

Official Journal

of the European Communities

ISSN 0378-6978

L 236

Volume 31

26 August 1988

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2632/88**of 25 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 24 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 26 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, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 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	139,46
0712 90 19	11,21	139,46
1001 10 10	21,88	167,40 ⁽¹⁾ ⁽²⁾
1001 10 90	21,88	167,40 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	126,44
1001 90 99	0,00	126,44
1002 00 00	26,32	103,74 ⁽³⁾
1003 00 10	19,98	104,63
1003 00 90	19,98	104,63
1004 00 10	76,92	45,32
1004 00 90	76,92	45,32
1005 10 90	11,21	139,46 ⁽²⁾ ⁽³⁾
1005 90 00	11,21	139,46 ⁽²⁾ ⁽³⁾
1007 00 90	34,79	148,51 ⁽⁴⁾
1008 10 00	19,98	23,85
1008 20 00	19,98	62,38 ⁽⁴⁾
1008 30 00	19,98	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	19,98	0,00
1101 00 00	10,53	190,18
1102 10 00	50,02	158,40
1103 11 10	46,98	272,53
1103 11 90	11,55	205,22

⁽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 2633/88

of 25 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 24 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 26 August 1988.

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

Done at Brussels, 25 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 25 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	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	8	9	10	11	12
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2634/88

of 25 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 22 and 23 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,

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽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.

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 26 August 1988.

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

Done at Brussels, 25 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 2635/88

of 24 August 1988

laying down detailed rules for implementing an aid scheme for the use of concentrated grape must in feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2253/88 ⁽²⁾, and in particular Articles 45 ⁽⁹⁾ and 81 thereof,

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

Whereas Article 45 (4) of Regulation (EEC) No 822/87 as amended by Regulation (EEC) No 3146/87 ⁽⁵⁾ introduced an aid scheme for the use in feedingstuffs of concentrated grape must produced in the Community during the 1988/89, 1989/90 and 1990/91 wine years;

Whereas provision should be made for the processors concerned to conclude a supply contract with the feedingstuffs producers;

Whereas potential beneficiaries must submit an application accompanied by a number of supporting documents; whereas in order to ensure uniform operation of the system throughout the Member States, deadlines should be set for the submission of applications and for payment of aid to the processors;

Whereas application of the aid scheme entails an administrative system for checking both the origin of the product attracting aid and the purpose for which it is used;

Whereas, in order to enable the Member States' competent authorities to make the necessary checks, steps should be taken, without prejudice to the provisions of Title II of Commission Regulation (EEC) No 1153/75 of 30 April 1975 prescribing the form of the accompanying documents for wine products and specifying the obligations of wine-producers and traders other than

retailers ⁽⁶⁾, as last amended by Regulation (EEC) No 418/86 ⁽⁷⁾, to lay down the obligations of the processor with regard to the keeping of stock records;

Whereas the production cost of the grape must used in the preparation of concentrated grape must depends on its alcoholic strength; whereas the market price of grape must with a high natural potential alcoholic strength is higher than that of other musts; whereas, accordingly, the amount of aid must be varied in terms of the alcoholic strength of the must;

Whereas Article 4 of Council Directive 70/524/EEC of 23 November 1970 concerning additives in feedingstuffs ⁽⁸⁾, as last amended by Council Directive 88/228/EEC ⁽⁹⁾, provides that Member States may authorize the marketing and use of additives within their territories; whereas Annex I to the Directive lists the additives which may be marketed and may be incorporated in feedingstuffs;

Whereas concentrated grape must for feedingstuffs must be used solely for incorporation in feedingstuffs; whereas, therefore, it should be denatured by the incorporation of additives and Member States should be required to check by this means that the must is not diverted to other uses; whereas a list of denaturing agents to be incorporated in concentrated grape must should therefore be drawn up;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the implementation of the aid scheme for the use of concentrated grape must produced in the Community with the exception of Portugal in feedingstuffs as provided for in Article 45 (4) of Regulation (EEC) No 822/87 during the 1988/89, 1989/90 and 1990/91 marketing years.

Article 2

For the purposes of this Regulation:

(a) 'processor' means any natural or legal person or group of such persons: who:

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 300, 23. 10. 1987, p. 4.

⁽⁶⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽⁷⁾ OJ No L 48, 26. 2. 1986, p. 8.

⁽⁸⁾ OJ No L 270, 14. 12. 1970, p. 1.

⁽⁹⁾ OJ No L 101, 20. 4. 1988, p. 30.

- buys directly or indirectly from producers fresh grapes other than table grapes, or must other than that made from table grapes, and processes them or has them processed under contract into concentrated grape must, or
- being himself a producer processes or has processed under contract, grapes or must into concentrated grape must.

Natural or legal persons or groups of such persons who hold concentrated grape must from preceding marketing years shall be treated in the same way as processors;

- (b) 'user' means a producer of feedingstuffs who incorporates in them denatured concentrated grape must;
- (c) 'competent authority' means the authority of the district in which the processor is based.

Article 3

1. Processors who wish to qualify for the aid shall conclude a supply contract, hereinafter called 'the contract', with a user and shall submit it before 15 September to the competent authority for approval. The contract shall contain the details listed in paragraph 3.

2. The competent authority shall inform the Commission before 30 September of the quantity of concentrated grape must that is the subject of all such contracts.

3. The contract shall cover a minimum quantity of 200 hl of concentrated grape must to be denatured, and shall specify:

- the name or business name and address of the processor,
- the following technical data:
 - the place where the grape musts and concentrated grape musts are to be stored,
 - the quantity (in hectolitres of concentrated grape must),
- the name or business name and address of the user.

4. The contract shall contain a clause whereby a coefficient may be applied to the quantities stipulated in order to reduce them where the aggregated quantities exceed the annual maximum quantity laid down for the Community as a whole. The Commission shall, as appropriate, determine this coefficient, in accordance with the procedure laid down in Article 83 of Regulation (EEC) No 822/87, by 31 October at the latest.

5. The competent authority shall approve the contract for the quantities stated before 15 November, having first applied the reduction coefficient described in paragraph 4, if necessary.

6. The competent authority shall inform the processor of the outcome of the approval procedure and shall, where appropriate, send him a countersigned copy of the contract by 30 November at the latest.

Article 4

1. The processor shall show in the stock records drawn up in accordance with the provisions of Title II of Regulation (EEC) No 1153/75:

- the quantities and % volume potential alcoholic strength of the raw materials delivered each day to his plant and, where appropriate, the name and address of the seller or sellers, with the references to the documents accompanying them,
- the quantities and the wine-growing zone of origin of the raw materials used each day,
- the quantities actually produced each day,
- the quantities actually denatured each day,
- the quantities of denaturing agents used each day,
- the quantities of denatured concentrated grape must supplied to users,
- the names and addresses of the users and the delivery dates,
- the date on which the denaturing procedure provided for in Article 5 (3) was performed.

Article 5

1. Concentrated grape must for use in feedingstuffs which is the subject of a contract must be denatured in the plant of the processor and under his responsibility.

