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I Acts whose publication is obligatory

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3720/88**of 28 November 1988****extending the provisional anti-dumping duty imposed on imports of copper sulphate originating in Bulgaria and the Soviet Union**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 (5) thereof,

Having regard to the proposal from the Commission,

Whereas by Regulation (EEC) No 2386/88⁽²⁾ the Commission imposed a provisional anti-dumping duty on imports of copper sulphate originating in Bulgaria and the Soviet Union;

Whereas the examination of the facts has not yet been completed and the Commission has therefore informed the Bulgarian and Soviet exporters concerned of its intention to propose that the provisional duty be extended for a further period of not more than two months; whereas the exporters concerned have not made any objection,

Article 1

The provisional anti-dumping duty imposed by Regulation (EEC) No 2386/88 on imports of copper sulphate originating in Bulgaria or the Soviet Union is hereby extended for a period not exceeding two months.

Article 2

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

Without prejudice to Article 11 of Regulation (EEC) No 2423/88 or any other decision taken by the Council, it shall apply until the entry into force of an act of the Council adopting definitive measures or until the expiry of a two-month period commencing on 30 November 1988, whichever is the earlier.

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

Done at Brussels, 28 November 1988.

For the Council

The President

Y. POTTAKIS

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 205, 30. 7. 1988, p. 68.

COMMISSION REGULATION (EEC) No 3721/88

of 29 November 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 28 November 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 30 November 1988.

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

Done at Brussels, 29 November 1988.

For the Commission

Frans ANDRIESSEN

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 29 November 1988 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

CN code	Levies	
	Portugal	Third country
0709 90 60	0,00	135,00
0712 90 19	0,00	135,00
1001 10 10	30,88	185,28 ⁽¹⁾ ⁽⁵⁾
1001 10 90	30,88	185,28 ⁽¹⁾ ⁽⁵⁾
1001 90 91	0,00	129,88
1001 90 99	0,00	129,88
1002 00 00	34,32	115,93 ⁽⁹⁾
1003 00 10	28,09	123,08
1003 00 90	28,09	123,08
1004 00 10	83,90	74,95
1004 00 90	83,90	74,95
1005 10 90	0,00	135,00 ⁽²⁾ ⁽³⁾
1005 90 00	0,00	135,00 ⁽²⁾ ⁽³⁾
1007 00 90	22,78	142,61 ⁽⁴⁾
1008 10 00	28,09	44,27
1008 20 00	28,09	118,11 ⁽⁴⁾
1008 30 00	28,09	0,00 ⁽²⁾
1008 90 10	⁽⁷⁾	⁽⁷⁾
1008 90 90	28,09	0,00
1101 00 00	0,77	195,51
1102 10 00	61,73	175,00
1103 11 10	61,12	300,44
1103 11 90	1,55	210,43

⁽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 3722/88

of 29 November 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 28 November 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 30 November 1988.

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

Done at Brussels, 29 November 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 29 November 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 11	1st period 12	2nd period 1	3rd period 2
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	5,47
1001 90 99	0	0	0	5,47
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	7,66

B. Malt

CN code	(ECU/tonne)				
	Current 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	0	9,74	9,74
1107 10 19	0	0	0	7,28	7,28
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 3723/88
of 29 November 1988
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 1109/88 ⁽²⁾, and in particular Article 14 (8) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EEC) No 3609/88 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1988/89 milk year by Council Regulation (EEC) No 2235/88 ⁽⁵⁾;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multi-

plying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁶⁾, as last amended by Regulation (EEC) No 611/88 ⁽⁷⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

Whereas Regulation (EEC) No 1073/68 ⁽⁸⁾, as amended by Regulation (EEC) No 222/88, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 27.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 315, 22. 11. 1988, p. 1.

⁽⁵⁾ OJ No L 197, 26. 7. 1988, p. 37.

⁽⁶⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁷⁾ OJ No L 60, 5. 3. 1988, p. 19.

⁽⁸⁾ OJ No L 180, 26. 7. 1968, p. 25.

Whereas Regulation (EEC) No 788/86 ⁽¹⁾, as last amended by Regulation (EEC) No 222/88, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland.

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas, if the levy 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 coefficient provided for in the last subparagraph 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 over a given period in relation to the Community currencies referred to in the previous indent and the aforesaid coefficient;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.
2. There shall be no levy for imports from Portugal, including the Azores and Madeira, for milk and milk products listed in Article 1 of Regulation (EEC) No 804/68.

Article 2

This Regulation shall enter into force on 1 December 1988.

