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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2819/88**of 13 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 12 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 14 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, 13 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 13 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	135,54
0712 90 19	12,18	135,54
1001 10 10	26,22	173,35 ⁽¹⁾ ⁽²⁾
1001 10 90	26,22	173,35 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	125,65
1001 90 99	0,00	125,65
1002 00 00	28,63	105,15 ⁽³⁾
1003 00 10	22,32	110,43
1003 00 90	22,32	110,43
1004 00 10	78,93	46,29
1004 00 90	78,93	46,29
1005 10 90	12,18	135,54 ⁽²⁾ ⁽³⁾
1005 90 00	12,18	135,54 ⁽²⁾ ⁽³⁾
1007 00 90	35,65	145,42 ⁽⁴⁾
1008 10 00	22,32	29,74
1008 20 00	22,32	83,65 ⁽⁴⁾
1008 30 00	22,32	0,00 ⁽⁵⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	22,32	0,00
1101 00 00	5,55	189,25
1102 10 00	54,19	161,47
1103 11 10	53,77	281,43
1103 11 90	6,35	204,03

⁽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 2820/88

of 13 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 12 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 14 September 1988.

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

Done at Brussels, 13 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 13 September 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	(ECU/tonne)			
	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	0,44	0,44	0
1001 90 99	0	0,44	0,44	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	0,62	0,62	0

B. Malt

CN code	(ECU/tonne)				
	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
1107 10 11	0	0,78	0,78	0	0
1107 10 19	0	0,59	0,59	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 2821/88

of 13 September 1988

amending Regulation (EEC) No 1070/87 laying down detailed rules for the application of Regulation (EEC) No 775/87 temporarily withdrawing a proportion of the reference quantities mentioned in Article 5c (1) of Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 775/87 of 16 March 1987 temporarily withdrawing a proportion of the reference quantities mentioned in Article 5c (1) of Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 1931/88⁽²⁾, and in particular Article 6 thereof,

Whereas the temporary withdrawal of a proportion of the reference quantities which was originally provided for in Regulation (EEC) No 775/87 for the fourth and fifth 12-month periods of application of the additional levy arrangements was extended, together with the arrangements themselves, to eight 12-month periods; whereas the consequences should be drawn as regards Commission Regulation (EEC) No 1070/87⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 1070/87 provides that, within three months after the end of each 12-month period, the Member States concerned are to forward to the Commission certain information on the implementation of the discontinuation and withdrawal schemes; whereas, in view of the administrative difficulties which have arisen as regards the fourth period owing in particular to the high number of applications submitted, that time limit should be deferred by three months;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1070/87 is hereby amended as follows:

1. In Article 1⁽¹⁾, 'of the fourth and fifth 12-month periods' is replaced by 'of each 12-month period'.
2. Article 3 is replaced by the following:

'Article 3

The amount of the compensation shall be converted into international currencies using the agricultural conversion rate in force on 31 March of the calendar year preceding the calendar year in which the compensation is paid in accordance with the second subparagraph of Article 2 (1) of Regulation (EEC) No 775/87.'

3. In Article 4:

— in paragraph 1, the introductory phrase is replaced by the following:

'Within six months from the end of the fourth 12-month period and within three months from the end of each of the following periods:'.

— in paragraph 3, 'of each of the fourth and fifth 12-month periods' is replaced by 'of each 12-month period'.

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, 13 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 78, 20. 3. 1987, p. 5.

⁽²⁾ OJ No L 170, 2. 7. 1988, p. 4.

⁽³⁾ OJ No L 104, 16. 4. 1987, p. 15.