2. Denaturing shall be carried out by adding the following products to the concentrated grape must before incorporation in feedingstuffs: E131 (Patent Blue V) or E142 (Acid Brilliant Green BS (Lissamine Green)) as defined in Annex I to Directive 70/524/EEC, to ensure that that concentrated must may be used only in feedingstuffs.

3. Denaturing of concentrated grape must must be carried out between 15 November and 31 July of each wine year concerned.

4. The processor shall inform the inspection authorities concerned at least two working days before denaturing is due to begin.

Article 6

In order to qualify for the aid, the processor shall submit to the competent authorities an application for aid, including in particular a summary of the contracts and of the quantities actually denatured, as soon as possible, but in any event not later than 31 August.

Article 7

1. The competent authority shall within a period of 3 months of receiving an application pay the aid in respect of the quantity of denatured concentrated grape must eligible for it.

2. The period referred to in paragraph 1 shall not apply where an administrative enquiry has been opened concerning entitlement to the aid. In such a case payment shall be made only when entitlement has been acknowledged.

3. Once it has received the copy of the contract referred to in Article 3 (6), the competent authority shall, at the processor's request, pay in advance an amount equal to the aid, calculated in respect of the quantities of concentrated grape must the processor intends to denature and for which he supplies evidence that they have entered his premises provided that he has given a security equivalent to 120 % of the amount to be advanced.

Article 8

1. The amount of the aid shall be fixed per % vol potential alcoholic strength and per hectolitre of concentrated grape must suitable for the purposes laid down in this Regulation.

2. The potential alcoholic strength of the concentrated grape must shall be determined by applying the figures in the table of equivalence in the Annex to Commission Regulation (EEC) No 2287/87⁽¹⁾ to the readings at 20 °C from a refractometer used in accordance with the method laid down in the Annex to Commission Regulation (EEC) No 543/86⁽²⁾.

Article 9

1. The Member States concerned shall forward to the Commission, not later than 31 December after the close of the wine year concerned, a list of processors and particulars of the quantities of concentrated grape must for which aid has been received, expressed in % vol potential alcoholic strength and in hectolitres.

Article 10

The amounts referred to in Article 8 shall be converted into national currency using the agricultural conversion rate applicable to the wine sector in force at the beginning of the wine year concerned.

Article 11

1. The Member States shall take the necessary measures to ensure that this Regulation is applied. Such measures shall include inspections to check the characteristics of the denatured concentrated grape musts covered by an aid application and to prevent them from being diverted from their intended use.

2. To that end, the competent authority of the Member State shall:

- carry out inspections, particularly of the denaturing process, at least by means of spot checks, at the plant of the processor and, where appropriate, that of the user,
- check the stock records referred to in Article 4.

3. The Member States shall designate one or more competent authorities to be responsible for the application of this Regulation and shall forward their names and addresses forthwith to the Commission, which shall publish them in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 209, 31. 7. 1987, p. 26.

⁽²⁾ OJ No L 55, 1. 3. 1986, p. 41.

Article 12

1. In intra-Community trade in denatured concentrated grape must, the Control Copy T5 form shall be used in accordance with the provision of Commission Regulation (EEC) No 2823/87⁽³⁾ as evidence that the product has been put to the use provided for in this Regulation. Box 104 of the Control Copy T5 form shall bear one of the following indications:

- Mostos de uva concentrados desnaturalizados destinados a la utilización en la alimentación animal — Reglamento (CEE) n° 2635/88
- Denatureret koncentreret druemost beregnet til foder — Forordning (EØF) nr. 2635/88
- Denaturierter konzentrierter Traubenmost zu Fütterungszwecken — Verordnung (EWG) Nr. 2635/88
- Μετουσιωμένα συμπυκνωμένα γλεύκης σταφυλής, προοριζόμενα να χρησιμοποιηθούν στις ζωτροφές — κανονισμός (ΕΟΚ) αριθ. 2635/88
- Denatured concentrated grape must for use in feedingstuffs — Regulation (EEC) No 2635/88
- Moûts de raisins concentrés dénaturés, destinés à l'utilisation dans l'alimentation animale — Règlement (CEE) n° 2635/88
- Mosti di uve concentrati denaturati, destinati ad essere utilizzati nell'alimentazione degli animali — Regolamento (CEE) n. 2635/88
- Gedenatureerde geconcentreerde druivemost, bestemd voor gebruik bij de diervoeding — Verordening (EEG) nr. 2635/88
- Mostos de uvas concentrados desnaturados, destinados à utilização na alimentação dos animais — Regulamento (CEE) n° 2635/88.

2. The original of the Control Copy T5 shall constitute evidence of denaturing.

Article 13

1. Except in cases of *force majeure*, should the processor fail to fulfil any of the obligations imposed on him by this Regulation, apart from that of processing the raw materials for which the aid is requested into denatured concentrated grape must, the aid to be paid shall be reduced by an amount determined by the competent authority according to the severity of the infringement in question.

2. In cases of *force majeure*, the competent authority shall decide on the measure it considers to be appropriate in the light of the mitigating circumstances invoked.

3. Member States shall inform the Commission of cases where the provisions of paragraph 2 are applied, and shall give details of the action taken subsequent thereto.

Article 14

This Regulation shall enter into force on 1 September 1988.

⁽³⁾ OJ No L 270, 23. 9. 1987, p. 1.

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

Done at Brussels, 24 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2636/88

of 24 August 1988

repealing Regulation (EEC) No 2416/88 concerning the stopping of fishing for plaice by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, and in particular Article 11 (3) thereof,

Whereas Commission Regulation (EEC) No 2416/88⁽²⁾ stopped fishing for plaice in the waters of ICES division III a Skagerrak by vessels flying the flag of Belgium or registered in Belgium as from 29 July 1988;

Whereas Denmark has transferred on 17 August 1988 to Belgium 160 tonnes of plaice in the waters of ICES division III a Skagerrak; that fishing for plaice in the waters of ICES division III a Skagerrak by vessels flying

the flag of Belgium or registered in Belgium should therefore be permitted; that consequently it is necessary to revoke Commission Regulation (EEC) No 2416/88,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2416/88 is hereby repealed.

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, 24 August 1988.

For the Commission

Stanley CLINTON DAVIS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 208, 2. 8. 1988, p. 15.

COMMISSION REGULATION (EEC) No 2637/88

of 25 August 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1860/86 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 1 August 1988, the level of the premium and the amount to be charged on products leaving that region;

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

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

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

Whereas, pursuant to the provisions of Article 9 (1) of Regulation (EEC) No 1837/80, for the week beginning 1

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 1 August 1988, the level of the premium is fixed at 0,000 ECU/100 kilograms of estimated or actual dressed carcase weight within the limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

Article 2

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

Article 3

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

It shall apply with effect from 1 August 1988.

