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Price : 14,00 ECU

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3004/88

of 26 September 1988

opening, allocating and providing for the administration of a Community tariff quota for certain wines having a registered designation of origin and originating in Tunisia (1988/89)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Article 3 of the Additional Protocol to the Cooperation Agreement between the European Economic Community and the Republic of Tunisia ⁽¹⁾ stipulates that certain wines having a registered designation of origin falling within CN codes ex 2204 21 25, ex 2204 21 29, ex 2204 21 35 and ex 2204 21 39 and originating in Tunisia, as specified in the Agreement in the form of an Exchange of Letters and produced from the 1977 and subsequent harvests, shall be imported into the Community free of customs duties within the limits of an annual Community tariff quota of 50 000 hectolitres;

Whereas these wines must be put up in containers holding two litres or less; whereas they must be accompanied either by a certificate of designation of origin in accordance with the model given in Annex D to the abovementioned Agreement or, by way of derogation, by a document VI 1 or an extract VI 2 annotated in compliance with Article 9 of Regulation (EEC) No 3590/85 ⁽²⁾; whereas the abovementioned Community tariff quota in question should therefore be opened for the period 1 November 1988 to 31 October 1989;

Whereas the wines in question are subject to compliance with the free-at-frontier reference price; whereas, in order for these wines to benefit from the tariff quota, article 54 of Regulation (EEC) No 822/87 ⁽³⁾ must be complied with;

Whereas Council Regulation (EEC) No 2573/87 of 11 August 1987 laying down the arrangements for trade between Spain and Portugal on the one hand and Algeria, Egypt, Jordan, Lebanon, Tunisia and Turkey on the

other ⁽⁴⁾ provides that the Kingdom of Spain and the Portuguese Republic shall apply, from the date on which the Regulation enters into force, a duty reducing the gap between the rate of the basic duty and that of the preferential duty; whereas the Portuguese Republic is to defer application of the preferential arrangements for the products in question until the start of the second stage; whereas this present Regulation therefore applies to the Community with the exception of Portugal;

Whereas it is in particular necessary to ensure equal and uninterrupted access for all Community importers to the abovementioned quota and uninterrupted application of the rates laid down for this quota to all imports of the products concerned into the Member States until the quota has been used up; whereas a system of using a Community tariff quota, based on allocation among the Member States, appears likely to comply with the Community nature of the said quota having regard to the above principles; whereas, in order to reflect most accurately the actual development of the market in the products in question, such allocation should be in proportion to the requirements of the Member States assessed by reference both to the statistics relating to imports of the said products from Tunisia over a representative reference period and to the economic outlook for the quota period concerned;

Whereas in this case, however, neither Community nor national statistics showing the breakdown for each of the types of wines in question are available and no reliable estimates of future imports can be made; whereas in these circumstances the quota volumes should be allocated in initial shares, taking into account data on the effective utilization of these wines on the markets of the various Member States;

Whereas, in order to take into account import trends for the products concerned in the various Member States, quotas should be divided into two parts, the first being shared among certain Member States and the second constituting a reserve to cover the subsequent requirements of these Member States where they have

⁽¹⁾ OJ No L 297, 21. 10. 1987, p. 36.

⁽²⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽³⁾ OJ No L 84, 7. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 250, 1. 9. 1987, p. 1.

used up their initial shares and any additional requirements which might arise in the other Member States; whereas, in order to give importers in each Member State a certain degree of security, the first part of the Community quota should, in these circumstances, be fixed at 40 % of the quota volume;

Whereas the initial shares of the Member States may not be used up at the same rate; whereas, in order to take this into account and avoid any break in continuity, any Member State which has used up almost all its initial share should draw a further share from the reserve; whereas this should be done by each Member State each time one of its additional shares is almost used up, and so on as many times as the reserve allows; whereas the initial and additional shares must be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission, and the latter must be in a position in particular to monitor the extent to which the quota volume has been used up and inform the Member States thereof;

Whereas, if at a given date in the quota period a Member State has a considerable quantity of the initial share left over, it is essential that it should return a significant

proportion thereof to the reserve to prevent a part of the Community quota remaining unused in one Member State when it could be used in others;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 November 1988 to 31 October 1989 on import into the Community with the exception of Portugal, the customs duty for the following products shall be suspended at a level and within the limits of a Community tariff quota as follows:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1206	ex 2204 21 25 ex 2204 21 29 ex 2204 21 35 ex 2204 21 39	— Wines entitled to one of the following designations of origin : Coteaux de Tebourba, Coteaux d'Utique, Sidi-Salem, Kelibia, Thibar, Mornag, grand cru Mornag of an actual alcoholic strength of 15 % vol or less and in containers holding two litres or Jess, originating in Tunisia	50 000	free

Within the limits of this tariff quota, the Kingdom of Spain shall apply customs duties calculated in accordance with the relevant provisions of Regulation (EEC) No 2573/87.

2. Wines produced from the 1977 or subsequent harvest shall be eligible for the tariff quota referred to in paragraph 1.

3. The wines in question are subject to compliance with the free-at-frontier reference price.

The wines in question shall be eligible under this tariff quota on condition that the provisions of Article 54 of Regulation (EEC) No 822/87 are complied with.

4. Each of these wines when imported shall be accompanied either by a certificate of designation of origin, issued by the relevant Tunisian authority, in accordance with the model annexed to this Regulation and certifying in box 16 that the wines have been produced from the 1977 or subsequent harvests, or by a document VI1 or an extract VI2 annotated in

compliance with Article 9 of Regulation (EEC) No 3590/85.

Article 2

1. An initial tranche of 2 000 hectolitres of the Community tariff quota referred to in Article 1 shall be allocated among certain Member States; the respective shares which, subject to Article 5, shall be valid until 31 October 1989, shall be as follows:

	(in hectolitres)
Benelux	260
Denmark	1 260
Germany	2 400
France	16 080

2. The second tranche of 30 000 hl shall constitute the reserve.

3. If an importer notifies the imminent import of the products in question into the other Member States and applies to use the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to the requirements to the extent that the available balance of the reserve so permits.

Article 3

1. If 90 % or more of a Member State's initial share, as specified in Article 2 (2), or of that share less the portion returned to the reserve where Article 5 has been applied, has been used up, that Member State shall, without delay, by notifying the Commission, draw a second share equal to 15 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

2. If, after its initial share has been used up, 90 % or more of the second share drawn by a Member State has been used up, that Member State shall, in accordance with the conditions laid down in paragraph 1, draw a third share equal to 7,5 % of its initial share, rounded up where necessary to the next whole number, in so far as the amount in the reserve allows.

3. If, after its second share has been used up, 90 % or more of the third share drawn by a Member State has been used up, that Member State shall, in accordance with paragraph 1, draw a fourth share equal to the third.

This process shall continue until the reserve is used up.

4. Notwithstanding paragraphs 1, 2 and 3, Member States may draw smaller shares than those specified in these paragraphs if there is reason to believe that they might not be used up. They shall inform the Commission of their reasons for applying this paragraph.

Article 4

The additional shares drawn pursuant to Article 3 shall be valid until 31 October 1989.

Article 5

Member States shall return to the reserve, not later than 1 September 1989, the unused portion of their initial share which, on 15 August 1989 is in excess of 20 % of the initial amount. They may return a greater portion if there are grounds for believing that such portion might not be used in full.

Member States shall notify the Commission, not later than 1 September 1989, of the total quantities of the products concerned imported under the Community

quota up to and including 15 August 1989 and, where appropriate, the proportion of their initial share that they are returning to the reserve.

Article 6

The Commission shall keep account of the shares opened by Member States pursuant to Articles 2 and 3 and shall inform each State of the extent to which the reserve has been used up as soon as it has been notified.

The Commission shall notify the Member States, not later than 5 September 1989, of the state of the reserve after the return of shares pursuant to Article 5.

The Community shall ensure that the drawing which uses up the reserve does not exceed the balance available and, to this end shall specify the amount thereof to the Member State making the final drawing.

Article 7

1. Member States shall take all measures necessary to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Member States shall ensure that importers of the products concerned have free access to the shares allocated to them.

3. Member States shall charge imports of the products concerned against their shares as and when the products are entered for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

At the request of the Commission, Member States shall inform it of imports actually charged against their shares.

Article 9

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 26 September 1988.

For the Council

The President

Th. PANGALOS

ANNEX

1. المصدر — Exporter — Exportateur :	2. الرقم — Number — Numéro :	00000	
4. المرسل اليه — Consignee — Destinataire :	3. (Name of authority guaranteeing the designation of origin)		
6. وسيلة النقل — Means of transport — Moyen de transport :	5. شهادة التسمية الاصلية CERTIFICATE OF DESIGNATION OF ORIGIN CERTIFICAT D'APPELLATION D'ORIGINE		
8. مكان الاخراج — Place of unloading — Lieu de déchargement :	7. (Designation of origin)		
9. اعداد ونوع الطرود ، الانواع والارقام — Marks and numbers, number and kind of packages — Marques et numéros, nombre et nature des colis :	10. الوزن الخام Gross weight Poids brut	11. لترات Litres Litres	
12. لترات (بالحروف) — Litres (in words) — Litres (en lettres) :			
13. تأشيرة الهيئة المرسله — Certificate of the issuing authority — Visa de l'organisme émetteur :			
14. تأشيرة الجمارك — Customs' stamp — Visa de la douane :	(See the translation under No 15 — Voir traduction au n° 15)		

15. We hereby certify that the wine described in this certificate is wine produced within the wine district of and is considered by Tunisian legislation as entitled to the designation of origin ''.
The alcohol added to this wine is alcohol of vinous origin.

Nous certifions que le vin décrit dans ce certificat a été produit dans la zone de et est reconnu, suivant la loi tunisienne, comme ayant droit à la dénomination d'origine « ».
L'alcool ajouté à ce vin est de l'alcool d'origine vinique.

16. (¹)

يحتفظ بهذه الخانة لمعلومات أخرى من الدولة المصدرة

(¹) Space reserved for additional details given in the exporting country.

(¹) Case réservée pour d'autres indications du pays exportateur.

COUNCIL REGULATION (EEC) No 3005/88

of 26 September 1988

opening and providing for the administration of a Community tariff quota for
cut flowers and flowers buds, fresh, originating in Cyprus (1988/89)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Article 19 of the Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and adapting certain provisions thereof⁽¹⁾, stipulates that cut flowers and flower buds, fresh, falling within CN codes 0603 10 11 to 0603 10 69 and originating in Cyprus shall be imported into the Community at Reduced Rates of duty within the limits of an annual Community tariff quota of 50 tonnes; whereas, pursuant to Articles 18 and 19 of the Protocol in question, this volume is subject to an annual increase of 5 % from the entry into force of the said Protocol, and will therefore be 55 tonnes for the period 1988/89; whereas within the limits of this tariff quota, customs duties are to be abolished progressively according to the same timetables and under the same conditions laid down in Articles 5 and 16 of the said Protocol; whereas in the context of the said quota, the Kingdom of Spain and the Portuguese Republic will apply customs duties calculated in accordance with the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of the Kingdom of Spain and the Portuguese Republic to the Community⁽²⁾;

Whereas roses with large or small flowers and carnations of the unifloral or multifloral type are covered by the quota only where they meet the conditions laid down by Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential

customs duties on imports of certain floricultural products originating in Cyprus, Israel or Jordan⁽³⁾; whereas these tariff advantages apply only to imports for which certain price conditions are complied with; whereas the Community tariff quota should therefore be opened for the period from 1 November 1988 to 31 October 1989 amounting to 55 tonnes for the period in question;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rates laid down for the quota should be applied consistently to all imports of the product in question into all the Member States until the quota is exhausted; whereas, in the present case, in view of the insignificant utilization of the quota and the concentration of the imports on the market of two Member States, the quota should not be allocated among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, under conditions and according to the procedure laid down in Article 1 (3) whereas this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quota is used and uniform the Member States accordingly;

Whereas since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of the quota shares allocated to that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 November 1988 to 31 October 1989 the duty applicable to imports into the Community of the following products originating in Cyprus shall be suspended at the level indicated and within the limits of a Community tariff quota as shown below:

⁽¹⁾ OJ No L 393, 31. 12. 1987, p. 2.

⁽²⁾ OJ No L 393, 31. 12. 1987, p. 37.

⁽³⁾ OJ No L 382, 31. 12. 1987, p. 22.

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.14	0603 10 51 0603 10 53 0603 10 55 0603 10 61 0603 10 65 0603 10 69 0603 10 11 0603 10 13 0603 10 15 0603 10 21 0603 10 25 0603 10 29	Cut flowers and flowers buds of a kind suitable for bouquets or for ornamental purposes, fresh, dried, dyed, bleached, impregnated or otherwise prepared : — fresh : — from 1 November to 31 May — from 1 June to 31 October	55	15,4 from 1 November to 31 December 13,9 from 1 January to 31 May 19,6 from 1 June to 31 October

Within the limits of this tariff quota, Spain and Portugal shall apply customs duties calculated in accordance with the relevant provisions of the Protocol to the Association Agreement between the European Economic Community and the Republic of Cyprus consequent on the accession of Spain and Portugal.

2. Cover by the tariff quota referred to in Article 1 (1) may be interrupted in the case of roses with large or small flowers and carnations of the unifloral or multifloral type if it is established at Community level that the price conditions laid down by Regulation (EEC) No 4088/87 are not complied with.

In such cases, the Commission shall adopt Regulation re-establishing the collection of Common Customs Tariff duties in respect of the products in question and, where appropriate, reintroducing this Regulation on the dates and for the products indicated in those Regulations.

3. If imports of products covered by this tariff quota are made, or are foreseen within fourteen calendar days at the latest, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the quota so permits.

4. If the said Member State does not use up the quantities drawn within the fourteen-day period referred to in paragraph 3, it shall return the remaining unused portion as soon as possible, by telex addressed to the Commission.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (3) enable imports to be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 26 September 1988.

