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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EEC) No 4017/88
of 19 December 1988**

amending Regulation (EEC) No 3205/88 as regards certain plain paper photocopiers assembled in the Community by Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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 13 (10) thereof,

Having regard to the proposal submitted by the Commission after consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

- (1) By Regulation (EEC) No 3205/88⁽²⁾, the Council extended the anti-dumping duty imposed by Regulation (EEC) No 535/87⁽³⁾ to certain plain paper photocopiers (PPCs) assembled in the Community by Konica Business Machines Manufacturing GmbH, Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA. The companies Canon Bretagne SA, Develop Dr Eisbein GmbH and Ricoh (UK) Products Ltd offered undertakings during the course of the proceedings which were accepted on 16 November 1988 by Commission Decision 88/519/EEC⁽⁴⁾.
- (2) Subsequently, Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA offered undertakings. The Commission verified, at the premises of the companies concerned, that the undertakings removed the conditions justifying the extension by Regulation (EEC) No 3205/88 of the anti-dumping duty to PPCs assembled or produced in the Community. The undertakings also gave satisfactory assurances regarding the future sourcing of parts and materials and other aspects of the

assembly operations of the companies concerned in the Community.

- (3) The Commission, after consultation, has decided to accept these undertakings.
- (4) Under these circumstances, Regulation (EEC) No 3205/88 extending the anti-dumping duty to PPCs assembled or produced in the Community should be amended to the extent that it concerns Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA.
- (5) It is considered appropriate that the duty should be collected up to the date of the acceptance by the Commission of the undertakings, the Council being satisfied that from that date adherence to the terms of the undertakings will eliminate the circumvention of the anti-dumping duty and that non-adherence thereto will entail the application of Article 10 (6) of Regulation (EEC) No 2423/88.

HAS ADOPTED THIS REGULATION :

Article 1

Article 1 of Regulation (EEC) No 3205/88 is hereby amended as follows :

'1. The definitive anti-dumping duty imposed by Regulation (EEC) No 535/87 on imports of plain paper photocopiers incorporating an optical system, originating in Japan, is hereby also imposed on plain paper photocopiers incorporating an optical system falling within CN codes ex 9009 11 00, ex 9009 12 00 and ex 9009 21 00 introduced into the commerce of the Community after having been assembled or produced in the Community by Konica Business Machines Manufacturing GmbH, Lüneburg.

2. The rate of duty shall be ECU 225 per unit assembled by Konica Business Machines Manufacturing GmbH.'

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 November 1988.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 284, 19. 10. 1988, p. 36.

⁽³⁾ OJ No L 54, 24. 2. 1987, p. 12.

⁽⁴⁾ OJ No L 284, 19. 10. 1988, p. 60.

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

Done at Brussels, 19 December 1988.

For the Council

The President

Th. PANGALOS

COUNCIL REGULATION (EEC) No 4018/88
of 19 December 1988

extending the provisional anti-dumping duty on imports of urea originating in Austria, Hungary, Malaysia, Romania, the United States of America or Venezuela

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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 2623/88⁽²⁾, the Commission imposed a provisional anti-dumping duty on imports of urea originating in Austria, Hungary, Malaysia, Romania, the United States of America or Venezuela;

Whereas certain exporters have requested that the period of validity of the provisional anti-dumping duty be extended to give them extra time to defend their interests; whereas those requests appear justified;

Whereas the said exporters account for a substantial proportion of the trade concerned;

Whereas it has not been possible to examine the facts within the time available, and the request should accordingly be granted,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty imposed by Regulation (EEC) No 2623/88 on imports of urea originating in Austria, Hungary, Malaysia, Romania, the United States of America or Venezuela is hereby extended for a period not exceeding two months.

Article 2

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

Subject to Article 11 of Regulation (EEC) No 2423/88 and any further Council Decision, it shall apply until the Council adopts definitive measures or until the end of a period of two months beginning on 27 December 1988, whichever is the earlier.

