88
of 8 August 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 2306/88 ⁽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 2336/88 ⁽³⁾, as last amended by Regulation (EEC) No 2487/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 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 August 1988.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 203, 28. 7. 1988, p. 22.

⁽⁴⁾ OJ No L 213, 6. 8. 1988, p. 52.

ANNEX

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

(ECU/100 kg)

CN code	Levy
1701 11 10	31,95 ⁽¹⁾
1701 11 90	31,95 ⁽¹⁾
1701 12 10	31,95 ⁽¹⁾
1701 12 90	31,95 ⁽¹⁾
1701 91 00	42,69
1701 99 10	42,69
1701 99 90	42,69 ⁽²⁾

⁽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.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

COMMISSION REGULATION (EEC) No 2496/88

of 8 August 1988

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2441/88⁽³⁾, as last amended by Regulation (EEC) No 2486/88⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2441/88 to the infor-

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2441/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 August 1988.

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

Done at Brussels, 8 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 211, 4. 8. 1988, p. 8.

⁽⁴⁾ OJ No L 213, 6. 8. 1988, p. 50.

ANNEX I

to the Commission Regulation of 8 August 1988 altering the export refunds on white sugar and raw sugar exported in its unaltered state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	33,35 ⁽¹⁾	
1701 11 90 910	29,22 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,35 ⁽¹⁾	
1701 12 90 910	29,22 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3625
1701 99 10 100	36,25	
1701 99 10 910	35,69 ⁽³⁾	
1701 99 10 950	31,19	
1701 99 90 100		0,3625

⁽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⁾ Applicable under the conditions laid down in particular in Article 9 (5) of Regulation (EEC) No 2630/81.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 4 February 1988

amending Decision 86/614/EEC authorizing Greece to take certain safeguard measures under Article 108 (3) of the EEC Treaty

(Only the Greek text is authentic)

(88/438/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 108 (3) thereof,

Whereas :

Commission Decision C/85/1344, which was notified to the Greek Government on 13 August 1985, ordered Greece to abolish the export aid provided for by Decision 1574/70 of the Greek Monetary Committee as amended by Decision 350/82 ;

Commission Decision 85/594/EEC⁽¹⁾ authorized Greece to take certain safeguard measures under Article 108 (3) of the EEC Treaty ; among other things it authorized Greece to continue to grant until 31 December 1986 the export aid provided for by the said Decision at a rate no higher than 26,4 % of the fob price ;

Commission Decision 86/614/EEC⁽²⁾ amending Commission Decision 85/594/EEC required Greece to reduce by 40 % the rate of aid applied previously to allow for the effects of the introduction of VAT and to phase out the remaining 60 % of the said export aid in four equal annual steps beginning on 1 January 1987, so that the maximum rate of aid for 1987 was 11,88 % of the fob price ;

Article 3 of the Decision 86/614/EEC provided that the Commission was to reduce or exclude all aid should evidence be presented to it which, upon examination and

after consultation with the interested parties, showed that the grant of Greek export aid to any particular sector was causing or threatened to cause major changes in traditional trade flows and that the changes were causing or threatening to cause serious material injury in an established industry in other Member States to a degree contrary to the common interest.

I

In March 1983 a Dutch firm producing candied fruit peel (NIMEXE 20.04-30) first complained to the Commission that Greek export aid in their sector had reached 32 % of the fob price, causing an extremely severe distortion of competition in the common market. Over the years, on numerous occasions, these complaints continued.

On 29 April 1987 this complainant, joined by the Dutch Fruit and Vegetable Processing Industry Association and, in particular, the Preserved Fruit Manufacturers section, asked the Commission to apply Article 3 of Decision 86/614/EEC and exclude all aid to the Greek preserved fruit industry.

The first complainant is the biggest of four small Dutch producers of candied fruit peel all situated in and around Franeker in Friesland. Traditionally these produce most candied fruit peel sold in the Netherlands, in Germany, and in the UK. Their main market is Germany. The first complainant's specialty is fruit peel sold in 100 gram packs ; the other producers mainly sell in bulk to industrial users.

Four Italian and one French producer buy the raw material and sell the finished product mostly in their own countries.

⁽¹⁾ OJ No L 373, 31. 12. 1985, p. 9.

⁽²⁾ OJ No L 357, 18. 12. 1986, p. 28.