For the Council

The President

Th. PANGALOS

COMMISSION REGULATION (EEC) No 3006/88

of 29 September 1988

on the supply of various lots of skimmed-milk powder as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 10 340 tonnes of skimmed-milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by

Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

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, 29 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 168, 1. 7. 1988, p. 7.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

ANNEX

LOT A and B

1. **Operation Nos** ⁽¹⁾: 878 and 879/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient** ⁽²⁾ ⁽¹⁾: UNRWA Headquarters, Vienna International Center, PO Box 700, A-1400 Vienna telex 135310 UNRWA A
4. **Representative of the recipient** ⁽³⁾ ⁽⁷⁾: UNRWA Field Supply and Transport Officer, Lebanon, PO Box 947, Beirut, Lebanon
5. **Place or country of destination**: Lebanon
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁸⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 637 tonnes
9. **Number of lots**: two (A: 275 tonnes; B: 362 tonnes)
10. **Packaging and marking** ⁽⁹⁾ ⁽¹¹⁾ ⁽²¹⁾: one kilogram in 20-foot containers *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 5 (under I.1.B.4 and I.1.B.4.1)
Supplementary markings on the packaging:
A: 'ACTION No 878/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / BEIRUT / date of production:'
B: 'ACTION No 879/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / BEIRUT / date of production:'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market.
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** ⁽¹²⁾: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Beirut
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 20 November 1988
18. **Deadline for the supply**: 31 December 1988
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽¹⁾: 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: 24 November to 4 December 1988
 - (c) deadline for the supply: 15 January 1989
22. **Amount of the tendering security**: 20 ECU / tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽³⁾: Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88, (*Official Journal of the European Communities* No L 236 of 25. 8. 1988, page 30)

LOT C

1. **Operation No⁽¹⁾**: 880/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient⁽⁶⁾(¹⁴)**: UNRWA Headquarters, Vienna International Center, PO Box 700, A-1400 Vienna
telex: 135310 UNRWA A
4. **Representative of the recipient⁽⁷⁾(⁷)**: UNRWA Field Supply and Transport Officer, SAR, PO Box 4313, Damascus, Arab Republic of Syria
5. **Place or country of destination**: Syria
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽⁸⁾**: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 292 tonnes
9. **Number of lots**: one
10. **Packaging and marking⁽⁹⁾(¹¹)(²¹)**: one kilogram in 20-foot containers (*Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 5 (under I.1.B.4 and I.1.B.4.1))

Supplementary markings on the packaging:
'ACTION No. 880/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / LATTAKIA / date of production:.....'

and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market

The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply⁽¹²⁾**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lattakia
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 10 to 20 November 1988
18. **Deadline for the supply**: 31 December 1988
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders⁽⁴⁾**: 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 24 November to 4 December 1988
 - (c) deadline for the supply: 15 January 1989
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:

Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels,
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer⁽⁵⁾**: Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88, (*Official Journal of the European Communities* No L 236, 26. 8. 1988, page 30)

LOTS D and E

1. **Operation Nos** ⁽¹⁾: 881 and 882/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient** ⁽⁹⁾ ⁽¹⁴⁾: UNRWA Headquarters, Vienna International Center, PO Box 700, A-1400 Vienna, telex: 135310 UNRWA A
4. **Representative of the recipient** ⁽³⁾ ⁽⁷⁾: UNRWA, Field Supply and Transport Officer, Jordan, PO Box 482, Amman, Jordan
5. **Place or country of destination**: Jordan
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁸⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 862 tonnes
9. **Number of lots**: two (D: 375 tonnes; E: 487 tonnes)
10. **Packaging and marking** ⁽⁹⁾ ⁽¹¹⁾ ⁽¹³⁾ ⁽²¹⁾: one kilogram in 20-foot containers *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 5 (under I.1.B.4 and I.1.B.4.1)
Supplementary markings on the packaging:
D: 'ACTION No 881/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / AQABA / date of production: / date of expiry:'
E: 'ACTION No 882/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / AQABA / date of production: / date of expiry:'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market.
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** ⁽¹²⁾: Free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Aqaba
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: D: 10 to 20 November 1988; E: 1 to 15 December 1988
18. **Deadline for the supply**: D: 31 December 1988; E: 31 January 1989
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: D: 24 November to 4 December 1988; E: 15 to 30 December 1988
 - (c) deadline for the supply: D: 15 January 1989; E: 28 February 1989
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88 (*Official Journal of the European Communities* No L 236 of 25. 8. 1988, page 30)

LOT F and G

1. **Operation Nos** ⁽¹⁾: 883 and 884/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient** ⁽²⁾ ⁽⁴⁾: UNRWA Headquarters, Vienna International Center, PO Box 700, A-1400 Vienna (telex 135310 UNRWA A)
4. **Representative of the recipient** ⁽³⁾ ⁽⁷⁾: UNRWA, Field Supply and Transport Officer, Westbank, PO Box 19149, Jerusalem, Israel
5. **Place or country of destination**: Israel
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁸⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 1 764 tonnes
9. **Number of lots**: two (F: 873 tonnes; G: 891 tonnes)
10. **Packaging and marking** ⁽⁹⁾ ⁽¹⁰⁾ ⁽¹¹⁾ ⁽²¹⁾: one kilogram in 20-foot containers *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 5 (under I.1.B.4 and I.1.B.4.1)
 Supplementary markings on the packaging:
 F: 'ACTION No 883/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / ASHDOD / date of production:

G: 'ACTION No 884/88 / VITAMINIZED SKIMMED MILK POWDER / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO UNRWA FOR FREE DISTRIBUTION TO PALESTINE REFUGEES / ASHDOD / date of production:

 and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market.
 The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** ⁽¹²⁾: Free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Ashdod
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 15 to 30 November 1988
18. **Deadline for the supply**: 15 January 1989
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽¹⁾: 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment: 14 to 29 December 1988
 (c) deadline for the supply: 29 January 1989
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
 Bureau de l'aide alimentaire, à l'attention de Monsieur N. Arend, Bâtiment Loi 120, bureau 7/58, 200, rue de la Loi, B-1049 Brussels, telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽¹⁾: Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88, (*Official Journal of the European Communities* No L 236 of 25. 8. 1988, page 30).

LOT H

1. **Operation No** (1): 905/88 — Commission Decision of 6 May 1988
2. **Programme**: 1988
3. **Recipient**: Arab Republic of Egypt
4. **Representative of the recipient** (3): Embassy of the Arab Republic of Egypt, Commercial Section, avenue Louise 522, B-1050 Brussels, tel: 02-647 32 27, telex: 64809 COMRAU B
5. **Place or country of destination**: Arab Republic of Egypt
6. **Product to be mobilized**: Skimmed-milk powder — low heat (15)
7. **Characteristics and quality of the goods** (2) (16): See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under I.1.A.1 and I.1.A.2)
8. **Total quantity**: 3 300 tonnes
9. **Number of lots**: one (in two parts: H 1: 1 300 tonnes; H 2: 2 000 tonnes)
10. **Packaging and marking**: 25 kilograms *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under I.1.A.3 and I.1.A.4)
Supplementary markings on the packaging:
'ACTION' No 905/88 / SKIMMED MILK POWDER — LOW-HEAT / GIFT OF THE EUROPEAN ECONOMIC COMMUNITY TO EGYPT'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: Free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 1 to 15 December 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** (4): 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 14 to 29 December 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels,
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** (5): Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88 (*Official Journal of the European Communities* No L 236, 26. 8. 1988, page 30)

LOT I

1. **Operation No** ⁽¹⁾: 939/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient**: Honduras
4. **Representative of the recipient** ⁽²⁰⁾: M. F. Figueroa, Ministro del Plan, Apdo Postal 1327, Comayagüela DC, Honduras, telex: 1222. Copy: M. Zapata, Ambassade du Honduras, 3 avenue des Gaulois, B-1040 Brussels, tel: 734 00 00
5. **Place or country of destination**: Honduras
6. **Product to be mobilized**: Skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽¹⁷⁾ ⁽¹⁸⁾ ⁽¹⁹⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under I.1.A.1 and I.1.A.2)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking**: ⁽²¹⁾: 25 kilograms in containers *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under I.1.A.3 and I.1.A.4)
Supplementary markings on the packaging:
'ACCIÓN No 939/88 / LECHE EN POLVO DESCREMADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A HONDURAS'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 3 (under I.1.A.4)
11. **Method of mobilization**: the Community market limited to the United Kingdom, Ireland and Denmark
The manufacture of the skimmed-milk powder must be carried out after the award of the tender
12. **Stage of supply**: Free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Puerto Cortés
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 to 20 November 1988
18. **Deadline for the supply**: 5 January 1989
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **In the case of an invitation to tender, date of expiry of the period allowed for submission of tenders** ^(*): 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19 November to 4 December 1988
 - (c) deadline for the supply: 19 January 1989
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels,
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ^(*): Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88 (*Official Journal of the European Communities* No L 236, 25. 8. 1988, page 30)

LOT K

1. **Operation No** ⁽¹⁾: 938/88 — Commission Decision of 8 June 1988
2. **Programme**: 1988
3. **Recipient**: Honduras
4. **Representative of the recipient** ⁽²⁰⁾: M. F. Figueroa, Ministro del Plan, Apdo Postal 1327, Comayagüela DC, Honduras telex: 1222. Copy: M. Zapata, Ambassade du Honduras, 3, avenue des Gaulois, B-1040 Brussels, tel: 734 00 00
5. **Place or country of destination**: Honduras
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽¹⁷⁾ ⁽¹⁸⁾ ⁽¹⁹⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 600 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽²¹⁾: 25 kilograms in containers *Official Journal of the European Communities* No C 216 of 14. 8. 1987, pages 4 and 6 (under I.1.B.4 and I.1.B.4.3)
Supplementary markings on the packaging:
'ACCIÓN No. 938/88 / LECHE EN POLVO DESCREMADA / DONACIÓN DE LA COMUNIDAD ECONÓMICA EUROPEA A HONDURAS'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market limited to the United Kingdom, Ireland and Denmark
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** ⁽¹²⁾: Free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Puerto Cortés
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 to 20 November 1988
18. **Deadline for the supply**: 5 January 1989
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19 November to 4 December 1988
 - (c) deadline for the supply: 19 January 1989
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels,
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88, (*Official Journal of the European Communities* No L 236, 26. 8. 1988, page 30)

LOT L

1. **Operation Nos** ⁽¹⁾: 776 and 777/88 — Commission Decision of 16 March 1988
2. **Programme**: 1988
3. **Recipient**: World Food Programme, via Cristoforo Colombo 426, I-00145 Roma, telex 626675 WFP I
4. **Representative of the recipient** ⁽³⁾: see *Official Journal of the European Communities* No C 103 of 16 April 1987, page 4
5. **Place or country of destination**: Morocco
6. **Product to be mobilized**: Vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽²⁾ ⁽¹⁷⁾ ⁽¹⁸⁾ ⁽¹⁹⁾: See *Official Journal of the European Communities* No C 216 of 14 August 1987, page 4 (under I.1.B.1 to I.1.B.3)
8. **Total quantity**: 2 285 tonnes
9. **Number of lots**: one (in two parts: L 1: 1 600 tonnes; L 2: 685 tonnes)
10. **Packaging and marking** ⁽²¹⁾: 25 kilograms *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 6 (under I.1.B.4 and I.1.B.4.3)
Supplementary markings on the packaging:
L 1: 'ACTION N° 776/88 / CASABLANCA / MAROC 0228803 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL'
L 2: 'ACTION N° 777/88 / TANGER / MAROC 0228803 / ACTION DU PROGRAMME ALIMENTAIRE MONDIAL'
and *Official Journal of the European Communities* No C 216 of 14 August 1987, page 6 (under I.1.B.5)
11. **Method of mobilization**: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: Free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 20 November to 5 December 1988
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: Invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** ⁽⁴⁾: 17 October 1988 at 12 noon
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 24 October 1988 at 12 noon
 - (b) period for making the goods available at the port of shipment: 4 to 19 December 1988
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: 20 ECU/tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ECU
24. **Address for submission of tenders**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur N. Arend,
Bâtiment Loi 120, bureau 7/58,
200, rue de la Loi,
B-1049 Brussels,
telex AGREC 22037 B
25. **Refund payable on request by the successful tenderer** ⁽⁵⁾: Refund applicable on 26 August 1988 fixed by Regulation (EEC) No 2642/88 (*Official Journal of the European Communities* No L 236, 25. 8. 1988, page 30)

Notes

- (¹) The operation number is to be quoted in all correspondence.
- (²) At the request of the beneficiary the successful tenderer shall produce a certificate from an official entity, certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
- (³) Commission delegate to be contracted by the successful tenderer: see list in *Official Journal of the European Communities* NO C 227 of 7 September 1985, page 4.
- (⁴) In order not to overload the telex, tenderers are requested to provide, before the date and time laid down in point 20 of this Annex, evidence that the tendering security referred to in Article 7 (4) (a) of Regulation (EEC) No 2200/87 has been lodged, preferably:
- either by porter at the office referred to in point 24 of this Annex,
 - or by telecopier on one of the following numbers in Brussels:
 - 235 01 32
 - 236 10 97
 - 235 01 30
 - 236 20 05.
- (⁵) Regulation (EEC) No 2330/87 (OJ NO L 210, 1. 8. 1987, p. 56) is applicable as regards the export refund and, where appropriate, the monetary and accession compensatory amounts, the representative rate and the monetary coefficient. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
- (⁶) As soon as the successful tenderer has been informed of the award of the contract, he shall contact the beneficiary or his representative without delay, in order to determine the necessary consignment documents, as well as the details of period, rate and other circumstances concerning shipment.
- (⁷) The successful tenderer shall send a copy of the shipping documents to the following address: Delegation of the Commission to ... (country of destination), s/c service 'valise diplomatique', Berlaymont 1/123, rue de la Loi 200, B-1049 Brussels.
- (⁸) Certificates and documents required for each shipment:
- one original and two copies of insurance certificates,
 - one original and two copies of health certificate,
 - one original and two copies of inspection certificate regarding quality, quantity and packing,
 - one certificate of non-contamination by radioactivity
- (⁹) Supply free at terminal, as provided for in Article 14 (5) (a) of Regulation (EEC) No 2200/87, implies that the following costs at the port of landing shall be borne by the successful tenderer:
- should containers be used on a FCL/FCL or LCL/FCL basis, all costs of unloading and transportation from the under hook stage up to the designated destuffing area via, if any, transit check shed area. The costs of destuffing the goods from the containers, local charges incurred at a later stage, and costs occasioned by delays of detention or returning the containers are to be borne by the recipient,
 - should containers be used on a LCL/LCL or FCL/LCL basis, all the costs of unloading and transportation from the under hook stage up to the designated destuffing area via, if any, transit check shed area and by way of derogation from the aforementioned paragraph 5 (a) of Article 14, the LCL charges (destuffing of the goods). The local charges incurred after the stage of destuffing the goods from the containers are to be borne by the recipient.
- (¹⁰) Consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net; not more than 30 containers are to be shipped on any vessels.
- (¹¹) The 1 000-gram sachets for milk powder described in *Official Journal of the European Communities* No C 216 of 14 August 1987, pages 4 and 5 (under I.1.B.4 and I.1.B.4.1) must be made of white polyethylene film.
- (¹²) The contracted shipping terms shall be considered to be *ex quai* port of destination's container yard. UNRWA shall be granted 20 days — Saturdays, Sundays and official public and religious holidays included — free of container detention charges at the port of discharge taken from the day/time of the relevant customs etc. clearance having been effected. Bonafide detention charges levied in respect of container detention(s) in excess of the said 20 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.
- (¹³) The expiry date appearing on the packages must be 12 months after the date of manufacture.
- (¹⁴) The supplier is to detail the Chief, supply division, UNRWA, Vienna, by telex No 135310 UNRWA A, the name of the carrying vessel, names and addresses of shipping agent and insurance agent at port of discharge.

- (¹⁵) The milk powder must be obtained by the process 'low-heat temperature expressed whey protein nitrogen, maximum 6,0 mg/gm' and correspond to the characteristics mentioned in Annex I to Regulation (EEC) No 625/78 (OJ No L 84, 31. 3. 1978, p. 19). However, concerning the 'total colony count' the standard ADMI Standard Methods Ed, 1971, pages 16 to 21 can be used instead of the international standard FIL 49 : 1970.
- (¹⁶) Certificate of radioactivity authenticated by an Egyptian embassy or consulate.
- (¹⁷) The successful tenderer shall give the beneficiaries' representative, at the time of delivery, a certificate of origin.
- (¹⁸) Analysis and quality certificate listing technical specifications of the product and issued by official entity in country of origin.
- (¹⁹) Veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 90 days prior to the processing.
- (²⁰) Commission delegate to be contacted by the successful tenderer :
M. Ceriní, Bureau CEE à San José,
Apartado 836, Centro Colón,
1007 San José, Costa Rica,
tel. 33 27 55 ; telex 3482 CEE AC Cr.
- (²¹) Should containers be used at the stage of delivery free at port of shipment, on FCL/FCL or FCL/LCL basis, the supplier will bear all costs pertaining to the use of such containers up to the terminal stage, including THC (terminal handling charges). However, the supplier shall not bear any rental cost.
- Where, pursuant to Article 13 (2), second indent, of Regulation (EEC) No 2200/87, the supplier is responsible for loading the containers on board of the vessel designated by the recipient, the Commission will refund the corresponding costs, excluding terminal handling charges.
- Should containers be used on LCL/FCL or LCL/LCL basis, the supplier must deliver the goods to the terminal, at a stage where the stuffing of the containers can be immediately done at the recipient's costs. The supplier shall not bear any cost pertaining to the use of the containers.
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COMMISSION REGULATION (EEC) No 3007/88

of 30 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 29 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 1 October 1988.