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

Done at Brussels, 19 December 1988.

For the Council

The President

Th. PANGALOS

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 235, 25. 8. 1988, p. 5.

COUNCIL REGULATION (EEC) No 4019/88
of 19 December 1988

**extending the provisional anti-dumping duty on imports of certain video
cassette recorders originating in Japan and the Republic of Korea**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the proposal from the Commission,

Whereas by Regulation (EEC) No 2684/88⁽²⁾, as amended by Regulation (EEC) No 2826/88⁽³⁾, the Commission imposed a provisional anti-dumping duty on imports of certain video cassette recorders originating in Japan and the Republic of Korea,

Whereas the exporters concerned have requested that the period of validity of the provisional duty be extended for a further period not exceeding two months to allow further examination of all aspects of the proceeding,

HAS ADOPTED THIS REGULATION:

Article 1

The provisional anti-dumping duty imposed by Regulation (EEC) No 2684/88, on imports of certain video cassette recorders originating in Japan and the Republic of Korea is hereby extended for a period not exceeding two months.

Article 2

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

Without prejudice to Article 11 of Regulation (EEC) No 2423/88 and to any other decision taken by the Council, this Regulation shall apply until either the entry into force of an act of the Council adopting definitive measures, or until the end of a period of two months starting on 1 January 1989, whichever is the earlier.

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

Done at Brussels, 19 December 1988.

For the Council

The President

Th. PANGALOS

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 240, 31. 8. 1988, p. 5.

⁽³⁾ OJ No L 254, 14. 9. 1988, p. 14.

COMMISSION REGULATION (EEC) No 4020/88

of 22 December 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 21 December 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 23 December 1988.

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

Done at Brussels, 22 December 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 22 December 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	0,34	127,52
0712 90 19	0,34	127,52
1001 10 10	31,98	183,46 ⁽¹⁾ ⁽²⁾
1001 10 90	31,98	183,46 ⁽¹⁾ ⁽²⁾
1001 90 91	0,00	128,09
1001 90 99	0,00	128,09
1002 00 00	35,82	113,81 ⁽³⁾
1003 00 10	29,59	122,23
1003 00 90	29,59	122,23
1004 00 10	85,40	72,74
1004 00 90	85,40	72,74
1005 10 90	0,34	127,52 ⁽³⁾ ⁽²⁾
1005 90 00	0,34	127,52 ⁽³⁾ ⁽²⁾
1007 00 90	24,28	136,84 ⁽⁴⁾
1008 10 00	29,59	41,21
1008 20 00	29,59	116,11 ⁽⁴⁾
1008 30 00	29,59	0,00 ⁽⁵⁾
1008 90 10	(7)	(7)
1008 90 90	29,59	0,00
1101 00 00	0,41	193,17
1102 10 00	63,20	173,18
1103 11 10	62,89	297,68
1103 11 90	0,72	207,72

⁽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 4021/88

of 22 December 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 21 December 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 23 December 1988.

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

Done at Brussels, 22 December 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 22 December 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 12	1st period 1	2nd period 2	3rd period 3
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	4,55	4,55	4,55
1001 90 99	0	4,55	4,55	4,55
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	3,73	3,73	3,73
1004 00 90	0	3,73	3,73	3,73
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	6,37	6,37	6,37

B. Malt

CN code	(ECU/tonne)				
	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
1107 10 11	0	8,10	8,10	8,10	8,10
1107 10 19	0	6,05	6,05	6,05	6,05
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 4022/88

of 22 December 1988

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector 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 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 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 798/87⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 799/87⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 800/87⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾;

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾ the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, with regard to Turkey and the Maghreb countries, the provisions of this Regulation should be without prejudice to the additional amount to be determined in accordance with the agreements between the Community and these third countries;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 19 and 20 December 1988 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

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

⁽²⁾ OJ No L 197, 26. 7. 1988, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 79, 21. 3. 1987, p. 11.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 79, 21. 3. 1987, p. 12.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 79, 21. 3. 1987, p. 13.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

