

Official Journal

of the European Communities

ISSN 0378-6978

L 221

Volume 31

12 August 1988

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 2522/88 of 11 August 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 2523/88 of 11 August 1988 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 2524/88 of 11 August 1988 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	5
Commission Regulation (EEC) No 2525/88 of 11 August 1988 on the supply of refined palm oil to El Salvador as food aid	8
Commission Regulation (EEC) No 2526/88 of 11 August 1988 on the supply of common wheat to Djibouti as food aid	11
Commission Regulation (EEC) No 2527/88 of 11 August 1988 on the supply of refined sunflower oil to Somalia as food aid	14
Commission Regulation (EEC) No 2528/88 of 11 August 1988 fixing the import levies on milk and milk products	17
Commission Regulation (EEC) No 2529/88 of 11 August 1988 fixing the export refunds on milk and milk products	22
Commission Regulation (EEC) No 2530/88 of 11 August 1988 amending for the sixth time Regulation (EEC) No 1965/88 introducing a countervailing charge on fresh lemons originating in Argentina	41
Commission Regulation (EEC) No 2531/88 of 11 August 1988 fixing the import levies on white sugar and raw sugar	42

Commission Regulation (EEC) No 2532/88 of 11 August 1988 altering the export refunds on white sugar and raw sugar exported in the natural state	44
Commission Regulation (EEC) No 2533/88 of 11 August 1988 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	46
Commission Regulation (EEC) No 2534/88 of 11 August 1988 fixing the corrective amount applicable to the refund on cereals	50

II *Acts whose publication is not obligatory*

Commission

88/455/EEC :

- * Commission Decision of 1 July 1988 amending Decision 87/492/EEC recognizing certain parts of the territory of the Netherlands as being officially swine fever free 53

88/456/EEC :

- * Commission Decision of 1 July 1988 on the improvement of the efficiency of agricultural structures in Ireland pursuant to Council Regulation (EEC) No 797/85 54

88/457/EEC :

- * Commission Decision of 1 July 1988 approving an amendment to the agricultural development programme for the less-favoured areas of Northern Ireland pursuant to Regulation (EEC) No 1942/81 55

88/458/EEC :

- * Commission Decision of 7 July 1988 on a request from Società Idrocarburi Laziale SpA, Rome, concerning import into Italy of a consignment of styrene monomer originating in the United States of America 57

88/459/EEC :

- * Commission Decision of 11 July 1988 concerning the areas referred to in Article 3 (2) of Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider programme) 62

Corrigenda

- * Corrigendum to Commission Regulation (EEC) No 1858/88 of 30 June 1988 amending Regulation (EEC) No 1058/77 on the characteristics of olive oil and of certain products containing olive oil and amending the Common Customs Tariff Nomenclature as regards olive oil (OJ No L 166 of 1.7.1988) 63

- * Corrigendum to Commission Decision No 2132/88/ECSC of 18 July 1988 imposing a definitive anti-dumping duty on imports of certain iron or steel coils, originating in Algeria, Mexico and Yugoslavia and definitively collecting the provisional anti-dumping duties imposed on those imports (OJ No L 188 of 19.7.1988) 63

Corrigendum to Commission Regulation (EEC) No 2432/88 of 2 August 1988 fixing the amount of the subsidy on oil seeds (OJ No L 210 of 3.8.1988) 63

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2522/88**of 11 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 10 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 12 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, 11 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 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	135,12
0712 90 19	11,21	135,12
1001 10 10	21,88	162,83 ⁽¹⁾ ⁽²⁾
1001 10 90	21,88	162,83 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	126,78
1001 90 99	0,00	126,78
1002 00 00	26,32	98,86 ⁽³⁾
1003 00 10	19,98	102,35
1003 00 90	19,98	102,35
1004 00 10	76,92	43,25
1004 00 90	76,92	43,25
1005 10 90	11,21	135,12 ⁽³⁾ ⁽²⁾
1005 90 00	11,21	135,12 ⁽³⁾ ⁽²⁾
1007 00 90	34,79	143,25 ⁽⁴⁾
1008 10 00	19,98	21,48
1008 20 00	19,98	56,31 ⁽⁵⁾
1008 30 00	19,98	0,00 ⁽⁶⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	19,98	0,00
1101 00 00	10,53	190,66
1102 10 00	50,02	151,57
1103 11 10	46,98	265,17
1103 11 90	11,55	205,74

⁽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 2523/88

of 11 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 10 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 12 August 1988.

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

Done at Brussels, 11 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 11 August 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	8	9	10	11
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	1,19
1001 90 99	0	0	0	1,19
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	1,67

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	8	9	10	11	12
1107 10 11	0	0	0	2,12	2,12
1107 10 19	0	0	0	1,58	1,58
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 2524/88

of 11 August 1988

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

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 No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2210/88⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 798/87⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 799/87⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 800/87⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 8 and 9 August 1988 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within subheadings 0709 90 39 and 0711 20 90 and on products falling within subheadings 1522 00 31, 1522 00 39 and 2306 90 19 of the combined nomenclature must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 12 August 1988.

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

Done at Brussels, 11 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	62,00 ⁽¹⁾
1509 10 90	62,00 ⁽¹⁾
1509 90 00	73,00 ⁽²⁾
1510 00 10	62,00 ⁽¹⁾
1510 00 90	100,00 ⁽³⁾

⁽¹⁾ For imports of oil falling within this subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: 0,60 ECU/100 kg;
- (b) Turkey: 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Algeria, Tunisia and Morocco: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this subheading:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	13,64
0711 20 90	13,64
1522 00 31	31,00
1522 00 39	49,60
2306 90 19	4,96

COMMISSION REGULATION (EEC) No 2525/88
of 11 August 1988
on the supply of refined palm oil to El Salvador 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 15 October 1987 on the supply of food aid to El Salvador, the Commission allocated to the latter country 400 tonnes of refined palm oil;

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 refined palm oil to El Salvador 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, 11 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⁾: 242/88
2. Programme: 1987
3. Recipient: El Salvador
4. Representative of the recipient⁽²⁾: Ministerio del Interior, Vice-Ministro de desarrollo social, Centro de Gobierno (Tel. 22 63 83, Telex 037320559), San Salvador, El Salvador
5. Place or country of destination: El Salvador
6. Product to be mobilized: refined rapeseed oil
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 III.A3)
8. Total quantity: 400 tonnes net
9. Number of lots: one
10. Packaging and marking:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.B):
 - metal cans of five litres or five kilograms: 300 tonnes,
 - metal cans of two litres or two kilograms: 100 tonnes,
 - the cans must be packed in cartons,
 - the cans must carry the following wording:
ACCIÓN N° 242/88 / ACEITE DE PALMA REFINADO / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A EL SALVADOR
11. Method of mobilization: Community market
12. Stage of supply: free at port of landing — landed
13. Port of shipment: —
14. Port of landing specified by the recipient: —
15. Port of landing: Puerto Acajutla
16. Address of the warehouse and, if appropriate, port of landing: —
17. Period for making the goods available at the port of shipment: 1 to 31 October 1988
18. Deadline for the supply: 30 November 1988
19. Procedure for determining the costs of supply⁽⁴⁾: tendering
20. Date of expiry of the period allowed for submission of tenders: 3 August 1988, not later than 12 noon. Tenders shall be valid until 12 midnight on 31 August 1988
21. In the case of a second invitation to tender:
 - (a) deadline for the submission of tenders: 13 September 1988 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 14 September 1988
 - (b) period for making the goods available at the port of shipment: 15 October to 15 November 1988
 - (c) deadline for the supply: 15 December 1988
22. Amount of the tendering security: 15 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 Bruxelles, Telex: AGREC 22037 B
25. Refund payable on request by the successful tenderer: —

Notes :

- (1) The operation number is to be quoted in all correspondence.
- (2) Commission delegate to contact by the successful tenderer :
M. Cerini, Chef de la Délégation de la CCE pour l'Amérique Centrale, Centro Colon, Aptdo 836, 1007 San José, Costa Rica, Tél. 33 27 55
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products 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.
The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
— phytosanitary certificate,
— certificate of origin.
- (4) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (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.
-

COMMISSION REGULATION (EEC) No 2526/88
of 11 August 1988
on the supply of common wheat to Djibouti 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 Djibouti, the Commission allocated to the latter country 6 000 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 Djibouti 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, 11 August 1988.