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

Done at Brussels, 30 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. 96.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

CN code	Levies (ECU/tonne)	
	Portugal	Third country
0709 90 60	0,00	119,64
0712 90 19	0,00	119,64
1001 10 10	26,28	169,79 ⁽¹⁾ ⁽²⁾
1001 10 90	26,28	169,79 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	123,17
1001 90 99	0,00	123,17
1002 00 00	31,08	104,95 ⁽⁴⁾
1003 00 10	24,80	115,16
1003 00 90	24,80	115,16
1004 00 10	81,09	43,85
1004 00 90	81,09	43,85
1005 10 90	0,00	119,64 ⁽²⁾ ⁽³⁾
1005 90 00	0,00	119,64 ⁽²⁾ ⁽³⁾
1007 00 90	19,45	130,67 ⁽⁴⁾
1008 10 00	24,80	27,75
1008 20 00	24,80	90,40 ⁽⁴⁾
1008 30 00	24,80	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	24,80	0,00
1101 00 00	6,16	185,95
1102 10 00	57,02	160,44
1103 11 10	53,93	276,37
1103 11 90	7,20	200,29

⁽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 (tritica).

COMMISSION REGULATION (EEC) No 3008/88

of 30 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 29 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 1 October 1988.

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

Done at Brussels, 30 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 30 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 10	1st period 11	2nd period 12	3rd period 1
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	(ECU/tonne)				
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
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 3009/88
of 30 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 last amended by Regulation (EEC) No 2929/88 ⁽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 1 October 1988.

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

Done at Brussels, 30 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 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 241, 1. 9. 1988, p. 27.

⁽⁵⁾ OJ No L 264, 24. 9. 1988, p. 22.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the import levies on rice and broken rice

(ECU / tonne)

CN code	Portugal	Third countries (except ACP or OCT) (¹)	ACP or OCT (¹) (²) (³)	Arrangement in Regulation (EEC) No 3877/86
1006 10 91	—	287,98	140,39	—
1006 10 99 (⁴)	—	275,74	134,27	206,81
1006 20 10	—	359,98	176,39	—
1006 20 90 (⁴)	—	344,68	168,74	258,51
1006 30 11	13,05	480,94	228,54	—
1006 30 19 (⁴)	12,97	554,52	265,37	415,89
1006 30 91	13,90	512,21	243,75	—
1006 30 99 (⁴)	13,90	594,45	284,87	445,84
1006 40 00	0	108,74	51,37	—

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 3010/88

of 30 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 last amended by Regulation (EEC) No 2930/88 ⁽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 1 October 1988.

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

Done at Brussels, 30 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 264, 24. 9. 1988, p. 24.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN Code	Current 10	1st period 11	2nd period 12	3rd period 1
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 3011/88

of 30 September 1988

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide 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⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide 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, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice 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 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export

system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy; whereas Article 8 of Regulation (EEC) No 2744/75 and Article 1 of Commission Regulation (EEC) No 1077/68⁽⁹⁾, as amended by Regulation (EEC) No 2764/71⁽¹⁰⁾, provide that the amount of the export refund should, for certain products, be reduced by an amount equal to the production refund granted in respect of the basic products;

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 when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 181, 27. 7. 1968, p. 1.

⁽¹⁰⁾ OJ No L 283, 24. 12. 1971, p. 30.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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 Commission Regulation (EEC) No 2806/71 ⁽¹⁾ lays down additional rules for granting export refunds for certain products processed from cereals and rice;

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 ⁽²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽³⁾,
- 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 rela-

tion 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 the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 284, 28. 12. 1971, p. 9.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund	Product code	Refund
1102 20 10 100	99,05	1104 22 10 100	27,41
1102 20 10 300	84,90	1104 22 10 900	—
1102 20 10 900	—	1104 22 30 100	29,12
1102 20 90 100	84,90	1104 22 30 900	—
1102 20 90 900	—	1104 22 50 000	—
1102 30 00 000	—	1104 23 10 100	106,13
1102 90 10 100	88,20	1104 23 10 300	81,36
1102 90 10 900	59,98	1104 23 10 900	—
1102 90 30 100	30,83	1104 29 10 100	—
1102 90 30 900	—	1104 29 10 900	—
1103 12 00 100	30,83	1104 29 91 000	51,13
1103 12 00 900	—	1104 29 95 000	51,13
1103 13 11 100	127,35	1104 30 10 000	17,14
1103 13 11 300	99,05	1104 30 90 000	17,69
1103 13 11 500	84,90	1107 10 11 000	122,04
1103 13 11 900	—	1107 10 91 000	104,66
1103 13 19 100	127,35	1108 11 00 100	123,12
1103 13 19 300	99,05	1108 11 00 900	—
1103 13 19 500	84,90	1108 12 00 100	105,20
1103 13 19 900	—	1108 12 00 900	—
1103 13 90 100	84,90	1108 13 00 100	105,20
1103 13 90 900	—	1108 13 00 900	—
1103 14 00 000	—	1108 14 00 100	—
1103 19 10 000	51,13	1108 14 00 900	—
1103 19 30 100	91,14	1108 19 10 100	156,99
1103 19 30 900	—	1108 19 10 900	—
1103 21 00 000	69,93	1108 19 90 100	—
1103 29 20 000	59,98	1108 19 90 900	—
1103 29 30 000	—	1109 00 00 100	0,00
1103 29 40 000	72,17	1109 00 00 900	—
1104 11 90 100	88,20	1702 30 91 000	137,42
1104 11 90 900	—	1702 30 99 000	105,20
1104 12 90 100	34,26	1702 40 90 000	105,20
1104 12 90 300	27,41	1702 90 50 100	137,42
1104 12 90 900	—	1702 90 50 900	105,20
1104 19 10 000	69,93	1702 90 75 000	143,99
1104 19 50 110	113,20	1702 90 79 000	99,94
1104 19 50 130	91,98	2106 90 55 000	105,20
1104 19 50 150	—	2302 10 10 000	15,85
1104 19 50 190	—	2302 10 90 100	15,85
1104 19 50 900	—	2302 10 90 900	—
1104 19 91 000	—	2302 20 10 000	15,85
1104 21 10 100	88,20	2302 20 90 100	15,85
1104 21 10 900	—	2302 20 90 900	—
1104 21 30 100	88,20	2302 30 10 000	15,85
1104 21 30 900	—	2302 30 90 000	15,85
1104 21 50 100	117,60	2302 40 10 000	15,85
1104 21 50 300	94,08	2302 40 90 000	15,85
1104 21 50 900	—	2303 10 11 100	52,60
		2303 10 11 900	—

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

COMMISSION REGULATION (EEC) No 3012/88
of 30 September 1988

fixing the export refunds on cereal-based compound feedingstuffs

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 that Regulation 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 other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as amended by Regulation (EEC) No 944/87⁽⁵⁾, provides that, when

export refunds on cereal-based compound feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for compound feedingstuffs according to composition and destination; whereas, for purposes of varying the refund, the destination zones laid down in Annex II to Commission Regulation (EEC) No 1124/77 of 27 May 1977 redefining the destination zones for export refunds or levies and for certain export licences for cereals and rice⁽⁸⁾, as amended by Regulation (EEC) No 296/88⁽⁹⁾, should be used;

⁽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. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 30, 2. 2. 1988, p. 9.

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- 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 the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

The refund on export to Portugal has not been fixed.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 11 050	—	—
2309 10 11 110	01	3,89
	09	—
2309 10 11 190	01	3,24
	09	—
2309 10 11 210	01	7,78
	09	—
2309 10 11 290	01	6,49
	09	—
2309 10 11 310	01	15,57
	09	—
2309 10 11 390	01	12,98
	09	—
2309 10 11 900	—	—
2309 10 13 050	—	—
2309 10 13 110	01	3,89
	09	—
2309 10 13 190	01	3,24
	09	—
2309 10 13 210	01	7,78
	09	—
2309 10 13 290	01	6,49
	09	—
2309 10 13 310	01	15,57
	09	—
2309 10 13 390	01	12,98
	09	—
2309 10 13 900	—	—
2309 10 31 050	—	—
2309 10 31 110	01	3,89
	09	—
2309 10 31 190	01	3,24
	09	—
2309 10 31 210	01	7,78
	09	—
2309 10 31 290	01	6,49
	09	—
2309 10 31 310	01	15,57
	09	—
2309 10 31 390	01	12,98
	09	—
2309 10 31 410	01	23,35
	09	—
2309 10 31 490	01	19,47
	09	—
2309 10 31 510	01	31,13
	09	—

(ECU/tonne)		
Product code	Destination (1)	Amount of refund
2309 10 31 590	01	25,96
	09	—
2309 10 31 610	01	38,91
	09	—
2309 10 31 690	01	32,44
	09	—
2309 10 31 900	—	—
2309 10 33 050	—	—
2309 10 33 110	01	3,89
	09	—
2309 10 33 190	01	3,24
	09	—
2309 10 33 210	01	7,78
	09	—
2309 10 33 290	01	6,49
	09	—
2309 10 33 310	01	15,57
	09	—
2309 10 33 390	01	12,98
	09	—
2309 10 33 410	01	23,35
	09	—
2309 10 33 490	01	19,47
	09	—
2309 10 33 510	01	31,13
	09	—
2309 10 33 590	01	25,96
	09	—
2309 10 33 610	01	38,91
	09	—
2309 10 33 690	01	32,44
	09	—
2309 10 33 900	—	—
2309 10 51 050	—	—
2309 10 51 110	01	3,89
	09	—
2309 10 51 190	01	3,24
	09	—
2309 10 51 210	01	7,78
	09	—
2309 10 51 290	01	6,49
	09	—
2309 10 51 310	01	15,57
	09	—
2309 10 51 390	01	12,98
	09	—
2309 10 51 410	01	23,35
	09	—
2309 10 51 490	01	19,47
	09	—
2309 10 51 510	01	31,13
	09	—
2309 10 51 590	01	25,96
	09	—
2309 10 51 610	01	38,91
	09	—

Product code	Destination (1)	Amount of refund (ECU/tonne)
2309 10 51 690	01	32,44
	09	—
2309 10 51 710	01	46,70
	09	—
2309 10 51 790	01	38,93
	09	—
2309 10 51 810	01	50,94
	09	—
2309 10 51 890	01	42,47
	09	—
2309 10 51 900	—	—
2309 10 53 050	—	—
2309 10 53 110	01	3,89
	09	—
2309 10 53 190	01	3,24
	09	—
2309 10 53 210	01	7,78
	09	—
2309 10 53 290	01	6,49
	09	—
2309 10 53 310	01	15,57
	09	—
2309 10 53 390	01	12,98
	09	—
2309 10 53 410	01	23,35
	09	—
2309 10 53 490	01	19,47
	09	—
2309 10 53 510	01	31,13
	09	—
2309 10 53 590	01	25,96
	09	—
2309 10 53 610	01	38,91
	09	—
2309 10 53 690	01	32,44
	09	—
2309 10 53 710	01	46,70
	09	—
2309 10 53 790	01	38,93
	09	—
2309 10 53 810	01	50,94
	09	—
2309 10 53 890	01	42,47
	09	—
2309 10 53 900	—	—
2309 90 31 050	—	—
2309 90 31 110	01	3,89
	09	—

(ECU / tonne)		
Product code	Destination (1)	Amount of refund
2309 90 31 190	01	3,24
	09	—
2309 90 31 210	01	7,78
	09	—
2309 90 31 290	01	6,49
	09	—
2309 90 31 310	01	15,57
	09	—
2309 90 31 390	01	12,98
	09	—
2309 90 31 900	—	—
2309 90 33 050	—	—
2309 90 33 110	01	3,89
	09	—
2309 90 33 190	01	3,24
	09	—
2309 90 33 210	01	7,78
	09	—
2309 90 33 290	01	6,49
	09	—
2309 90 33 310	01	15,57
	09	—
2309 90 33 390	01	12,98
	09	—
2309 90 33 900	—	—
2309 90 41 050	—	—
2309 90 41 110	01	3,89
	09	—
2309 90 41 190	01	3,24
	09	—
2309 90 41 210	01	7,78
	09	—
2309 90 41 290	01	6,49
	09	—
2309 90 41 310	01	15,57
	09	—
2309 90 41 390	01	12,98
	09	—
2309 90 41 410	01	23,35
	09	—
2309 90 41 490	01	19,47
	09	—
2309 90 41 510	01	31,13
	09	—
2309 90 41 590	01	25,96
	09	—
2309 90 41 610	01	38,91
	09	—
2309 90 41 690	01	32,44
	09	—
2309 90 41 900	—	—
2309 90 43 050	—	—
2309 90 43 110	01	3,89
	09	—
2309 90 43 190	01	3,24
	09	—

Product code	Destination (1)	(ECU/tonne)
		Amount of refund
2309 90 43 210	01	7,78
	09	—
2309 90 43 290	01	6,49
	09	—
2309 90 43 310	01	15,57
	09	—
2309 90 43 390	01	12,98
	09	—
2309 90 43 410	01	23,35
	09	—
2309 90 43 490	01	19,47
	09	—
2309 90 43 510	01	31,13
	09	—
2309 90 43 590	01	25,96
	09	—
2309 90 43 610	01	38,91
	09	—
2309 90 43 690	01	32,44
	09	—
2309 90 43 900	—	—
2309 90 51 050	—	—
2309 90 51 110	01	3,89
	09	—
2309 90 51 190	01	3,24
	09	—
2309 90 51 210	01	7,78
	09	—
2309 90 51 290	01	6,49
	09	—
2309 90 51 310	01	15,57
	09	—
2309 90 51 390	01	12,98
	09	—
2309 90 51 410	01	23,35
	09	—
2309 90 51 490	01	19,47
	09	—
2309 90 51 510	01	31,13
	09	—
2309 90 51 590	01	25,96
	09	—
2309 90 51 610	01	38,91
	09	—
2309 90 51 690	01	32,44
	09	—
2309 90 51 710	01	46,70
	09	—
2309 90 51 790	01	38,93
	09	—
2309 90 51 810	01	50,94
	09	—

(ECU/tonne)

Product code	Destination (1)	Amount of refund
2309 90 51 890	01	42,47
	09	—
2309 90 51 900	—	—
2309 90 53 050	—	—
2309 90 53 110	01	3,89
	09	—
2309 90 53 190	01	3,24
	09	—
2309 90 53 210	01	7,78
	09	—
2309 90 53 290	01	6,49
	09	—
2309 90 53 310	01	15,57
	09	—
2309 90 53 390	01	12,98
	09	—
2309 90 53 410	01	23,35
	09	—
2309 90 53 490	01	19,47
	09	—
2309 90 53 510	01	31,13
	09	—
2309 90 53 590	01	25,96
	09	—
2309 90 53 610	01	38,91
	09	—
2309 90 53 690	01	32,44
	09	—
2309 90 53 710	01	46,70
	09	—
2309 90 53 790	01	38,93
	09	—
2309 90 53 810	01	50,94
	09	—
2309 90 53 890	01	42,47
	09	—
2309 90 53 900	—	—

(1) The destinations are as follows:

01 Zones A, B, C, D and E as specified in Annex II to Regulation (EEC) No 1124/77,

09 Other destinations.

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

COMMISSION REGULATION (EEC) No 3013/88

of 30 September 1988

fixing the corrective amount applicable to the refund 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 the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than 0,30 ECU per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than 0,30 ECU per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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 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 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 30.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20/6.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽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, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Current 10	1st period 11	2nd period 12	3rd period 1
1006 20 10 000	—	—	—	—
1006 20 90 000 ⁽¹⁾	0	0	0	0
1006 30 11 000	—	—	—	—
1006 30 19 000	—	—	—	—
1006 30 91 000	—	—	—	—
1006 30 99 100 ⁽¹⁾	0	0	0	0
1006 30 99 900 ⁽¹⁾	0	0	0	0
1006 40 00 000	—	—	—	—

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

⁽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 3014/88

of 30 September 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 1 October 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, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	62,00
1107 10 99 000	77,00
1107 20 00 000	89,00

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

COMMISSION REGULATION (EEC) No 3015/88

of 30 September 1988

fixing the corrective amount applicable to the refund 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 Council 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 (d) of Regulation (EEC) No 2727/75;

Whereas Regulation Commission (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 in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account

must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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 malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 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, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period 4	7th period 5	8th period 6	9th period 7	10th period 8	11th period 9
1107 10 11 000	0	0	0	- 20,00	- 20,00	- 20,00
1107 10 19 000	0	0	0	- 20,00	- 20,00	- 20,00
1107 10 91 000	0	0	0	- 20,00	- 20,00	- 20,00
1107 10 99 000	0	0	0	- 20,00	- 20,00	- 20,00
1107 20 00 000	0	0	0	- 23,00	- 23,00	- 23,00

COMMISSION REGULATION (EEC) No 3016/88

of 30 September 1988

fixing the refunds applicable for October 1988 to cereal and rice sector products
supplied as Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/73 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 Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 2229/88 ⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

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

Done at Brussels, 30 September 1988.