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

⁽⁵⁾ OJ No L 122, 12. 5. 1988, p. 69.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Amount to be charged for products leaving region 5 during the week commencing 1 August 1988

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	0	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	0	0
0204 21 00	0	0
0204 50 11		0
0204 22 10	0	
0204 22 30	0	
0204 22 50	0	
0204 22 90	0	
0204 23 00	0	
0204 30 00	0	
0204 41 00	0	
0204 42 10	0	
0204 42 30	0	
0204 42 50	0	
0204 42 90	0	
0204 43 00	0	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	0	
0210 90 19	0	
1602 90 71		
— unboned (bone-in)	0	
— boned or boneless	0	

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

COMMISSION REGULATION (EEC) No 2638/88**of 25 August 1988****fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat**

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

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

Having regard to Council Regulation (EEC) No 1837/80
of 27 June 1980 on the common organization of the
market in sheepmeat and goatmeat ⁽¹⁾, as last amended by
Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the
first paragraph of Article 11 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 3917/87 ⁽³⁾, as
last amended by Regulation (EEC) No 2343/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3917/87 to the quota-

tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 September
1988.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 369, 29. 12. 1987, p. 8.

⁽⁴⁾ OJ No L 204, 29. 7. 1988, p. 14.

ANNEX

to the Commission Regulation of 25 August 1988 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 36 from 5 to 11 September 1988	Week No 37 from 12 to 18 September 1988	Week No 38 from 19 to 25 September 1988	Week No 39 from 26 September to 2 October 1988
0104 10 90 ⁽¹⁾	96,059	96,059	96,059	96,303
0104 20 90 ⁽¹⁾	96,059	96,059	96,059	96,303
0204 10 00 ⁽²⁾	204,380	204,380	204,380	204,900
0204 21 00 ⁽²⁾	204,380	204,380	204,380	204,900
0204 22 10 ⁽²⁾	143,066	143,066	143,066	143,430
0204 22 30 ⁽²⁾	224,818	224,818	224,818	225,390
0204 22 50 ⁽²⁾	265,694	265,694	265,694	266,370
0204 22 90 ⁽²⁾	265,694	265,694	265,694	266,370
0204 23 00 ⁽²⁾	371,972	371,972	371,972	372,918
0204 50 11 ⁽²⁾	204,380	204,380	204,380	204,900
0204 50 13 ⁽²⁾	143,066	143,066	143,066	143,430
0204 50 15 ⁽²⁾	224,818	224,818	224,818	225,390
0204 50 19 ⁽²⁾	265,694	265,694	265,694	266,370
0204 50 31 ⁽²⁾	265,694	265,694	265,694	266,370
0204 50 39 ⁽²⁾	371,972	371,972	371,972	372,918
0210 90 11 ⁽³⁾	265,694	265,694	265,694	266,370
0210 90 19 ⁽³⁾	371,972	371,972	371,972	372,918

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 2639/88
of 25 August 1988
fixing the import levies on frozen sheepmeat and goatmeat

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

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

Having regard to Council Regulation (EEC) No 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3918/87 ⁽³⁾, as last amended by Regulation (EEC) No 2344/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3918/87 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 September 1988.

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

Done at Brussels, 25 August 1988.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 369, 29. 12. 1987, p. 11.

⁽⁴⁾ OJ No L 204, 29. 7. 1988, p. 16.

ANNEX

to the Commission Regulation of 25 August 1988 fixing the import levies on frozen
sheepmeat and goatmeat⁽¹⁾

(ECU/100 kg)

CN code	Week No 36 from 5 to 11 September 1988	Week No 37 from 12 to 18 September 1988	Week No 38 from 19 to 25 September 1988	Week No 39 from 26 September to 2 October 1988
0204 30 00	152,785	152,785	152,785	153,175
0204 41 00	152,785	152,785	152,785	153,175
0204 42 10	106,950	106,950	106,950	107,223
0204 42 30	168,064	168,064	168,064	168,493
0204 42 50	198,621	198,621	198,621	199,128
0204 42 90	198,621	198,621	198,621	199,128
0204 43 00	278,069	278,069	278,069	278,779
0204 50 51	152,785	152,785	152,785	153,175
0204 50 53	106,950	106,950	106,950	107,223
0204 50 55	168,064	168,064	168,064	168,493
0204 50 59	198,621	198,621	198,621	199,128
0204 50 71	198,621	198,621	198,621	199,128
0204 50 79	278,069	278,069	278,069	278,779

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 2640/88

of 25 August 1988

laying down detailed rules for the implementation of the system of aid for the use in winemaking of concentrated grape must and rectified concentrated grape must

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 822/87 of 16 March 1987 and the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2253/88 ⁽²⁾, and in particular Articles 45 (4), 47 (3) and 81 thereof,

Whereas Article 45 of Regulation (EEC) No 822/87 introduces an aid scheme for concentrated must and rectified concentrated must produced within the Community and used to increase the alcoholic strength of wines;

Whereas Article 47 of Regulation (EEC) No 822/87 provides that only producers who have complied with the obligations in Article 35 and, where appropriate, Articles 36 and 39 of that Regulation for a reference period to be determined are eligible for intervention measures; whereas that period should accordingly be fixed;

Whereas enrichment operations by addition of concentrated grape must and rectified concentrated grape must and the quantities of those products which are held must be declared to the competent authorities; whereas the quantities of those products which are or which have been used for enrichment must be entered in the registers specified in Article 71 (2) of Regulation (EEC) No 822/87; whereas, therefore, it is not necessary to require additional documents to be produced in order for the aid to be received;

Whereas, to ensure uniform application of the aid scheme in question, the establishment of the potential alcoholic strength of musts should be harmonized at Community level;

Whereas the cost price of grape must used in the production of concentrated grape must and rectified concentrated grape must depends on its natural alcoholic strength; whereas the market price of grape must with a high potential natural alcoholic strength is above that of other musts; whereas, in order to take this situation and the need to avoid disrupting the existing pattern of trade into account, it is essential to provide for different

amounts of the aid by keeping a higher amount for concentrated grape must and rectified concentrated grape must from the southern-most regions of the Community, which traditionally produce must with the highest natural alcoholic strength;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation lays down the detailed rules for implementing the aid system provided for in Article 45 (1) of Regulation (EEC) No 822/87. Such aid shall be granted to producers of table wines or quality wines *psr* who use concentrated grape must and rectified concentrated grape must produced within the Community excluding Portugal during the first stage of accession to increase the natural alcoholic strength by volume of the products referred to in Article 18 (1) of Regulation (EEC) No 822/87 and Article 8 (2) of Council Regulation (EEC) No 823/87 ⁽³⁾.

2. In accordance with the provisions of Article 47 (1) of Regulation (EEC) No 822/87, producers who in the wine year preceding that in question were subject to the obligations laid down in Articles 35, 36 or 39 of that Regulation shall not be entitled to receive the aid provided for in this Regulation unless they show that they have fulfilled their obligations in the reference periods laid down in Commission Regulation (EEC) No 2352/87 ⁽⁴⁾, (EEC) No 2353/87 ⁽⁵⁾ and (EEC) No 441/88 ⁽⁶⁾, as amended by Regulation (EEC) No 1596/88 ⁽⁷⁾.

Article 2

1. The aid provided for in Article 1 (1) is hereby fixed per degree of potential alcoholic strength by volume per hectolitre for the categories of the following products:

— concentrated grape must produced from grapes originating in wine-growing zones C III (a) and C III (b),

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 59.

⁽⁴⁾ OJ No L 213, 4. 8. 1987, p. 17.