For the Commission

Frans ANDRIESSEN

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⁾: 822/88
2. **Programme**: 1988
3. **Recipient**: Djibouti
4. **Representative of the recipient** ⁽²⁾: Ministre du Commerce, Office National d'Approvisionnement et de Commercialisation (ONAC), boîte postale 79 — Djibouti
5. **Place or country of destination**: Djibouti
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)
Specific characteristics:
— Hagberg falling number: 170 to 220
— minimum specific weight: 78 kg/hl
— moisture content: 13,5 %
8. **Total quantity**: 6 000 tonnes
9. **Number of lots**: two (A: 3 000 tonnes; B: 3 000 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 1e):
'ACTION N° 822/88 / DON DE LA COMMUNAUTÉ ÉCONOMIQUE EUROPÉENNE'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Djibouti
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: A: 15 September to 15 October 1988; B: 1 to 31 December 1988
18. **Deadline for the supply**: A: 7 November 1988; B: 20 January 1989
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 30 August 1988
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 12 noon on 13 September 1988
(b) 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 30 October 1988; B: 1 to 31 December 1988
(c) deadline for the supply: A: 20 November 1988; B: 20 January 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 Bruxelles; 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. Perez Porras, PO Box 2477, Djibouti, Telex 5894 DJ.
 - (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
The radioactivity certificate must indicate the caesium-134 and -137 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 2527/88
of 11 August 1988
on the supply of refined sunflower oil to Somalia 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 30 July 1987 on the supply of food aid to Somalia, the Commission allocated to that country 400 tonnes of refined sunflower oil;

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 refined sunflower oil to Somalia 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, 11 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⁾: 681/88
2. **Programme**: 1987
3. **Recipient**: Somalia
4. **Representative of the recipient** ⁽²⁾: Mr Yussuf Mussa, Ministry of Finance, PO Box 583, Mogadishu, tel. No 216 11, telex No 3612 Somalia
5. **Place or country of destination**: Somalia
6. **Product to be mobilized**: refined sunflower oil
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 III A 2)
8. **Total quantity**: 400 tonnes net
9. **Number of lots**: one
10. **Packaging and marking**:
See list published in *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under III.B):
 - metal cans of five litres or five kilograms
 - the cans must be packed in cartons, with five cans per carton
 - the cans must carry the following wording:
'ACTION No 681/88 / SUNFLOWER OIL / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO THE PEOPLE OF SOMALIA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Mogadishu
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 1 to 31 October 1988
18. **Deadline for the supply**: 15 November 1988
19. **Procedure for determining the costs of supply** ⁽⁴⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 30 August 1988, not later than 12 noon. Tenders shall be valid until 12 midnight on 31 August 1988
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 13 August 1988 not later than 12 noon. Tenders shall be considered valid until 12 midnight on 14 September 1988
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 15 October to 15 November 1988
 - (c) deadline for the supply: 30 November 1988
22. **Amount of the tendering security**: 15 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, rue de la Loi, 200, B-1049 Bruxelles, telex: AGREC 22037 B.
25. **Refund payable on request by the successful tenderer**: —

Notes:

- (¹) The operation number is to be quoted in all correspondence.
 - (²) Commission delegate to be contacted by the successful tenderer:
Mr Chiarini — Via Makka Al Mukkaram No 2 — A6/17 (Km 4, Mogadishu), Tél. 252 - 1 - 21049 ou 211 18. Telex 628 CEC SM (Somalia).
 - (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the products to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
 - (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
 - (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.
-

COMMISSION REGULATION (EEC) No 2528/88
of 11 August 1988
fixing the import levies on milk and milk products

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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 2353/88 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2353/88 to the prices

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

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 16 August 1988.

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

Done at Brussels, 11 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 204, 29. 7. 1988, p. 34.

ANNEX

to the Commission Regulation of 11 August 1988 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0401 10 10		17,63
0401 10 90		16,42
0401 20 11		24,50
0401 20 19		23,29
0401 20 91		30,28
0401 20 99		29,07
0401 30 11		78,31
0401 30 19		77,10
0401 30 31		151,13
0401 30 39		149,92
0401 30 91		254,04
0401 30 99		252,83
0402 10 11		123,28
0402 10 19		116,03
0402 10 91	(¹)	1,1603/kg + 27,50
0402 10 99	(¹)	1,1603/kg + 20,25
0402 21 11		172,15
0402 21 17		164,90
0402 21 19		164,90
0402 21 91		215,79
0402 21 99		208,54
0402 29 11	(¹) (²)	1,6490/kg + 27,50
0402 29 15	(¹)	1,6490/kg + 27,50
0402 29 19	(¹)	1,6490/kg + 20,25
0402 29 91	(¹)	2,0854/kg + 27,50
0402 29 99	(¹)	2,0854/kg + 20,25
0402 91 11		30,88
0402 91 19		30,88
0402 91 31		38,60
0402 91 39		38,60
0402 91 51		151,13
0402 91 59		149,92
0402 91 91		254,04
0402 91 99		252,83
0402 99 11		53,76
0402 99 19		53,76
0402 99 31	(¹)	1,4750/kg + 23,88
0402 99 39	(¹)	1,4750/kg + 22,67
0402 99 91	(¹)	2,5041/kg + 23,88
0402 99 99	(¹)	2,5041/kg + 22,67

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0403 10 11		26,91
0403 10 13		32,69
0403 10 19		80,72
0403 10 31	(¹)	0,2087/kg + 26,29
0403 10 33	(¹)	0,2665/kg + 26,29
0403 10 39	(¹)	0,7468/kg + 26,29
0403 90 11		123,28
0403 90 13		172,15
0403 90 19		215,79
0403 90 31	(¹)	1,1603/kg + 27,50
0403 90 33	(¹)	1,6490/kg + 27,50
0403 90 39	(¹)	2,0854/kg + 27,50
0403 90 51		26,91
0403 90 53		32,69
0403 90 59		80,72
0403 90 61	(¹)	0,2087/kg + 26,29
0403 90 63	(¹)	0,2665/kg + 26,29
0403 90 69	(¹)	0,7468/kg + 26,29
0404 10 11		5,82
0404 10 19	(¹)	0,0582/kg + 20,25
0404 10 91	(²)	0,0582/kg
0404 10 99	(²)	0,0582/kg + 20,25
0404 90 11		123,28
0404 90 13		172,15
0404 90 19		215,79
0404 90 31		123,28
0404 90 33		172,15
0404 90 39		215,79
0404 90 51	(¹)	1,1603/kg + 27,50
0404 90 53	(¹)	1,6490/kg + 27,50
0404 90 59	(¹)	2,0854/kg + 27,50
0404 90 91	(¹)	1,1603/kg + 27,50
0404 90 93	(¹)	1,6490/kg + 27,50
0404 90 99	(¹)	2,0854/kg + 27,50
0405 00 10		262,10
0405 00 90		319,76
0406 10 10		255,34
0406 10 90		304,88
0406 20 10	(³)	374,19
0406 20 90		374,19
0406 30 10	(³)	199,89
0406 30 31	(³)	191,72
0406 30 39	(³)	199,89
0406 30 90	(³)	296,61
0406 40 00	(³)	157,44
0406 90 11	(³)	240,24