Whereas Article 3 of Council Regulation (EEC) No 2746/75 ⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76 ⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for October 1988 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the refunds applicable for October 1988 to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 90 000	96,77
1001 90 99 000	55,00
1002 00 00 000	—
1003 00 10 000	60,00
1003 00 90 000	60,00
1004 00 90 000	—
1005 90 00 000	60,00
1006 20 10 000	192,32
1006 20 90 000	192,32
1006 30 11 000	—
1006 30 19 000	—
1006 30 91 000	240,40
1006 30 99 900	269,25
1006 40 00 000	—
1007 00 90 000	60,00
1101 00 00 110	74,00
1101 00 00 120	74,00
1101 00 00 130	74,00
1102 20 10 000	99,05
1102 30 00 000	—
1102 90 10 100	88,20
1103 11 10 500	150,00
1103 11 90 100	82,00
1103 13 19 100	127,35
1103 14 00 000	—
1104 12 90 100	34,26
1104 21 50 100	117,60

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

COMMISSION REGULATION (EEC) No 3017/88

of 30 September 1988

fixing the import levies on syrups and certain other products in the sugar sector

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,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least 0,73 ECU from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least 0,73 ECU from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 2221/88⁽⁶⁾, for the fixing of the import levy on the products falling within subheadings 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50 of the combined nomenclature, and the variable element, per 100 kilograms of dry matter, being equal to one hundred times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

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 Council Regulation (EEC) No 1676/85⁽⁷⁾ as last amended by Regulation (EEC) No 1636/87⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 16.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4658	—
1702 20 90	0,4658	—
1702 30 10	—	56,25
1702 40 10	—	56,25
1702 60 10	—	56,25
1702 60 90	0,4658	—
1702 90 30	—	56,25
1702 90 60	0,4658	—
1702 90 71	0,4658	—
1702 90 90	0,4658	—
2106 90 30	—	56,25
2106 90 59	0,4658	—

COMMISSION REGULATION (EEC) No 3018/88

of 30 September 1988

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1467/77⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic

amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation (EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products within subheading 1702 30 91 of the combined nomenclature and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 210, 27. 7. 1988, p. 65.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁶⁾ OJ No L 162, 1. 7. 1977, p. 6.⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾;
- 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 refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given 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 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the export refunds on syrups
and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		39,21
1702 60 10 000		39,21
1702 60 90 000	0,3921	
1702 90 30 000		39,21
1702 90 60 000	0,3921	
1702 90 71 000	0,3921	
1702 90 90 900	0,3921	
2106 90 30 000		39,21
2106 90 59 000	0,3921	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70).
Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

COMMISSION REGULATION (EEC) No 3019/88
of 30 September 1988

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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, in accordance with Article 303 of the Act of Accession of Spain and Portugal, a reduced levy is applied during the period of seven years following accession on imports into Portugal of certain quantities of raw sugar originating in certain third countries;

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 2705/88 ⁽⁴⁾, fixes

the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (subheadings 1701 11 10 and 1701 12 10 of the combined nomenclature) is fixed for this quality type at 23,76 ECU/100 kg.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 241, 1. 9. 1988, p. 43.

COMMISSION REGULATION (EEC) No 3020/88
of 30 September 1988

fixing the production refund for white sugar used in the chemical industry

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 9 (6) thereof,

Whereas under Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾ establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁴⁾, as last amended by Regulation (EEC) No 1053/88⁽⁵⁾, specifies the method to be used for establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the pro-

duction refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at 31,844 ECU for three months from 1 October to 31 December 1988. For flavoured sugars or sugars containing added colouring agents or containing other substances obtained from white sugar or raw sugar the production refund shall be established by multiplying this amount by the sucrose content of the sugar in question determined in accordance with the polarimetric method as a percentage of the dry matter weight.

Article 2

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 October 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 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 356, 17. 12. 1986, p. 13.

⁽⁵⁾ OJ No L 103, 22. 4. 1988, p. 25.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3021/88
of 30 September 1988
fixing the export refunds on olive oil

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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulations (EEC) No 1650/86 and (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

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 Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	50,00
1509 10 90 900	98,00
1509 90 00 100	53,00
1509 90 00 900	103,00
1510 00 90 100	8,00
1510 00 90 900	50,00

(1) For destinations mentioned in Article 5 of Commission Regulation (EEC) No 2730/79 (OJ No L 317, 12. 12. 1979, p. 1), as well as for exports to third countries.

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

COMMISSION REGULATION (EEC) No 3022/88

of 30 September 1988

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward-processing arrangements;

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 Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 4055/87⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by the Act of Accession⁽⁶⁾;

Whereas Commission Regulation (EEC) No 442/84 of 21 February 1984 on the granting of aid for butter from private storage for use in the manufacture of pastry products, ice-cream and other foodstuffs and amending Regulation (EEC) No 1245/83⁽⁷⁾, as last amended by Regulation (EEC) No 698/86⁽⁸⁾, and Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁹⁾, as last amended by Regulation (EEC) No 1690/88⁽¹⁰⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹¹⁾, as last amended by Regulation (EEC) No 1058/88⁽¹²⁾, has established, as from 1 January 1988, a new combined nomenclature, which will meet the requirements both of the Common Customs Tariff and the external trade statistics of the

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 73, 27. 3. 1972, p. 14.

⁽⁷⁾ OJ No L 52, 23. 2. 1984, p. 12.

⁽⁸⁾ OJ No L 64, 6. 3. 1986, p. 12.

⁽⁹⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁰⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽¹¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽¹²⁾ OJ No L 104, 23. 4. 1988, p. 1.

Community and which will replace the Nomenclature of the Convention of 15 December 1950 ; whereas, therefore, the corresponding tariff headings according to the combined nomenclature have to be indicated ;

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

3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	<i>(ECU/100 kg)</i> 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 c) On exportation of other goods	— 197,00 185,00

COMMISSION REGULATION (EEC) No 3023/88

of 30 September 1988

fixing for October 1988 the levy applicable in Spain to products subject to the price control system

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 Commission Regulation (EEC) No 1183/86 of 21 April 1986 laying down detailed rules for the system for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain ⁽¹⁾, as last amended by Regulation (EEC) No 410/88 ⁽²⁾, and in particular Article 14 thereof,

Whereas Article 14 of Regulation (EEC) No 1183/86 provides that, for the period from 1 March 1986 to 31 December 1988, a levy is to be applied to imports into Spain of products subject to the price control system and to soya oil produced from imported beans and released for consumption; whereas that levy is to be fixed on the basis of the difference between, on the one hand, the average price of soya oil in Spain during the 1984/85 marketing year and, on the other hand, the price of that oil on the world market, plus the duty charged in Spain on imports from third countries;

Whereas the Spanish system of compensation for vegetable oil prices applied prior to accession was supervised by a state organization; whereas therefore, the system providing for the said levy will make any further intervention by the state superfluous and thus preclude certain potential obstacles to trade, particularly in soya oil;

Whereas that levy should be as fixed hereinafter,

HAS ADOPTED THIS REGULATION:

Article 1

The levy referred to in Article 14 of Regulation (EEC) No 1183/86 shall be 321,562 ECU per tonne of oil for October 1988.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

⁽¹⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽²⁾ OJ No L 40, 13. 2. 1988, p. 24.

COMMISSION REGULATION (EEC) No 3024/88

of 30 September 1988

amending Regulation (EEC) No 1787/87 introducing the buying-in of beef in respect of certain Member States and qualities and fixing the buying-in prices for beef

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 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 2248/88 ⁽²⁾, and in particular Article 6a (4) thereof,

Whereas Commission Regulation (EEC) No 1787/87 ⁽³⁾, as last amended by Regulation (EEC) No 2931/88 ⁽⁴⁾, introduced the buying-in of beef in respect of certain Member States or regions thereof and quality groups, and fixed the buying-in prices in the beef sector;

Whereas, pursuant to the abovementioned Article 6a (4) and to Article 3 (2) of Commission Regulation (EEC) No

2226/78 ⁽⁵⁾, as last amended by Regulation (EEC) No 797/88 ⁽⁶⁾, the buying-in prices should be replaced, on the basis of the data and prices available to the Commission, according to the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to amended Regulation (EEC) No 1787/87 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 10 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 24.

⁽³⁾ OJ No L 168, 27. 6. 1987, p. 22.

⁽⁴⁾ OJ No L 264, 24. 9. 1988, p. 26.

⁽⁵⁾ OJ No L 261, 26. 9. 1978, p. 5.

⁽⁶⁾ OJ No L 81, 26. 3. 1988, p. 43.

ANNEX

Buying-in price in ECU per 100 kilograms carcase weight

Quality (category and class)	Equivalent carcase price	Forequarter price	
		straight cut (1)	pistola cut (2)
AU2	298,573	238,858	223,930
AU3	294,471	235,577	220,853
AR2	289,502	231,602	217,127
AR3	285,354	228,283	214,016
AO2	281,878	225,502	211,409
AO3	277,594	222,075	208,196
CU2	305,030	244,024	228,773
CU3	300,840	240,672	225,630
CU4	292,460	233,968	219,345
CR3	294,482	235,586	220,862
CR4	285,922	228,738	214,442
CO3	276,625	221,300	207,469

(1) Conversion coefficient 0,80.

(2) Conversion coefficient 0,75.

COMMISSION REGULATION (EEC) No 3025/88
of 30 September 1988
fixing the amount of the subsidy on oil seeds

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 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85⁽³⁾ fixing the conversion rates to be applied in agriculture, as last amended by Regulation (EEC) No 2792/88⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2216/88⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 27 of Regulation No 136/66/EEC provides that a subsidy should be granted in respect of oil seeds harvested and processed within the Community when the target price for a species of seed is higher than the price on the world market; whereas these provisions at present apply only in respect of colza, rape and sunflower seeds;

Whereas the subsidy on oil seeds should, theoretically, be equal to the difference between those two prices;

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1988/89 marketing year were fixed by Regulations (EEC) No 2213/88⁽⁷⁾ and (EEC) No 2214/88⁽⁸⁾;

Whereas a supplement to the target price for 'double zero' colza and rape seed was fixed in Regulation (EEC) No 2213/88;

Whereas the abatement of the subsidy for colza, rape and sunflower seed which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulations (EEC) No 2761/88⁽⁹⁾ and (EEC) No 3042/88⁽¹⁰⁾;

Whereas the standard quality for sunflower seed has been maintained by the Council for the 1988/89 marketing year; whereas the coefficients of equivalence applied to the prices of sunflower seed from third countries have been fixed by Commission Regulation (EEC) No 2869/87⁽¹¹⁾;

Whereas Article 29 of Regulation No 136/66/EEC provides that the world market price, calculated for a Community frontier crossing point, is to be determined on the basis of the most favourable purchasing opportunities, quotations being adjusted where necessary to take account of quotations for competing products;

Whereas Article 4 of Council Regulation No 115/67/EEC of 6 June 1967 laying down criteria for determining world market prices for oil seeds and fixing the frontier crossing point⁽¹²⁾, as last amended by Regulation (EEC) No 1983/82⁽¹³⁾, fixed the said crossing point at Rotterdam; whereas Article 1 of that Regulation provides that when the world market price is being determined account should be taken of all offers on the world market known to the Commission and of quotations on those exchanges which are significant for international trade; whereas Article 2 of Commission Regulation No 225/67/EEC of 28 June 1967 on detailed rules for determining the world market price for oil seeds⁽¹⁴⁾, as last amended by Regulation (EEC) No 2869/87, provides that offers and quotations which do not relate to shipments to be effected within 30 days following the date on which the world market price is determined should be disregarded; whereas offers and quotations which the Commission believes, in view of general price movements or information available to it, not to be representative of the real trend of the market must also be disregarded; whereas offers and quotations relating to quantities of less than 500 tonnes and offers relating to seed of a quality other than that normally acceptable on the world market must also be disregarded;

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 250, 9. 9. 1988, p. 12.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽⁹⁾ OJ No L 247, 6. 9. 1988, p. 7.

⁽¹⁰⁾ See page 104 of this Official Journal.

⁽¹¹⁾ OJ No L 273, 26. 9. 1987, p. 16.

⁽¹²⁾ OJ No 111, 10. 6. 1967, p. 2196/67.

⁽¹³⁾ OJ No L 215, 23. 7. 1982, p. 6.

⁽¹⁴⁾ OJ No 136, 30. 6. 1967, p. 2919/67.

Whereas Article 3 of Regulation No 225/67/EEC provides that of the offers and quotations taken into consideration, those for delivery c and f should be increased by 0,2 % ; whereas offers and quotations for delivery fas, fob or otherwise should be increased, as appropriate, by loading, transport and insurance costs from the point of shipment or loading to the frontier crossing point ; whereas cif offers and quotations for frontier crossing points other than Rotterdam should be adjusted to allow for the difference in transport and insurance costs as compared with a product delivered cif Rotterdam ; whereas the Commission should take account only of the loading, transport and insurance costs which to its knowledge are the lowest ; whereas, finally, offers and quotations for delivery cif Rotterdam should be increased by 0,242 ECU ;

Whereas Article 5 of Regulation No 115/67/EEC provides that the world market price should be determined for seed of the standard quality for which the target price has been fixed, delivered in bulk ;

Whereas Article 3 of Regulation No 225/67/EEC provides that offers and quotations relating to products presented otherwise than in bulk should be adjusted by deducting the additional value resulting from that presentation ; whereas offers and quotations relating to a quality other than the standard quality for which the target price was fixed should be adjusted on the basis of the coefficients of equivalence shown in the Annex to that Regulation ; whereas, in the case of offers on the world market for qualities of colza and rape seed other than those listed in that Annex, coefficients of equivalence derived from those listed in that Annex may, pursuant to Article 4 of Regulation No 225/67/EEC, be applied ; whereas, when derived coefficients are being calculated, account must be taken of the differences between prices for the qualities of seed in question and prices for the qualities listed in that Annex, and of the characteristics of these various seeds ;

Whereas Article 2 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis for determining the world market price, that price should be determined on the basis of the value of the average quantities of oil and oil cake resulting from the processing of 100 kilograms of seed within the Community less an amount corresponding to the cost of processing these seeds into oil and oil cake ; whereas the quantities and costs to be taken into consideration for the purposes of the calculation are fixed in Article 5 of Regulation No 225/67/EEC ; whereas the value of those quantities should be determined in accordance with Article 6 of that Regulation ;

Whereas Article 3 of Regulation No 115/67/EEC provides that, where no offer or quotation can be used as a basis

for determining the world market price and where it is, moreover, impossible to establish the value of the oil or oil cake processed from such seed, the world market price should be determined on the basis of the most recent known value for oil or oil cake, adjusted to take account of the trend of world prices for competing products by applying to that value the rules set out in Article 2 of Regulation No 115/67/EEC ; whereas Article 7 of Regulation No 225/67/EEC defines competing products as those oils or oil cakes, as the case may be, which appear to have been offered in the largest quantities on the world market during the period under consideration ;

Whereas, under Article 6 of Regulation No 115/67/EEC, the price determined for colza, rape and sunflower seeds must also be adjusted by an amount not exceeding the margin, as calculated in accordance with that Article, where that margin may affect the normal disposal of seeds harvested in the Community ;

Whereas Council Regulation (EEC) No 1594/83 of 14 June 1983 on the subsidy for oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 2215/88⁽²⁾, laid down rules for granting the subsidy on oil seeds ; whereas, under that Regulation, where the subsidy to be granted is fixed in advance, the amount of such subsidy must be equal to the amount applicable on the day on which the application for advance fixing was lodged, adjusted by the difference between the target price valid on that day and the target price valid on the day on which the seeds are placed under control at an oil or feed mill and, where appropriate, a corrective amount ; whereas Article 35 of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 2823/88⁽⁴⁾, provides that such adjustment should involve increasing or reducing the amount of subsidy applicable on the day on which the application was lodged by the corrective amount and the difference between the target prices mentioned in Article 35 of Regulation (EEC) No 2681/83 ;

Whereas Article 37 of Regulation (EEC) No 2681/83 provides that the corrective amount must be equal to the difference between the world market price for colza, rape and sunflower seeds and the forward price for those seeds valid for a shipment effected during the month in which

⁽¹⁾ OJ No L 163, 22. 6. 1983, p. 44.

