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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2800/88**of 9 September 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 8 September 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 10 September 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, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 9 September 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	12,18	134,23
0712 90 19	12,18	134,23
1001 10 10	26,22	173,35 ⁽¹⁾ ⁽²⁾
1001 10 90	26,22	173,35 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	124,56
1001 90 99	0,00	124,56
1002 00 00	28,63	104,27 ⁽⁶⁾
1003 00 10	22,32	110,43
1003 00 90	22,32	110,43
1004 00 10	78,93	45,56
1004 00 90	78,93	45,56
1005 10 90	12,18	134,23 ⁽²⁾ ⁽³⁾
1005 90 00	12,18	134,23 ⁽²⁾ ⁽³⁾
1007 00 90	35,65	143,20 ⁽⁴⁾
1008 10 00	22,32	29,74
1008 20 00	22,32	83,65 ⁽⁴⁾
1008 30 00	22,32	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	22,32	0,00
1101 00 00	5,55	187,72
1102 10 00	54,19	159,05
1103 11 10	53,77	281,43
1103 11 90	6,35	202,38

⁽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 2801/88

of 9 September 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 8 September 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 10 September 1988.

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

Done at Brussels, 9 September 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 9 September 1988 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

(ECU/tonne)

CN code	Current 9	1st period 10	2nd period 11	3rd period 12
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

(ECU/tonne)

CN code	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
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 2802/88
of 9 September 1988
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2699/88 ⁽⁴⁾, as amended by Regulation (EEC) No 2747/88 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2699/88 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 the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1988.

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

Done at Brussels, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 15.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 241, 1. 9. 1988, p. 27.

⁽⁵⁾ OJ No L 245, 3. 9. 1988, p. 5.

ANNEX

to the Commission Regulation of 9 September 1988 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Portugal	Third countries (except ACP or OCT) (³)	ACP or OCT (¹) (²) (³)	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	285,32	139,06	—
1006 10 99 (⁴)	—	269,39	131,09	202,04
1006 20 10	—	356,65	174,72	—
1006 20 90 (⁴)	—	336,74	164,77	252,56
1006 30 11	13,05	476,94	226,54	—
1006 30 19 (⁴)	12,97	550,04	263,13	412,53
1006 30 91	13,90	507,95	241,62	—
1006 30 99 (⁴)	13,90	589,65	282,47	442,24
1006 40 00	0	110,09	52,04	—

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

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

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

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

(⁴) The amount is applicable to medium-grain and long-grain rice, as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987).

COMMISSION REGULATION (EEC) No 2803/88**of 9 September 1988****fixing the premiums to be added to the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 2229/88 ⁽²⁾, and in particular Article 13 (6) thereof,Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2700/88 ⁽³⁾, as amended by Regulation (EEC) No 2748/88 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 12 September 1988.

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

Done at Brussels, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.⁽³⁾ OJ No L 241, 1. 9. 1988, p. 30.⁽⁴⁾ OJ No L 245, 3. 9. 1988, p. 7.

ANNEX

to the Commission Regulation of 9 September 1988 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN Code	Current 9	1st period 10	2nd period 11	3rd period 12
1006 10 91	0	0	0	—
1006 10 99 ⁽¹⁾	0	0	0	—
1006 20 10	0	0	0	—
1006 20 90 ⁽¹⁾	0	0	0	—
1006 30 11	0	0	0	—
1006 30 19 ⁽¹⁾	0	0	0	—
1006 30 91	0	0	0	—
1006 30 99 ⁽¹⁾	0	0	0	—
1006 40 00	0	0	0	0

⁽¹⁾ The amount is applicable to medium-grain and long-grain rice, as defined in paragraph 2 of Annex A of Regulation (EEC) No 1418/76, as amended by Regulation (EEC) No 3877/87 (OJ No L 365, 24. 12. 1987).

