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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 3122/88
of 11 October 1988**

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) 2221/88⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2401/88⁽⁵⁾ and subsequent amending Regulations;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band

of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Regulation (EEC) No 1676/85,

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

Whereas these exchange rates being those recorded on 10 October 1988;

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2401/88 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 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 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 96.

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

Done at Brussels, 11 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 October 1988 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levies	
	Portugal	Third country
0709 90 60	0,00	115,31
0712 90 19	0,00	115,31
1001 10 10	26,28	171,35 ⁽¹⁾ ⁽²⁾
1001 10 90	26,28	171,35 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	121,09
1001 90 99	0,00	121,09
1002 00 00	31,08	106,12 ⁽⁶⁾
1003 00 10	24,80	116,23
1003 00 90	24,80	116,23
1004 00 10	81,09	46,28
1004 00 90	81,09	46,28
1005 10 90	0,00	115,31 ⁽²⁾ ⁽³⁾
1005 90 00	0,00	115,31 ⁽²⁾ ⁽³⁾
1007 00 90	19,45	127,67 ⁽⁴⁾
1008 10 00	24,80	30,44
1008 20 00	24,80	91,70 ⁽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	183,03
1102 10 00	57,02	162,83
1103 11 10	53,93	279,90
1103 11 90	7,20	197,13

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

⁽³⁾ Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by 1,81 ECU/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is reduced by 50 %.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 and Commission Regulation (EEC) No 2622/71.

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within subheading 1008 90 10 (triticale).

COMMISSION REGULATION (EEC) No 3123/88

of 11 October 1988

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 2221/88⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 1636/87⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2402/88⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 10 October 1988;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from Portugal shall be zero.
2. The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 October 1988.

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

Done at Brussels, 11 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 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.⁽⁵⁾ OJ No L 205, 30. 7. 1988, p. 99.

ANNEX

to the Commission Regulation of 11 October 1988 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	1,79	1,79	0
0712 90 19	0	1,79	1,79	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	1,21
1004 00 90	0	0	0	1,21
1005 10 90	0	1,79	1,79	0
1005 90 00	0	1,79	1,79	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 3124/88

of 11 October 1988

fixing the export refunds on pigmeat

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 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 3906/87⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of pigs falling within subheadings 0103 91 10 and 0103 92 19 of the combined nomenclature and certain products falling within heading No 0203; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas, in the case of products falling within subheadings 0210 1951 and 0210 1981, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these subheadings and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within subheading 02 10 91 81;

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers of products falling within subheadings 1601 00 and 1602,

the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

Whereas Article 4 of Regulation (EEC) No 2768/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

Whereas Commission Regulation (EEC) No 617/86 of 28 February 1986 laying down specific rules on export refunds in the pigmeat sector following the accession of Portugal and amending Regulation (EEC) No 150/86⁽⁴⁾ established the principle that no Community refund should be granted on pigmeat products originating in Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which the export refund specified in Article 15 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.
2. The refund referred to in paragraph 1 shall not be granted on exports of products to Portugal.
3. The refund referred to in paragraph 1 shall not be granted on exports of products that originated in Portugal.

Article 2

This Regulation shall enter into force on 17 October 1988.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

⁽⁴⁾ OJ No L 58, 1. 3. 1986, p. 46.

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

Done at Brussels, 11 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 October 1988 fixing the export refunds on pigmeat

(ECU/100 kg net weight)

Product code	Destination of refund (1)	Amount of refund
0103 91 10 000	01	30,00
0103 92 19 000	01	30,00
0203 11 10 000	01	40,00
0203 12 11 000	02	25,00
	03	45,00
0203 12 19 000	02	25,00
	03	42,00
0203 19 11 000	02	25,00
	03	42,00
0203 19 13 000	02	25,00
	03	45,00
0203 19 15 000	02	20,00
	03	35,00
0203 19 55 110	02	25,00
	03	50,00
0203 19 55 130	02	25,00
	03	45,00
0203 19 55 190	02	25,00
	03	45,00
0203 19 55 310	02	20,00
	03	40,00
0203 19 55 390	02	20,00
	03	35,00
0203 19 55 900	01	—
0203 21 10 000	01	40,00
0203 22 11 000	02	25,00
	03	45,00
0203 22 19 000	02	25,00
	03	42,00
0203 29 11 000	02	25,00
	03	42,00
0203 29 13 000	02	25,00
	03	45,00
0203 29 15 000	02	20,00
	03	35,00
0203 29 55 110	02	25,00
	03	50,00
0203 29 55 130	02	25,00
	03	45,00
0203 29 55 190	02	25,00
	03	45,00
0203 29 55 310	02	20,00
	03	40,00
0203 29 55 390	02	20,00
	03	35,00
0203 29 55 900	01	—
0210 11 11 000	01	52,00
0210 11 31 100	01	70,00
0210 11 31 900	01	52,00
0210 12 11 000	01	35,00
0210 12 19 000	01	35,00
0210 19 40 000	01	52,00
0210 19 51 100	01	52,00