⁽²⁾ OJ No L 197, 26. 7. 1988.

⁽³⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽⁴⁾ OJ No L 254, 14. 9. 1988, p. 8.

the seeds were placed under control at an oil mill, those prices being determined in accordance with Articles 1, 4 and 5 of Regulation No 115/67/EEC; whereas, if no offer and no price can be used for such determination, the method of calculation provided for in Article 37 of Regulation (EEC) No 2681/83 should be used; whereas the abovementioned difference may be adjusted in accordance with Article 38 of Regulation (EEC) No 2681/83, account being taken of the prices of the main competing cereals;

Whereas the aid for colza, rape or sunflower seed harvested or processed in Spain or Portugal is to be advised as provided for in Council Regulation (EEC) No 478/86⁽¹⁾; whereas pursuant to Article 95 (2) and 293 (2) of the Act of Accession of Spain and Portugal this aid is to be introduced at the beginning of the 1986/87 marketing year for seed harvested in these two Member States;

Whereas, in Article 14 of Council Regulation (EEC) No 475/86⁽²⁾ of 25 February 1986 laying down general rules for the mechanism for controlling the prices and the quantities of certain products in the oils and fats sector released for consumption in Spain provision is made for the granting of compensatory aid, subject to certain conditions; whereas compensatory aid should be fixed for sunflower seeds harvested in Spain;

Whereas Council Regulation (EEC) No 1920/87⁽³⁾, provides for the granting of a special subsidy for sunflower seed harvested and processed in Portugal; whereas the amount of this subsidy should be fixed;

Whereas Article 33 of Regulation (EEC) No 2681/83 provides for the publication of the amount of the final subsidy obtained from the conversion into each of the national currencies of the amount in ECU resulting from the calculation referred to above plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 2138/87⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price less 7,5 % or the subsidy of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

— the conversion rate used under the common agricultural policy, and

— the conversion rate resulting from the central rate,

(b) for the other Member States, the difference between:

— the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and

— the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas the subsidy should be fixed whenever the market situation makes it necessary and in such a way as to ensure its being applied at least once a week; whereas the subsidy may be altered whenever it becomes obvious that such alteration is necessary;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that, pursuant to Article 33 of Regulation (EEC) No 2681/83 the amount of the subsidy in ECU and the amount of the subsidy in each of the national currencies must be fixed in accordance with the Annex to this Regulation; whereas, pursuant to the same Article, the spot and forward exchange rates for the ECU in national currencies determined in accordance with Article 4 of Regulation (EEC) No 1813/84 must also be published,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Regulation (EEC) No 2681/83 shall be as set out in the Annex hereto.

2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Regulation (EEC) 1920/87 for sunflower seed harvested and processed in Portugal is fixed in Annex III.

Article 2

This Regulation shall enter into force on 1 October 1988.

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽²⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽³⁾ OJ No L 183, 3. 7. 1987, p. 18.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 200, 21. 7. 1987, p. 9.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kilograms)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1. Gross aids (ECU):						
— Spain	0,580	0,580	0,580	0,580	0,580	0,580
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	18,524	17,920	18,238	18,376	17,307	17,625
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	44,14	42,73	43,48	43,83	41,34	42,35
— Netherlands (Fl)	49,22	47,63	48,47	48,84	46,02	47,07
— BLEU (Bfrs/Lfrs)	885,96	856,73	872,01	887,32	835,70	851,06
— France (FF)	130,99	126,13	128,50	133,74	125,26	127,67
— Denmark (Dkr)	158,69	153,24	156,02	160,61	151,04	153,85
— Ireland (£ Irl)	14,553	14,011	14,276	14,873	13,929	14,198
— United Kingdom (£)	10,555	10,085	10,293	11,099	10,291	10,410
— Italy (Lit)	27 029	25 946	26 374	27 959	26 074	26 259
— Greece (Dr)	1 967,33	1 817,80	1 826,96	1 811,09	1 591,16	1 539,84
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	89,44	89,44	89,44	89,44	89,44	89,44
— in another Member State (Pta)	2 719,76	2 625,42	2 668,42	2 678,12	2 510,33	2 525,84
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	4 057,83	3 940,43	3 990,71	3 982,64	3 773,72	3 769,36

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1. Gross aids (ECU):						
— Spain	3,080	3,080	3,080	3,080	3,080	3,080
— Portugal	2,500	2,500	2,500	2,500	2,500	2,500
— Other Member States	21,024	20,420	20,738	20,876	19,807	20,125
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	50,04	48,63	49,38	49,74	47,24	48,25
— Netherlands (Fl)	55,83	54,24	55,09	55,45	52,64	53,68
— BLEU (Bfrs/Lfrs)	1 006,13	976,89	992,18	1 008,04	956,42	971,77
— France (FF)	149,68	144,81	147,19	152,70	144,22	146,63
— Denmark (Dkr)	180,57	175,12	177,91	182,72	173,14	175,96
— Ireland (£ Irl)	16,631	16,090	16,354	16,983	16,039	16,307
— United Kingdom (£)	12,195	11,725	11,934	12,787	11,979	12,097
— Italy (Lit)	31 021	29 939	30 366	32 046	30 161	30 347
— Greece (Dr)	2 339,32	2 189,80	2 198,96	2 183,09	1 963,16	1 911,84
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	474,98	474,98	474,98	474,98	474,98	474,98
— in another Member State (Pta)	3 105,29	3 010,95	3 053,95	3 063,65	2 895,86	2 911,37
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	470,02	470,02	470,02	470,02	470,02	470,02
— in another Member State (Esc)	4 527,85	4 410,44	4 460,73	4 452,65	4 243,74	4 239,38

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1. Gross aids (ECU):					
— Spain	5,170	5,170	5,170	5,170	5,170
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	19,452	19,670	19,387	19,604	19,982
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	46,40	46,92	46,27	46,81	47,70
— Netherlands (Fl)	51,71	52,29	51,54	52,12	53,12
— BLEU (Bfrs/Lfrs)	929,71	940,15	926,40	946,62	964,87
— France (FF)	136,46	138,03	135,66	142,04	144,90
— Denmark (Dkr)	166,13	168,01	165,41	171,14	174,48
— Ireland (£ Irl)	15,158	15,333	15,069	15,796	16,115
— United Kingdom (£)	10,851	10,981	10,742	11,693	11,949
— Italy (Lit)	28 011	28 339	27 707	29 592	30 210
— Greece (Dr)	1 951,05	1 950,51	1 836,39	1 827,92	1 884,17
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	797,28	797,28	797,28	797,28	797,28
— in another Member State (Pta)	2 888,69	2 922,10	2 870,47	2 890,36	2 948,65
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	5 916,31	5 957,34	5 888,76	5 890,59	5 963,77
— in another Member State (Esc)	5 745,07	5 784,91	5 718,32	5 720,09	5 791,16
3. Compensatory aids:					
— in Spain (Pta)	2 834,14	2 867,00	2 815,37	2 831,96	2 890,25
4. Special aid:					
— in Portugal (Esc)	5 745,07	5 784,91	5 718,32	5 720,09	5 791,16

(1) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0298070.

ANNEX IV

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value, of 1 ECU)

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
DM	2,072750	2,068920	2,065030	2,061340	2,061340	2,051280
Fl	2,339230	2,336070	2,332950	2,329800	2,329800	2,319410
Bfrs/Lfrs	43,429000	43,427300	43,433000	43,446900	43,446900	43,430900
FF	7,050780	7,053630	7,057410	7,061950	7,061950	7,074680
Dkr	7,947760	7,949960	7,956240	7,963680	7,963680	7,987150
£Irl	0,773190	0,773043	0,772884	0,773035	0,773035	0,773341
£	0,660001	0,661385	0,662757	0,664054	0,664054	0,668257
Lit	1 546,26	1 552,29	1 557,72	1 562,54	1 562,54	1 576,64
Dr	168,03300	170,12700	172,19300	173,73600	173,73600	178,70300
Esc	170,82000	171,69600	172,11500	173,57000	173,57000	176,19900
Pta	137,62900	138,08400	138,57500	139,05300	139,05300	140,38400

COMMISSION REGULATION (EEC) No 3026/88

of 30 September 1988
fixing the aid for cotton

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 the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and of Portugal, and Regulation (CEE) No. 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2261/88 ⁽³⁾, and in particular Article 5 (1) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for the 1988/89 marketing year was fixed by Council Regulation (EEC) No 2259/88 ⁽⁴⁾;

Whereas, under the system of maximum guaranteed quantities, the amount of the aid is subject to the reduction provided for in Commission Regulation (EEC) No 2727/88 ⁽⁵⁾ as regards cotton seed;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world market prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton and cotton seed defined in Article 1 of Commission Regulation (EEC) No 2183/81 of 30 July 1981 laying down rules implementing the system of aid for cotton ⁽⁶⁾, as last amended by Regulation (EEC) No 2993/88 ⁽⁷⁾, minus the cost of ginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Commission Regulation (EEC) No 2183/81; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, under Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 2183/81;

Whereas, if the subsidy system is to operate normally, subsidies 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 ⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87 ⁽⁹⁾,

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 48.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 8.

⁽⁴⁾ OJ No L 199, 26. 7. 1988, p. 6.

⁽⁵⁾ OJ No L 241, 1. 9. 1988, p. 104.

⁽⁶⁾ OJ No L 211, 31. 7. 1981, p. 35.

⁽⁷⁾ OJ No L 270, 30. 9. 1988, p. 61.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁹⁾ OJ No L 153, 13. 6. 1987, p. 1.

— 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 aid must be fixed once a month, and in such a way that it can be applied from the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas the aid for cotton was fixed latterly by Regulation (EEC) No 2710/88⁽¹⁾; whereas the change in the world market price for cotton leads to an adjustment of the aid; whereas it was noted that the change took place on 19 September 1988; whereas provision should accordingly therefore be made to adjust the aid from that date;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be 55,442 ECU per 100 kilograms.

Article 2

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 19 September 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 241, 1. 9. 1988, p. 56.

COMMISSION REGULATION (EEC) No 3027/88

of 30 September 1988

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 5 and 155 thereof,

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

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 3996/87⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 2257/88 of 19 July 1988 fixing for the 1988/89 marketing year the guide price for dried fodder⁽³⁾;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of the latest Commission proposals to the Council on prices and related measures;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last amended by Regulation (EEC) No 2256/88⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most

favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1963/88⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a

month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 35.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 4.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 199, 26. 7. 1988, p. 3.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 173, 5. 7. 1988, p. 9.

Whereas it has not yet been possible to fix the fixed amount referred to in the second subparagraph of Article 3 (3) of Regulation (EEC) No 1528/78 as regards barley for the 1988/89 marketing year;

Whereas, if the aid 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 conversion rate 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1636/87 ⁽²⁾,
- for other currencies a conversion 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 on the aforesaid corrective factor;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, pursuant to Article 120 (1) of the 1985 Act of Accession, the Spanish price must be aligned with the common price in accordance with the method laid down in Article 70 of that Act;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries; whereas, in addition, in Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 shall be as fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽²⁾ OJ No L 153, 13. 6. 1987, p. 1.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the rate of the aid for dried fodder

Aid applicable from 1 October 1988 to dried fodder

(ECU/tonne)

	Fodder dehydrated by artificial heat-drying Protein concentrates			Fodder otherwise dried		
	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
Aid	40,752	56,142	58,402	0,000	13,142	15,402

Aid in case of advance fixing for the month of:

(ECU/tonne)

	Spain	Portugal	Other Member States	Spain	Portugal	Other Member States
November 1988	39,757	55,129	57,407	0,000	12,129	14,407
December 1988	39,757	55,129	57,407	0,000	12,129	14,407
January 1989	34,192	49,459	51,842	0,000	6,459	8,842
February 1989	34,192	49,459	51,842	0,000	6,459	8,842
March 1989	34,192	49,459	51,842	0,000	6,459	8,842
April 1989 (*)	0,000	0,000	0,000	0,000	0,000	0,000

(*) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 3028/88
of 30 September 1988
fixing the amount of aid for peas, field beans and sweet lupins

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 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins ⁽¹⁾, as last amended by Regulation (EEC) No 1104/88 ⁽²⁾, and in particular Article 3 (6) point (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins ⁽³⁾, as last amended by Regulation (EEC) No 2730/88 ⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 1958/87 ⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community when the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1988/89 marketing year was fixed by Regulation (EEC) No 2255/88 ⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82 the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the

beginning on the third month of the marketing year; whereas the amount of the monthly increases in the hehold price was fixed by Regulation (EEC) No 2258/88 ⁽⁸⁾;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of the latest Commission proposals to the Council on prices and related measures;

Whereas, under Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade; whereas this price may be adjusted under the conditions and in the manner specified in Article 1 (2) of Regulation (EEC) No 2036/82, in order to take account of the prices of competing products;

Whereas, under Article 1 of Commission Regulation (EEC) No 2049/82 ⁽⁹⁾, as last amended by Regulation (EEC) No 1238/87 ⁽¹⁰⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86 ⁽¹¹⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas, if the aid 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 moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in the last subparagraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽¹²⁾, as last amended by Regulation (EEC) No 1636/87 ⁽¹³⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 16.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 241, 1. 9. 1988, p. 114.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 184, 3. 7. 1987, p. 3.

⁽⁷⁾ OJ No L 199, 26. 7. 1988, p. 1.

⁽⁸⁾ OJ No L 199, 26. 7. 1988, p. 5.

⁽⁹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹⁰⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹¹⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽¹³⁾ OJ No L 153, 13. 6. 1987, p. 1.

these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid correcting factor;

Whereas pursuant to Articles 121 (2) and 307 (2) of the Act of Accession of Spain and Portugal the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries; whereas, moreover, in the case of sweet lupins harvested in Spain it must be reduced by the difference between the activating threshold price applied in Spain and the common price;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Regulation (EEC) No 1935/87 ⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1959/87 ⁽²⁾;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ECU that results from Article 3 of Regulation (EEC) No 1431/82 shall be

weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1988/89 marketing year, has been fixed by Commission Regulation (EEC) No 2731/88 ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 185, 4. 7. 1987, p. 21.

⁽²⁾ OJ No L 184, 3. 7. 1987, p. 5.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 116.