COMMISSION REGULATION (EEC) No 2822/88**of 13 September 1988****fixing depreciation coefficients to be applied when agricultural products are bought in**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, as last amended by Regulation (EEC) No 2050/88 ⁽²⁾, and in particular Article 8 thereof,

Whereas, pursuant to Article 8 (1) and (2) of Regulation (EEC) No 1883/78, systematic depreciation of agricultural products in public intervention must take place when they are bought in, and whereas accordingly the Commission must determine the depreciation percentage before the beginning of each year and whereas such percentage must not exceed the difference between the buying-in price and the foreseeable disposal price for each product;

Whereas, pursuant to Article 8 (3) of Regulation (EEC) No 1883/78, the Commission may, at its discretion, restrict depreciation at the time of buying in to a proportion of this depreciation percentage, but such proportion may not be less than 70 %; whereas, on the basis of this provision, coefficients to be applied by the intervention agencies to the monthly buying-in values of products should be fixed, to enable the agencies to establish the depreciation amounts;

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

HAS ADOPTED THIS REGULATION:

Article 1

The value of the products listed in the Annex which are bought in by public intervention and enter store or are taken over by the intervention agencies between 1 October 1988 and 30 September 1989 shall be depreciated to account for the difference between the buying-in prices and the foreseeable selling prices of the relevant products.

Article 2

The intervention agencies shall apply to the values of the products bought in the coefficients set out in the Annex.

The expenditure amounts determined in this way shall be notified to the Commission under the declarations established pursuant to Commission Regulation (EEC) No 3184/83 ⁽³⁾.

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 from 1 October 1988.

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

Done at Brussels, 13 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 6.

⁽³⁾ OJ No L 320, 17. 11. 1983, p. 1.

ANNEX

'k' depreciation coefficients (Article 8 (3) of Regulation (EEC) No 1883/78 to be applied to the monthly buying-in values

Products	'k'
Breadmaking common wheat	0,55
Non-breadmaking common wheat	0,55
Barley	0,55
Rye	0,55
Durum wheat	0,55
Maize	0,55
Sorghum	0,55
Sunflower seed	0,55
Rape	0,55
Olive oil	0,125
Sugar	0,55
Butter	0,45
Skimmed-milk powder	0,20
Beef	0,55
Alcohol as referred to in Article 40 (1) of Council Regulation (EEC) No 8922/87 (1)	0,70
Tobacco	0,65

(1) OJ No L 84, 27. 3. 1987, p. 1.

COMMISSION REGULATION (EEC) No 2823/88

of 13 September 1988

amending Regulation (EEC) No 2681/83 laying down detailed rules for the application of the subsidy system for oil seeds

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 27 (5) thereof,Whereas Article 27 (1) of Commission Regulation (EEC) No 2681/83⁽³⁾, as last amended by Regulation (EEC) No 2586/88⁽⁴⁾, fixed the amount of the security referred to in Article 9 (2) of Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽⁵⁾, as last amended by Regulation (EEC) No 2215/88⁽⁶⁾; whereas, having regard to the trend of prices on the world market and to the level of aid in recent months, it is necessary to decrease the amount of the security;

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

Article 27 (1) of Commission Regulation (EEC) No 2681/83 is amended as follows:

- in the first indent '26 ECU' is replaced by '18 ECU',
- in the second indent '37 ECU' is replaced by '22 ECU'.

*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, 13 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 266, 28. 9. 1983, p. 1.⁽⁴⁾ OJ No L 230, 19. 8. 1988, p. 23.⁽⁵⁾ OJ No L 163, 22. 6. 1983, p. 44.⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 9.

COMMISSION REGULATION (EEC) No 2824/88

of 13 September 1988

laying down certain detailed rules for the application of the system of maximum guaranteed quantities in the tobacco sector and amending Regulations (EEC) No 1076/78 and (EEC) No 1726/70

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 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 2267/88 ⁽²⁾, and in particular Articles 3 (3), 4 (5) and 15 thereof,

Whereas Regulation (EEC) No 727/70 now includes a system of maximum guaranteed quantities; whereas that system provides in particular that where the quantities fixed for a variety or a group of varieties are exceeded, the relevant prices and premiums must be reduced pursuant to Article 4 (5) of that Regulation; whereas the detailed rules for the application of that system must be laid down, in particular as regards the determination of the quantity actually produced during a given harvest, the calculation of any reduction in prices and premiums, the granting of the advance and the payment of prices and premiums before determination of actual production;