HAS ADOPTED THIS REGULATION :

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 23 December 1988.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)	
CN code	Non-member countries
1509 10 10	75,00 ⁽¹⁾
1509 10 90	75,00 ⁽¹⁾
1509 90 00	87,00 ⁽²⁾
1510 00 10	75,00 ⁽¹⁾
1510 00 90	119,00 ⁽²⁾

⁽¹⁾ For imports of oil falling within this subheading and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

(a) Lebanon: 0,60 ECU/100 kg;

(b) Turkey: 11,48 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;

(c) Algeria, Tunisia and Morocco: 12,69 ECU/100 kg ^(*) provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

^(*) These amounts may be increased by an additional amount to be determined by the Community and the third countries in question.

⁽²⁾ For imports of oil falling within this subheading:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 3,86 ECU/100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 3,09 ECU/100 kg.

⁽³⁾ For imports of oil falling within this subheading:

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by 7,25 ECU/100 kg;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by 5,80 ECU/100 kg.

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)	
CN code	Non-member countries
0709 90 39	16,50
0711 20 90	16,50
1522 00 31	37,50
1522 00 39	60,00
2306 90 19	6,00

**COMMISSION REGULATION (EEC) No 4023/88
of 22 December 1988**

adjusting the agricultural conversion rates for the pigmeat sector in Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽²⁾, as last amended by Regulation (EEC) No 1889/87⁽³⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so as to avoid the creation of new monetary compensatory amounts;

Whereas the movement of the market rate for the peseta during the reference period 14 to 20 December 1988 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁴⁾, as last amended by Regulation (EEC) No 3765/88⁽⁵⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁶⁾, as last amended by Regulation (EEC) No 3521/88⁽⁷⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in Spain, effective from 26 December 1988; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex V to amended Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following:

Products	Agricultural conversion rates			
	1 ECU = ... Ptas	Applicable until	1 ECU = ... Ptas	Applicable from
Pigmeat	153,938	25 December 1988	153,561	26 December 1988

Article 2

This Regulation shall enter into force on 26 December 1988.

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 330, 2. 12. 1988, p. 15.

⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁷⁾ OJ No L 307, 12. 11. 1988, p. 28.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESSEN

Vice-President

COMMISSION REGULATION (EEC) No 4024/88
of 22 December 1988

adjusting the agricultural conversion rates for the pigmeat sector in the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 3578/88 of 17 November 1988 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts⁽¹⁾, and in particular Article 7 (1) thereof,

Whereas Article 6a of Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽²⁾, as last amended by Regulation (EEC) No 1889/87⁽³⁾, lays down that the agricultural conversion rates of a Member State should be adjusted so as to avoid the creation of new monetary compensatory amounts;

Whereas the movement of the market rate for the pound sterling during the reference period 14 to 20 December 1988 should, given the adjustment of the agricultural conversion rate determined by Council Regulation (EEC) No 1678/85⁽⁴⁾, as last amended by Regulation (EEC) No 4023/88⁽⁵⁾, entail, in accordance with Article 2 of Commission Regulation (EEC) No 3153/85⁽⁶⁾, as last amended by Regulation (EEC) No 3521/88⁽⁷⁾, an increase in the monetary compensatory amounts applicable in the pigmeat sector in the United Kingdom effective from 26 December 1988; whereas in order to prevent this it is necessary to adjust the agricultural conversion rate so as to avoid the creation of these new monetary compensatory amounts,

HAS ADOPTED THIS REGULATION:

Article 1

In Annex XI to amended Regulation (EEC) No 1678/85, the line relating to pigmeat is hereby replaced by the following:

Products	Agricultural conversion rates			
	ECU 1 = £ ...	Applicable until	ECU 1 = £ ...	Applicable from
'Pigmeat	0,706696	25 December 1988	0,707470	26 December 1988'

Article 2

This Regulation shall enter into force on 26 December 1988.