⁽⁵⁾ OJ No L 213, 4. 8. 1987, p. 22.

⁽⁶⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁷⁾ OJ No L 142, 9. 6. 1988, p. 17.

- concentrated grape must other than that referred to in the first indent,
- rectified concentrated grape must produced from grapes originating in wine-growing zones C III (a) and C III (b) or produced outside those zones in facilities which began production prior to 30 June 1982 in the Community of Ten and prior to 1 January 1986 in Spain, irrespective of the zone of provenance,
- rectified concentrated grape must other than that referred to in the third indent.

2. The potential alcoholic strength of the products referred to in paragraph 1 shall be determined by applying the figures in the table of equivalence in the Annex hereto, to the readings at 20 °C from the refractometer employed in accordance with the method laid down in the Annex to Commission Regulation (EEC) No 543/86 (1).

Article 3

Producers wishing to take advantage of the aid provided for in Article 1 shall submit to the competent intervention agency an application covering all operations to increase alcoholic strength to which that Article applies. Applications must reach the intervention agency within two months of the date on which the last operation was carried out.

Applications shall be accompanied by the documents relating to the operations in respect of which aid is requested.

Article 4

The intervention agency shall pay the aid to the producer before the end of the wine year in question, except:

- in cases of *force majeure*,
- where administrative inquiries have been initiated concerning entitlement to the aid. In that event, payment shall be made only when the applicant has been recognized as entitled to the aid.

Article 5

1. Except in cases of *force majeure*, the aid shall not be payable if the producer does not carry out the operation referred to in Article 1, in accordance with Articles 18, 19 and 23 of Regulation (EEC) No 822/87.

2. Except in cases of *force majeure*, if the producer does not comply with any requirement of this Regulation other than that referred to in paragraph 1, the aid payable shall be reduced by an amount to be fixed by the competent authority in relation to the seriousness of the infringement.

3. In cases of *force majeure*, the competent authority shall determine the measures which it deems necessary having regard to the circumstances invoked.

4. Member States shall inform the Commission of cases in which paragraph 2 is applied and of how requests claiming circumstances of *force majeure* are dealt with.

Article 6

The Member States in question shall notify the Commission by 30 November following the end of the wine year in question at the latest of the number of producers who have received aid, the quantities of wine enriched and the quantities of concentrated grape must and rectified concentrated grape must used for that purpose expressed in degrees of potential alcoholic strength by volume per hectolitre.

Article 7

Each Member State concerned shall designate an intervention agency to be responsible for implementing this Regulation.

Article 8

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

(1) OJ No L 55, 1. 3. 1986, p. 41.

ANNEX

Table of equivalence between potential alcoholic strength and readings at 20 °C using a refractometer according to the method laid down in the Annex to Regulation (EEC) No 543/86

Refractometer reading % (p/p)	Potential alcoholic strength (% vol)		Refractometer reading % (p/p)	Potential alcoholic strength (% vol)	
	Concentrated must	Rectified concentrated must		Concentrated must	Rectified concentrated must
50,9	34,62		55,9	38,95	42,93
51,0	34,69		56,0	39,06	43,04
51,1	34,76		56,1	39,12	43,13
51,2	34,82		56,2	39,19	43,23
51,3	34,89		56,3	39,26	43,32
51,4	34,96		56,4	39,32	43,42
51,5	35,06		56,5	39,42	43,52
51,6	35,16		56,6	39,52	43,62
51,7	35,25		56,7	39,62	43,72
51,8	35,35		56,8	39,72	43,81
51,9	35,45	39,07	56,9	39,82	43,92
52,0	35,55	39,17	57,0	39,92	44,02
52,1	35,63	39,26	57,1	39,99	44,12
52,2	35,70	39,35	57,2	40,07	44,22
52,3	35,77	39,45	57,3	40,14	44,31
52,4	35,85	39,54	57,4	40,21	44,41
52,5	35,95	39,63	57,5	40,31	44,51
52,6	36,05	39,73	57,6	40,41	44,61
52,7	36,14	39,83	57,7	40,51	44,71
52,8	36,23	39,93	57,8	40,60	44,81
52,9	36,32	40,02	57,9	40,69	44,91
53,0	36,41	40,12	58,0	40,78	45,01
53,1	36,49	40,22	58,1	40,85	45,11
53,2	36,56	40,30	58,2	40,93	45,21
53,3	36,63	40,40	58,3	40,99	45,30
53,4	36,71	40,50	58,4	41,08	45,40
53,5	36,81	40,59	58,5	41,17	45,50
53,6	36,91	40,69	58,6	41,27	45,61
53,7	37,01	40,79	58,7	41,37	45,71
53,8	37,11	40,89	58,8	41,47	45,80
53,9	37,20	40,99	58,9	41,57	45,91
54,0	37,30	41,09	59,0	41,67	46,01
54,1	37,38	41,18	59,1	41,77	46,11
54,2	37,45	41,28	59,2	41,87	46,22
54,3	37,53	41,37	59,3	41,97	46,32
54,4	37,60	41,47	59,4	42,06	46,43
54,5	37,69	41,56	59,5	42,14	46,53
54,6	37,78	41,66	59,6	42,23	46,64
54,7	37,87	41,76	59,7	42,31	46,74
54,8	37,94	41,86	59,8	42,38	46,83
54,9	38,02	41,95	59,9	42,46	46,93
55,0	38,09	42,04	60,0	42,53	47,03
55,1	38,16	42,14	60,1	42,63	47,12
55,2	38,26	42,23	60,2	42,73	47,23
55,3	38,36	42,33	60,3	42,83	47,34
55,4	38,46	42,44	60,4	42,93	47,44
55,5	38,56	42,54	60,5	43,03	47,55
55,6	38,66	42,64	60,6	43,12	47,65
55,7	38,76	42,74	60,7	43,20	47,75
55,8	38,86	42,83	60,8	43,27	47,85