COMMISSION REGULATION (EEC) No 2804/88

of 9 September 1988

altering the specific agricultural conversion rates applicable in the rice sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 ⁽¹⁾, as last amended by Regulation (EEC) No 2185/88 ⁽²⁾, and in particular Article 2 (4) thereof,Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 1889/87 ⁽⁴⁾, and in particular Article 9 (2) thereof,Whereas by Commission Regulation (EEC) No 3294/86 ⁽⁵⁾, as last amended by Regulation (EEC) No 2749/88 ⁽⁶⁾, specific agricultural conversion rates to be applied in the rice sector were established; whereas those conversion rates must be altered pursuant to Articles 2 and 3 of Commission Regulation (EEC) No 3153/85 ⁽⁷⁾, as last amended by Regulation (EEC) No 3770/87 ⁽⁸⁾;

Whereas Regulation (EEC) No 3153/85 lays down detailed rules for the calculation of monetary compensatory amounts; whereas the spot market rate for the Greek drachma recorded in accordance with Regulation (EEC) No 3153/85 during the period 31 August to 6 September 1988, requires the specific agricultural conversion rate applicable for Greece to be altered pursuant to Article 9 (2) of Regulation (EEC) No 1677/85,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3294/86 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 12 September 1988.

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

Done at Brussels, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽²⁾ OJ No L 195, 23. 7. 1988, p. 1.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.⁽⁴⁾ OJ No L 182, 3. 7. 1987, p. 1.⁽⁵⁾ OJ No L 304, 30. 10. 1986, p. 25.⁽⁶⁾ OJ No L 245, 3. 9. 1988, p. 9.⁽⁷⁾ OJ No L 310, 21. 11. 1985, p. 4.⁽⁸⁾ OJ No L 355, 17. 12. 1987, p. 16.

*ANNEX***Specific agricultural conversion rate for rice**

(Regulation (EEC) No 3294/86)

1 ECU	= Bfs	48,2869
	= DM	2,34113
	= Dkr	8,93007
	= Dr	188,380
	= Pta	152,671
	= FF	7,85183
	= £Irl	0,873900
	= Lit	1 725,91
	= Fl	2,63785
	= £	0,736198

COMMISSION REGULATION (EEC) No 2805/88
of 9 September 1988

amending, as a result of the introduction of the combined nomenclature,
Council Regulation (EEC) No 8/81 on the disposal by the Hellenic Republic of
raw tobacco stocks existing in Greece and coming from harvests prior to
accession

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

Having regard to Council Regulation (EEC) No 2658/87
of 23 July 1987 on the tariff and statistical nomenclature
and on the Common Customs Tariff⁽¹⁾, as last amended
by Regulation (EEC) No 1315/88⁽²⁾, and in particular
Article 15 thereof,

Whereas, in accordance with the second subparagraph of
Article 15 (1) of Regulation (EEC) No 2658/87, technical
adaptations of Community instruments referring to the
combined nomenclature are to be made by the
Commission;

Whereas Commission Regulation (EEC) No 3999/87 of
23 December 1987 amending Regulation (EEC) No
727/70 on the common organization of the market in raw
tobacco⁽³⁾ introduced the goods descriptions and tariff
numbers according to the terms of the combined
nomenclature;

Whereas Council Regulation (EEC) No 8/81⁽⁴⁾, as last
amended by Regulation (EEC) No 824/87⁽⁵⁾, must be

adapted to take account of the use of the combined
nomenclature; whereas those adaptations require no
substantial amendment,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (1) of Regulation (EEC) No 8/81, 'heading No
24.01 of the Common Customs Tariff' is hereby replaced
by 'CN code 2401'.

Article 2

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

It shall apply with effect from 1 January 1988.

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

Done at Brussels, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 123, 17. 5. 1988, p. 2.

⁽³⁾ OJ No L 377, 31. 12. 1987, p. 41.

⁽⁴⁾ OJ No L 1, 1. 1. 1981, p. 12.

⁽⁵⁾ OJ No L 80, 24. 3. 1987, p. 1.

COMMISSION REGULATION (EEC) No 2806/88
of 9 September 1988
amending Regulation (EEC) No 3130/78 determining intervention centres for
olive oil

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

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 12 (4) thereof,

Whereas Council Regulation (EEC) No 2754/78 of 23 November 1978 on intervention in the olive oil sector ⁽³⁾, lays down the criteria applicable for the determination of the intervention centres for olive oil; whereas Commission Regulation (EEC) No 3130/78 ⁽⁴⁾, as last amended by Regulation (EEC) No 3818/85 ⁽⁵⁾, lists the intervention centres;

Whereas the list of centres in Portugal should be amended to take account of the development of storage structures available in that Member State;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Regulation (EEC) No 3130/78, the list of centres in Portugal is hereby replaced by the following:

PORTUGAL:	<i>District</i>	<i>Locality</i>
	Évora	Évora
	Santarém	Vila Nova de Barquinha

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, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 370, 30. 12. 1978, p. 58.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 20.