Whereas the determination of the quantity actually produced must take place before 31 July of the year following that of harvest; whereas, to enable the Commission to have data on production at its disposal in good time, the timetable for the notification of data by the Member States should be revised; whereas Commission Regulation (EEC) No 1076/78 ⁽³⁾ should be amended accordingly;

Whereas pursuant to Article 2b (5) of Commission Regulation (EEC) No 1726/70 ⁽⁴⁾, as last amended by Regulation (EEC) No 1791/86 ⁽⁵⁾, the cultivation contract must indicate in particular the purchasing price; whereas that purchasing price must take account of the norm and intervention prices; whereas, however, the norm and intervention prices may be adjusted by the application of the provisions on the maximum guaranteed quantities; whereas, in that case, the purchasing price must be adjusted;

Whereas the Management Committee for Tobacco has not delivered an opinion within the time limit laid down by its chairman,

Article 1

On the basis of the data notified by the Member States or of other sources of information, the Commission shall, in accordance with the procedure laid down in Article 17 of Regulation (EEC) No 727/70, determine, for each harvest before 31 July of the year following that of harvest and for each of the varieties or groups of varieties of tobacco for which a maximum guaranteed quantity has been fixed, the quantity actually produced.

Article 2

1. Where the maximum guaranteed quantity for a variety or a group of varieties is exceeded, a reduction of 1 % of the intervention price and the related premiums shall be applied for each 1 % by which the maximum guaranteed quantity is exceeded.

However, the reductions may not exceed 5 % for the 1988 harvest and 15 % for the 1989 and 1990 harvests.

2. For the purposes of calculating the derived intervention price, the reduction shall not apply to the costs referred to in Article 6 (2) of Regulation (EEC) No 727/70.

3. The norm price shall be corrected by an amount equal to the reduction in the premium.

4. Where the preceding paragraphs are applied, the Commission shall determine, at the same time as actual production, the prices and premiums to be paid for the harvest concerned.

Article 3

1. Until actual production has been determined as provided for in Article 1, not more than 95 % of the amounts fixed for the intervention prices and premiums for the 1988 harvest and not more than 85 % of the corresponding amounts for the 1989 and 1990 harvests may be paid. However, at the discretion of the Member State, 100 % of those prices and premiums may be paid if a security equal to 5 % is lodged for the 1988 harvest and 15 % for the 1989 and 1990 harvests.

2. Any balance shall be paid and the security shall be released or forfeited after actual production is determined in accordance with Article 1. Where appropriate, the second paragraph of Article 4 shall apply.

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 199, 26. 7. 1988, p. 18.

⁽³⁾ OJ No L 136, 24. 5. 1978, p. 8.

⁽⁴⁾ OJ No L 191, 27. 8. 1970, p. 1.

⁽⁵⁾ OJ No L 156, 11. 6. 1986, p. 16.

Article 4

Where an advance is applied for pursuant to Article 7 (2) of Regulation (EEC) No 1726/70, if the actual production for a variety or group of varieties, at the discretion of the Member State, has not yet been determined:

- in the case referred to in Article 7 (2) (a) of Regulation (EEC) No 1726/70, the security shall be increased by 5 % or the advance shall be reduced by 5 % for the 1988 harvest; for the 1989 and 1990 harvests, the percentage shall be equal to 15 %,
- in the case referred to in Article 7 (2) (b) of Regulation (EEC) No 1726/70, a security of 5 % of the premium for the 1988 harvest and 15 % for the 1989 and 1990 harvests shall be lodged, or the advance shall be reduced by the abovementioned percentages for those harvests.