Refractometer reading % (p/p)	Potential alcoholic strength (% vol)		Refractometer reading % (p/p)	Potential alcoholic strength (% vol)	
	Concentrated must	Rectified concentrated must		Concentrated must	Rectified concentrated must
60,9	43,35	47,94	66,7	48,76	54,08
61,0	43,42	48,04	66,8	48,86	54,18
61,1	43,51	48,14	66,9	48,95	54,29
61,2	43,60	48,25	67,0	49,04	54,40
61,3	43,69	48,36	67,1	49,14	54,51
61,4	43,79	48,46	67,2	49,23	54,62
61,5	43,89	48,57	67,3	49,33	54,73
61,6	43,99	48,67	67,4	49,42	54,83
61,7	44,08	48,79	67,5	49,52	54,95
61,8	44,18	48,89	67,6	49,61	55,06
61,9	44,28	48,99	67,7	49,71	55,17
62,0	44,38	49,10	67,8	49,81	55,28
62,1	44,48	49,20	67,9	49,90	55,40
62,2	44,58	49,30	68,0	50,00	55,50
62,3	44,65	49,40	68,1	50,10	55,61
62,4	44,73	49,50	68,2	50,20	55,72
62,5	44,80	49,60	68,3	50,30	55,83
62,6	44,88	49,71	68,4	50,40	55,94
62,7	44,97	49,81	68,5	50,50	56,06
62,8	45,05	49,91	68,6	50,60	56,16
62,9	45,14	50,02	68,7	50,70	56,28
63,0	45,24	50,12	68,8	50,80	56,38
63,1	45,34	50,23	68,9	50,90	56,50
63,2	45,44	50,34	69,0	50,99	56,61
63,3	45,54	50,45	69,1	51,09	56,72
63,4	45,64	50,56	69,2	51,19	56,83
63,5	45,74	50,67	69,3	51,28	56,94
63,6	45,84	50,77	69,4	51,38	57,06
63,7	45,94	50,88	69,5	51,47	57,17
63,8	46,03	50,99	69,6	51,57	57,28
63,9	46,11	51,08	69,7	51,66	57,39
64,0	46,18	51,18	69,8	51,76	57,51
64,1	46,26	51,29	69,9	51,86	57,62
64,2	46,33	51,39	70,0	51,95	57,72
64,3	46,42	51,49	70,1	52,05	57,84
64,4	46,51	51,60	70,2	52,14	57,95
64,5	46,60	51,71	70,3	52,24	58,07
64,6	46,70	51,81	70,4	52,33	58,18
64,7	46,80	51,92	70,5	52,43	58,29
64,8	46,90	52,03	70,6	52,53	58,41
64,9	46,99	52,14	70,7	52,62	58,52
65,0	47,09	52,25	70,8	52,72	58,63
65,1	47,21	52,36	70,9	52,81	58,74
65,2	47,31	52,46	71,0	52,91	58,86
65,3	47,41	52,57	71,1	53,01	58,97
65,4	47,51	52,68	71,2	53,11	59,09
65,5	47,61	52,79	71,3	53,21	59,20
65,6	47,71	52,90	71,4	53,31	59,31
65,7	47,82	53,01	71,5	53,41	59,42
65,8	47,92	53,12	71,6	53,51	59,53
65,9	48,02	53,22	71,7	53,61	59,65
66,0	48,12	53,34	71,8	53,71	59,76
66,1	48,21	53,44	71,9	53,81	59,88
66,2	48,30	53,54	72,0	53,91	59,99
66,3	48,40	53,64	72,1	54,00	60,11
66,4	48,49	53,75	72,2	54,10	60,22
66,5	48,58	53,86	72,3	54,20	60,33
66,6	48,67	53,96	72,4	54,30	60,45

Refractometer reading % (p/p)	Potential alcoholic strength (% vol)	
	Concentrated must	Rectified concentrated must
72,5	54,40	60,56
72,6	54,50	60,68
72,7	54,60	60,79
72,8	54,70	60,91
72,9	54,80	61,02
73,0	54,90	61,14
73,1	55,00	61,25
73,2	55,10	61,37
73,3	55,20	61,48
73,4	55,30	61,60
73,5	55,40	61,72
73,6	55,50	61,83
73,7	55,60	61,94
73,8	55,70	62,06
73,9	55,80	62,18
74,0	55,90	62,28
74,1	56,00	62,41
74,2	56,09	62,52
74,3	56,19	62,64
74,4	56,29	62,76
74,5	56,39	62,87
74,6	56,49	62,99
74,7	56,59	63,10
74,8	56,69	63,23
74,9	56,79	63,33
75,0	56,89	63,46
75,1		63,58
75,2		63,69
75,3		63,81
75,4		63,93
75,5		64,05
75,6		64,16
75,7		64,28
75,8		64,41
75,9		64,54
76,0		64,66
76,1		64,78
76,2		64,89

Refractometer reading % (p/p)	Potential alcoholic strength (% vol)	
	Concentrated must	Rectified concentrated must
76,3		65,02
76,4		65,13
76,5		65,25
76,6		65,37
76,7		65,49
76,8		65,61
76,9		65,74
77,0		65,87
77,1		65,99
77,2		66,09
77,3		66,21
77,4		66,31
77,5		66,45
77,6		66,58
77,7		66,71
77,8		66,82
77,9		66,94
78,0		67,06
78,1		67,19
78,2		67,29
78,3		67,41
78,4		67,52
78,5		67,65
78,6		67,77
78,7		67,89
78,8		68,02
78,9		68,14
79,0		68,26
79,1		68,38
79,2		68,51
79,3		68,62
79,4		68,75
79,5		68,87
79,6		69,00
79,7		69,12
79,8		69,24
79,9		69,35

COMMISSION REGULATION (EEC) No 2641/88

of 25 August 1988

laying down detailed rules for the application of the aid scheme for the use of grapes, grape must and concentrated grape must to produce grape juice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as amended by Regulation (EEC) No 2253/88 ⁽²⁾, and in particular Articles 46 (5), 47 (3), 67 (8) and 81 thereof,

Whereas the first indent of the first subparagraph of Article 46 (1) of Regulation (EEC) No 822/87 institutes an aid scheme for the use of grape must and concentrated grape must from grapes produced within the Community for the purpose of manufacturing grape juice; whereas Article 46 (2) provides that the aid scheme may also be applied to the use of grapes of Community origin; whereas eligibility for the aid should also be extended to the latter to take account of grape juice manufacturing practices;

Whereas Article 47 of Regulation (EEC) No 822/87 provides that only producers who have complied with the obligations in Article 35 and, where appropriate, Articles 36 and 39 of that Regulation for a reference period to be determined are eligible for intervention measures; whereas that period should accordingly be fixed;

Whereas the application of the aid scheme calls for an administrative system to monitor both the origin of the product eligible for the aid and the use to which it is to be put;

Whereas the economic aim of the aid scheme is to encourage the use, in the manufacture of grape juice, of raw materials of Community origin rather than imported raw materials; whereas the aid should accordingly be granted to the users of the raw materials, i.e. the processors;

Whereas, to ensure that the aid scheme and the controls operate, properly, provision should be made for the processors concerned to submit a written statement containing the necessary particulars to enable the operations to be monitored;

Whereas for the aid scheme to have a significant quantitative impact on the use of Community raw materials, a

minimum quantity should be fixed for each product to which a statement may relate;

Whereas it should be stipulated that the aid is granted only for raw materials with the quality characteristics required for processing into grape juice; whereas it should accordingly be specified in particular that the grapes and grape must to which a statement relates must have a density at 20 °C of between 1,055 and 1,100 grams per cubic centimetre;

Whereas Article 46 (4) of Regulation (EEC) No 822/87 provides that up to the 1989/90 wine year, a part of the aid is to be set aside for the organization of campaigns to promote the consumption of grape juice; whereas, having regard to the need to finance such campaigns, the percentage of the aid should be fixed at a level enabling sufficient funds to be obtained for the effective promotion of the product;

Whereas processing is carried out both by occasional processors and by undertakings working continuously; whereas the detailed rules for the application of the aid scheme must take account of that difference in structures;

Whereas, in order to enable the competent authorities of the Member States to conduct the necessary controls, the obligations of processors regarding the keeping of stock accounts should be specified, without prejudice to Title II of Commission Regulation (EEC) No 1153/75 ⁽³⁾, as last amended by Regulation (EEC) No 418/86 ⁽⁴⁾;

Whereas, in order to avoid unwarranted expenditure and for control reasons, a maximum ratio, based on normal processing techniques between the raw materials used and the grape juice obtained, should be specified;

Whereas, for commercial reasons, some operators store the grape juice obtained for a long time before putting it up for consumption; whereas, in those circumstances, a system of advances should be instituted with a view to making advances on the payment of the aid to the operators while guaranteeing the competent authorities, by means of a suitable security, against the risk of undue payment; whereas the time limits for the payment of advances should accordingly be specified, together with the detailed rules for the release of the security;

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 113, 1. 5. 1975, p. 1.