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note	Import levy
0406 90 13	(³)	250,05
0406 90 15	(³)	250,05
0406 90 17	(³)	250,05
0406 90 19	(³)	374,19
0406 90 21	(³)	240,24
0406 90 23	(³)	208,16
0406 90 25	(³)	208,16
0406 90 27	(³)	208,16
0406 90 29	(³)	208,16
0406 90 31	(³)	208,16
0406 90 33		208,16
0406 90 35	(³)	208,16
0406 90 37	(³)	208,16
0406 90 39	(³)	208,16
0406 90 50	(³)	208,16
0406 90 61		374,19
0406 90 63		374,19
0406 90 69		374,19
0406 90 71		255,34
0406 90 73		208,16
0406 90 75		208,16
0406 90 77		208,16
0406 90 79		208,16
0406 90 81		208,16
0406 90 83		208,16
0406 90 85		208,16
0406 90 89	(³)	208,16
0406 90 91		255,34
0406 90 93		255,34
0406 90 97		304,88
0406 90 99		304,88
1702 10 90	(⁴)	36,85
2106 90 51		36,85
2309 10 15		89,44
2309 10 19		116,13
2309 10 39		108,90
2309 10 59		90,06
2309 10 70		116,13
2309 90 35		89,44
2309 90 39		116,13
2309 90 49		108,90
2309 90 59		90,06
2309 90 70		116,13

-
- (¹) The levy on 100 kg of product falling within this subheading is equal to the sum of the following :
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product ; and
 - (b) the other amount indicated.
- (²) The levy on 100 kg of product falling within this subheading is equal to :
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (³) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (⁴) Lactose and lactose syrup falling within subheading 1702 10 10 are subject, pursuant to Regulation (EEC) No 2730/75, to the same levy as that applicable to lactose falling within subheading 1702 10 90.
-

COMMISSION REGULATION (EEC) No 2529/88
of 11 August 1988
fixing the export refunds on milk and milk products

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 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 17 (5) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,

- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 3812/85 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 3.

Whereas, for products falling within subheadings ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93 of the combined nomenclature, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within headings 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than 140 ECU/100 kg;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as amended by Regulation (EEC) No 2881/84⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

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

Whereas, pursuant to Article 275 of the Act of Accession of Spain and Portugal, refunds may be granted in the case of exports to Portugal; whereas, in the light of the situation and the level of prices no refund should be fixed in the case of exports to Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within heading Nos 0401, 0402, 0403, 0404, 0405 and 2309 of the combined nomenclature.
3. There shall be no refunds for exports to Portugal, including the Azores and Madeira for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 12 August 1988.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 272, 13. 10. 1984, p. 16.

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

Done at Brussels, 11 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 August 1988 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0401 10 10 000		7,27
0401 10 90 000		7,27
0401 20 11 100		7,27
0401 20 11 500		10,98
0401 20 19 100		7,27
0401 20 19 500		10,98
0401 20 91 100		14,45
0401 20 91 500		16,77
0401 20 99 100		14,45
0401 20 99 500		16,77
0401 30 11 100		21,40
0401 30 11 400		32,75
0401 30 11 700		48,96
0401 30 19 100		21,40
0401 30 19 400		32,75
0401 30 19 700		48,96
0401 30 31 100		58,22
0401 30 31 400		90,64
0401 30 31 700		99,90
0401 30 39 100		58,22
0401 30 39 400		90,64
0401 30 39 700		99,90
0401 30 91 100		113,80
0401 30 91 400		167,06
0401 30 91 700		194,85
0401 30 99 100		113,80
0401 30 99 400		167,06
0401 30 99 700		194,85
0402 10 11 000		80,00
0402 10 19 000		80,00
0402 10 91 000		0,8000
0402 10 99 000		0,8000
0402 21 11 200		80,00
0402 21 11 300		111,73
0402 21 11 500		119,30
0402 21 11 900		130,00
0402 21 17 000		80,00
0402 21 19 300		111,73
0402 21 19 500		119,30
0402 21 19 900		130,00
0402 21 91 100		131,15
0402 21 91 200		132,24
0402 21 91 300		134,24
0402 21 91 400		145,96
0402 21 91 500		149,95
0402 21 91 600		165,09
0402 21 91 700		174,30
0402 21 91 900		184,46
0402 21 99 100		131,15

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 21 99 200		132,24
0402 21 99 300		134,24
0402 21 99 400		145,96
0402 21 99 500		149,95
0402 21 99 600		165,09
0402 21 99 700		174,30
0402 21 99 900		184,46
0402 29 15 200		0,8000
0402 29 15 300		1,1173
0402 29 15 500		1,1930
0402 29 15 900		1,3000
0402 29 19 200		0,8000
0402 29 19 300		1,1173
0402 29 19 500		1,1930
0402 29 19 900		1,3000
0402 29 91 100		1,3115
0402 29 91 500		1,4596
0402 29 99 100		1,3115
0402 29 99 500		1,4596
0402 91 11 110		7,27
0402 91 11 120		14,45
0402 91 11 310		21,66
0402 91 11 350		27,37
0402 91 11 370		34,27
0402 91 19 110		7,27
0402 91 19 120		14,45
0402 91 19 310		21,66
0402 91 19 350		27,37
0402 91 19 370		34,27
0402 91 31 100		28,11
0402 91 31 300		40,50
0402 91 39 100		28,11
0402 91 39 300		40,50
0402 91 51 000		32,75
0402 91 59 000		32,75
0402 91 91 000		113,80
0402 91 99 000		113,80
0402 99 11 110		0,0727
0402 99 11 130		0,1445
0402 99 11 150		0,2242
0402 99 11 310		24,99
0402 99 11 330		30,81
0402 99 11 350		42,21
0402 99 19 110		0,0727
0402 99 19 130		0,1445
0402 99 19 150		0,2242
0402 99 19 310		24,99
0402 99 19 330		30,81
0402 99 19 350		42,21
0402 99 31 110		0,3043
0402 99 31 150		44,09
0402 99 31 300		0,5822
0402 99 31 500		0,9990
0402 99 39 110		0,3043
0402 99 39 150		44,09
0402 99 39 300		0,5822

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0402 99 39 500		0,9990
0402 99 91 000		1,1380
0402 99 99 000		1,1380
0403 10 11 100		7,27
0403 10 11 300		10,98
0403 10 13 000		14,45
0403 10 19 000		21,40
0403 10 31 100		0,0727
0403 10 31 300		0,1098
0403 10 33 000		0,1445
0403 10 39 000		0,2140
0403 90 11 000		80,00
0403 90 13 000		80,00
0403 90 19 000		131,15
0403 90 31 000		0,8000
0403 90 33 000		0,8000
0403 90 39 000		1,3115
0403 90 51 100		7,27
0403 90 51 300		10,98
0403 90 53 000		14,45
0403 90 59 110		21,40
0403 90 59 140		32,75
0403 90 59 170		48,96
0403 90 59 310		58,22
0403 90 59 340		90,64
0403 90 59 370		99,90
0403 90 59 510		113,80
0403 90 59 540		167,06
0403 90 59 570		194,85
0403 90 61 100		0,0727
0403 90 61 300		0,1098
0403 90 63 000		0,1445
0403 90 69 000		0,2140
0404 90 11 100		80,00
0404 90 11 910		7,27
0404 90 11 950		21,66
0404 90 13 120		80,00
0404 90 13 130		111,73
0404 90 13 140		119,30
0404 90 13 150		130,00
0404 90 13 911		7,27
0404 90 13 913		14,45
0404 90 13 915		21,40
0404 90 13 917		32,75
0404 90 13 919		48,96
0404 90 13 931		21,66
0404 90 13 933		27,37
0404 90 13 935		34,27
0404 90 13 937		40,50
0404 90 13 939		42,40
0404 90 19 110		131,15
0404 90 19 115		132,24
0404 90 19 120		134,24
0404 90 19 130		145,96
0404 90 19 135		149,95