After actual production is determined:

- the portion of the security referred to in the first indent of the preceding paragraph and the security referred to in the second indent of that paragraph shall be released,
- the difference between the advances referred to in Article 7 (2) (a) and (b) of Regulation (EEC) No 1726/70 and the amounts actually advanced shall be

paid for the whole amount where the maximum guaranteed quantity is not exceeded or for the difference in percentage points between the price and premium reduction ceiling fixed for the harvest concerned and the amount by which the maximum guaranteed quantity is exceeded.

Article 5

The table in point B of the Annex to Regulation (EEC) No 1076/78 is hereby replaced by the table in the Annex hereto.

Article 6

The following subparagraph is added to Article 2b (5) (b) of Regulation (EEC) No 1726/70:

'The norm and intervention prices referred to above shall be those resulting from the application, where appropriate, of Article 4 (5) of Regulation (EEC) No 727/70.'

Article 7

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, 13 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

Date	Item number
1 January	8, 9, 10 and 11 ⁽¹⁾
1 April	6, 8, 9, 10 and 11 ⁽²⁾
1 June	4
1 July	1, 7, 8, 9, 10 and 11 ⁽³⁾
1 October	2, 3, 5, 8, 9, 10 and 11 ⁽⁴⁾

⁽¹⁾ Figures as determined at 1 October of the preceding year.

⁽²⁾ For items 8, 9, 10 and 11, figures as determined at 1 January of the current year.

⁽³⁾ For items 8, 9, 10 and 11, figures as determined at 1 April of the current year.

⁽⁴⁾ For items 8, 9, 10 and 11, figures as determined at 1 July of the current year.

COMMISSION REGULATION (EEC) No 2825/88
of 13 September 1988
introducing a countervailing charge on pears originating in Poland

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 2238/88⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1788/88 of 24 June 1988 fixing for the 1988/89 marketing year the reference prices for pears⁽³⁾ fixed the reference price for products of class I at 39,05 ECU per 100 kilograms net for the month of September 1988;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 13,11 ECU per 100 kilograms net is applied to pears (CN codes 0808 20 31, 0808 20 33 and 0808 20 39) originating in Poland

Article 2

This Regulation shall enter into force on 15 September 1988.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 158, 25. 6. 1988, p. 16.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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

Done at Brussels, 13 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 2826/88**of 13 September 1988****amending Regulation (EEC) No 2684/88 imposing a provisional anti-dumping duty on certain imports of video cassette recorders originating in Japan and the Republic of Korea**

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 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

After consultations within the Advisory Committee as provided for by the above Regulation,

Whereas:

In order to ensure the correct application of Regulation (EEC) No 2684/88⁽²⁾, the addition of a further combined nomenclature code would seem to be necessary to cover the products described in that Regulation,*Article 1*

In recital A (1) and Article 1 (1) of Regulation (EEC) No 2684/88, 'CN code ex 8521 10 39' is hereby replaced by 'CN codes ex 8521 10 39 and ex 8528 10 11'.

*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, 13 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.⁽²⁾ OJ No L 240, 31. 8. 1988, p. 5.

Information on the date of entry into force of the Agreement between the European Economic Community and the Islamic Republic of Mauritania on fishing off the coast of Mauritania ⁽¹⁾

The Agreement between the European Economic Community and the Islamic Republic of Mauritania was signed in Brussels on 14 June 1988.

In accordance with Article 14 of the Agreement, it therefore entered into force on 14 June 1988.

Information on the date of entry into force of the Agreement between the European Economic Community and the Islamic Federal Republic of the Comores on fishing off Comores ⁽²⁾

The Agreement between the European Economic Community and the Islamic Federal Republic of the Comores was signed in Brussels on 20 July 1988.

In accordance with Article 13 of the Agreement, it therefore entered into force on 20 July 1988.

⁽¹⁾ OJ No L 388, 31. 12. 1987, p. 1.

⁽²⁾ OJ No L 137, 2. 6. 1988, p. 18.