⁽⁴⁾ OJ No L 48, 26. 2. 1986, p. 8.

Whereas, to qualify for the aid, the parties concerned must submit an application together with certain supporting documents; whereas, to ensure that the system operates in the same way in all the Member States, provision should be made for time limits for the submission of applications and for payment of the aid to processors;

Whereas the second subparagraph of Article 67 (3) of Regulation (EEC) No 822/87 prohibits the vinification of grape juice and its addition to wine; whereas, in order to ensure that that provision is complied with, the obligations and special controls devolving on processors and bottlers of grape juice should be specified;

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

HAS ADOPTED THIS DECISION:

Article 1

1. This Regulation lays down the detailed rules for the application of the aid scheme instituted in the first indent of Article 46 (1) of Regulation (EEC) No 822/87. The aid shall be granted under the conditions laid down in this Regulation to processors who:

- purchase directly or indirectly from producers or groups of producers the raw materials referred to in paragraph 3 with a view to manufacturing grape juice, or
- being themselves producers or groups of producers, use the said raw materials from their own harvest with a view to manufacturing grape juice.

2. In accordance with Article 47 (1) of Regulation (EEC) No 822/87, processors who were subject, during the wine year preceding that in question, to the obligations laid down in Articles 35, 36 or 39 of Regulation (EEC) No 822/87 shall be eligible for the measures provided for in this Regulation only where they submit evidence that they have fulfilled their obligations during the reference periods laid down in Commission Regulation (EEC) No 2352/87⁽¹⁾, (EEC) No 2353/87⁽²⁾ and (EEC) No 441/88⁽³⁾, as amended by Regulation (EEC) No 1596/88⁽⁴⁾.

3. For the purposes of this Regulation, 'raw materials' means grapes produced in the Community with the exception of Portugal during the first stage of accession and grape must and concentrated grape must obtained entirely from grapes produced in the Community with the exception of Portugal.

4. Processing operations must be carried out between 1 September and 31 August of the wine year in question.

Article 2

1. Processors who carry out processing operations on specified dates and who wish to receive the aid provided for in Article 1 shall submit to the competent authorities, at least three working days before the commencement of those operations, a written statement containing in particular:

- (i) the name or business name, and address of the processor;
- (ii) the wine growing zone in which the raw materials were obtained, as defined in Annex IV to Regulation (EEC) No 822/87;
- (iii) the following technical information:
 - the type of raw materials (grapes, grape must or concentrated grape must),
 - the place of storage of the raw materials intended for processing,
 - the place where processing is to be carried out,
 - the quantity (in decitonnes of grapes or hectolitres of grape must or concentrated grape must),
 - the density,
 - the date of the commencement and the duration of the processing operations.

The Member States may require further information with a view to identifying the product.

The statement shall relate to a minimum quantity of:

- 13 decitonnes for grapes;
- 10 hectolitres for grape must;
- 3 hectolitres for concentrated must.

2. Processors who undertake processing operations throughout the wine year and who wish to receive the aid provided for in Article 1 shall submit before the commencement of the wine year or, where they undertake the manufacture of grape juice for the first time, before the commencement of such manufacture, a written statement of their intention to the competent authority of the Member State in which processing takes place. In addition, they shall submit to the authorities, ten days before the last day of each quarter in respect of the following quarter, a schedule of such operations including at least:

- (i) the name or business name, and address of the processor;
- (ii) the following technical information:
 - the type of raw materials (grapes, grape must or concentrated grape must),
 - the place of storage of the raw materials intended for processing,
 - the place where processing is to be carried out,
 - the schedule of the undertaking's activity.

⁽¹⁾ OJ No L 213, 4. 8. 1987, p. 17.

⁽²⁾ OJ No L 213, 4. 8. 1987, p. 22.

⁽³⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁴⁾ OJ No L 142, 9. 6. 1988, p. 17.

The Member States may require further information for the purposes of controls.

3. The statements and schedules referred to in paragraphs 1 and 2 shall be submitted in at least two copies, one of which at least shall be returned, duly stamped by the competent authority, to the processor.

Article 3

The raw materials must be of sound and fair merchantable quality and suitable for processing into grape juice. The grape must and the must obtained from grapes used must have a density at 20 °C of between 1,055 and 1,100 grams per cubic centimetre.

Article 4

1. Aid shall be fixed for each wine year for:

- the grapes,
- the grape must,
- the concentrated grape must used.

2. The part of the aid intended for financing the promotional campaigns shall amount to 35 % of the amounts of the aid fixed for the wine year in question; the amount corresponding to that part shall be deducted when the aid is granted. The competent authority shall pay processors only 65 % of the aids fixed.

Article 5

1. In accordance with Title II of Regulation (EEC) No 1153/75, processors shall keep stock accounts showing in particular:

- the quantities and density of the raw materials entering their premises each day and, where applicable, the names and address of the seller(s),
- the quantities and wine-growing zone of origin of the raw materials used each day,
- the quantities of grape juice obtained each day after processing,
- the quantities of grape juice leaving their premises each day and the name and address of the consignee(s).

Where processors themselves undertake the bottling of the grape juice in the juice manufacturing installations, mixed, where applicable, with other products, the information provided for in the last indent of the preceding subparagraph shall not be required. In that case, the stock accounts shall show in addition the quantities of grape juice bottled each day.

2. The supporting documents in respect of the stock accounts referred to in paragraph 1 shall be made available to the control authorities on the occasion of any checks.

Article 6

1. In the case referred to in the first paragraph of Article 7, the bottler shall keep stock accounts in accordance with Title II of Regulation (EEC) No 1153/75 showing in particular:

- the batches of grape juice entering his premises each day and the name and address of the processor,
- the quantities of grape juice bottled each day.

2. The supporting documents in respect of the stock accounts referred to in paragraph 1 shall be made available to the control authorities on the occasion of any checks.

Article 7

Where the grape juice is bottled, mixed, where applicable, with other products, within the Community by a person other than the processor, the bottler shall, within seven days following receipt of the product, forward a copy of the accompanying document to the competent authority or to the department authorized for the purpose at the place of unloading. Not later than two weeks after its receipt, the competent authority or the department authorities at the place of unloading shall return that copy duly stamped to the processor/consignor of the grape juice concerned.

However, if the bottler or processor so requests, the copy of the accompanying document duly stamped by the competent authority or the department concerned at the place of unloading shall be delivered directly to him by such authority.