The Dutch firms buy their raw material in Puerto Rico; the only substantial growing region in Europe is Crete. From there the raw material for candied fruit peel is offered to the Dutch producers at prices up to more than 100 % higher, depending on the product, than in Puerto Rico.

In 1983 the Cretan Citrus Growers Association started to offer candied fruit peel in 100 gram packs in Germany, identical to those sold by the first complainant, at prices which, on the basis of data provided by the Dutch undertaking and calculating costs from the Cretan raw material prices plus Dutch manufacturing and commercialising costs, appear to be sold up to 34 % below cost. It is alleged that this has caused serious material injury to the Dutch undertaking, and caused the loss of nine jobs out of 57.

According to the first complainant Greek exports in 100 gram packs tripled between 1983, when they first appeared on the market, and 1986 (from 200 tonnes to 610 tonnes). Given the fairly static demand in this market, Dutch sales, capacity utilization and profits have fallen accordingly. There are no stocks; production is geared to sales.

In 1987 the Cretan Citrus Growers Association opened a new large capacity factory and started also to underbid significantly the Dutch producers in the German market in industrial sales. In spite of the agreed reduction of export aid, prices remained at the same level as before. Allegedly this threatens to cause serious material injury also to the other Dutch producers.

II

The Greek Government, having been informed of the Dutch undertakings' request to apply the safeguard measures provided for in Article 3 of Commission Decision 86/614/EEC, replied on 15 October and 4 December 1987 without giving the requested detailed information. A letter dated 22 December 1987 did not provide any new relevant information.

Pursuant to the first paragraph of Article 2 of Decision 86/614/EEC the Greek Government has to submit 'within four weeks of the end of the relevant period, i.e. up to 30 June and 31 December for each year ... a six monthly report on the granting of export aid broken down by the number of transactions showing their value and the aid granted, by sector, to allow the Commission to carry out a six-monthly monitoring procedure to ensure correct application of this Decision'.

The first report was received on 9 November 1987 and contained global information only. According to this, the Greek Government, between 1 January and 30 June 1987, actually paid 21,4 billion Drs in export aid pursuant to

Decision 1574/70 as amended by Decision 350/82. During this period eligible exports were made at a fob price of 56,8 billion Drs. The Greek Government maintains that a large portion of the payments corresponded to shipments made between 1 January 1983 and 31 December 1986. However, in actual fact Greek exporters received, on average, aid on the basis of Decision 1574/70 as amended by Decision 350/82 representing 38 % of the fob price of their eligible exports.

On 4 December 1987 the Greek Government sent a letter stating that the Cretan Citrus Growers Association from 1983 to 1986 had received different percentages of the fob price of their eligible exports in aid, depending on the different percentages of 'export value added' they had realised.

<i>(in % of fob price)</i>		
Year	Export value added	Aid
1983	45	19,685
1984	35,5	15,59
1985	56,6	24,76
1986	33,88	14,82

According to information given to the Greek Government by the Bank of Greece, payments for 1987 have not yet been made.

III

Neither within the framework of the report to be submitted pursuant to Article 2 of Decision 86/614/EEC nor when consulted on the Dutch request pursuant to Article 3 and the second paragraph of Article 2 of Decision 86/614/EEC has the Greek Government been able to supply the required and agreed detailed breakdown of information; nor has it contested the figures supplied to the Commission by the complainant.

Figures obtained from the Statistisches Bundesamt (the German federal statistical office) show imports into Germany of candied fruit and fruit peel from the Netherlands and from Greece as follows:

<i>(in tonnes)</i>			
Year	Total imports into Germany	From the Netherlands	From Greece
1983	6 265	5 049	501
1984	6 500	5 120	493
1985	6 217	4 653	696
1986	6 359	4 647	655

These figures show that, in a rather stable market, between 1983 and 1986 the Dutch market share fell by 8 % while the volume of Greek exports rose by 30 %.

The figures contained in the letter of 4 December 1987 only confirm that the Cretan Citrus Growers Association over the years received large sums of export aid under the Decision of the Greek Monetary Committee. Beyond this they do nothing to clarify the situation. In particular, there is no explanation as to why the 'export value added' which is calculated along the lines of normal value added and on which depends the percentage of the fob price to be granted as aid, varies considerably from year to year for the same product sold by the same undertakings.