COMMISSION REGULATION (EEC) No 2807/88
of 9 September 1988
amending Regulation (EEC) No 771/74 laying down detailed rules for granting
aid for flax and hemp

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp⁽¹⁾, as last amended by Regulation (EEC) No 3995/87⁽²⁾, and in particular Article 2 (6) thereof,

Whereas Article 2 of Regulation (EEC) No 1308/70 stipulates that in order to encourage the marketing of flax products, Community measures promoting the use of flax fibres and of products obtained from such fibres may be taken;

Whereas, in the interests of proper management, it is appropriate that schemes to promote the consumption of flax fibres to be approved by the Commission should be executed within a detailed programme to be established after consulting the Member States and, where appropriate, the relevant trade interests; whereas, with this same objective in view, practical execution of the schemes according to procedures appropriate to their specific technical features should be provided for;

Whereas the various proposals submitted under the agreed procedures must be assessed according to criteria allowing of the best possible choice; whereas, to that end, open or restricted invitations to tender appear to be the most appropriate procedure; whereas, however, for schemes which call for an in-depth knowledge of the flax sector, direct agreement with the trade or inter-branch associations in the sector may be considered the most suitable procedure;

Whereas the Member States should be informed of the Commission's choices and of the progress of the schemes selected;

Whereas Commission Regulation (EEC) No 771/74⁽³⁾, as last amended by Regulation (EEC) No 2117/88⁽⁴⁾, should be amended accordingly;

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

Article 1

The following Articles 10a, 10b, 10c and 10d are hereby inserted in Regulation (EEC) No 771/74:

Article 10a

1. On the basis of the general programme referred to in Article 2 (4) of Regulation (EEC) No 1308/70, the Commission shall adopt a detailed programme of measures as referred to in paragraph 1 of that Article which it is planning to take.

That programme may relate to more than one marketing year.

2. With a view to the establishment of the detailed programme, the Commission

- shall consult the Management Committee for Flax and Hemp,
- may consult the Advisory Committee on Flax and Hemp.

3. When drawing up its detailed programme, the Commission shall:

- give details of any cooperation with trade or inter-branch associations in the flax sector,
- allow for promotion schemes executed or planned in the sector.

Article 10b

1. Without prejudice to paragraph 2, the schemes referred to in Article 2 (2) of Regulation (EEC) No 1308/70 and included in the detailed programme shall be carried out by means of open or restricted invitations to tender. Open invitations to tender shall be published in the *Official Journal of the European Communities*.

2. Among the schemes referred to in the first indent of Article 2 (2) of Regulation (EEC) No 1308/70, those relating to technical or commercial information campaigns and those relating to public relations necessitating, owing to their specific or technical nature, specialist knowledge regarding the utilization of flax fibre bundles and of products obtained therefrom shall be carried out, for up to 30 % of the amount allocated for the schemes referred to in that indent, by direct agreement between the Commission and the trade or inter-branch associations in that sector.

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 34.

⁽³⁾ OJ No L 92, 3. 4. 1974, p. 13.

⁽⁴⁾ OJ No L 186, 16. 7. 1988, p. 20.

Article 10c

1. For the purposes of assessing the various tenders submitted by those interested, the Commission shall consider:

- their quality and their cost,
- the extent to which the tender is in line with the objectives of the various schemes planned,
- the degree of specialization and the experience of the contractor in the area of the scheme contemplated,
- schemes already carried out or under way in the area concerned.

Also, it shall consider:

- (a) for tenders relating to schemes provided for in the first indent of Article 2 (2) of Regulation (EEC) No 1308/70, the degree of professional and financial reliability of the tenderer;
- (b) for tenders relating to the schemes provided for in the second indent of Article 2 (2) of Regulation (EEC) No 1308/70:
 - the scientific or academic reputation of the tenderer,
 - the possible extent of the market for the products concerned,

- the length of time it may be expected to take to achieve the results sought.

2. The Commission shall select the tenders.

With a view to such selection, it may consult agencies or individuals specializing in the field, and in particular trade or inter-branch associations in the sector. The Commission shall conclude the contracts. It shall inform the Management Committee for Flax and Hemp from time to time as to the contracts concluded and as to the progress of the schemes.