Article 8

1. In order to qualify for the aid, processors as referred to in Article 2 (1) shall submit to the competent authorities, no later than six months after the completion of the processing operations, an application for aid together with:

- a copy of the statement in their possession,
- a copy or summary of the stock accounts referred to in Article 5; the Member States may require that the said copy or summary be stamped by an authority responsible for controls,
- a copy of the accompanying document for the transport of the raw materials to the processor's premises, or a summary of such documents. The Member States may require that the said copy or summary be stamped by an authority responsible for controls.

Aid applications shall indicate the quantity of raw materials actually processed and the day on which the processing operations were completed.

2. To qualify for the aid, processors as referred to in Article 2 (2) shall submit to the competent authority or the department authorized for the purpose, not later than six months after the end of the wine year, one or more applications for aid together with:

- a copy of the quarterly schedules in their possession or a summary thereof,

- a copy of the stock accounts referred to in Article 5 concerning the quantity to which each application relates or a summary thereof. The Member States may require that the said copy or summary be stamped by an authority responsible for controls.

3. In addition, within six months of the date on which the stamp provided for in Article 7 is affixed or the date of export of the grape juice, the processors concerned shall submit, as the case may be:

- a copy of the accompanying document stamped by the competent authority or the department provided for in Article 7,
- a copy of the accompanying document bearing the customs stamp certifying export in Section 23.

Article 9

1. The competent authority shall pay the aid in respect of the quantity of raw materials actually processed no later than three months after receiving all the supporting documents referred to in Article 8.

2. Processors may request that an amount equal to the aid calculated in respect of the raw materials for which they provide evidence of entry to their premises be paid in advance to them provided that they have lodged a security in favour of the intervention agency. That security shall be equal to 120 % of the said amount. In that case, the supporting documents referred to in Article 8 need not be submitted at this stage.

Where processors make several applications for aid under this Regulation, the competent authority or the department authorized for the purpose may allow them to lodge a single security. In that case, the security shall correspond to 120 % of all the amounts calculated in accordance with the first subparagraph.

3. The advance referred to in paragraph 2 shall be paid within three months of the lodging of the security. However, the advance shall not be paid before 1 January of the wine year in question.

4. After the competent authority or the department authorized has checked all the documents referred to in Article 8 and taking account of the amount of the aid to be paid pursuant to Article 11, the security referred to in paragraph 2 shall be released in whole or in part, as the case may be, in accordance with the procedure laid down in Article 29 of Commission Regulation (EEC) No 2220/85⁽¹⁾. Except in cases of *force majeure*, the security

shall be forfeit where the quantity used is less than 95 % of the quantity in respect of which the advance was paid.

Article 10

1. Except in cases of *force majeure*, the aid shall be due only in respect of the quantity of raw materials actually used not exceeding the following ratio between the product and the grape juice obtained:

- 1,3 as regards grapes in decitonnes per hectolitre,
- 1,05 as regards must in hectolitres per hectolitre,
- 0,30 as regards concentrated must in hectolitres per hectolitre.

2. Except in cases of *force majeure*, if processors do not fulfil one of the obligations devolving on them under this Regulation other than the obligation to process into grape juice the raw materials to which aid applications relate, the aid to be paid shall be reduced by an amount fixed by the competent authority in relation to the seriousness of the infringement.

3. In cases of *force majeure*, the competent authority shall determine the measures which it considers necessary having regard to the circumstances invoked.

4. The Member States shall inform the Commission of cases in which paragraph 3 is applied and of the outcome of applications involving *force majeure*.

Article 11

1. The Member States shall take measures required to ensure that this Regulation is applied. These shall include in particular controls to check the characteristics of the raw materials which are the subject of an aid application and to prevent them from being used for other purposes.

2. To that end, the competent authority shall conduct in particular:

- controls, at least by spot checks, in the processor's premises and, where necessary, in those of the bottler,
- controls, at least by spot checks, of the stock accounts as provided for in Article 5 of processors as referred to in Article 2 (1),
- before each payment of the aid or release of the security, checks on the stock accounts as provided for in Article 5 of each processor as referred to in Article 2 (2),
- controls, at least by spot checks, on the taking over of the grape juice by the bottler with a view to the affixing of the stamp provided for in Article 7, where the latter is a person other than the processor,
- where applicable, spot checks of the bottler's stock accounts as provided for in Article 6.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

Article 12

Ten days before the end of each quarter the Member States shall notify the Commission of :

- (a) the quantities of raw materials in respect of which an aid application has been lodged, such raw materials being broken down by type and by wine-growing zone of origin ;
- (b) the quantities of raw materials for which aid has been granted, such raw materials being broken down by type and by wine-growing zone of origin.

Article 13

The Member States shall designate one or more competent authority or authorities to be responsible for the application of this Regulation and shall notify their names and addresses forthwith to the Commission, which shall publish them in the *Official Journal of the European Communities*.

Article 14

This Regulation shall enter into force on 1 September 1988.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2642/88
of 25 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 26 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, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 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		70,00
0402 10 19 000		70,00
0402 10 91 000		0,7000
0402 10 99 000		0,7000
0402 21 11 200		70,00
0402 21 11 300		103,13
0402 21 11 500		110,13
0402 21 11 900		120,00
0402 21 17 000		70,00
0402 21 19 300		103,13
0402 21 19 500		110,13
0402 21 19 900		120,00
0402 21 91 100		121,06
0402 21 91 200		122,07
0402 21 91 300		123,91
0402 21 91 400		134,73
0402 21 91 500		138,41
0402 21 91 600		152,39
0402 21 91 700		160,89
0402 21 91 900		170,27
0402 21 99 100		121,06

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

Product code	Destination (*)	Amount of refund
0402 21 99 200		122,07
0402 21 99 300		123,91
0402 21 99 400		134,73
0402 21 99 500		138,41
0402 21 99 600		152,39
0402 21 99 700		160,89
0402 21 99 900		170,27
0402 29 15 200		0,7000
0402 29 15 300		1,0313
0402 29 15 500		1,1013
0402 29 15 900		1,2000
0402 29 19 200		0,7000
0402 29 19 300		1,0313
0402 29 19 500		1,1013
0402 29 19 900		1,2000
0402 29 91 100		1,2106
0402 29 91 500		1,3473
0402 29 99 100		1,2106
0402 29 99 500		1,3473
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		70,00
0403 90 13 000		70,00
0403 90 19 000		121,06
0403 90 31 000		0,7000
0403 90 33 000		0,7000
0403 90 39 000		1,2106
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		70,00
0404 90 11 910		7,27
0404 90 11 950		21,66
0404 90 13 120		70,00
0404 90 13 130		103,13
0404 90 13 140		110,13
0404 90 13 150		120,00
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		121,06
0404 90 19 115		122,07
0404 90 19 120		123,91
0404 90 19 130		134,73
0404 90 19 135		138,41