ANNEX I

Gross aid in ECU per 100 kilograms

Products intended for human consumption

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Peas used :							
— in Spain	5,774	5,954	6,134	6,314	6,494	6,674	6,854
— in Portugal	5,826	6,006	6,186	6,366	6,546	6,726	6,906
— in another Member State	6,220	6,400	6,580	6,760	6,940	7,120	7,300
Field beans used :							
— in Spain	6,220	6,400	6,580	6,760	6,940	7,120	7,300
— in Portugal	5,826	6,006	6,186	6,366	6,546	6,726	6,906
— in another Member State	6,220	6,400	6,580	6,760	6,940	7,120	7,300

Products used in animal feed

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
A. Peas and field beans used :							
— in Spain	7,083	7,134	7,141	7,321	7,475	7,655	7,835
— in Portugal	6,925	6,974	6,978	7,158	7,312	7,492	7,672
— in another Member State	7,222	7,275	7,284	7,464	7,618	7,798	7,978
B. Sweet lupins harvested in Spain and used :							
— in Spain	7,395	7,223	6,992	6,992	6,958	6,958	6,958
— in Portugal	7,184	7,009	6,775	6,775	6,740	6,740	6,740
— in another Member State	7,581	7,410	7,183	7,183	7,149	7,149	7,149
C. Sweet lupins harvested in another Member State and used :							
— in Spain	8,545	8,373	8,142	8,142	8,108	8,108	8,108
— in Portugal	8,334	8,159	7,925	7,925	7,890	7,890	7,890
— in another Member State	8,731	8,560	8,333	8,333	8,299	8,299	8,299

ANNEX II

Final aid in national currency per 100 kilograms

Products intended for human consumption

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvest in :							
— BLEU (Bfrs/Lfrs)	298,97	307,62	316,27	326,42	335,11	343,80	352,49
— Denmark (Dkr)	54,46	56,03	57,61	59,77	61,36	62,95	64,54
— Federal Republic of Germany (DM)	14,69	15,11	13,54	15,96	16,39	16,81	17,24
— Greece (Dr)	303,18	330,31	357,44	384,57	411,70	438,83	465,96
— Spain (Pta)	939,20	986,96	1 014,72	1 042,48	1 070,24	1 098,00	1 125,75
— France (FF)	46,46	47,80	49,15	51,23	52,59	53,96	55,32
— Ireland (£ Irl)	5,153	5,302	5,452	5,685	5,837	5,989	6,141
— Italy (Lit)	9 424	9 714	10 005	11 168	11 465	11 762	12 060
— Netherlands (Fl)	16,46	16,94	17,42	17,89	18,37	18,85	19,32
— Portugal (Esc)	1 169,40	1 203,24	1 237,09	1 270,93	1 304,77	1 338,61	1 372,45
— United Kingdom (£)	3,163	3,281	3,400	4,031	4,153	4,274	4,396

Amounts to be deducted in the case of :

- peas used in Spain (Pta) 68,78
- peas and field beans used in Portugal (Esc) 74,07

ANNEX III

Partial aids in the national currency per 100 kilograms

Peas and field beans intended for animal feed

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	347,13	349,68	350,11	360,41	367,85	376,54	385,23
— Denmark (Dkr)	63,23	63,69	63,77	65,99	67,36	68,95	70,54
— Federal Republic of Germany (DM)	17,05	17,18	17,20	17,62	17,99	18,41	18,84
— Greece (Dr)	484,47	488,62	484,82	511,95	534,37	561,50	588,63
— Spain (Pta)	1 113,73	1 121,90	1 123,29	1 151,05	1 174,79	1 202,55	1 230,31
— France (FF)	53,95	54,35	54,41	56,57	57,74	59,10	60,47
— Ireland (£ Irl)	5,987	6,031	6,038	6,280	6,410	6,562	6,714
— Italy (Lit)	11 072	11 153	11 163	12 331	12 585	12 882	13 180
— Netherlands (Fl)	19,12	19,26	19,28	19,76	20,17	20,64	21,12
— Portugal (Esc)	1 357,79	1 367,75	1 369,44	1 403,28	1 432,24	1 466,08	1 499,92
— United Kingdom (£)	3,868	3,897	3,895	4,525	4,629	4,751	4,873
Amounts to be deducted in the case of use :							
— Spain (Pta)	21,44	21,74	22,05	22,05	22,05	22,05	22,05
— Portugal (Esc)	55,84	56,59	57,53	57,53	57,53	57,53	57,53

ANNEX IV

Corrective amount in national currency to be added to the amounts in Annex III, per 100 kilograms

Use of the products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	80,04	0,00	0,13	0,52	8,62	0,00	0,00	30,38
— Denmark (Dkr)	0,00	0,00	0,00	14,58	0,00	0,02	0,09	1,57	0,00	0,00	5,53
— Federal Republic of Germany (DM)	0,00	0,00	0,00	3,93	0,00	0,01	0,03	0,42	0,00	0,00	1,49
— Greece (Dr)	0,00	0,00	0,00	301,29	0,00	0,49	1,95	32,44	0,00	0,00	114,34
— Spain (Pta)	0,00	0,00	0,00	256,80	0,00	0,42	1,66	27,65	0,00	0,00	97,45
— France (FF)	0,00	0,00	0,00	12,45	0,00	0,02	0,08	1,34	0,00	0,00	4,73
— Ireland (£ Irl)	0,000	0,000	0,000	1,386	0,000	0,002	0,009	0,149	0,000	0,000	0,526
— Italy (Lit)	0	0	0	2 738	0	4	18	295	0	0	1 039
— Netherlands (Fl)	0,00	0,00	0,00	4,41	0,00	0,01	0,03	0,47	0,00	0,00	1,67
— Portugal (Esc)	0,00	0,00	0,00	313,07	0,00	0,51	2,02	33,71	0,00	0,00	118,81
— United Kingdom (£)	0,000	0,000	0,000	1,172	0,000	0,002	0,008	0,126	0,000	0,000	0,445

ANNEX V

Partial aid in national currency per 100 kilograms

Sweet lupins intended for use in animal feed

	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
Products harvested in :							
— BLEU (Bfrs/Lfrs)	419,66	411,44	400,53	402,37	400,73	400,73	400,73
— Denmark (Dkr)	76,44	74,94	72,96	73,68	73,38	73,38	73,38
— Federal Republic of Germany (DM)	20,61	20,21	19,68	19,68	19,59	19,59	19,59
— Greece (Dr)	682,29	651,35	610,27	610,27	604,12	604,12	604,12
— Spain (Pta)	1 346,43	1 320,06	1 285,06	1 285,06	1 279,81	1 279,81	1 279,81
— France (FF)	65,23	63,95	62,25	63,16	62,90	62,90	62,90
— Ireland (£ Irl)	7,240	7,098	6,909	7,013	6,984	6,984	6,984
— Italy (Lit)	13 479	13 198	12 825	13 766	13 710	13 710	13 710
— Netherlands (Fl)	23,11	22,66	22,06	22,06	21,97	21,97	21,97
— Portugal (Esc)	1 641,49	1 609,34	1 566,66	1 566,66	1 560,27	1 560,27	1 560,27
— United Kingdom (£)	4,819	4,698	4,538	5,085	5,062	5,062	5,062
Amounts to be deducted in the case of use in :							
— Spain (Pta)	28,68	28,84	29,45	29,45	29,45	29,45	29,45
— Portugal (Esc)	74,64	75,39	76,71	76,71	76,89	76,89	76,89

ANNEX VI

Corrective amount in the national currency to be added to amounts in Annex V, per 100 kilograms

Use of products :	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
Products harvested in :											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	58,21	0,00	0,10	0,38	6,27	0,00	0,00	22,09
— Denmark (Dkr)	0,00	0,00	0,00	10,60	0,00	0,02	0,07	1,14	0,00	0,00	4,02
— Federal Republic of Germany (DM)	0,00	0,00	0,00	2,86	0,00	0,00	0,02	0,31	0,00	0,00	1,09
— Greece (Dr)	0,00	0,00	0,00	219,12	0,00	0,36	1,42	23,60	0,00	0,00	83,16
— Spain (Pta)	0,00	0,00	0,00	186,76	0,00	0,30	1,21	20,11	0,00	0,00	70,88
— France (FF)	0,00	0,00	0,00	9,06	0,00	0,01	0,06	0,98	0,00	0,00	3,44
— Ireland (£ Irl)	0,000	0,000	0,000	1,008	0,000	0,002	0,007	0,109	0,000	0,000	0,383
— Italy (Lit)	0	0	0	1 992	0	3	13	214	0	0	756
— Netherlands (Fl)	0,00	0,00	0,00	3,21	0,00	0,01	0,02	0,35	0,00	0,00	1,22
— Portugal (Esc)	0,00	0,00	0,00	227,69	0,00	0,37	1,47	24,52	0,00	0,00	86,41
— United Kingdom (£)	0,000	0,000	0,000	0,852	0,000	0,001	0,006	0,092	0,000	0,000	0,323

ANNEX VII

Exchange rate of the ECU to be used

	BLEU	DK	DE	EL	ESP	FR	IRL	IT	NL	PT	UK
In national currency, 1 ECU =	42,4582	7,85212	2,05853	165,636	136,734	6,90403	0,768411	1 516,86	2,31943	168,510	0,647488

COMMISSION REGULATION (EEC) No 3029/88
of 30 September 1988
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans⁽¹⁾, as amended by Regulation (EEC) No 2217/88⁽²⁾, and in particular Article 2(7) thereof,

Whereas the amount of the aid referred to in Article 2(1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 2711/88⁽³⁾, as last amended by Regulation (EEC) No 2959/88⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2711/88 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid referred to in Article 2 of Regulation (EEC) No 1491/85 is hereby fixed in the Annex.
2. In cases of advance fixing of the aid the amount shall however be confirmed or altered with effect from 1 October 1988 to take account, where appropriate, of the effects of application of the system of maximum guaranteed quantities for soya seed.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 11.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 58.

⁽⁴⁾ OJ No L 268, 28. 9. 1988, p. 10.

ANNEX

Aid for soya beans ⁽¹⁾

	<i>(ECU/100 kg)</i> Seed harvested in		
	Spain	Portugal	another Member State
Seed processed in :			
— Spain	0,000	24,853	24,853
— Portugal	14,667	0,000	24,853
— another Member State	14,667	24,853	24,853

⁽¹⁾ Subject to the reduction resulting from the maximum guaranteed quantities system.

COMMISSION REGULATION (EEC) No 3030/88

of 30 September 1988

fixing the export refunds on oil seeds

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⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece⁽⁴⁾, and in particular the first sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 2792/88⁽⁶⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁷⁾, as last amended by Regulation (EEC) No 2216/88⁽⁸⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁹⁾, as last amended by Regulation (EEC) No 2662/87⁽¹⁰⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1988/89 marketing year were fixed by Council Regulations (EEC) No 2213/88⁽¹¹⁾ and (EEC) No 2214/88⁽¹²⁾;

Whereas, in order to determine the amount of the aid, account should be taken among the calculation factors of the latest Commission proposals to the Council on prices and related measures;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1988/89 marketing year has been fixed by Commission Regulation (EEC) No 2761/88⁽¹⁴⁾;

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁵⁾ as last amended by Regulation (EEC) No 1815/84⁽¹⁶⁾ provides that the amount of the refund must be calculated on the

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 291, 19. 11. 1979, p. 17.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 250, 9. 9. 1988, p. 12.

⁽⁷⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁸⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁹⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽¹⁰⁾ OJ No L 252, 3. 9. 1987, p. 6.

⁽¹¹⁾ OJ No L 197, 26. 7. 1988, p. 6.

⁽¹²⁾ OJ No L 197, 26. 7. 1988, p. 8.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 247, 6. 9. 1988, p. 7.

⁽¹⁵⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽¹⁶⁾ OJ No L 170, 29. 6. 1984, p. 46.

basis of the weight of exported seeds ; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed ; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter ; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount ;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽¹⁾ ;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary ;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ECU plus or minus the differential amount ; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽²⁾, as last amended by Regulation (EEC) No 2138/87⁽³⁾, defined the elements which determine the differential amounts ; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72 ; whereas, according to these provisions, this percentage represents :

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between :

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate,

(b) for the other Member States, the difference between :

- the relationship between the conversion rate used under the common agricultural policy for the currency of the Member State concerned and the central rate of each of the currencies of the Member States referred to in (a), and
- the spot market rate for the currency of the Member State in question in relation to each of the currencies of the Member States referred to in (a), as recorded over a period to be determined ;

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage ; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84 ;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts ; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used ;

Whereas it follows from applying these provisions to the current situation of the oil-seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ECU and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation ; whereas it is not necessary to fix a refund for sunflower seed ;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants ; whereas in the interests of sound market management a reduction should be made ;

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

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.
2. There shall be no refund on sunflower seed.
3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

Article 2

This Regulation shall enter into force on 1 October 1988.

⁽¹⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽³⁾ OJ No L 200, 21. 7. 1987, p. 9.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the export refunds on colza and rape seed

	<i>(amounts per 100 kilograms)</i>					
	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3
1. Gross refunds (ECU):						
— Spain	15,342	15,660	—	—	—	—
— Portugal	19,502	19,820	—	—	—	—
— other Member States	15,318	13,318	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	35,89	36,64	—	—	—	—
— Netherlands (Fl)	39,92	40,76	—	—	—	—
— BLEU (Bfrs/Lfrs)	715,80	731,08	—	—	—	—
— France (FF)	103,32	105,69	—	—	—	—
— Denmark (Dkr)	127,22	130,00	—	—	—	—
— Ireland (£ Irl)	11,473	11,737	—	—	—	—
— United Kingdom (£)	7,960	8,169	—	—	—	—
— Italy (Lit)	20 950	21 457	—	—	—	—
— Greece (Dr)	1 303,50	1 303,69	—	—	—	—
— Spain (Pta)	2 336,90	2 385,94	—	—	—	—
— Portugal (Esc)	3 586,01	3 645,79	—	—	—	—

COMMISSION REGULATION (EEC) No 3031/88
of 30 September 1988
concerning the stopping of fishing for hake by vessels flying the flag of the
Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Council Regulation (EEC) No 3977/87 of 21 December 1987 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1988 and certain conditions under which they may be fished⁽²⁾ provides for hake quotas for 1988;

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

Whereas, according to the information communicated to the Commission, catches of hake in the waters of ICES divisions II a (EC zone) and IV (EC zone) by vessels flying

the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1988,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of hake in the waters of ICES divisions II a (EC zone) and IV (EC zone) by vessels flying the flag of the Netherlands or registered in the Netherlands are deemed to have exhausted the quota allocated to the Netherlands for 1988.

Fishing for hake in the waters of ICES divisions II a (EC zone) and IV (EC zone) by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 30 September 1988.

For the Commission

António CARDOSO E CUNHA

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 3032/88

of 30 September 1988

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing and repealing Regulation (EEC) No 2600/88

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 2248/88⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as amended by Regulation (EEC) No 1809/87⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies are holding stocks of bone-in beef; whereas an extension of the period of storage should be avoided on account of the ensuing high costs; whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas such sales should be made in accordance with Commission Regulation (EEC) No 2539/84, Commission Regulation (EEC) No 569/88⁽⁵⁾, as last amended by Regulation (EEC) No 2415/88⁽⁶⁾, and Commission Regulation (EEC) No 2182/77⁽⁷⁾, as last amended by Regulation (EEC) No 3988/87⁽⁸⁾, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas Commission Regulation (EEC) No 2600/88 should be repealed⁽⁹⁾;

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

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

- 1 500 tonnes of bone-in beef held by the Belgian intervention agency and bought in before 1 January 1987,
- 2 000 tonnes of bone-in beef held by the Irish intervention agency and bought in before 1 February 1987,
- 2 000 tonnes of bone-in beef held by the Netherlands intervention agency and bought in before 1 December 1986.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

3. The sales shall be conducted in accordance with the provisions of Regulation (EEC) No 2539/84, Regulation (EEC) No 569/88, Regulation (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 6 October 1988.

6. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or application to purchase:

- (a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 24.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁵⁾ OJ No L 55, 1. 3. 1988, p. 1.

⁽⁶⁾ OJ No L 208, 2. 8. 1988, p. 11.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁹⁾ OJ No L 231, 20. 8. 1988, p. 18.

(b) must be accompanied by:

— a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,

— a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders or applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

The period of two months set out in Article 6 of Regulation (EEC) No 2539/84 for taking over meat is replaced by one month.

Article 4

1. The security provided for in Article 5 (1) (a) of Regulation (EEC) No 2539/84 shall be 5 ECU per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be 125 ECU per 100 kilograms of hindquarters as indicated in Article 1 (1), intended for manufacture of the products specified in Article 1 (1) of Regulation (EEC) No 2182/77.

Article 5

For the purpose of this Regulation 100 kilograms of bone-in hindquarters equals 64 kilograms of boneless meat after removal of the fillet and the striploin.

Article 6

Regulation (EEC) No 2600/88 is hereby repealed.