Article 10d

The price agreed in the contract shall be paid by the Commission in part-payments timed on the basis of the state of progress of the work planned.

A performance security ensuring execution of the contract may be required.

Payment of the balance due and, where appropriate, release of the performance security by the Commission shall be subject to verification by the latter that all obligations under the contract have been properly complied with.

Article 2

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

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

Done at Brussels, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2808/88

of 9 September 1988

amending Regulation (EEC) No 2677/85 laying down implementing rules in respect of the system of consumption aid for olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic Community,

HAS ADOPTED THIS REGULATION:

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 11 (8) thereof,

Whereas Article 7 of Council Regulation (EEC) No 3089/78 of 19 December 1978 laying down general rules in respect of aid for the consumption of olive oil⁽³⁾, as last amended by Regulation (EEC) No 3461/87⁽⁴⁾, provides that Member States are to institute a system of supervision to ensure in particular that the quantity of olive oil for which aid has been applied corresponds to the quantity actually eligible for the aid; whereas, where there is doubt as to the compliance of applications, Member States must adopt suitable measures to verify the accuracy of the figures; whereas, to that end, enquiries could be made among certain suppliers of packaging plants;

Whereas a verification operation must not result in the suspension of payment for any application pending from the same applicant; whereas, for the sake of sound administration, the conditions under which the payment of the aid must be suspended should be specified; whereas the circumstances under which the undertaking's approval must be withdrawn should also be specified; whereas Commission Regulation (EEC) No 2677/85⁽⁵⁾, as last amended by Regulation (EEC) No 3682/87⁽⁶⁾, should therefore be amended;

Article 1

Article 12 of Regulation (EEC) No 2677/85 is hereby amended as follows:

1. The third subparagraph of paragraph 1 is replaced by the following:

'If any doubt arises as to the accuracy of the information given in aid applications, the applicant's accounts shall be checked and, where appropriate, additional checks may be carried out among suppliers and among persons to whom the packaged oil has been supplied. In that case the Member State shall suspend payment of the aid for the quantity of olive oil covered by the check and shall adopt any measures required to ensure the recovery of aid which may turn out to have been incorrectly paid and the payment of any fines. The Member State may also decide to exclude the applicant from eligibility for payment of the aid in the form of an advance for subsequent aid applications. Where it is decided to exclude an applicant the Member State shall carry out the checks required for the granting of the aid within 150 days following the submission of the aid application.'

2. Paragraph 6 is replaced by the following:

'6. Where it is established that an aid application relates to a quantity exceeding that for which entitlement to the aid has been recognized, the Member State shall decide forthwith on the withdrawal of approval for a given period taking account of the seriousness of the infringement, without prejudice to any other penalties.'

Article 2

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

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 369, 29. 12. 1978, p. 12.

⁽⁴⁾ OJ No L 329, 20. 11. 1987, p. 1.

⁽⁵⁾ OJ No L 254, 25. 9. 1985, p. 5.

⁽⁶⁾ OJ No L 346, 10. 12. 1987, p. 19.

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

Done at Brussels, 9 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2809/88

of 9 September 1988

derogating from Regulation (EEC) No 2835/77 laying down detailed rules with respect to aid for durum wheat

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereales⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 10 (5) thereof,

Whereas Article 6 (2) of Commission Regulation (EEC) No 2835/77⁽³⁾, as last amended by Regulation (EEC) No 2039/86⁽⁴⁾, provides that the operative event creating entitlement to the aid is considered as occurring on 1 July of the marketing year in question ; whereas that date is decisive as regards the agricultural conversion rate to be used ;

Whereas Council Regulation (EEC) No 2185/88 of 19 July 1988 amending Regulation (EEC) No 1678/85 fixing the conversion rates to be applied in agriculture⁽⁵⁾ amends the conversion rate to be applied in Greece in the cereals sector with effect from 25 July 1988 ; whereas the consequences of this particular situation should be drawn

as regards the aid arrangements for durum wheat applicable in that Member State for the 1988/89 marketing year ;

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

By way of derogation from Article 6 (2) of Regulation (EEC) No 2835/77, the operative event creating entitlement to the aid for the 1988/89 marketing year shall be considered as occurring in Greece on 25 July 1988.

Article 2

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

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

Done at Brussels, 9 September 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 327, 20. 12. 1977, p. 9.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 64.

⁽⁵⁾ OJ No L 195, 23. 7. 1988, p. 1.