⁽¹⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽³⁾ 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, 29 November 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

ANNEX

to the Commission Regulation of 29 November 1988 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		13,77
0401 10 90		12,56
0401 20 11		20,17
0401 20 19		18,96
0401 20 91		26,81
0401 20 99		25,60
0401 30 11		72,56
0401 30 19		71,35
0401 30 31		143,10
0401 30 39		141,89
0401 30 91		243,83
0401 30 99		242,62
0402 10 11		83,45
0402 10 19		76,20
0402 10 91	(¹)	0,7620/kg + 29,74
0402 10 99	(¹)	0,7620/kg + 22,49
0402 21 11		143,36
0402 21 17		136,11
0402 21 19		136,11
0402 21 91		183,65
0402 21 99		176,40
0402 29 11	(¹) (²)	1,3611/kg + 29,74
0402 29 15	(¹)	1,3611/kg + 29,74
0402 29 19	(¹)	1,3611/kg + 22,49
0402 29 91	(¹)	1,7640/kg + 29,74
0402 29 99	(¹)	1,7640/kg + 22,49
0402 91 11		34,27
0402 91 19		34,27
0402 91 31		42,84
0402 91 39		42,84
0402 91 51		143,10
0402 91 59		141,89
0402 91 91		243,83
0402 91 99		242,62
0402 99 11		49,76
0402 99 19		49,76
0402 99 31	(¹)	1,3947/kg + 26,12
0402 99 39	(¹)	1,3947/kg + 24,91
0402 99 91	(¹)	2,4020/kg + 26,12
0402 99 99	(¹)	2,4020/kg + 24,91

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

CN code	Note	Import levy
0403 10 11		22,58
0403 10 13		29,22
0403 10 19		74,97
0403 10 31	(¹)	0,1654/kg + 28,53
0403 10 33	(¹)	0,2318/kg + 28,53
0403 10 39	(¹)	0,6893/kg + 28,53
0403 90 11		83,45
0403 90 13		143,36
0403 90 19		183,65
0403 90 31	(¹)	0,7620/kg + 29,74
0403 90 33	(¹)	1,3611/kg + 29,74
0403 90 39	(¹)	1,7640/kg + 29,74
0403 90 51		22,58
0403 90 53		29,22
0403 90 59		74,97
0403 90 61	(¹)	0,1654/kg + 28,53
0403 90 63	(¹)	0,2318/kg + 28,53
0403 90 69	(¹)	0,6893/kg + 28,53
0404 10 11		19,03
0404 10 19	(¹)	0,1903/kg + 22,49
0404 10 91	(²)	0,1903/kg
0404 10 99	(²)	0,1903/kg + 22,49
0404 90 11		83,45
0404 90 13		143,36
0404 90 19		183,65
0404 90 31		83,45
0404 90 33		143,36
0404 90 39		183,65
0404 90 51	(¹)	0,7620/kg + 29,74
0404 90 53	(¹)	1,3611/kg + 29,74
0404 90 59	(¹)	1,7640/kg + 29,74
0404 90 91	(¹)	0,7620/kg + 29,74
0404 90 93	(¹)	1,3611/kg + 29,74
0404 90 99	(¹)	1,7640/kg + 29,74
0405 00 10		251,41
0405 00 90		306,72
0406 10 10		262,30
0406 10 90		313,77
0406 20 10	(³)	392,18
0406 20 90		392,18
0406 30 10	(³)	202,66
0406 30 31	(³)	198,30
0406 30 39	(³)	202,66
0406 30 90	(³)	299,38
0406 40 00	(³)	157,44
0406 90 11	(³)	248,56

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

CN code	Note	Import levy
0406 90 13	(³)	232,42
0406 90 15	(³)	232,42
0406 90 17	(³)	232,42
0406 90 19	(³)	392,18
0406 90 21	(³)	248,56
0406 90 23	(³)	217,05
0406 90 25	(³)	217,05
0406 90 27	(³)	217,05
0406 90 29	(³)	217,05
0406 90 31	(³)	217,05
0406 90 33		217,05
0406 90 35	(³)	217,05
0406 90 37	(³)	217,05
0406 90 39	(³)	217,05
0406 90 50	(³)	217,05
0406 90 61		392,18
0406 90 63		392,18
0406 90 69		392,18
0406 90 71		262,30
0406 90 73		217,05
0406 90 75		217,05
0406 90 77		217,05
0406 90 79		217,05
0406 90 81		217,05
0406 90 83		217,05
0406 90 85		217,05
0406 90 89	(³)	217,05
0406 90 91		262,30
0406 90 93		262,30
0406 90 97		313,77
0406 90 99		313,77
1702 10 90	(⁴)	36,85
2106 90 51		36,85
2309 10 15		59,57
2309 10 19		77,10
2309 10 39		73,12
2309 10 59		62,39
2309 10 70		77,10
2309 90 35		59,57
2309 90 39		77,10
2309 90 49		73,12
2309 90 59		62,39
2309 90 70		77,10