The statement that no aid has been paid for 1987 does not necessarily mean that no aid was received. According to the Greek Government more than 83 % of the aid actually paid during the period January to July 1987 was for exports not made during that time and going back as far as 1983. This makes it impossible for the Commission 'to carry out a six-monthly monitoring procedure to ensure correct application of this Decision' as prescribed by Decision 86/614/EEC.

The continued lack of precise information which had been requested within the framework of this procedure on 27 July 1987, most of which should have been submitted by the Greek Government pursuant to Article 2 of Decision 86/614/EEC by 31 July at the latest, cannot indefinitely hinder the Commission from taking a decision under the procedure provided for by Article 3 of Decision 86/614/EEC which enjoins the Commission to take a decision excluding export aid granted in a sector if this causes serious damage to competitors in other Member States and which, by its very nature, is urgent.

The complainants stated as from March 1983 that their Greek competitors received various export aid totalling 32 % of the fob price causing them to lose their established market for candied fruit and fruit peel sold in 100 gram packs mainly in the Federal Republic of Germany. The opening of a new large factory in 1987 together with an almost unlimited bargaining power caused by the actual amount of aid enables the Greek sellers to sell and deliver large quantities; this will accentuate the major change in traditional trade flows and

threatens to cause serious material injury to the whole of the Dutch industry of the sector in question.

All Dutch manufacturers are situated in and around Franeker in Friesland. This is considered as a priority development area in the Netherlands because of its high unemployment and low per capita income. A folding up of the Dutch industry and further loss of employment is contrary to the common interest.

Therefore it appears that the conditions set out in Article 3 of Decision 86/614/EEC are met so that the Commission should amend the said Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 86/614/EEC is hereby amended by the addition of the following paragraph:

'The provisions of the foregoing paragraph shall not apply to the candied fruit peel sector (NIMEXE 20.04-30). In respect of that sector Greece shall exclude all export aid.'

Article 2

This Decision shall take effect on 4 February 1988.

Article 3

Greece shall inform the Commission within seven days of the date of this Decision, of the measures it has taken to comply with the conditions laid down in Article 1.

Article 4

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 4 February 1988.

For the Commission

Peter SUTHERLAND

Member of the Commission

COMMISSION DECISION

of 27 June 1988

approving the programme relating to the poultry sector communicated by the Spanish Government in accordance with Council Regulation (EEC) No 355/77

(Only the Spanish text is authentic)

(88/439/EEC)

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

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural products and fishery products are processed and marketed ⁽¹⁾, as last amended by Regulation (EEC) No 560/87 ⁽²⁾, and in particular Article 5 thereof,

Whereas on 23 July 1987 the Spanish Government forwarded a programme concerning the poultry sector for which it submitted additional information on 4 October 1987;

Whereas this programme aims to rationalize and modernize the processing and marketing of poultry in such a way as to increase the competitiveness of the sector concerned, to upgrade its production and achieve the level prescribed by the Community directives as regards health matters; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas approval of this programme may not cover the investments concerning products not listed in Annex II to the Treaty nor game;

Whereas the programme contains a sufficient number of details which are specified in Article 3 of Regulation (EEC) No 355/77, attesting that the objectives of Article 1 of that Regulation may be achieved in the poultry sector;

Whereas the estimated time required for the execution of the programme does not exceed the limits set out in Article 3 (1) (g) of that Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS REGULATION:

Article 1

The programme concerning the poultry sector forwarded by the Spanish Government on 23 July 1987 and supplemented on 4 October 1987 in accordance with Regulation (EEC) No 355/77 is hereby approved, with the exception of the investments concerning products not listed in Annex II to the Treaty and game, subject to the health conditions prescribed by the Community directives on the matter being observed.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 27 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

COMMISSION DECISION

of 27 June 1988

approving a programme concerning the rabbit meat sector in Spain in
accordance with Council Regulation (EEC) No 355/77

(Only the Spanish text is authentic)

(88/440/EEC)

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

Having regard to Council Regulation (EEC) No 355/77 of
15 February 1977 on common measures to improve the
conditions under which agricultural products and fishery
products are processed and marketed ⁽¹⁾, as last amended
by Regulation (EEC) No 560/87 ⁽²⁾, and in particular
Article 5 thereof,