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 19 150		165,09
0404 90 19 160		174,30
0404 90 19 180		184,46
0404 90 19 900		—
0404 90 31 100		80,00
0404 90 31 910		7,27
0404 90 31 950		21,66
0404 90 33 120		80,00
0404 90 33 130		111,73
0404 90 33 140		119,30
0404 90 33 150		130,00
0404 90 33 911		7,27
0404 90 33 913		14,45
0404 90 33 915		21,40
0404 90 33 917		32,75
0404 90 33 919		48,96
0404 90 33 931		21,66
0404 90 33 933		27,37
0404 90 33 935		34,27
0404 90 33 937		40,50
0404 90 33 939		42,40
0404 90 39 110		131,15
0404 90 39 115		132,24
0404 90 39 120		134,24
0404 90 39 130		145,96
0404 90 39 150		149,95
0404 90 39 900		—
0404 90 51 100		0,8000
0404 90 51 910		0,0727
0404 90 51 950		24,99
0404 90 53 110		0,8000
0404 90 53 130		1,1173
0404 90 53 150		1,1930
0404 90 53 170		1,3000
0404 90 53 911		0,0727
0404 90 53 913		0,1445
0404 90 53 915		0,2140
0404 90 53 917		0,3275
0404 90 53 919		0,4896
0404 90 53 931		24,99
0404 90 53 933		30,81
0404 90 53 935		42,21
0404 90 53 937		44,09
0404 90 53 939		—
0404 90 59 130		1,3115
0404 90 59 150		1,4596
0404 90 59 930		0,6980
0404 90 59 950		0,9990
0404 90 59 990		1,1380
0404 90 91 100		0,8000
0404 90 91 910		0,0727
0404 90 91 950		24,99
0404 90 93 110		0,8000
0404 90 93 130		1,1173
0404 90 93 150		1,1930

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,3000
0404 90 93 911		0,0727
0404 90 93 913		0,1445
0404 90 93 915		0,2140
0404 90 93 917		0,3275
0404 90 93 919		0,4896
0404 90 93 931		24,99
0404 90 93 933		30,81
0404 90 93 935		42,21
0404 90 93 937		44,09
0404 90 93 939		—
0404 90 99 130		1,3115
0404 90 99 150		1,4596
0404 90 99 930		0,6980
0404 90 99 950		0,9990
0404 90 99 990		1,1380
0405 00 10 100		—
0405 00 10 200		157,27
0405 00 10 300		197,85
0405 00 10 500		202,93
0405 00 10 700		208,00
0405 00 90 100		208,00
0405 00 90 900		258,50
0406 10 10 000		—
0406 10 90 000		—
0406 20 90 100		—
0406 20 90 913	028	—
	032	—
	400	66,34
	404	—
	...	91,14
0406 20 90 915	028	—
	032	—
	400	88,45
	404	—
	...	121,52
0406 20 90 917	028	—
	032	—
	400	93,98
	404	—
	...	129,12
0406 20 90 919	028	—
	032	—
	400	105,04
	404	—
	...	144,31
0406 20 90 990		—
0406 30 31 100		—
0406 30 31 300	028	—
	032	—
	036	—
	038	—
	400	10,79
	404	—
	...	24,52

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 31 500	028	—
	032	—
	036	—
	038	—
	400	23,43
	404	—
	...	53,27
0406 30 31 710	028	—
	032	—
	036	—
	038	—
	400	23,43
	404	—
	...	53,27
0406 30 31 730	028	—
	032	—
	036	—
	038	—
	400	34,40
	404	—
	...	78,21
0406 30 31 910	028	—
	032	—
	036	—
	038	—
	400	23,43
	404	—
	...	53,27
0406 30 31 930	028	—
	032	—
	036	—
	038	—
	400	34,40
	404	—
	...	78,21
0406 30 31 950	028	—
	032	—
	036	—
	038	—
	400	50,09
	404	—
	...	113,89
0406 30 39 100		—
0406 30 39 300	028	—
	032	—
	036	—
	038	—
	400	23,43
	404	20,00
	...	53,27

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 30 39 500	028	—
	032	—
	036	—
	038	—
	400	34,40
	404	28,00
	...	78,21
0406 30 39 700	028	—
	032	—
	036	—
	038	—
	400	50,09
	404	—
	...	113,89
0406 30 39 930	028	—
	032	—
	036	—
	038	—
	400	50,09
	404	—
	...	113,89
0406 30 39 950	028	—
	032	—
	036	—
	038	—
	400	61,14
	404	—
	...	139,01
0406 30 90 000	028	—
	032	—
	036	—
	038	—
	400	61,14
	404	—
	...	139,01
0406 40 00 100	—	—
0406 40 00 900	028	—
	032	—
	038	—
	400	65,00
	404	—
	...	131,51
0406 90 13 000	028	—
	032	—
	036	—
	038	—
	400	77,00
	404	—
	...	170,00
0406 90 15 100	028	—
	032	—
	036	—
	038	—
	400	77,00
	404	—
	...	170,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 15 900		—
0406 90 17 100	028	—
	032	—
	036	—
	038	—
	400	77,00
	404	—
	...	170,00
0406 90 17 900		—
0406 90 21 100		—
0406 90 21 900	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	164,68
0406 90 23 100		—
0406 90 23 900	028	—
	032	—
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 25 100		—
0406 90 25 900	028	—
	032	—
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 27 100		—
0406 90 27 900	028	—
	032	—
	036	—
	038	—
	400	38,00
	404	—
	...	119,71
0406 90 31 111		—
0406 90 31 119	028	—
	032	—
	036	—
	038	15,00
	400	43,25
	404	16,00
	...	98,35

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 31 151	028	—
	032	—
	036	—
	038	—
	400	40,43
	404	14,96
	...	91,94
0406 90 31 159		—
0406 90 31 900		—
0406 90 33 111		—
0406 90 33 119	028	—
	032	—
	036	—
	038	15,00
	400	43,25
	404	16,00
	...	98,35
0406 90 33 151	028	—
	032	—
	036	—
	038	—
	400	40,43
	404	14,96
	...	91,94
0406 90 33 159		—
0406 90 33 911		—
0406 90 33 919	028	—
	032	—
	036	—
	038	15,00
	400	43,25
	404	16,00
	...	98,35
0406 90 33 951	028	—
	032	—
	036	—
	038	—
	400	40,43
	404	14,96
	...	91,94
0406 90 33 959		—
0406 90 35 110		—

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 35 190	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54
0406 90 35 910		—
0406 90 35 990	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	139,37
0406 90 61 000	028	—
	032	—
	036	90,00
	400	170,00
	404	140,00
	...	200,06
0406 90 63 100	028	—
	032	—
	036	105,03
	400	220,00
	404	160,00
	...	227,18
0406 90 63 900	028	—
	032	—
	036	70,00
	400	130,00
	404	80,00
	...	180,06
0406 90 69 100		—
0406 90 69 910	028	—
	032	—
	036	70,00
	400	130,00
	404	80,00
	...	180,06
0406 90 69 990		—
0406 90 71 100		—
0406 90 71 930	028	13,50
	032	13,50
	036	—
	038	—
	400	28,86
	404	—
	...	96,12

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 71 950	028	20,00
	032	20,00
	036	—
	038	—
	400	31,83
	404	—
	...	105,98
0406 90 71 970	028	24,00
	032	24,00
	036	—
	038	—
	400	36,17
	404	—
	...	120,44
0406 90 71 991	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	139,37
0406 90 71 995	028	27,50
	032	27,50
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 71 999		—
0406 90 73 100		—
0406 90 73 900	028	—
	032	—
	036	42,66
	400	160,00
	404	120,00
	...	163,54
0406 90 75 100		—
0406 90 75 900	028	—
	032	—
	036	—
	400	40,00
	404	—
	...	138,50
0406 90 77 100	028	24,00
	032	24,00
	036	—
	038	—
	400	36,17
	404	—
	...	120,44