-
- (1) The levy on 100 kg of product falling within this subheading is equal to the sum of the following:
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
- (2) The levy on 100 kg of product falling within this subheading is equal to:
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (3) Products falling within this subheading imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (4) Lactose and lactose syrup falling within subheading 1702 10 10 are subject, pursuant to Council Regulation (EEC) No 2730/75, to the same levy as that applicable to lactose falling within subheading 1702 10 90.
-

COMMISSION REGULATION (EEC) No 3724/88
of 29 November 1988
on the issue of STM licences for certain floriculture products

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

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

Whereas Commission Regulation (EEC) No 643/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal ⁽¹⁾, as last amended by Regulation (EEC) No 3620/88 ⁽²⁾, fixed the target ceilings provided for in Article 251 (1) of the said Act for certain floriculture products for the period 1 January to 31 December 1988;

Whereas Commission Regulation (EEC) No 3620/88 of 21 November 1988 on the issue of STM licences for certain floricultural products and amending Regulation (EEC) No 643/86 raised the target ceiling previously fixed for rose bushes falling within CN code 0602 40 90 by 18 950 pieces; whereas this quantity is to be used in December 1988;

Whereas the aforesaid Regulation (EEC) No 3620/88 lays down that, if the quantities for which STM licences have

been applied for exceed quantities set out above, the Commission will fix a single percentage reduction in the quantities applied for;

Whereas, for rose bushes falling within CN code 0602 40 90 the quantities available have been exceeded for the month of December 1988; whereas licences should be issued in proportion to the quantities still available within the target ceiling and the said single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

The STM certificates applied for and notified to the Commission in respect of rose bushes falling within CN code 0602 40 90 for the period 21 to 23 November 1988 shall be issued for 15,3 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 30 November 1988.

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

Done at Brussels, 29 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽²⁾ OJ No L 315, 22. 11. 1988, p. 27.

COMMISSION REGULATION (EEC) No 3725/88
of 29 November 1988
on the issue of STM licences for certain floriculture products

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

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

Whereas Commission Regulation (EEC) No 643/86 of 28 February 1986 laying down detailed rules for the application of the supplementary trade mechanism to the live plants and floriculture products listed in Annex XXII to the Act of Accession and imported into Portugal ⁽¹⁾, as last amended by Regulation (EEC) No 3620/88 ⁽²⁾, fixed the target ceilings provided for in Article 251 (1) of the said Act for certain floriculture products for the period 1 January to 31 December 1988;

Whereas Commission Regulation (EEC) No 3619/88 of 21 November 1988 on the issue of STM licences for certain floricultural products and amending Regulation (EEC) No 643/86 ⁽³⁾ raised the target ceiling previously fixed for ornamental plants falling within CN codes 0602 99 91 and 0602 99 99 by 33,7 tonnes; whereas this quantity is to be used in December 1988;

Whereas the aforesaid Regulation (EEC) No 3619/88 lays down that, if the quantities for which STM licences have been applied for exceed quantities set out above, the

Commission will fix a single percentage reduction in the quantities applied for;

Whereas, for the ornamental plants falling within CN codes 0602 99 91 and 0602 99 99 the quantities available have been exceeded for the month of December 1988; whereas licences should be issued in proportion to the quantities still available within the target ceiling and the said single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

The STM certificates applied for and notified to the Commission in respect of ornamental plants falling within CN codes 0602 99 91 and 0602 99 99 for the period 21 to 23 November 1988 shall be issued for 46,3 % of the quantity applied for.

Article 2

This Regulation shall enter into force on 30 November 1988.

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

Done at Brussels, 29 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 60, 1. 3. 1986, p. 39.

⁽²⁾ OJ No L 315, 22. 11. 1988, p. 27.

⁽³⁾ OJ No L 315, 22. 11. 1988, p. 25.

COMMISSION REGULATION (EEC) No 3726/88

of 29 November 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 Regulation (EEC) No 1650/86 and Commission Regulation (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 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

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 December 1988.

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

Done at Brussels, 29 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 29 November 1988 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund ⁽¹⁾
1509 10 90 100	56,00
1509 10 90 900	100,00
1509 90 00 100	59,70
1509 90 00 900	105,00
1510 00 90 100	15,50
1510 00 90 900	52,00

⁽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 Commission Regulation (EEC) No 3846/87 as amended (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EEC) No 3727/88

of 29 November 1988

fixing the maximum export refunds on olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88

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 3421/88 ⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 7 of Regulation (EEC) No 3421/88 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 above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

The maximum export refunds for olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 November 1988.