Article 7

This Regulation shall enter into force on 6 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ECU por tonelada ⁽¹⁾ (2) Mindstepriser i ECU/ton ⁽¹⁾ (2) Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾ (2) Ελάχιστες τιμές πώλησεως εκφραζόμενες σε ECU ανά τόνο ⁽¹⁾ (2) Minimum prices expressed in ECU per tonne ⁽¹⁾ (2) Prix minimaux exprimés en Écus par tonne ⁽¹⁾ (2) Prezzi minimi espressi in ECU per tonnellata ⁽¹⁾ (2) Minimumprijzen uitgedrukt in Ecu per ton ⁽¹⁾ (2) Preço mínimo expresso em ECUs por tonelada ⁽¹⁾ (2)
Belgique/België	— <i>Quartiers arrière provenant des :</i> — <i>Achtersvoeten afkomstig van :</i> Categorie A / categorie A	1 500	1 600
Ireland	— <i>Hindquarters from :</i> Steers / Category C	2 000	1 600
Nederland	— <i>Achtersvoeten afkomstig van :</i> Categorie A	2 000	1 600

(1) En caso de que los productos estén almacenados fuera del Estado miembro al que pertenezca el organismo de intervención poseedor, estos precios se ajustarán con arreglo a lo dispuesto en el Reglamento (CEE) n° 1805/77.

(2) I tilfælde, hvor varer er oplagrede uden for den medlemsstat, hvor interventionsorganet er hjemmehørende, tilpasses disse priser i overensstemmelse med bestemmelserne i forordning (EØF) nr. 1805/77.

(3) Falls die Lagerung der Erzeugnisse außerhalb des für die betreffende Interventionsstelle zuständigen Mitgliedstaats erfolgt, werden diese Preise gemäß den Vorschriften der Verordnung (EWG) Nr. 1805/77 angepaßt.

(4) Στην περίπτωση που τα προϊόντα είναι αποθεματοποιημένα εκτός του κράτους μέλους στο οποίο υπάγεται ο αρμόδιος οργανισμός παρεμβάσεως, οι τιμές αυτές προσαρμόζονται σύμφωνα με τις διατάξεις του κανονισμού (ΕΟΚ) αριθ. 1805/77.

(5) In the case of products stored outside the Member State where the intervention agency responsible for them is situated, these prices shall be adjusted in accordance with the provisions of Regulation (EEC) No 1805/77.

(6) Au cas où les produits sont stockés en dehors de l'État membre dont relève l'organisme d'intervention détenteur, ces prix sont ajustés conformément aux dispositions du règlement (CEE) n° 1805/77.

(7) Qualora i prodotti siano immagazzinati fuori dello Stato membro da cui dipende l'organismo detentore, detti prezzi vengono ritoccati in conformità del disposto del regolamento (CEE) n. 1805/77.

(8) Ingeval de produkten zijn opgeslagen buiten de Lid-Staat waaronder het interventiebureau dat deze produkten onder zich heeft resorteert, worden deze prijzen aangepast overeenkomstig de bepalingen van Verordening (EEG) nr. 1805/77.

(9) No caso de os produtos estarem armazenados fora do Estado-membro de que depende o organismo de intervenção detentor, estes preços serão ajustados conforme o disposto no Regulamento (CEE) n° 1805/77.

(10) Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

(11) Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

(12) Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

(13) Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

(14) These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

(15) Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

(16) Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

(17) Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

(18) Estes preços aplicam-se a peso líquido, conforme o disposto no n° 1 do artigo 17° do Regulamento (CEE) n° 2173/79.

*ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II*

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção.

BELGIQUE/BELGIË: Office belge de l'économie et Belgische Dienst voor Bedrijfsleven en
de l'agriculture Landbouw
rue de Trèves 82 Trierstraat 82
1040-Bruxelles 1040-Brussel
Tél. 02/230 17 40, télex 24076 OBEA BRU B

IRELAND: Department of Agriculture and Food
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 78 90 11, ext. 22 78
Telex 4280 and 5118

NEDERLAND: Voedselvoorzieningsin- en verkoopbureau
Ministerie van Landbouw en Visserij
Postbus 960
6430 AZ Hoensbroek
Tel. (045) 23 83 83
Telex: 56396

COMMISSION REGULATION (EEC) No 3033/88

of 30 September 1988

opening and providing for the administration of Community tariff quotas for fresh or chilled tomatoes and strawberries originating in the African, Caribbean and Pacific States or the overseas countries and territories (1988/89)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 1821/87⁽²⁾, and in particular Articles 13 and 22 thereof,

Whereas Article 13 of Regulation (EEC) No 486/85 provides for the opening by the Community for imports into the Community for the following quotas:

- 2 000 tonnes of fresh or chilled tomatoes, falling within CN code ex 0702 00 10 for the period 15 November to 30 April, and
- 1 100 tonnes of strawberries falling within CN code ex 0810 10 90 for the period 1 November to 28 February,

originating in the countries in question;

Whereas the customs duties applicable within the limit of these quotas are set at 4,4 % with a minimum duty of 0,8 ECU per 100 kilograms net weight and at 5,6 % for strawberries; whereas these Community tariff quotas should be opened for the abovementioned periods;

Whereas by virtue of the provisions of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European

Community⁽³⁾, Spain and Portugal shall postpone implementation of the preferential arrangements for fruit and vegetables covered by Regulation (EEC) No 1035/72⁽⁴⁾, as last amended by Regulation (EEC) No 2238/88⁽⁵⁾, until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the abovementioned tariff concession is not currently applicable in Spain or Portugal;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and uninterrupted application of the rates laid down for those quotas to all imports of the products concerned into all Member States until the quotas have been used up; whereas, in the present case, it would appear advisable not to allocate the quotas among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they may need, under the conditions and according to the procedures specified in Article 1 (2);

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of quota shares allocated to that economic union may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs duties applicable to imports into the Community as constituted on 31 December 1985 of the following products originating in the African, Caribbean and Pacific States or the overseas countries and territories shall be suspended at the levels indicated and within the limits of the Community tariff quotas as shown below:

Order No	CN code	Description	Amount of quota (in tonnes)	Quota duty (%)
09.1601	ex 0702 00 10	Fresh or chilled tomatoes, from 15 November 1988 to 30 April 1989	2 000	4,4 subject to a minimum of 0,8 ECU/100 kg net
09.1603	ex 0810 10 90	Strawberries, from 1 November 1988 to 28 February 1989	1 100	5,6

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 172, 30. 6. 1987, p. 102.

⁽³⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁵⁾ OJ No L 198, 26. 7. 1988, p. 1.

2. If imports of products covered by these tariff quotas are made, or are foreseen within the next 14 calendar days at the latest, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the quotas so permits.

3. If a Member State does not use up the quantities drawn within the said 14 days, it shall return the remaining unused portion as soon as possible, by telex addressed to the Commission.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) enable imports to be charged without interruption against their accumulated share of the quota.

2. Each Member State shall ensure that importers of the product concerned have free access to the quota for such time as the residual balance of the quota volume so permits.

3. Member States shall charge imports of the said goods against their drawings as and when the goods are entered with the customs authorities for free circulation.

4. The extent to which the quota has been used up shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 3

At the request of the Commission, Member States shall inform it of imports actually charged against the quota.

Article 4

This Regulation shall enter into force on 1 November 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

COCKFIELD

Vice-President

COMMISSION REGULATION (EEC) No 3034/88
of 30 September 1988

**amending Regulation (EEC) No 1725/79 in regard to certain provisions applying
to the granting of aid for skimmed-milk powder for use as animal feed**

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 10 (3) thereof,

Whereas pursuant to Article 4 (1) of Commission Regulation (EEC) No 1725/79⁽³⁾, as last amended by Regulation (EEC) No 1543/88⁽⁴⁾, aid is not granted for skimmed-milk powder processed into compound feed unless the finished product incorporates at least 45 % by weight of such powder; whereas as a result of change in the market situation for skimmed milk it seems appropriate not to fix a minimum level of incorporation.

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

Article 4 (1) of Regulation (EEC) No 1725/79 is hereby amended as follows:

1. in point (a) of the first subparagraph, '45 kilograms at least and' is omitted;
2. the third subparagraph is omitted.

Article 2

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 October 1988.

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

Done at Brussels, 30 September 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 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 139, 4. 6. 1988, p. 9.

COMMISSION REGULATION (EEC) No 3035/88

of 30 September 1988

amending Regulations (EEC) No 1105/68 and (EEC) No 1634/85 as regards the amount of aid granted for skimmed milk and skimmed-milk powder for use as feed

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 10 (3) thereof,

Whereas Article 2a of Council Regulation (EEC) No 986/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk and skimmed-milk powder for use as feed ⁽³⁾, as last amended by Regulation (EEC) No 548/87 ⁽⁴⁾, determines the factors required to fix that aid; whereas paragraph 2 of that Article provides for the possibility of adjusting the aid during a milk year where there is a substantial change in the abovementioned factors;

Whereas in view of recent developments on the market in skimmed milk and skimmed-milk powder and the large reduction in public stocks resulting, the aid can be reduced; whereas Article 1a (3) of Commission Regulation (EEC) No 1105/68 of 27 July 1968 on detailed rules for granting aid for skimmed milk for use as feed ⁽⁵⁾, as last amended by Regulation (EEC) No 1545/88 ⁽⁶⁾, and Article 1 of Commission Regulation (EEC) No 1634/85 of 17 June 1985 fixing the amount of the aid for skimmed

and skimmed-milk powder for use as feed ⁽⁷⁾, as amended by Regulation (EEC) No 1545/88, should accordingly be amended;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1a (3) of Regulation (EEC) No 1105/68, '56,9 ECU' is hereby replaced by '52,8 ECU'.

Article 2

In Article 1 of Regulation (EEC) No 1634/85, '5,69 ECU' is hereby replaced by '5,28 ECU' and '70 ECU' is replaced by '65 ECU'.

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 October 1988.

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

Done at Brussels, 30 September 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 169, 18. 7. 1968, p. 4.

⁽⁴⁾ OJ No L 56, 26. 2. 1987, p. 2.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 24.

⁽⁶⁾ OJ No L 139, 4. 6. 1988, p. 11.

⁽⁷⁾ OJ No L 158, 18. 6. 1985, p. 7.

COMMISSION REGULATION (EEC) No 3036/88

of 30 September 1988

amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter

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 6 (7) thereof,

Whereas Commission Regulation (EEC) No 3143/85⁽³⁾, as last amended by Regulation (EEC) No 2097/88⁽⁴⁾, introduces a scheme for the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter;

Whereas, in view of the market situation and of the reduction of public stocks of butter, the reductions in the prices at which the butter is sold by the intervention agencies under this scheme should be adjusted;

Whereas Article 13 of Regulation (EEC) No 3143/85 provides that expenditure occasioned by this scheme is to be financed in accordance with the second, third and fourth subparagraphs of Article 4 (1) of Council Regulation (EEC) No 1883/78⁽⁵⁾, as last amended by Regulation (EEC) No 2050/88⁽⁶⁾; whereas provision should be made for the financing of this scheme in accordance with normal financing rules from 1 October 1988;

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

Regulation (EEC) No 3143/85 is hereby amended as follows:

1. In Article 2 (1), '265 ECU' is replaced by '240 ECU' and '263 ECU' is replaced by '238 ECU'.
2. In Article 13 the second paragraph is replaced by the following:

'Notwithstanding the second subparagraph of Article 6 (2) of Commission Regulation (EEC) No 2776/88⁽¹⁾, the losses arising from the butter removed pursuant to in the last subparagraph of Article 2 (4) in September 1988 shall be deducted at a rate of 100 % from the expenditure to be declared in accordance with Annex II to Regulation (EEC) No 3184/83.

⁽¹⁾ OJ No L 249, 8. 9. 1988, p. 9.'

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, 30 September 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 298, 12. 11. 1985, p. 9.

⁽⁴⁾ OJ No L 184, 15. 7. 1988, p. 19.

⁽⁵⁾ OJ No L 216, 5. 8. 1978, p. 1.

⁽⁶⁾ OJ No L 185, 15. 7. 1988, p. 6.

COMMISSION REGULATION (EEC) No 3037/88
of 30 September 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 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:	85,31
(ii) for rice starch and products derived from rice starch:	83,71
(iii) for wheat starch and products derived from wheat starch:	82,11
(iv) for potato starch and products derived from potato starch:	85,31

Article 2

This Regulation shall enter into force on 1 October 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, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 3038/88

of 30 September 1988

fixing the rates of the refunds applicable to certain products from the sugar sector 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 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 2306/88⁽²⁾ and in particular Article 19 (4) (a) and (7) thereof;

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provide that for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 4055/87⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I of Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾ provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within subheadings ex 1702 60 90 and ex 1702 90 90 of the combined nomenclature having a certain purity, and unprocessed isoglucose falling within subheadings 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁶⁾, as last amended by Regulation (EEC) No 2026/83⁽⁷⁾, and Commission Regulation (EEC) No 798/80 of 31 March 1980 laying down general rules on the advance payment of export refunds and positive monetary compensatory amounts in respect of agricultural products⁽⁸⁾, as last amended by Regulation (EEC) No 471/87⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 87, 1. 4. 1980, p. 42.

⁽⁹⁾ OJ No L 48, 17. 2. 1987, p. 10.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

(2) For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 798/80, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX

to the Commission Regulation of 30 September 1988 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

<i>Rate of refund in ECU/100 kg:</i>	White sugar:	39,21
	Raw sugar:	32,87
	Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$39,21 \times \frac{S^{(1)}}{100}$
	Molasses:	—
	Isoglucose ⁽²⁾ :	39,21 ⁽³⁾

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 3039/88

of 30 September 1988

fixing the rates of the refunds applicable to certain cereal and rice 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 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 first sentence of the
fourth subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice⁽³⁾, as last amended by Regulation (EEC)
No 2229/88⁽⁴⁾, and in particular the first sentence of the
fourth subparagraph of Article 17 (2) thereof,Whereas Article 16 (1) of Regulation (EEC) No 2727/75
and Article 17 (1) of Regulation (EEC) No 1418/76
provides that the difference between quotations of prices
on the world market for the products listed in Article 1 of
each of those Regulations and the prices within the
Community may be covered by an export refund;Whereas Council Regulation (EEC) No 3035/80 of 11
November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds⁽⁵⁾, as last amended by Regulation (EEC) No
4055/87⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;
- (b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80
provides that, when the rate of the refunds is being fixed,
account should be taken, where appropriate, of produc-
tion refunds, aids or other measures having equivalent
effect applicable in all Member States in accordance with
the Regulation on the common organization of the
market in the product in question to the basic products
listed in Annex A to that Regulation or to assimilated
products; whereas such production refunds are granted
under the conditions laid down in Council Regulation
(EEC) No 2742/75 of 29 October 1975 on production
refunds in the cereals and rice sectors⁽⁷⁾, as last amended
by Regulation (EEC) No 3794/85⁽⁸⁾, and Council Regula-
tion (EEC) No 1009/86 of 25 March 1986 establishing
general rules applying to production refunds in the
cereals and rice sector⁽⁹⁾;

Whereas account should be taken, for the purposes of
Article 4 (3) of Regulation (EEC) No 3035/80, of the
production refund provided for in Regulation (EEC) No
2742/75 applicable during the month in which exporta-
tion occurs; whereas, moreover, in the absence of
evidence that no production refund was granted under
Regulation (EEC) No 1009/86 the export refund should
be further reduced by the amount of the production
refund applicable on the day of acceptance of the export
declaration; whereas this system is the only one which
discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4
March 1980 on the advance payment of export refunds in
respect of agricultural products⁽¹⁰⁾, as last amended by

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 197, 26. 7. 1988, p. 16.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 30.⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.⁽⁶⁾ OJ No L 379, 31. 12. 1987, p. 1.⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 57.⁽⁸⁾ OJ No L 367, 31. 12. 1985, p. 20.⁽⁹⁾ OJ No L 94, 9. 4. 1986, p. 6.⁽¹⁰⁾ OJ No L 62, 7. 3. 1980, p. 5.

Regulation (EEC) No 2026/83⁽¹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽²⁾ lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽³⁾, it is necessary to differentiate the refund on goods falling within subheadings 1902 11 00 and 1902 19 of the combined nomenclature according to their destination;

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

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽³⁾ OJ No L 275, 29. 9. 1987, p. 36.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty.