(ECU/100 kg net weight)		
Product code	Destination of refund (1)	Amount of refund
0210 19 51 300	01	35,00
0210 19 51 900	01	—
0210 19 81 100	01	70,00
0210 19 81 300	01	52,00
0210 19 81 900	01	—
1601 00 10 100	01	35,00
1601 00 10 900	01	—
1601 00 91 100	01	58,00
1601 00 91 900	01	—
1601 00 99 100	01	40,00
1601 00 99 900	01	—
1602 10 00 000	01	16,00
1602 20 90 100	01	30,00
1602 20 90 900	01	—
1602 41 10 100	01	35,00
1602 41 10 210	04	57,00
	05	60,00
1602 41 10 290	02	26,00
	03	28,00
1602 41 10 900	01	—
1602 42 10 100	01	35,00
1602 42 10 210	02	51,00
	03	54,00
1602 42 10 290	02	26,00
	03	28,00
1602 42 10 900	01	—
1602 49 11 110	01	35,00
1602 49 11 190	02	57,00
	03	60,00
1602 49 11 900	01	—
1602 49 13 110	01	35,00
1602 49 13 190	02	51,00
	03	54,00
1602 49 13 900	01	—
1602 49 15 110	01	35,00
1602 49 15 190	02	51,00
	03	54,00
1602 49 15 900	01	—
1602 49 19 110	01	28,00
1602 49 19 190	02	36,00
	03	38,00
1602 49 19 900	01	—
1602 49 30 100	02	26,00
	03	28,00
1602 49 30 900	01	—
1602 49 50 100	01	16,00
1602 49 50 900	01	—
1602 90 10 100	01	28,00
1602 90 10 900	01	—
1902 20 30 100	01	16,00
1902 20 30 900	01	—

(¹) The destinations are as follows :

- 01 All destinations,
- 02 The United States of America and Canada,
- 03. All destinations except the United States of America and Canada,
- 04 The United States of America, Canada and Australia,
- 05 All destinations except the United States of America, Canada and Australia.

NB : The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3125/88

of 11 October 1988

on the issuing of a standing invitation to tender for the resale on the internal market of 5 000 tonnes of durum wheat held by the French intervention agency

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 Article 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾ provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁴⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁵⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 5 000 tonnes of durum wheat held by the French intervention agency should be issued;

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 French intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 5 000 tonnes of durum wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 27 October 1988.
2. The final date for the submission of tenders for the last partial invitation to tender shall be 22 December 1988.
3. Tenders must be lodged with the French intervention agency:

Office national interprofessionnel des céréales,
21, avenue Bosquet,
F-75326 Paris Cedex 07
(télex: OFIBLE A 200490F).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the French intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 11 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 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁵⁾ OJ No L 223, 11. 8. 1987, p. 5.

COMMISSION REGULATION (EEC) No 3126/88
of 11 October 1988

on the issuing of a standing invitation to tender for the resale on the internal market of 200 000 tonnes of common wheat held by the French intervention agency

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 Article 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾ provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁴⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁵⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 200 000 tonnes of common wheat held by the French intervention agency should be issued;

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 French intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 200 000 tonnes of common wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 27 October 1988.

2. The final date for the submission of tenders for the last partial invitation to tender shall be 22 December 1988.

3. Tenders must be lodged with the French intervention agency:

Office national interprofessionnel des céréales,
21, avenue Bosquet,
F-75326 Paris Cedex 07
(téléc : OFIBLE A 200490F).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the French intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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, 11 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 139, 24. 5. 1986, p. 36.
⁽⁴⁾ OJ No L 202, 9. 7. 1982, p. 23.
⁽⁵⁾ OJ No L 223, 11. 8. 1987, p. 5.

COMMISSION REGULATION (EEC) No 3127/88

of 11 October 1988

amending Regulation (EEC) No 2723/88 implementing additional measures
applicable to holders of long-term storage contracts for table wine for the
1987/88 wine year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 2253/88 ⁽²⁾, and in particular Article 42 (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 conversion 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 5 (3) thereof,

Whereas the storage contracts referred to in Commission Regulation (EEC) No 34/88 ⁽⁵⁾ were concluded during the 1987/88 wine year; whereas it should be stipulated that the agricultural conversion rate applicable for the conversion into national currency of the amounts applicable to the measures provided for by Commission Regulation (EEC) No 2723/88 ⁽⁶⁾, as referred to in Annex V to Commission Regulation (EEC) No 2720/88 of 31 August 1988 fixing the buying-in prices, aid and certain other amounts applicable for the 1988/89 wine year to

intervention measures in the wine sector ⁽⁷⁾, is the rate in force on the last day of the 1987/88 wine year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 2a is hereby inserted in Regulation (EEC) No 2723/88:

'Article 2a

The amounts referred to in Annex V to Regulation (EEC) No 2720/88 shall be converted into national currency using the agricultural conversion rate applicable for wine on 31 August 1988.'