Article 2

This Regulation shall enter into force on 1 December 1988.

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

Done at Brussels, 29 November 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 301, 4. 11. 1988, p. 39.

ANNEX

to the Commission Regulation of 29 November 1988 fixing the maximum export refunds on olive oil for the second partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3421/88

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	57,50
1509 10 90 900	—
1509 90 00 100	62,00
1509 90 00 900	—
1510 00 90 100	17,00
1510 00 90 900	—

NB: The products 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 3728/88

of 29 November 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 3384/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 3717/88 ⁽⁸⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁹⁾ as amended by Council Regulation (EEC) No 2744/75 ⁽¹⁰⁾ as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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 28 November 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 ⁽¹¹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹²⁾, 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 3384/88 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 30 November 1988.

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

Done at Brussels, 29 November 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 299, 1. 11. 1988, p. 1.

⁽⁸⁾ OJ No L 325, 29. 11. 1988, p. 50.

⁽⁹⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹¹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹²⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 29 November 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 30 ⁽²⁾	143,31	137,27
1103 12 00 ⁽²⁾	143,31	137,27
1103 21 00 ⁽²⁾	241,07	235,03
1103 29 30 ⁽²⁾	143,31	137,27
1104 12 10 ⁽²⁾	80,81	77,79
1104 12 90 ⁽²⁾	158,56	152,52
1104 19 10 ⁽²⁾	241,07	235,03
1104 22 10 ⁽²⁾	140,29	137,27
1104 22 30 ⁽²⁾	140,29	137,27
1104 22 50 ⁽²⁾	125,04	122,02
1104 22 90 ⁽²⁾	80,81	77,79
1104 29 10*10 ⁽²⁾ ⁽⁹⁾	176,68	173,66
1104 29 30*10 ⁽²⁾ ⁽⁹⁾	211,93	208,91
1104 29 91 ⁽²⁾	136,20	133,18
1104 30 10	103,97	97,93
1107 10 11	243,29	232,41
1107 10 19	184,54	173,66
1108 11 00	292,40	271,85
1109 00 00	675,62	494,28

⁽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.

⁽⁹⁾ Taric code: wheat.

COMMISSION REGULATION (EEC) No 3729/88

of 29 November 1988

amending Regulation (EEC) No 1183/86 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

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, and in particular Article 94 (3) thereof,

Having regard to Council Regulation (EEC) No 475/86 of 25 February 1986 laying down general 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 amended by Regulation (EEC) No 1930/88⁽²⁾, and in particular Article 16 thereof,

Whereas Article 14 (1) of Commission Regulation (EEC) No 1183/86⁽³⁾, as last amended by Regulation (EEC) No 2937/88⁽⁴⁾, provides for the application until 31 December 1988 of the levy provided for in Regulation (EEC) No 475/86; whereas, pursuant to Article 94 of the Act of Accession, the system for controlling the consumer prices for oils is also applicable until 31 December 1990; whereas the application of that levy should accordingly be extended until that date;

Whereas, pursuant to Article 94 of the Act of Accession, a system for controlling the price of soya oil is in force in Spain until 31 December 1990; whereas that system entails in particular the introduction of a levy covering the difference between the Spanish price in the 1984/85 marketing year and that of the imported product;

Whereas it has been established that the amount of the levy determined in accordance with the criterion described above has led to a substantial reduction in sales

of soya oil owing to an unfavourable trend in the price ratio with competing oil; whereas that imbalance should be rectified;

Whereas, pursuant to Article 94 (3) of the Act of Accession, the control system defined in that Article may be modified where exceptional circumstances arise; whereas the imbalance ascertained constitutes an exceptional circumstance; whereas a reference price should accordingly be fixed for the calculation of the levy to enable balance to be restored to the market in the oils concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 14 of Regulation (EEC) No 1183/86 is hereby amended as follows:

1. in the first subparagraph of paragraph 1, '31 December 1988' is replaced by '31 December 1990';
2. in paragraph 2, the first indent is replaced by the following:
'— on the one hand, an ex-factory price for crude soya oil of Pta 106 per kilogram,'.

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 November 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽²⁾ OJ No L 170, 2. 7. 1988, p. 3.

⁽³⁾ OJ No L 107, 24. 4. 1986, p. 17.

⁽⁴⁾ OJ No L 264, 24. 9. 1988, p. 44.