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 77 300	028	—
	032	—
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 77 500	028	—
	032	—
	036	—
	038	—
	400	50,00
	404	—
	...	148,00
0406 90 79 100		—
0406 90 79 900	028	—
	032	—
	036	—
	038	—
	400	38,00
	404	—
	...	119,71
0406 90 81 100		—
0406 90 81 900	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	139,37
0406 90 83 100		—
0406 90 83 910		—
0406 90 83 950	028	—
	032	—
	400	26,27
	404	—
	...	53,75
0406 90 83 990	028	—
	032	—
	400	26,27
	404	—
	...	53,75
0406 90 85 100		—
0406 90 85 910	028	—
	032	—
	036	42,67
	400	160,00
	404	90,00
	...	163,54

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 85 991	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	139,37
0406 90 85 995	028	27,50
	032	27,50
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 85 999		—
0406 90 89 100	028	13,50
	032	13,50
	036	—
	038	—
	400	28,86
	404	—
	...	96,12
0406 90 89 200	028	20,00
	032	20,00
	036	—
	038	—
	400	31,83
	404	—
	...	105,98
0406 90 89 300	028	24,00
	032	24,00
	036	—
	038	—
	400	36,17
	404	—
	...	120,44
0406 90 89 910		—
0406 90 89 951	028	—
	032	—
	036	42,66
	400	160,00
	404	90,00
	...	163,54
0406 90 89 959	028	—
	032	—
	036	—
	038	—
	400	70,00
	404	—
	...	139,37

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
0406 90 89 971	028	27,50
	032	27,50
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 89 972	028	—
	032	—
	400	26,27
	404	—
	...	53,75
0406 90 89 979	028	27,50
	032	27,50
	036	—
	038	—
	400	40,00
	404	—
	...	148,00
0406 90 89 990		—
0406 90 91 100		—
0406 90 91 300	028	—
	032	—
	036	—
	038	—
	400	18,09
	404	—
	...	22,63
0406 90 91 510	028	—
	032	—
	036	—
	038	—
	400	31,72
	404	—
	...	39,67
0406 90 91 550	028	—
	032	—
	036	—
	038	—
	400	38,62
	404	—
	...	48,30
0406 90 91 900		—
0406 90 93 000		—
0406 90 97 000		—
0406 90 99 000		—
2309 10 15 010		—
2309 10 15 100		—
2309 10 15 200		3,00
2309 10 15 300		4,00
2309 10 15 400		5,00
2309 10 15 500		6,00
2309 10 15 700		7,00

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund
2309 10 15 900		—
2309 10 19 010		—
2309 10 19 100		—
2309 10 19 200		3,00
2309 10 19 300		4,00
2309 10 19 400		5,00
2309 10 19 500		6,00
2309 10 19 600		7,00
2309 10 19 700		7,50
2309 10 19 800		8,00
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		24,00
2309 10 70 200		32,00
2309 10 70 300		40,00
2309 10 70 500		48,00
2309 10 70 600		56,00
2309 10 70 700		64,00
2309 10 70 800		70,40
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		3,00
2309 90 35 300		4,00
2309 90 35 400		5,00
2309 90 35 500		6,00
2309 90 35 700		7,00
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		3,00
2309 90 39 300		4,00
2309 90 39 400		5,00
2309 90 39 500		6,00
2309 90 39 600		7,00
2309 90 39 700		7,50
2309 90 39 800		8,00
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		24,00
2309 90 70 200		32,00
2309 90 70 300		40,00
2309 90 70 500		48,00
2309 90 70 600		56,00
2309 90 70 700		64,00
2309 90 70 800		70,40
2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Regulation (EEC) No 3639/86 (OJ No L 336, 29. 11. 1986, p. 46).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2) and (3).

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

COMMISSION REGULATION (EEC) No 2530/88

of 11 August 1988

amending for the sixth time 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 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,Whereas Commission Regulation (EEC) No 1965/88 of 4 July 1988⁽³⁾, as last amended by Regulation (EEC) No 2482/88⁽⁴⁾, 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, '35,98' ECU is hereby replaced by '21,51' ECU.

Article 2

This Regulation shall enter into force on 12 August 1988.

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

Done at Brussels, 11 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, p. 1.⁽³⁾ OJ No L 173, 5. 7. 1988, p. 12.⁽⁴⁾ OJ No L 213, 6. 8. 1988, p. 43.

COMMISSION REGULATION (EEC) No 2531/88
of 11 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 2501/88 ⁽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 12 August 1988.

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

Done at Brussels, 11 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 219, 10. 8. 1988, p. 9.

ANNEX

to the Commission Regulation of 11 August 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	31,78 ⁽¹⁾
1701 11 90	31,78 ⁽¹⁾
1701 12 10	31,78 ⁽¹⁾
1701 12 90	31,78 ⁽¹⁾
1701 91 00	43,05
1701 99 10	43,05
1701 99 90	43,05 ⁽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 2532/88

of 11 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 2520/88 ⁽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 12 August 1988.

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

Done at Brussels, 11 August 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 220, 11. 8. 1988, p. 27.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 211, 4. 8. 1988, p. 8.

⁽⁴⁾ OJ No L 220, 11. 8. 1988, p. 27.

ANNEX I

to the Commission Regulation of 11 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	29,84 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	33,35 ⁽¹⁾	
1701 12 90 910	29,84 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3625
1701 99 10 100	36,25	
1701 99 10 910	36,79 ⁽³⁾	
1701 99 10 950	31,95	
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.

COMMISSION REGULATION (EEC) No 2533/88

of 11 August 1988

fixing 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 fourth subparagraph
of Article 16 (2),

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75
provides that the difference between quotations or prices
on the world market for the products listed in Article 1 of
that Regulation and prices for those products in the
Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No
2746/75 of 29 October 1975 laying down general rules for
granting export refunds on cereals and criteria for fixing
the amount of such refunds⁽³⁾, provides that when
refunds are being fixed, account must be taken of the
existing situation and the future trend with regard to
prices and availabilities of cereals on the Community
market on the one hand, and prices for cereals and cereal
products on the world market on the other; whereas the
same Article provides that it is also important to ensure
equilibrium and the natural development of prices and
trade on cereal markets and, furthermore, to take into
account the economic aspect of the proposed exports and
the need to avoid disturbances on the Community
market;

Whereas Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account when
the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat
and rye flour, groats and meal are concerned, in Article 4
of Regulation (EEC) No 2746/75; whereas furthermore,
when the refund on these products is being calculated,

account must be taken of the quantities of cereals
required for their manufacture; whereas these quantities
were fixed in Commission Regulation No 162/67/EEC⁽⁴⁾,
as amended by Regulation (EEC) No 1607/71⁽⁵⁾;

Whereas the world market situation or the specific
requirements of certain markets may make it necessary to
vary the refund for certain products according to destina-
tion;

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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

- in the case of currencies which are maintained in rela-
tion 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 Regula-
tion (EEC) No 1676/85⁽⁶⁾, as last amended by Regula-
tion (EEC) No 1636/87⁽⁷⁾;
- for other currencies, an exchange rate based on the
arithmetic mean of the spot market rates of each of
these currencies recorded over a given period in rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set
out above to the present situation on the market in
cereals, and in particular to quotations or prices for these
products within the Community and on the world
market, that the refunds should be as set out in the
Annex hereto;

Whereas, pursuant to Article 275 of the Act of Accession
of Spain and Portugal, refunds may be granted in the case
of exports to Portugal; whereas, in the light of the situa-
tion and the level of prices no refund should be fixed in
the case of exports to Portugal;

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

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, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 August 1988.

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

Done at Brussels, 11 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 August 1988 fixing 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	15,00
	08	11,00
	06	14,00
	02	10,00
1002 00 00 000	03	36,00
	06	35,00
	02	15,00
1003 00 10 000	02	0
1003 00 90 000	03	15,00
	07	11,00
	02	10,00
1004 00 10 000	02	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	35,00
	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	05	200,00
	02	160,00
1103 11 10 200	05	200,00
	02	152,00
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 2534/88

of 11 August 1988

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas 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 amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure;

Whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁷⁾, as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,
- 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 preceding indent and the aforesaid coefficient;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

Whereas, following the introduction of the combined nomenclature by Council Regulation (EEC) No 2658/87 ⁽¹⁾, the nomenclature applicable from 1 January 1988 to export refunds on agricultural products was established by Regulation (EEC) No 3846/87 ⁽²⁾;

it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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 corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 August 1988.