CN code	Description	(ECU/100 kg) Rate of refund
1001 10 90	Durum wheat : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	11,006 11,117
1001 90 99	Common wheat, and meslin (mixed wheat and rye): — For the manufacture of starch — Other than for the manufacture of starch : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	6,156 6,787 6,856
1002 00 00	Rye	5,113
1003 00 90	Barley	6,980
1004 00 90	Oats	1,713
1005 90 00	Maize, other than hybrid maize for sowing : — For the manufacture of starch — Other than for the manufacture of starch	6,575 7,075
1006 20	Round grain husked rice Medium grain husked rice Long grain husked rice	35,990 33,935 33,935
1006 30	Round grain wholly milled rice Medium grain wholly milled rice Long grain wholly milled rice	46,439 49,181 49,181
1006 40 00	Broken rice : — For the manufacture of starch — Other than for the manufacture of starch	10,328 10,928
1007 00 90	Sorghum	5,738
1101 00 00	Wheat or meslin flour : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	8,071 8,152
1102 10 00	Rye flour	14,489
1103 11 10	Durum wheat groats and meal : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	17,059 17,231
1103 11 90	Common wheat groats and meal : — On exports of goods falling within subheadings 1902 11 00 and 1902 19 to the United States of America — In all other cases	8,071 8,152

COMMISSION REGULATION (EEC) No 3040/88

of 30 September 1988

suspending advance fixing of export refunds on certain cereal and rice 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 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 first paragraph of
Article 16 (7) thereof,

Having regard to Council Regulation (EEC) No 3035/80
of 11 November 1980 laying down general rules for
granting export refunds on certain agricultural products
exported in the form of goods not covered by Annex II to
the Treaty, and the criteria for fixing the amount of such
refunds ⁽³⁾, as last amended by Regulation (EEC) No
4055/87 ⁽⁴⁾, and in particular the first subparagraph of
Article 5 (3) thereof,

Whereas Article 16 (7) of Regulation (EEC) No 2727/75
and Article 5 (3) of Regulation (EEC) No 3035/80 make
provision for advance fixing of the refund to be suspended
for basic products exported in the form of certain goods ;

Whereas the situation on certain markets may make it
necessary for the refunds on certain products to be

adjusted ; whereas in order to prevent applications for
advance fixing of refunds for speculative purposes, the
abovementioned advance fixing should be suspended
until this adjustment comes into force,

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

Advance fixing of export refund in barley exported in the
form of goods listed in Annex B to Regulation (EEC) No
2727/75 is suspended.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 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 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 379, 31. 12. 1987, p. 1.

COMMISSION REGULATION (EEC) No 3041/88
of 30 September 1988

fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3129/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) 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⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3129/87⁽⁴⁾, as amended by Regulation (EEC) 834/88⁽⁵⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3129/87 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any

tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the abovementioned provisions, no award in respect of a partial invitation to tender shall be made;

Whereas the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

No award shall be made for the 15th partial invitation to tender under the standing invitation to tender issued by amended Regulation (EEC) No 3129/87.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 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 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 296, 21. 10. 1987, p. 10.

⁽⁵⁾ OJ No L 85, 30. 3. 1988, p. 22.

COMMISSION REGULATION (EEC) No 3042/88

of 30 September 1988

fixing estimated production of and the abatement to be applied to the subsidy
for sunflower seed for the 1988/89 marketing year

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 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 27a (6) thereof,

Whereas Article 32a of Commission Regulation (EEC) No 2681/83 of 21 September 1983 laying down detailed rules for the application of the subsidy system for oil seeds⁽³⁾, as last amended by Regulation (EEC) No 2823/88⁽⁴⁾, specifies the factors which must be fixed in order to implement the system of maximum guaranteed quantities; whereas, for the 1988/89 marketing year, the estimated production of sunflower seed and the abatement to be applied to the subsidy should be fixed on the basis of available data;

Whereas the Management Committee for Oils and Fats has not reached agreement within the time limit set by its chairman,

Article 1

For the 1988/89 marketing year the estimated production of sunflower seed is hereby fixed at:

- 1 250 000 tonnes for Spain,
- 47 000 tonnes for Portugal,
- 2 880 000 tonnes for the other Member States.

Article 2

For the 1988/89 marketing year the abatement to be applied to the subsidy for sunflower seed is hereby fixed at:

- 0 ECU per 100 kilograms for Spain,
- 0 ECU per 100 kilograms for Portugal,
- 11,55 ECU per 100 kilograms for the other Member States,

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.

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

Done at Brussels, 30 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 254, 14. 9. 1988, p. 8.

COMMISSION REGULATION (EEC) No 3043/88
of 30 September 1988
abolishing the countervailing charge on fresh lemons originating in Spain
(except the Canary Islands)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 2954/88⁽³⁾ introduced a countervailing charge on fresh lemons originating in Spain (except the Canary Islands).

Whereas the present trend of prices for products originating in Spain (except in the Canary Islands) on the representative markets referred to in Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indicated that entry prices have been at least equal to the reference price for two consecutive market days; whereas the conditions

specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Spain (except the Canary Islands) can be abolished;

Whereas, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal⁽⁶⁾, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2954/88 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 266, 27. 9. 1988, p. 37.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 302, 15. 11. 1985, p. 9.

COMMISSION REGULATION (EEC) No 3044/88
of 30 September 1988
amending Regulation (EEC) No 2911/88 introducing a countervailing charge on
fresh lemons originating in Turkey

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

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

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

Whereas Commission Regulation (EEC) No 2911/88⁽³⁾ introduced a countervailing charge on fresh lemons originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration, the countervailing charge on the import of fresh lemons originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2911/88 '12,89' ECU is hereby replaced by '28,16' ECU.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 262, 22. 9. 1988, p. 16.

COMMISSION REGULATION (EEC) No 3045/88
of 30 September 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 3000/88 ⁽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 1 October 1988.

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

Done at Brussels, 30 September 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 270, 30. 9. 1988, p. 75.

ANNEX

to the Commission Regulation of 30 September 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	37,15 ⁽¹⁾
1701 11 90	37,15 ⁽¹⁾
1701 12 10	37,15 ⁽¹⁾
1701 12 90	37,15 ⁽¹⁾
1701 91 00	46,06
1701 99 10	46,06
1701 99 90	46,06 ⁽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 3046/88

of 30 September 1988

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 2229/88⁽⁴⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as last amended by Regulation (EEC) No 1636/87⁽⁶⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2974/88⁽⁷⁾;Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾ as amended by Council Regulation (EEC) No 2744/75⁽⁹⁾ as regards products falling within subheadings 2302 10, 2302 20, 2302 30 and 2302 40 of the combined nomenclature;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

— for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient;

Whereas these exchange rates being those recorded on 29 September 1988;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than 3,02 ECU per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾ the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 2695/88 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 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 166, 25. 6. 1976, p. 1.
 (⁴) OJ No L 197, 26. 7. 1988, p. 30.
 (⁵) OJ No L 164, 24. 6. 1985, p. 1.
 (⁶) OJ No L 153, 13. 6. 1987, p. 1.
 (⁷) OJ No L 269, 29. 9. 1988, p. 26.
 (⁸) OJ No L 182, 3. 7. 1987, p. 49.
 (⁹) OJ No L 281, 1. 11. 1975, p. 65.

(¹⁰) OJ No L 168, 25. 6. 1974, p. 7.

ANNEX

to the Commission Regulation of 30 September 1988 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
1102 90 90 ⁽²⁾	136,17	133,15
1103 19 90 ⁽²⁾	136,17	133,15
1103 29 90 ⁽²⁾	136,17	133,15
1104 19 99 ⁽²⁾	241,01	234,97
1104 29 10*30 ⁽²⁾ ⁽⁸⁾	211,88	208,86
1104 29 10*40 ⁽²⁾ ⁽⁹⁾	211,88	208,86
1104 29 10*90 ⁽²⁾ ⁽¹⁰⁾	211,88	208,86
1104 29 30*30 ⁽²⁾ ⁽⁸⁾	211,88	208,86
1104 29 30*40 ⁽²⁾ ⁽⁹⁾	211,88	208,86
1104 29 30*90 ⁽²⁾ ⁽¹⁰⁾	211,88	208,86
1104 29 99 ⁽²⁾	136,17	133,15

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

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

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

⁽⁸⁾ Taric code: millet.

⁽⁹⁾ Taric code: sorghum.

⁽¹⁰⁾ Taric code: others.

COMMISSION REGULATION (EEC) No 3047/88
of 30 September 1988
altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2968/88 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2968/88 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2968/88 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 220, 11. 8. 1988, p. 27.

⁽²⁾ OJ No L 201, 27. 7. 1988, p. 65.

⁽³⁾ OJ No L 269, 29. 9. 1988, p. 13.

ANNEX

to the Commission Regulation of 30 September 1988 altering the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	36,07 ⁽¹⁾	
1701 11 90 910	32,59 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	36,07 ⁽¹⁾	
1701 12 90 910	32,59 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3921
1701 99 10 100	39,21	
1701 99 10 910	39,01	
1701 99 10 950	34,91	
1701 99 90 100		0,3921

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

COMMISSION REGULATION (EEC) No 3048/88
of 30 September 1988
altering 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⁾, and in particular the fourth sentence of the second subparagraph of Article 16(4) thereof,

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⁾,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 3002/88⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to Regulation (EEC) No 3002/88 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 October 1988.

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

Done at Brussels, 30 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 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 270, 30. 9. 1988, p. 81.

ANNEX

to the Commission Regulation of 30 September 1988 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2	5th period 3	6th period 4
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	01	0	0	0	0	—	—	—
1001 10 90 000	01	0	0	0	- 5,00	- 5,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	02	0	0	0	- 3,00	- 3,00	- 30,00	- 30,00
	03	0	+ 3,00	+ 3,00	0	0	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	- 3,00	- 3,00	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	02	0	0	0	- 3,00	- 3,00	- 30,00	- 30,00
	03	0	+ 3,00	+ 3,00	0	0	- 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	0	- 5,00	- 5,00	—	—
1101 00 00 120	01	0	0	0	- 5,00	- 5,00	—	—
1101 00 00 130	01	0	0	0	- 5,00	- 5,00	—	—
1101 00 00 150	01	0	0	0	- 5,00	- 5,00	—	—
1101 00 00 170	01	0	0	0	- 5,00	- 5,00	—	—
1101 00 00 180	01	0	0	0	- 5,00	- 5,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	- 5,00	- 5,00	—	—
1102 10 00 200	01	0	0	0	- 5,00	- 5,00	—	—
1102 10 00 300	01	0	0	0	- 5,00	- 5,00	—	—
1102 10 00 500	01	0	0	0	- 5,00	- 5,00	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	0	- 50,00
1103 11 10 200	01	0	0	0	0	0	0	- 50,00
1103 11 10 500	01	0	0	0	0	0	0	- 50,00
1103 11 10 900	01	0	0	0	0	0	0	- 50,00
1103 11 90 100	01	0	0	0	- 5,00	- 5,00	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 all third countries,

02 other third countries,

03 Algeria, Tunisia, Egypt and the Canary Islands.

N.B. The zones are those defined in Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 September 1988

making a definitive allocation to various Member States of resources to be charged to the 1988 budget year for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community

(88/500/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3730/87 of 10 December 1987 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽¹⁾,

Having regard to Commission Regulation (EEC) No 3744/87 of 14 December 1987 laying down the detailed rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community⁽²⁾, as last amended by Regulation (EEC) No 952/88⁽³⁾, and in particular Articles 4 and 10 thereof,

Whereas in order to implement the scheme for the supply of such food to the most deprived section of the population, to be financed from resources available in the 1988 budget year, the Commission took a number of decisions allocating resources to the Member States; whereas the resources so allocated fall short of the total available under the 1988 budget; whereas for some Member States the allocation exceeds the amount the relevant authorities now consider to be necessary but in certain other Member States the allocation falls short of needs;

Whereas in order to optimize the impact of the scheme the Commission considers it necessary to revise some of

the decisions taken for the allocation of resources to be charged to the 1988 budget;

Whereas in accordance with the provisions of Article 1 (4) of Regulation (EEC) No 3744/87 the Commission has sought the advice of major organizations familiar with the problems of the most deprived persons in the Community when drawing up this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision 88/69/EEC⁽⁴⁾, is hereby amended as follows:

— in Article 1 (1), '1,5 million ECU' is replaced by '1,0 million ECU'.

Article 2

Commission Decision 88/133/EEC⁽⁵⁾ is hereby amended as follows:

— in Article 1 (1), '1 280 000 ECU' is replaced by '1 296 000 ECU',

— in Article 1 (2),

— up to 225 tonnes of soft wheat,

— up to 160 tonnes of butter,

— up to 148 tonnes of beef'

⁽¹⁾ OJ No L 352, 15. 12. 1987, p. 1.

⁽²⁾ OJ No L 352, 15. 12. 1987, p. 33.

⁽³⁾ OJ No L 98, 15. 4. 1988, p. 35.

⁽⁴⁾ OJ No L 33, 5. 2. 1988, p. 41.

⁽⁵⁾ OJ No L 64, 10. 3. 1988, p. 34.

is replaced by

- up to 300 tonnes of soft wheat,
- up to 160 tonnes of butter,
- up to 148 tonnes of beef.

Article 3

Commission Decision 88/134/EEC ⁽¹⁾, is hereby amended as follows:

- in Article 1 (1), '16 350 000 ECU' is replaced by '18 555 000 ECU',
- in Article 1 (2),
 - up to 2 050 tonnes of soft wheat,
 - up to 4 850 tonnes of durum wheat,
 - up to 1 300 tonnes of butter,
 - up to 3 100 tonnes of beef

is replaced by

- up to 3 000 tonnes of soft wheat,
- up to 6 000 tonnes of durum wheat,
- up to 1 650 tonnes of butter,
- up to 3 300 tonnes of beef.

Article 4

Commission Decision 88/136/EEC ⁽²⁾ is hereby amended as follows:

- in Article 1 (1), '15 900 000 ECU' is replaced by '17 910 000 ECU',
- in Article 1 (2)
 - up to 15 000 tonnes of durum wheat,
 - up to 450 tonnes of butter,
 - up to 3 300 tonnes of beef,
 - up to 450 tonnes of olive oil

is replaced by

- up to 15 500 tonnes of durum wheat,
- up to 450 tonnes of butter,
- up to 4 500 tonnes of beef,
- up to 450 tonnes of olive oil.

Article 5

Commission Decision 88/138/EEC ⁽³⁾ is hereby amended as follows:

- in Article 1 (1) '2 350 000 ECU' is replaced by '3 688 000 ECU',

— in Article 1 (2),

- up to 24 tonnes of butter,
- up to 500 tonnes of beef

is replaced by

- up to 24 tonnes of butter,
- up to 850 tonnes of beef.

Article 6

Commission Decision 88/144/EEC ⁽⁴⁾ is hereby amended as follows:

- in Article 1 (1), '20,10 million ECU' is replaced by '21 960 000 ECU',
- in Article 1 (2),
 - up to 2 200 tonnes of durum wheat,
 - up to 1 000 tonnes of butter,
 - up to 4 600 tonnes of beef,
 - up to 1 340 tonnes of olive oil

is replaced by

- up to 2 200 tonnes of durum wheat,
- up to 1 400 tonnes of butter,
- up to 4 600 tonnes of beef,
- up to 1 700 tonnes of olive oil.

Article 7

Commission Decision 88/145/EEC ⁽⁵⁾ is hereby amended as follows:

- in Article 1 (1) '100 000 ECU' is replaced by '87 500 ECU'.

Article 8

Commission Decision 88/191/EEC ⁽⁶⁾ is hereby amended as follows:

- in Article 1 (1) '1 900 000 ECU' is replaced by '4 060 000 ECU',
- Article 1 (2),
 - up to 700 tonnes of beef

is replaced by

- up to 1 400 tonnes of beef.

Article 9

This Decision is addressed to the Member States. It shall apply from its date of notification.

Done at Brussels, 22 September 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 64, 10. 3. 1988, p. 35.

⁽²⁾ OJ No L 64, 10. 3. 1988, p. 37.

⁽³⁾ OJ No L 64, 10. 3. 1988, p. 38.

⁽⁴⁾ OJ No L 69, 15. 3. 1988, p. 29.

⁽⁵⁾ OJ No L 69, 15. 3. 1988, p. 30.

⁽⁶⁾ OJ No L 85, 30. 3. 1988, p. 36.