Whereas on 23 July 1987 the Spanish Government
forwarded a programme concerning the rabbit meat sector
and submitted additional information on 4 October 1987
and 26 January 1988;

Whereas the aim of this programme is to rationalize and
modernize slaughtering and cutting installations as well as
ancillary installations for the processing and utilization in
such a way as to increase the competitiveness of the
sector, to upgrade its products and to achieve the level
required by the Community directives in health matters;
whereas it therefore constitutes a programme within the
meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas approval of this programme may not be
extended to apply to products not listed in Annex II or to
game;

Whereas the programme contains a sufficient number of
details which are specified in Article 3 of Regulation
(EEC) No 355/77, showing that the objectives of Article 1
of this Regulation may be achieved in the rabbit meat
processing sector; whereas the time required for the

execution of the programme does not exceed the period
referred to in Article 3 (1) (g) of that Regulation;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee
on Agricultural Structure,

HAS ADOPTED THIS DECISION:

Article 1

1. The programme concerning the processing of rabbit
meat forwarded by the Spanish Government on 23 July
1987 and supplemented on 4 October 1987 and 26
January 1988 in accordance with Regulation (EEC) No
355/77 is hereby approved subject to the health
conditions prescribed by the Community directives on
the matter being observed.

2. Approval does not cover products not listed in
Annex II or game.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 27 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

COMMISSION DECISION

of 27 June 1988

approving a second programme for the milk and milk products sector in the
Land North Rhine-Westphalia pursuant to Council Regulation (EEC) No 355/77

(Only the German text is authentic)

(88/441/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of
15 February 1977 on common measures to improve the
conditions under which agricultural and fishery products
are processed and marketed⁽¹⁾, as last amended by
Council Regulation (EEC) No 560/87⁽²⁾, and in particular
Article 5 thereof,

Whereas, on 5 August 1987, the Government of the
Federal Republic of Germany forwarded a second
programme which follows the programme for the milk
and milk products sector in North Rhine-Westphalia
approved by the Commission Decision 80/1337/EEC⁽³⁾;
whereas it submitted supplementary information on 10
February 1988 and 16 March 1988;

Whereas the purpose of the second programme is to
rationalize and modernize the milk and milk products
sector so as to increase its competitiveness and enhance
the value of its products; whereas this programme
therefore constitutes a programme within the meaning of
Article 2 of Regulation (EEC) No 355/77;

Whereas, in view of the situation on the milk market,
approval of the programme may not extend to investment
projects:

- which provide for an increase in milk-processing
capacity, unless such projects furnish evidence that
equivalent capacity is being closed down,
- which relate to the production of butter, whey powder,
milk powder, butteroil, lactose, casein and caseinates,
- which relate to the production of other products
giving rise to EAGGF Guarantee Section expenditure
which, given the market situation, cannot be justified;

Whereas approval of the second programme may not
extend to investments concerning milk collection;

Whereas approval of the second programme may not
extend to investment projects for the manufacture of
products such as certain types of cheeses for which there
is already surplus production capacity within the
European Community;

Whereas approval of the second programme may not
extend to products not listed in Annex II to the Treaty or
to research and development costs relating to new
products;

Whereas the second programme contains the details
required under Article 3 of Regulation (EEC) No 355/77,
showing that the objectives laid down in Article 1 thereof
may be achieved in the milk and milk products sector in
North Rhine-Westphalia; whereas the time required for
the execution of the second programme does not exceed
the period laid down in Article 3 (1) (g) of that
Regulation;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Standing Committee
on Agricultural Structure,

HAS ADOPTED THIS REGULATION:

Article 1

1. The second programme for the milk and milk
products sector in North Rhine-Westphalia, forwarded by
the Government of the Federal Republic of Germany on
5 August 1988 pursuant to Regulation (EEC) No 355/77
and supplemented on 10 February 1988 and 16 March
1988, is hereby approved.
2. Approval shall not extend to investment which:
 - provide for an increase in milk processing capacity,
unless such projects furnish evidence that equivalent
capacity is being closed down,
 - relate to the production of butter, whey powder, milk
powder, butteroil, lactose, casein and caseinates,
 - relate to the production of other products giving rise
to EAGGF Guarantee Section expenditure that would
be unjustifiable on account of the market situation,

⁽¹⁾ OJ No L 51, 23. 2. 1977, p. 1.