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

Done at Brussels, 11 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 366, 24. 12. 1987, p. 1.

ANNEX

to the Commission Regulation of 11 August 1988 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

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

(1) For the following destinations:

01 All third countries.

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).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 1 July 1988

amending Decision 87/492/EEC recognizing certain parts of the territory of the Netherlands as being officially swine fever free

(Only the Dutch text is authentic)

(88/455/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 80/1095/EEC of 11 November 1980 laying down conditions designed to render and keep the territory of the Community free from classical swine fever⁽¹⁾, as last amended by Directive 87/487/EEC⁽²⁾, and in particular Article 7 (2) thereof,

Having regard to Commission Decision 82/194/EEC of 12 March 1982 approving the plan for the accelerated eradication of classical swine fever presented by the Kingdom of the Netherlands⁽³⁾,

Whereas, following a favourable development in the disease situation, the Commission adopted Decision 87/492/EEC⁽⁴⁾, as amended by Decision 88/153/EEC⁽⁵⁾, recognizing certain parts of the territory of the Netherlands as officially swine fever free;

Whereas an additional region now also fulfills the conditions as laid down in Article 7 of Directive 80/1095/EEC, and, consequently, may be recognized as officially swine fever free;

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 following region is added to the Annex to Decision 87/492/EEC:

— Limburg.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 1 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 325, 1. 12. 1980, p. 1.

⁽²⁾ OJ No L 280, 3. 10. 1987, p. 24.

⁽³⁾ OJ No L 89, 3. 4. 1982, p. 30.

⁽⁴⁾ OJ No L 283, 6. 10. 1987, p. 12.

⁽⁵⁾ OJ No L 71, 17. 3. 1988, p. 50.

COMMISSION DECISION

of 1 July 1988

on the improvement of the efficiency of agricultural structures in Ireland
pursuant to Council Regulation (EEC) No 797/85

(Only the English text is authentic)

(88/456/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures ⁽¹⁾, at last amended by Regulation (EEC) No 1760/87 ⁽²⁾, and in particular Article 25 thereof,

Whereas, pursuant to Article 24 (4) of Regulation (EEC) No 797/85, the Irish Government has notified the following provisions :

- 1987 Disadvantaged Areas Scheme (Compensatory Allowances),
- 1987 Disadvantaged Areas Scheme (Compensatory Allowances in respect of forestry);

Whereas, under Article 25 (3) of Regulation (EEC) No 797/85, the Commission has to decide whether the conditions for a financial contribution by the Community to the common measure referred to in Article 1 of Regulation (EEC) No 797/85 are satisfied, in the light of the compatibility of the said provisions with the abovementioned Regulation and bearing in mind the objectives of the latter and the need to ensure that the various measures are properly related;

Whereas, subject to the above remarks, the conditions and objectives of Regulation (EEC) No 797/85 are satisfied by the abovementioned provisions;

Whereas modulation of the compensatory allowance such as provided for in the provisions notified may encourage intensification of production;

Whereas Regulation (EEC) No 1760/87 aims at adapting the measures provided for in Regulation (EEC) No 797/85 to make them compatible with the objectives pursued by

the reform of the CAP by introducing measures aimed at reducing and extensifying production;

Whereas for 1988 Ireland will have to amend the rules for applying the compensatory allowance in order to bring them into line with the objectives pursued by the reform of the CAP;

Whereas the European Agricultural Guidance and Guarantee Fund (EAGGF) Committee has been consulted on the financial aspects;

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

The provisions adopted in Ireland with a view to implementing Title III of Regulation (EEC) No 797/85 satisfy the conditions for a financial contribution by the Community towards the common measure referred to in Article 1 of the said Regulation, provided that for 1988 Ireland amends the rules for applying the compensatory allowance to bring them into line with the objectives pursued by the reform of the CAP.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 1 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 1.

COMMISSION DECISION

of 1 July 1988

approving an amendment to the agricultural development programme for the less-favoured areas of Northern Ireland pursuant to Regulation (EEC) No 1942/81

(Only the English text is authentic)

(88/457/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1942/81 of 30 June 1981 for the stimulation of agricultural development in the less-favoured areas of Northern Ireland⁽¹⁾, as last amended by Regulation (EEC) No 3156/87⁽²⁾, and in particular Article 3 (2),

Whereas the Government of the United Kingdom forwarded to the Commission on 24 March 1988 a revised agricultural development programme for the less-favoured areas of Northern Ireland;

Whereas the said programme comprises all the information listed in Article 2 of Regulation (EEC) No 1942/81 which ensures that the objectives of the said Regulation may be achieved;

Whereas the programme provides for a longer duration and a greater total public expenditure than provided for in Regulation (EEC) No 1942/81;

Whereas, nevertheless, the limits as to level of aid respect all the limitations of this Regulation and the restrictions laid down in Council Regulation (EEC) No 797/85 of 12 March 1985 on improving the efficiency of agricultural structures⁽³⁾, as last amended by Regulation (EEC) No 3913/87⁽⁴⁾, and the contribution of European Agricultural Guidance and Guarantee Fund (EAGGF) (Guidance Section) is fixed at 57 million ECU for the duration of the programme;

Whereas in conformity with Article 15 of Regulation (EEC) No 1942/81 it is necessary in agreement with the United Kingdom to fix the manner in which periodic information is to be provided on the progress of the programme; whereas it is therefore appropriate to amend the Commission Decision of 13 July 1982 laying down detailed rules on the periodical provision of information on the progress of the implementation of the programme for the stimulation of agricultural development in the

less-favoured areas pursuant to Council Regulation (EEC) No 1942/81⁽⁵⁾.

Whereas the EAGGF Committee has been consulted on the financial aspects;

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

The amended agricultural development programme for the less-favoured areas of Northern Ireland, communicated by the United Kingdom on 24 March 1988 pursuant to Regulation (EEC) No 1942/81 as amended by Regulation (EEC) No 3156/87, is hereby approved.

Article 2

In addition to the annual information to be supplied pursuant to Commission Decision of 13 July 1982, the United Kingdom shall forward each year the information listed in the Annex to the present Decision.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 1 July 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 197, 20. 7. 1981, p. 17.

⁽²⁾ OJ No L 301, 24. 10. 1987, p. 1.

⁽³⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽⁴⁾ OJ No L 369, 29. 12. 1987, p. 2.

⁽⁵⁾ C(82) 571 unpublished.

ANNEX**Application of Regulation (EEC) No 1942/81****Stimulation of agricultural development in the less-favoured areas of Northern Ireland**

Information to be supplied annually before 1 May :

4. Winter feeding and environmental protection**(a) *Storage of silage including appropriate silage effluent tanks***

Number of farmers benefiting from aid.

Capacity of silage storage provided.

Total aid paid.

(b) *Storage of animal wastes*

Number of farmers benefiting from aid.

Capacity of animal waste storage provided.

Total aid paid.