⁽¹⁾ OJ No L 312, 18. 11. 1988, p. 16.

⁽²⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽³⁾ OJ No L 182, 3. 7. 1987, p. 1.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ See page 12 of this Official Journal.

⁽⁶⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁷⁾ OJ No L 307, 12. 11. 1988, p. 28.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 4025/88

of 21 December 1988

fixing the import levies on frozen sheepmeat and goatmeat

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat ⁽¹⁾, as last amended by Regulation (EEC) No 1115/88 ⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas under Article 10 (2) of Regulation (EEC) No 1837/80 a levy is applicable to the products falling within subheadings 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex I to that Regulation;

Whereas, pursuant to Article 13 of Regulation (EEC) No 1837/80, the levy on frozen carcasses and halfcarcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the basic price for the 1989 marketing year is fixed in Article 1 of Council Regulation (EEC) No 2265/88 ⁽³⁾; whereas the coefficient referred to in Article 13 (1) (a) of Regulation (EEC) No 1837/80 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 ⁽⁴⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which

the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within subheadings 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 486/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87 ⁽⁶⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.

⁽³⁾ OJ No L 199, 26. 7. 1988, p. 14.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

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 coefficient provided for in the last paragraph of Article 3 (b) 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 January 1989.

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

Done at Brussels, 21 December 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 21 December 1988 fixing the import levies on frozen
sheepmeat and goatmeat (*)

(ECU/100 kg)

CN code	Week No 1 from 2 to 8 January 1989	Week No 2 from 9 to 15 January 1989	Week No 3 from 16 to 22 January 1989	Week No 4 from 23 to 29 January 1989	Week No 5 from 30 January to 5 February 1989
0204 30 00	191,305	197,680	205,278	210,340	216,723
0204 41 00	191,305	197,680	205,278	210,340	216,723
0204 42 10	133,914	138,376	143,695	147,238	151,706
0204 42 30	210,436	217,448	225,806	231,374	238,395
0204 42 50	248,697	256,984	266,861	273,442	281,740
0204 42 90	248,697	256,984	266,861	273,442	281,740
0204 43 00	348,175	359,778	373,606	382,819	394,436
0204 50 51	191,305	197,680	205,278	210,340	216,723
0204 50 53	133,914	138,376	143,695	147,238	151,706
0204 50 55	210,436	217,448	225,806	231,374	238,395
0204 50 59	248,697	256,984	266,861	273,442	281,740
0204 50 71	248,697	256,984	266,861	273,442	281,740
0204 50 79	348,175	359,778	373,606	382,819	394,436

(*) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 4026/88

of 21 December 1988

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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 1837/80 of 27 June 1980 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 1115/88⁽²⁾, and in particular the first paragraph of Article 11 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 10 (2) of Regulation (EEC) No 1837/80, a levy is applicable to the products specified in Article 1 (a) of that Regulation;

Whereas the levy on products falling within subheadings 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the difference between the seasonally-adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 2 of Council Regulation (EEC) No 2265/88⁽³⁾ for the 1989 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regard quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80⁽⁴⁾ the free-at-frontier offer prices are to be based*inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on live animals within subheadings 0104 10 90 and 0104 20 90 and on the meat falling within subheadings 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31, 0204 50 39, 0210 90 11 and 0210 90 19 listed in Annex I to Regulation (EEC) No 1837/80 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 486/85⁽⁵⁾, as last amended by Regulation (EEC) No 1821/87⁽⁶⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.⁽²⁾ OJ No L 110, 29. 4. 1988, p. 36.⁽³⁾ OJ No L 199, 26. 7. 1988, p. 14.⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.⁽⁵⁾ OJ No L 61, 1. 3. 1985, p. 4.⁽⁶⁾ OJ No L 172, 30. 6. 1987, p. 102.

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 coefficient provided for in the last paragraph of Article 3 (b) 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, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies

on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 January 1989.