⁽²⁾ OJ No L 57, 27. 2. 1987, p. 6.

⁽³⁾ OJ No L 384, 31. 12. 1980, p. 3.

— relate to the manufacture of products such as certain types of cheeses for which there is already surplus production capacity within the European Community,

— relate to milk collection,

— relate to products not listed in Annex II to the Treaty or to research and development costs for new products.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 27 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION DECISION

of 27 June 1988

amending Decision 86/414/EEC as regards the list of establishments in Argentina approved for the purpose of importing meat products into the Community

(88/442/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products ⁽¹⁾, as last amended by Regulation (EEC) No 3768/85 ⁽²⁾, and in particular Article 17 (1) thereof,

Whereas a list of establishments in Argentina, approved for the purpose of importing meat products into the Community, was drawn up initially by Commission Decision 86/414/EEC ⁽³⁾, amended by Decision 88/268/EEC ⁽⁴⁾;

Whereas a Community on-the-spot visit to meat production establishments in Argentina has revealed that the level of hygiene in one establishment was altered since the last inspection; whereas the list of establishments should be amended accordingly;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 86/414/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 27 June 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 85.

⁽²⁾ OJ No L 362, 31. 12. 1985, p. 8.

⁽³⁾ OJ No L 237, 23. 8. 1986, p. 36.

⁽⁴⁾ OJ No L 107, 28. 4. 1988, p. 52.

ANNEX

LIST OF ESTABLISHMENTS

Approval No	Establishment	Address
13	Swift Armour SA Argentina	Rosario, Santa Fe
16	Santa Elena	Santa Elena, Entre Ríos
89	Carcarana	Carcarana, Santa Fe
249	Frigorífico Nelson	Nelson, Santa Fe
1352	Frigorífico Meatex SA	Alejandro Korn, Buenos Aires
1373	El Centenario	Venado Tuerto, Santa Fe
1383	Barreca Hnos	Vivorata, Buenos Aires
1399	FRIA	Casilda, Santa Fe
1822	Meatex	Villa Ballester, Buenos Aires
1921	San Telmo SACIAFIF	Mar del Plata, Buenos Aires
1930	Vizental y Cía. SACIA	San José, Entre Ríos
1964	Casasa SA	Dolores, Buenos Aires
2067	Cía. elaboradora de productos animales SAICAGT	Pontevedra, Buenos Aires

COMMISSION DECISION

of 27 June 1988

concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider programme)

(Only the German text is authentic)

(88/443/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 328/88 of 2 February 1988 instituting a Community programme to assist the conversion of steel areas (Resider programme) (1), and in particular Article 3 (2) thereof,

Whereas Article 3 (2) of Regulation (EEC) No 328/88 stipulates that the Community programme shall apply to areas which satisfy the criteria specified in Article 3 (1) and the threshold values set out in Article 4 (1) of that Regulation;

Whereas the Member State concerned must submit an application in respect of the areas to which the Community programme is to apply; whereas Germany has transmitted to the Commission an application in respect of the Saarbrücken labour market region (Saarland);

Whereas that area satisfies the abovementioned criteria,

HAS ADOPTED THIS DECISION:

Article 1

The Saarbrücken labour market region (Saarland) in the Federal Republic of Germany is hereby found to satisfy the criteria set out in Article 3 (1) and the threshold values in Article 4 (1) of Regulation (EEC) No 328/88. The Community programme instituted by that Regulation shall therefore apply to that area.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 27 June 1988.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

(1) OJ No L 33, 5. 2. 1988, p. 1.

COMMISSION DECISION

of 29 June 1988

concerning the areas referred to in Article 3 (2) of Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider)

(Only the English text is authentic)

(88/444/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 328/88 of 2 February 1988 instituting a Community programme to assist the conversion of steel areas (Resider programme) ⁽¹⁾, and in particular Article 3 (2) thereof,

Whereas Article 3 (2) of Regulation (EEC) No 328/88 provides that the Community programme shall apply to those areas which meet the criteria laid down in Article 3 (1) and the thresholds laid down in Article 4 (1) of that Regulation ;

Whereas the areas likely to be eligible to benefit from the Community programme must be the subject of an application by the Member State in question ; whereas the United Kingdom has submitted such an application to the Commission ;