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 16 September 1988.

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

Done at Brussels, 11 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 35.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽⁵⁾ OJ No L 5, 8. 1. 1988, p. 11.

⁽⁶⁾ OJ No L 241, 1. 9. 1988, p. 95.

⁽⁷⁾ OJ No L 241, 1. 9. 1988, p. 79.

COMMISSION REGULATION (EEC) No 3128/88**of 11 October 1988****concerning the stopping of fishing for anglerfish 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, total allowable catches for 1988 and certain conditions under which they may be fished⁽²⁾ provides for anglerfish 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 anglerfish in the waters of ICES division VII by vessels flying the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1988; whereas the Netherlands have prohibited fishing for this stock as from

1 October 1988; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of anglerfish in the waters of ICES division VII 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 anglerfish in the waters of ICES division VII 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 application 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*.

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, 11 October 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 3129/88
of 11 October 1988

fixing the maximum export refund for white sugar for the 24th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1035/88

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 first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1035/88 of 18 April 1988 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1035/88, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 24th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

For the 24th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1035/88 the maximum amount of the export refund is fixed at 41,976 ECU/100 kilograms.

Article 2

This Regulation shall enter into force on 12 October 1988.

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

Done at Brussels, 11 October 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 102, 21. 4. 1988, p. 14.

COMMISSION REGULATION (EEC) No 3130/88

of 11 October 1988

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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 point (a) of the first subparagraph of 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) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas 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 when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as amended by Regulation (EEC) No 1714/88⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must

apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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⁽⁸⁾, as last amended by Regulation (EEC) No 1636/87⁽⁹⁾,
- 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 refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should 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 Sugar,

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 their unaltered state shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 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 143, 25. 6. 1968, p. 6.
⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.
⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.
⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.
⁽⁷⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁹⁾ 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, 11 October 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 October 1988 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	(ECU) 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	34,64 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	36,07 ⁽¹⁾	
1701 12 90 910	34,64 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3921
1701 99 10 100	39,21	
1701 99 10 910	39,29	
1701 99 10 950	39,29	
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 3131/88
of 11 October 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 3090/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2336/88 to the infor-

mation known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 October 1988.

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

Done at Brussels, 11 October 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 275, 7. 10. 1988, p. 26.

ANNEX

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

(ECU/100 kg)

CN code	Levy
1701 11 10	36,86 ⁽¹⁾
1701 11 90	36,86 ⁽¹⁾
1701 12 10	36,86 ⁽¹⁾
1701 12 90	36,86 ⁽¹⁾
1701 91 00	45,78
1701 99 10	45,78
1701 99 90	45,78 ⁽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.

II

(Acts whose publication is not obligatory)

CONFERENCE OF THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES

DECISION
OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES OF THE EUROPEAN COMMUNITIES
of 30 September 1988
appointing a Judge to the Court of Justice
(88/513/ECSC, EEC, Euratom)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in
particular Article 32b thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular
Article 167 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in
particular Article 139 thereof,

Whereas to complete the partial replacement of members of the Court, the Decisions of the
Representatives of the Governments of the Member States of 26 September 1988 should be
completed by appointing a Judge,

HAVE DECIDED AS FOLLOWS:

Sole Article

Mr Manuel Díez de Velasco Vallejo

is hereby appointed Judge to the Court of Justice for the period from 7 October 1988 to
6 October 1994 inclusive.

Done at Brussels, 30 September 1988.

The President

C. LYBEROPOULOS

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2295/88 of 26 July 1988 fixing for the 1988/89 marketing year the minimum price to be paid to producers for tomatoes and the amount of production aid for processed tomato products

(Official Journal of the European Communities No L 201 of 27 July 1988)

On page 29, in Annexe II, in the column headed 'Spain', under product 4:

for: '2,284',

read: '2,824'.

Corrigendum to Commission Regulation (EEC) No 2675/88 of 29 August 1988 providing for the grant of private storage aid fixed at a standard rate in advance in respect of carcasses, half-carcasses, hindquarters and forequarters from adult male bovine animals

(Official Journal of the European Communities No L 239 of 30 August 1988)

On page 22:

— In Article 6 (2):

for: '... Article 11 (2) of Regulation (EEC) No 798/80 ...',

read: '... Article 28 (5) of Regulation (EEC) No 3665/87 ...'.

— In Article 6 (3):

for: 'A payment declaration, as referred to in Article 2 of Regulation (EEC) No 798/80 ...',

read: 'A payment declaration, as referred to in Article 25 of Regulation (EEC) No 3665/87 ...'.

Corrigendum to Commission Regulation (EEC) No 3028/88 of 30 September 1988 fixing the amount of aid for peas, field beans and sweet lupins

(Official Journal of the European Communities No L 271 of 1 October 1988)

Page 76, Annex II, products harvested in Spain, column 'Current':

for: '939,20',

read: '959,20'.