COMMISSION DECISION

of 7 July 1988

on a request from Società Idrocarburi Laziale SpA, Rome, concerning import into Italy of a consignment of styrene monomer originating in the United States of America

(Only the Italian text is authentic)

(88/458/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as amended by Regulation (EEC) No 1761/87⁽²⁾, and in particular Article 16 thereof,

After consultation within the Advisory Committee set up by Regulation (EEC) No 2176/84,

WHEREAS:

A. PROCEDURE

- (1) Council Regulation (EEC) No 1570/81 of 13 June 1981⁽³⁾ imposed a definitive anti-dumping duty of 14,8 % on imports of styrene monomer originating in the United States of America, with the exception of styrene monomer exported by Gulf Oil Chemicals Company.
- (2) On 28 July 1983 SIL (Società Idrocarburi Laziale SpA), Rome, submitted an application to the Italian authorities under Article 15 of Council Regulation (EEC) No 3017/79⁽⁴⁾ for the reimbursement of (...) ⁽⁵⁾, paid in accordance with Regulation (EEC) No 1570/81 as a definitive anti-dumping duty on a consignment of styrene monomer imported from the United States of America. The Italian authorities forwarded the request to the Commission, ruling it admissible but not expressing an opinion as to its merits.
- (3) The applicant company was informed of the main facts and considerations on which the Commission planned to base its Decision, and had the

opportunity to make comments on them. The arguments which it put forward and the additional documents which it supplied were duly taken into consideration before this Decision was reached.

- (4) The Commission informed the Member States and gave them its opinion.

(No Member State expressed disagreement with the Commission's opinion.)

B. ADMISSIBILITY

- (5) Before examining the merits of the application, the Commission investigated whether it had been made in accordance with the relevant provisions of Community anti-dumping legislation, in particular as regards the time limits.

The application by SIL was submitted on 28 July 1983 on the basis of Article 15 of the anti-dumping legislation then in force, Regulation (EEC) No 3017/79. This was repealed and replaced by Regulation (EEC) No 2176/84, which entered into force on 1 August 1984 and also applies to proceedings already initiated (Article 19).

The admissibility of the application was therefore examined in accordance with the provisions of Article 16 of Regulation (EEC) No 2176/84, in particular paragraph 2:

'... the importer shall submit an application (...) within three months of the date on which the amount of the definitive duties to be levied was duly determined by the competent authorities (...)'.

- (6) The complex circumstances of the import transaction in question made it necessary to examine the facts in the light of Council Directive 79/623/EEC of 25 June 1979 on the harmonization of provisions laid down by law, regulation or administrative action relating to customs debt⁽⁶⁾ and Council Directive 79/695/EEC of 24 July 1979 on the harmonization of procedures for the release of goods for free circulation⁽⁷⁾.

⁽¹⁾ OJ No L 201, 30. 7. 1984, p. 1.

⁽²⁾ OJ No L 167, 26. 6. 1987, p. 9.

⁽³⁾ OJ No L 154, 13. 6. 1981, p. 10.

⁽⁴⁾ OJ No L 339, 31. 12. 1979, p. 1.

⁽⁵⁾ In the published text of this Decision, some figures have been omitted in accordance with the provisions on commercial confidentiality contained in Article 8 of Council Regulation (EEC) No 2176/84.

⁽⁶⁾ OJ No L 179, 17. 7. 1979, p. 31.

⁽⁷⁾ OJ No L 205, 13. 8. 1979, p. 19.

- (7) Under the relevant provisions of Community anti-dumping and customs legislation, and having regard to standard customs practice, the application by SIL for reimbursement is held to be admissible.

C. THE APPLICANT'S CASE

- (8) SIL argues that the consignment of styrene in question was not dumped by the exporter, Asoma Chemicals (Boston); alternatively, if dumping did take place, it was by a considerably smaller margin than the amount of the anti-dumping duty actually levied.
- (9) Although the consignment of styrene in question was exported by Asoma Chemicals, it was not produced by that company, which has no production unit, but by Gulf Oil Chemicals, Houston, under a contract by which Gulf Oil Chemicals processed benzine and ethylene into styrene for Asoma. The consignment was exported on 3 January 1983 by Asoma Chemicals to SIL's plant at Porto Torres, Italy, and imported by Oxyde BV, Amsterdam, an importer associated with Asoma Chemicals within the Lissauer Group, New York.

SIL's arguments concern the determination of normal value and export price; according to SIL, Asoma Chemicals and Oxyde BV are linked by an association within the meaning of Article 2 (8) (b) of Regulation (EEC) No 2176/84, whereas Asoma Chemicals is in no way linked with the manufacturers, including Gulf Oil Chemicals, with which it enters into processing contracts.

Normal value

- (10) As the Lissauer Group, of which Asoma is part, is a consumer rather than a seller of styrene monomer on the United States market, SIL points out that it is not possible to determine normal value on the basis of the exporter's sales on its domestic market.

The applicant therefore proposed two methods for calculating normal value:

- one would be to construct normal value by adding to the exporter's costs under its processing contracts with various manufacturers a 'reasonable' amount for sales, administrative and other general costs, and a 'reasonable' profit margin;
- the other would be to determine normal value on the basis of Asoma Chemicals' exports to countries other than the Member States of the Community.

Export price

- (11) Since Asoma Chemicals and Oxyde BV are associated within the Lissauer Group, SIL points out that under Article 2 (8) (b) of Regulation (EEC) No 2176/84 the export price should be constructed on the basis of the price at which the imported product was first resold to an independent buyer, in other words SIL itself.

D. MERITS

(a) *Determination of normal value*

- (12) Asoma Chemicals has sold no styrene monomer on the United States market, since the Lissauer Group is a consumer and not a seller of styrene on that market.

According to the applicant, the normal value must therefore be determined, in accordance with Regulation (EEC) No 2176/84, on the basis of the constructed value arrived at by adding together the cost of production and a reasonable margin of profit (Article 2 (3) (b) (ii)), or on the basis of prices of exports to a third country (Article 2 (3) (b) (i)).

Constructed normal value

- (13) In this connection the applicant puts forward three calculations adding up the costs incurred by the exporter (Asoma) under its processing contracts with various manufacturers.
- (a) The Commission noted that the consignment of styrene specified in the application (approximately 3 000 tonnes) was manufactured on commission by Gulf Oil Chemicals Company under a contract for a total of 15 000 tonnes, the Asoma/Gulf Contract TP-8988 of 18 September 1982. An annex to this contract specifies that 'Styrene monomer must be lifted for export. No other restriction as to destination or use'. Asoma was therefore forbidden to sell on the United States market the product manufactured by its supplier.
- (b) SIL puts forward two other calculations of constructed value. Both concern consignments manufactured on commission by El Paso Chemicals Company under contract TP-1262 Asoma/El Paso of 21 January 1983 for a total of about 20 000 tonnes; in one case the benzine was supplied by Asoma and in the other by El Paso.

In both cases the goods were, according to SIL, used by Asoma for international consumption (captive use).

It is clear to the Commission that the terms of contract TP-1262 between Asoma and El Paso are not strictly relevant in determining the constructed value, since that contract concerns a supplier other than Gulf Oil, the manufacturer of the consignment under consideration; there is no reason to suppose that the cost structure and pricing policies of El Paso and Gulf Oil are identical, in particular as regards commission processing contracts.

It should be noted, however, that a common feature of the processing contracts between Asoma and its suppliers of styrene is that they in practice forbid the sale on the United States market of the styrene obtained. Asoma is therefore in no way in competition with its suppliers on the United States market.

- (14) In these circumstances, given in particular the compulsory export clause in the contract between Asoma and its supplier Gulf Oil, we have to consider, when constructing the normal value, whether a figure based solely on the costs incurred by the exporter under processing contracts with various producers is a 'cost of production' as defined in Article 2 (3) (b) (ii) of Regulation (EEC) No 2176/84 computed on the basis of all costs of materials and manufacture, both fixed and variable, in the ordinary course of trade in the country of origin.

- (a) The first point to be determined is whether the costs indicated by the applicant refer to 'the ordinary course of trade ... in the country of origin'.

Contrary to the applicant's assertion the question is not whether Asoma and its supplier or suppliers appear to be associated or have concluded a compensation deal nor whether a processing arrangement is or is not 'in the ordinary course of trade' on the United States market for the product in question.

However, the fact that Asoma does not as a matter of course sell styrene monomer on the United States market, and in particular its explicit acceptance of the contractual prohibition referred to above, lead the Commission to doubt the representative nature of the conversion prices put forward by the applicant, and therefore to reject them as a basis for calculation.