Whereas the employment basin comprising the county of South Yorkshire (including the travel-to-work area of Sheffield) and the travel-to-work area of Scunthorpe in the counties of Humberside and Lincolnshire conforms to the abovementioned criteria and thresholds,

HAS ADOPTED THIS DECISION :

Article 1

1. The employment basin comprising the county of South Yorkshire (including the travel-to-work area of Sheffield) and the travel-to-work area of Scunthorpe in the counties of Humberside and Lincolnshire in the United Kingdom satisfies the criteria stated in Article 3 (1) and the thresholds stated in Article 4 (1) of Regulation (EEC) No 328/88. The Community programme instituted by the Regulation in question shall therefore apply to that area.

2. The references to travel-to-work areas in paragraph 1 are to those areas as constituted on 27 September 1984.

Article 2

This Decision is addressed to the United Kingdom.

Done at Brussels, 29 June 1988.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 33, 5. 2. 1988, p. 1.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 3790/87 of 15 December 1987 amending and extending Regulation (EEC) No 2819/79 making imports of certain textile products from certain third countries subject to Commission surveillance

(Official Journal of the European Communities No L 356 of 18 December 1987)

On page 25, in the Annex :

for :

(1)	(2)	(3)	(4)	(5)
'9	5802 11 00 5802 19 00 6302 60 00	Terry towelling and similar woven terry fabrics of cotton ; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	tonnes	Turkey'

read :

(1)	(2)	(3)	(4)	(5)
'9	5802 11 00 5802 19 00 ex 6302 60 00	Terry towelling and similar woven terry fabrics of cotton ; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	tonnes	Turkey'

On page 26, in the Annex :

for :

(1)	(2)	(3)	(4)	(5)
'32	5801 10 00 5801 21 00 5801 22 00 5801 23 00 5801 24 00 5801 25 00 5801 26 00 5801 31 00 5801 32 00 5801 33 00 5801 34 00 5801 35 00 5801 36 00 5802 20 00 5802 30 00	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres	tonnes	Turkey'

read :

(1)	(2)	(3)	(4)	(5)
'32	5801 10 00 5801 21 00 5801 22 00 5801 23 00 5801 24 00 5801 25 00 5801 26 00 5801 31 00 5801 32 00 5801 33 00 5801 34 00 5801 35 00 5801 36 00 ex 5802 20 00 5802 30 00	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres	tonnes	Turkey'

Corrigendum to Commission Regulation (EEC) No 3928/87 of 15 December 1987 amending and extending the periods of validity of Regulations (EEC) No 3044/79, (EEC) No 1782/80, (EEC) No 2295/82, (EEC) No 3652/85, (EEC) No 1769/86 and (EEC) No 1971/86 on Community surveillance of imports of certain textile products originating in Malta, Egypt and Turkey

(Official Journal of the European Communities No L 369 of 29 December 1987)

On page 45, in Annex V:

for:

(1)	(2)	(3)	(4)	(5)
'9	5802 11 00 5802 19 00 6302 60 00	Terry towelling and similar woven terry fabrics of cotton ; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	tonnes	Turkey'

read:

(1)	(2)	(3)	(4)	(5)
'9	5802 11 00 5802 19 00 ex 6302 60 00	Terry towelling and similar woven terry fabrics of cotton ; toilet linen and kitchen linen, other than knitted or crocheted, of terry towelling and woven terry fabrics, of cotton	tonnes	Turkey'

On page 46, in Annex V:

for:

(1)	(2)	(3)	(4)	(5)
'ex 32	5801 25 00 5801 26 00 ex 5801 30 00	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces, of wool, of cotton or of man-made textile fibres	tonnes	Turkey'

read:

(1)	(2)	(3)	(4)	(5)
'ex 32	5801 25 00 5801 26 00 ex 5801 30 00	Woven pile fabrics and chenille fabrics (other than terry towelling or terry fabrics of cotton and narrow woven fabrics) and tufted textile surfaces ; of cotton	tonnes	Turkey'

Corrigendum to Commission Regulation (EEC) No 2381/88 of 29 July 1988, fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(Official Journal of the European Communities No L 205 of 30 July 1988)

On page 61, CN code ex 0402 21 19 :

for: '140',

read: '130'.