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

Done at Brussels, 21 December 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 21 December 1988 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat

(ECU/100 kg)

CN code	Week No 1 from 2 to 8 January 1989	Week No 2 from 9 to 15 January 1989	Week No 3 from 16 to 22 January 1989	Week No 4 from 23 to 29 January 1989	Week No 5 from 30 January to 5 February 1989
0104 10 90 ⁽¹⁾	120,198	124,193	128,954	132,126	136,126
0104 20 90 ⁽¹⁾	120,198	124,193	128,954	132,126	136,126
0204 10 00 ⁽²⁾	255,740	264,240	274,370	281,120	289,630
0204 21 00 ⁽²⁾	255,740	264,240	274,370	281,120	289,630
0204 22 10 ⁽²⁾	179,018	184,968	192,059	196,784	202,741
0204 22 30 ⁽²⁾	281,314	290,664	301,807	309,232	318,593
0204 22 50 ⁽²⁾	332,462	343,512	356,681	365,456	376,519
0204 22 90 ⁽²⁾	332,462	343,512	356,681	365,456	376,519
0204 23 00 ⁽²⁾	465,447	480,917	499,353	511,638	527,127
0204 50 11 ⁽²⁾	255,740	264,240	274,370	281,120	289,630
0204 50 13 ⁽²⁾	179,018	184,968	192,059	196,784	202,741
0204 50 15 ⁽²⁾	281,314	290,664	301,807	309,232	318,593
0204 50 19 ⁽²⁾	332,462	343,512	356,681	365,456	376,519
0204 50 31 ⁽²⁾	332,462	343,512	356,681	365,456	376,519
0204 50 39 ⁽²⁾	465,447	480,917	499,353	511,638	527,127
0210 90 11 ⁽²⁾	332,462	343,512	356,681	365,456	376,519
0210 90 19 ⁽²⁾	465,447	480,917	499,353	511,638	527,127

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85 and (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 486/85 and Commission Regulation (EEC) No 19/82.

COMMISSION REGULATION (EEC) No 4027/88

of 21 December 1988

laying down provisions for the temporary importation of containers

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2096/87 of 13 July 1987 on the temporary importation of containers⁽¹⁾, and in particular Article 15 thereof,

Whereas arrangements for the temporary importation of containers should be established pursuant to Regulation (EEC) No 2096/87;

Whereas certain terms used to define containers should themselves be defined;

Whereas different procedures need to be adopted for containers which are marked in a specified way and those which are not so marked; whereas containers approved for transport under customs seal are always so marked;

Whereas the rules concerning recognition of approval for the transport under customs seal of containers admitted for temporary importation should be determined;

Whereas only containers complying with the conditions laid down in Annex 4 to the 1972 Customs Convention on Containers or Annex 7 to the TIR Convention can be recognized as approved for transport under customs seal; whereas such approval must therefore be accorded by a State party to either the 1956 Customs Convention on Containers, the 1972 Customs Convention on Containers or the TIR Convention;

Whereas the conditions governing authorization of the use of the arrangements for the temporary importation of containers should be adopted; whereas the obligations of users should be established so that the customs authorities can carry out the checks needed to ensure that Community provisions are correctly applied;

Whereas the requirements that a customs document be produced and a security lodged should be reserved for exceptional cases where there is reasonable doubt or a serious risk that the obligation to re-export will not be complied with and where the payment of any resulting customs debt cannot be guaranteed, in cases where the containers are not marked as required;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for Customs Procedures with Economic Impact,

HAS ADOPTED THIS REGULATION:

TITLE I

GENERAL

Article 1

1. (a) 'Basic Regulation' shall mean Council Regulation (EEC) No 2096/87 of 13 July 1987 on the temporary importation of containers.
- (b) 'Person benefiting from the arrangements' shall mean the operator of a container or his representative.
- (c) 'Operator' of a container shall mean the person who, whether or not its owner, has effective control of its movements.
- (d) 'Person' shall mean:
 - a natural person,
 - a legal person, or
 - where this possibility is provided for by the rules in force, an association of persons recognized as having the capacity to carry out legal acts without having the status of a legal person.
- (e) 'Transport under customs seal' shall mean the use of a container to transport goods which are identified by the sealing of the container.
- (f) 'Demountable body' shall mean a loading compartment which has no independent means of movement and is specifically designed to be transported on a road vehicle, the chassis of such vehicles and the lower bodywork frame being specially designed for that purpose. This definition shall cover also movable cases which form loading compartments specifically designed for combined transport.
- (g) 'Partially enclosed containers' shall mean equipment generally consisting of a floor and a superstructure marking off a loading space equivalent to that of a closed container; the superstructure is generally made up of metal members forming the frame of a

⁽¹⁾ OJ No L 196, 17. 7. 1987, p. 4.

container; containers of this type may also comprise one or more lateral or frontal walls; in some cases there is only a roof attached to the floor by uprights; this type of container is used in particular for the carriage of bulky goods (motor cars, for example).

(h) 'Platform flats' shall mean loading platforms without a superstructure, or with partial superstructure only, of the same length and width as containers and possessing top and bottom corner fittings located on the side of the platform to enable the same anchoring and lifting devices to be used as for containers.

(i) 'Accessories and equipment of the container' shall mean in particular the following devices, even if they are removable:

- (i) equipment for controlling, modifying or maintaining the temperature inside the container;
- (ii) small appliances, such as temperature or impact recorders, designed to indicate or record variations in environmental conditions and impact;
- (iii) internal partitions, pallets, shelves, supports, hooks and similar devices used for stowing goods.

2. Notwithstanding the last indent of Article 2 (a) of the basic Regulation, the term 'container' shall apply also to containers used in air transport having an internal volume of less than one cubic metre.

Article 2

1. Containers which are placed under the temporary importation arrangements upon discharge of inward processing arrangements in the Community shall be treated in the same way as containers imported into the customs territory of the Community.

2. The containers referred to in paragraph 1 shall be placed under temporary importation arrangements on the date on which they are first used under the arrangements.

3. For the purposes of drawing up the discharge provided for under the inward processing relief arrangements the operator shall issue to the holder of the inward processing authorization a certificate replacing the documents provided for in Article 61 (3) of Council Regulation (EEC) No 3677/86 of 24 November 1986 laying down provisions for the implementation of Regulation (EEC) No 1999/85 on inward processing relief arrangements⁽¹⁾.

⁽¹⁾ OJ No L 351, 12. 12. 1986, p. 1.

TITLE II

SPECIAL PROVISIONS CONCERNING THE TEMPORARY IMPORTATION OF CONTAINERS PURSUANT TO ARTICLE 3 (1) OF THE BASIC REGULATION

CHAPTER 1

Provisions concerning containers

Section 1

Markings

Article 3

1. The temporary importation provided for in Article 3 (1) of the basic Regulation shall apply without customs formalities to containers, whether or not they have been approved for transport under customs seal, on which the following information has been durably marked in an appropriate and clearly visible place:

- (a) the identity of the owner or operator;
- (b) the identification marks and numbers given to the container by the owner or operator;
- (c) the tare weight of the container, including all its permanently fixed equipment; and
- (d) the country to which the container belongs.

2. The country to which the container belongs may be shown either in full or by means of the ISO alpha-2 country code provided for in International Standard ISO 3166 or by the distinguishing initials used to indicate the country of registration of motor vehicles in international road traffic. The identity of the owner or operator may be shown by either his name or an established form of indication, symbols such as emblems or flags being excluded.

Section 2

Recognition of approval

Article 4

Containers which:

- (a) bear, in addition to the information provided for in Article 3 (1), the following details, which shall be put on the approval plate in accordance with the provisions referred to in Article 6:

— the manufacturer's serial number (manufacturer's number); and

— if they are covered by type approval, the identification numbers or letters of the type;

- (b) comply with the technical conditions referred to in Article 6; and
- (c) have been approved by a Member State or by one of the countries listed in Annex II in accordance with the procedures provided for in Article 6,

shall be recognized as approval for transport under customs seal.