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

Product code	Destination (*)	Amount of refund
0404 90 19 150		152,39
0404 90 19 160		160,89
0404 90 19 180		170,27
0404 90 19 900		—
0404 90 31 100		70,00
0404 90 31 910		7,27
0404 90 31 950		21,66
0404 90 33 120		70,00
0404 90 33 130		103,13
0404 90 33 140		110,13
0404 90 33 150		120,00
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		121,06
0404 90 39 115		122,07
0404 90 39 120		123,91
0404 90 39 130		134,73
0404 90 39 150		138,41
0404 90 39 900		—
0404 90 51 100		0,7000
0404 90 51 910		0,0727
0404 90 51 950		24,99
0404 90 53 110		0,7000
0404 90 53 130		1,0313
0404 90 53 150		1,1013
0404 90 53 170		1,2000
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		1,2106
0404 90 59 150		1,3473
0404 90 59 930		0,6980
0404 90 59 950		0,9990
0404 90 59 990		1,1380
0404 90 91 100		0,7000
0404 90 91 910		0,0727
0404 90 91 950		24,99
0404 90 93 110		0,7000
0404 90 93 130		1,0313
0404 90 93 150		1,1013

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

Product code	Destination (*)	Amount of refund
0404 90 93 170		1,2000
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		1,2106
0404 90 99 150		1,3473
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		151,22
0405 00 10 300		190,24
0405 00 10 500		195,12
0405 00 10 700		200,00
0405 00 90 100		200,00
0405 00 90 900		250,00
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	028	—
0406 40 00 900	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		—
2309 10 15 300		—
2309 10 15 400		—
2309 10 15 500		—
2309 10 15 700		—

(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		—
2309 10 19 300		—
2309 10 19 400		—
2309 10 19 500		—
2309 10 19 600		—
2309 10 19 700		—
2309 10 19 800		—
2309 10 19 900		—
2309 10 70 010		—
2309 10 70 100		21,00
2309 10 70 200		28,00
2309 10 70 300		35,00
2309 10 70 500		42,00
2309 10 70 600		49,00
2309 10 70 700		56,00
2309 10 70 800		61,60
2309 10 70 900		—
2309 90 35 010		—
2309 90 35 100		—
2309 90 35 200		—
2309 90 35 300		—
2309 90 35 400		—
2309 90 35 500		—
2309 90 35 700		—
2309 90 35 900		—
2309 90 39 010		—
2309 90 39 100		—
2309 90 39 200		—
2309 90 39 300		—
2309 90 39 400		—
2309 90 39 500		—
2309 90 39 600		—
2309 90 39 700		—
2309 90 39 800		—
2309 90 39 900		—
2309 90 70 010		—
2309 90 70 100		21,00
2309 90 70 200		28,00
2309 90 70 300		35,00
2309 90 70 500		42,00
2309 90 70 600		49,00
2309 90 70 700		56,00
2309 90 70 800		61,60
2309 90 70 900		—

(¹) 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 2643/88

of 25 August 1988

fixing production refunds in the cereals and rice sectors

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 11a (5) thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁴⁾, as last amended by Regulation (EEC) No 1806/87 ⁽⁵⁾, provides that the production refund shall be fixed on a quarterly basis using the difference between the intervention price for maize applicable in the first month of the period in question and the cif price used for calculation of the maize import levy, multiplied by a coefficient of 1,6; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

Whereas it is necessary, during the transitional period established by Title II of Regulation (EEC) No 1009/86, to fix separate production refunds for maize and potato starch, wheat starch and rice starch; whereas Article 10 of Regulation (EEC) No 2169/86 provides that the refund payable in the absence of proof of origin of the starch shall be that fixed for wheat starch, where applicable adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86;

Whereas it is necessary to adapt the level of the production refunds following a significant increase in the world market price for maize;

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 production refunds payable in the cereals and rice sectors in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with amended Regulation (EEC) No 2169/86 shall be as follows:

	<i>ECU/tonne</i>
(i) for maize starch and products derived from maize starch:	91,20
(ii) for rice starch and products derived from rice starch:	88,00
(iii) for wheat starch and products derived from wheat starch:	89,60
(iv) for potato starch and products derived from potato starch:	91,20

Article 2

This Regulation shall enter into force on 26 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 94, 9. 4. 1986, p. 6.
⁽⁴⁾ OJ No L 189, 11. 7. 1986, p. 12.
⁽⁵⁾ OJ No L 170, 30. 6. 1987, p. 19.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2644/88

of 25 August 1988

altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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,

Whereas Commission Regulation (EEC) No 2381/88 ⁽³⁾ has fixed the rates of the refunds applicable from 1 August 1988 to certain dairy products exported in the form of goods not covered by Annex II to the Treaty;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 2381/88 to the infor-

mation at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to certain milk products exported in the form of the products which appear in the Annex to Regulation (EEC) No 804/68 are hereby altered as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 26 August 1988.

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

Done at Brussels, 25 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 205, 30. 7. 1988, p. 60.

ANNEX

to the Commission Regulation of 25 August 1988 altering the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)		
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	70,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3)	120,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6):	
	a) On exportation of goods containing reduced-price butter and manufactured under the conditions laid down in Regulations (EEC) No 442/84, (EEC) No 2709/86, (EEC) No 570/88, (EEC) No 262/79 and (EEC) No 1932/81	—
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	212,00
	c) On exportation of other goods	200,00

COMMISSION REGULATION (EEC) No 2645/88
of 25 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 2625/88 ⁽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 26 August 1988.

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

Done at Brussels, 25 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 235, 25. 8. 1988, p. 18.

ANNEX

to the Commission Regulation of 25 August 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,19 ⁽¹⁾
1701 11 90	34,19 ⁽¹⁾
1701 12 10	34,19 ⁽¹⁾
1701 12 90	34,19 ⁽¹⁾
1701 91 00	44,53
1701 99 10	44,53
1701 99 90	44,53 ⁽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 2646/88

of 25 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 26 August 1988.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 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 (?)
	05	25,00 (?)
	07	24,00 (?)
	02	20,00 (?)
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	174,00
1103 11 10 200	05	200,00
	02	164,00
1103 11 10 500	01	146,00
1103 11 10 900	01	138,00
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.

(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).

COMMISSION REGULATION (EEC) No 2647/88

of 25 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;

Whereas 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 26 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 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.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 25 August 1988 fixing the corrective amount applicable
to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		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	02	0	0	+ 32,00	+ 32,00	+ 32,00	- 30,00	- 30,00
	03	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	+ 24,00	+ 24,00	+ 24,00	—	—
1101 00 00 120	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1101 00 00 130	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1101 00 00 150	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1101 00 00 170	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1101 00 00 180	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1102 10 00 200	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1102 10 00 300	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
1102 10 00 500	01	0	0	+ 24,00	+ 24,00	+ 24,00	—	—
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	+ 24,00	+ 24,00	+ 24,00	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 all third countries

02 Egypt

03 other 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).

COMMISSION REGULATION (EEC) No 2648/88

of 25 August 1988

fixing the export refunds on 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 the fourth subparagraph of Article 16 ⁽²⁾ thereof,

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 those Regulations and prices for those products within 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 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⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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 destination;

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 ⁽⁶⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁷⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

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

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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 26 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 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 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 25 August 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 25 August 1988 fixing the export refunds on malt

Product code	(ECU/tonne)
	Refund
1107 10 19 000	30,00
1107 10 99 000	40,00
1107 20 00 000	60,00

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