It may reasonably be assumed that there is a link between the price conditions in the

processing arrangements agreed by Asoma's suppliers — indeed the very existence of these arrangements — and the fact that Asoma refrains, whether by contractual commitment or simply *de facto*, from selling the styrene obtained on the open market in the United States.

The Commission therefore called on SIL to show that Asoma's suppliers, in particular Gulf Oil, were willing to conclude processing arrangements on price conditions comparable to those offered to Asoma with producers who were present on the United States styrene market.

SIL was unable to provide such evidence though given time to do so. The Commission itself applied to a United States manufacturer for information, but the request was not answered. The contracts submitted by the applicant, referred to in point 12, did not convince the Commission that the conversion prices agreed between Asoma and its various suppliers were 'in the ordinary course of trade' on the United States market.

As a result, simply adding up the costs incurred by Asoma under its processing arrangements, whether with Gulf Oil or with El Paso, does not meet the definition of production costs in the ordinary course of trade laid down in Article 2 (3) (b) (ii) of Regulation 2176/84.

- (b) Clearly, then, the total costs incurred by Asoma, which the applicants themselves admit was not the manufacturer of the product, had no production unit and therefore no fixed production costs to meet, cannot be taken to reflect the full cost of production, since they do not include fixed costs and are based on a processing price which, as we have seen, was not representative.

- (15) In any case, the constructed value must be 'determined by adding cost of production and a reasonable margin of profit. The cost of production shall be computed on the basis of all costs ... of materials and manufacture, plus a reasonable amount for selling, administrative and other general expenses'.

According to the applicant, Asoma's margin to cover selling, administrative and other general expenses and profit was only 1,01 % of the constructed cost of production. The Commission is not convinced, in the light of its experience of

anti-dumping investigations concerning United States chemical products, that this margin is realistic or reasonable. Had the Commission been able to use the method proposed by the applicant, it would have been bound to allow for a higher profit margin.

- (16) The analysis set out in paragraphs 13 and 14 leaves the Commission no alternative but to reject the method suggested by the applicant for constructing normal value, which does not comply with the definition laid down in Article 2 (3) (b) (ii) of Regulation (EEC) No 2176/84.

Normal value on the basis of selling prices on export to a third country

- (17) Failing a constructed value, the applicant proposed that normal value be determined on the basis of Asoma's exports to countries not members of the European Economic Community.

Unfortunately, it is likely that these prices also reflect dumping. Since the firm in question, Asoma, has no production unit it is clear that all its exports consist of styrene supplied by companies, in particular Gulf Oil and El Paso, working to contract under processing arrangements comparable to those referred to in paragraphs 13 and 14.

As these processing arrangements are not, in this case, 'in the ordinary course of trade ... in the country of origin', the Commission cannot determine normal value on the basis of Asoma's exports to a third country, since the prices charged in these export transactions may be less than domestic selling prices in the ordinary course of trade.

- (18) The Commission is not, therefore, convinced that a normal value determined on the basis of Asoma's selling price on export to third countries could be taken as representative.

Normal value determined on the basis of domestic sales

- (19) Since Asoma does not sell styrene on the United States market and the two alternatives for normal values suggested by the applicant are not acceptable, the Commission considers that, for the purposes of this application, normal value for Asoma should be determined in the light of the method used in the anti-dumping proceeding

leading to the imposition of a definitive duty by Regulation (EEC) No 1570/81. For the purposes of that proceeding, in 1980 and 1981, 'the Commission used as the normal value the domestic prices on the United States market; (...) for those exports to the Community for which the Commission was able to identify the producer, the latter's weighted average ex-factory price for sales to unrelated customers was taken; (...) in all other cases the Commission took the overall weighted ex-factory price for sales to unrelated customers of the four United States producers visited' ⁽¹⁾ (i.e. United States manufacturers for which it had information concerning domestic prices).

- (20) Since Asoma is not the manufacturer of the consignment of styrene in question, which was produced at Gulf Oil Chemicals, the Commission considers that for the purposes of this application the normal value for Asoma can be determined only on the basis of all Gulf Oil sales of styrene on the United States market over a representative period at the time of the transaction.

This method is entirely in accordance with the Commission's general practice in anti-dumping proceedings for determining normal value in the case of exporters who do not themselves manufacture the products in question and do not sell on the domestic market.

It also allows for the special circumstances of this application, submitted long after the completion of the relevant anti-dumping investigation, in that the applicant need only provide the Commission with information concerning domestic sales by the producer of the consignment, or have the information sent direct by the producer.

- (21) SIL was informed of the Commission's position but despite the time allowed was unable to supply the Commission with price information relating to sales of styrene by its supplier Gulf Oil during a representative period at the time of the transaction. As the burden of proof in applications for reimbursement rests with the applicant, the Commission, lacking any other reliable evidence, is unable to determine normal value for Asoma over a representative period at the time of the transaction.

⁽¹⁾ See Regulation (EEC) No 384/81 (OJ NoL 4, 14. 2. 1981, p. 14) imposing a provisional anti-dumping duty, later confirmed by Commission Regulation (EEC) No 1321/81 (OJ No L 132, 19. 5. 1981, p. 17) and Regulation (EEC) No 1570/81.

(b) Dumping margin

- (22) As the evidence presented by the applicant does not allow calculation of the dumping margin for the actual transaction in question, the Commission must use a margin based on the most reliable information available, i.e. the dumping margin as determined by the investigation leading to the imposition of the definitive anti-dumping duty to which the present application relates.

As Asoma Chemicals did not then appear in the proceeding as an interested party, the dumping margin applicable to it is that used in the original proceeding for exporters not specifically identified, i.e. 14,8 % of the free-at-Community-frontier price.

E. REIMBURSEMENT

- (23) As the definitive duty imposed was identical to the dumping margin here applied, the application for a reimbursement is rejected,

HAS ADOPTED THIS DECISION:

Article 1

The application for a reimbursement submitted by SIL is hereby rejected.

Article 2

This Decision is addressed to the Italian Republic and Società Idrocarburi Laziale SpA, Piazzale Enrico Mattei 1, I — Roma.

Done at Brussels, 7 July 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION DECISION

of 11 July 1988

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

(Only the German text is authentic)

(88/459/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 the Federal Republic of Germany has submitted such an application;

Whereas the Dortmund-Unna, Duisburg-Oberhausen and Bochum Labour market regions satisfy the abovementioned criteria,

HAS ADOPTED THIS DECISION:

Article 1

The labour market regions of Dortmund-Unna, Duisburg-Oberhausen and Bochum in the Federal Republic of Germany are hereby found to satisfy the criteria 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 those areas.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 11 July 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 1858/88 of 30 June 1988 amending Regulation (EEC) No 1058/77 on the characteristics of olive oil and of certain products containing olive oil and amending the Common Customs Tariff Nomenclature as regards olive oil

(Official Journal of the European Communities No L 166 of 1 July 1988)

On page 11, in Article 1 (5):

for: '— those indicated...'

read: '— or having the characteristics indicated...'

Corrigendum to Commission Decision No 2132/88/ECSC of 18 July 1988 imposing a definitive anti-dumping duty on imports of certain iron or steel coils, originating in Algeria, Mexico and Yugoslavia and definitively collecting the provisional anti-dumping duties imposed on those imports

(Official Journal of the European Communities No L 188 of 19 July 1988)

On page 19, in Article 1 (3):

for: '...provisional anti-dumping duty...'

read: '...definitive anti-dumping duty...'

Corrigendum to Commission Regulation (EEC) No 2432/88 of 2 August 1988 fixing the amount of the subsidy on oil seeds

(Official Journal of the European Communities No L 210 of 3 August 1988)

On page 8 in Article 1 (4):

for: '... 1 August 1988 ...'

read: '... 3 August 1988 ...'