Article 5

Containers recognized as being approved for transport under customs seal in accordance with Article 4 which have been temporarily imported into the Community may be used under any transport arrangements involving customs sealing.

Article 6

For the purposes of this Regulation the technical conditions applying to containers which may be approved for transport under customs seal and the procedures concerning such approval shall be in accordance with those contained respectively in the first and second parts of Annex 7 to the TIR Convention annexed to Council Regulation (EEC) No 2112/78 of 25 July 1978 concerning the conclusion of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR convention) of 14 November 1975 at Geneva⁽¹⁾. Any amendment which has entered into force relating to Annex 7 to the TIR Convention shall apply also for the purposes of this Regulation.

Article 7

1. If it is found that containers which have been approved do not comply with the technical conditions referred to in Article 6, the customs office shall refuse to recognize the validity of the approval, unless the defects found are of minor importance and do not involve any risk of fraud.

2. Where a container has a major defect and so no longer complies with the standards under which it was approved for transport under customs seal, the customs authority shall inform the person responsible for the container so that he may restore the container to the condition it was in when approved, provided the repairs can be carried out rapidly. When the container has been appropriately repaired it may proceed to its destination under customs seal. If the container is not appropriately repaired or if the person responsible for it prefers to have it repaired in the country in which it was approved, the customs authority shall:

- (a) refuse to seal the container and refuse authorization for its use in transport in cases where sealing is considered necessary; or

- (b) remove the container from use while the contents are transferred to another means of transport; or

- (c) authorize it to continue its journey in accordance with the relevant procedures where there is no danger of smuggling, loss or damage to the goods transported in the container, the defect in question being indicated on the transit documents.

To ensure that the container is appropriately repaired the customs authority should, where it considers it necessary, have the approval plate removed.

Where the customs authority has the approval plate removed or where a major defect is discovered in a group of containers so that they no longer comply with the standards under which they were approved for transport under customs seal, the authority responsible for approval or, where appropriate, the customs administration responsible for approval must be notified accordingly. The authority responsible for the initial approval must be invited to participate in the procedure for the issue of a new approval where this procedure takes place within the Community.

3. A container is considered to have a major defect if:

- (a) goods can be removed from, or introduced into, the sealed part of the container without leaving visible traces of tampering or without breaking the customs seal;
- (b) customs seals cannot be simply and effectively affixed to it;
- (c) it contains concealed spaces where goods may be hidden;
- (d) all spaces capable of holding goods are not readily accessible for customs inspection.

CHAPTER 2

Provisions applicable to the persons benefiting from the arrangements pursuant to Article 8 of the basic Regulation

Article 8

For the purposes of Article 3 (1) of the basic Regulation, the persons benefiting from the arrangements must:

- (a) be represented in the customs territory of the Community and supply to the customs authority of every Member State where the containers are to be kept, such information as may be necessary to identify the representative and the extent of his representative functions;
- (b) at the request of the customs authority of every Member State where the containers are kept, supply that authority with details of where and when the containers entered or left the customs territory of the Community and of the movements of the said containers within each Member State.

⁽¹⁾ OJ No L 252, 28. 9. 1978, p. 1.

TITLE III

SPECIAL PROVISIONS CONCERNING THE
TEMPORARY IMPORTATION OF CONTAINERS
PURSUANT TO ARTICLE 3 (2) OF THE BASIC
REGULATION

CHAPTER 1

The granting of the benefit of the arrangements

Article 9

1. An operator, or his representative, wishing to benefit from the arrangements for the temporary importation of containers pursuant to Article 3 (2) of the basic Regulation must lodge an application with the relevant customs office of the Member State where the containers to be placed under the arrangements are introduced into the customs territory of the Community.

2. The application must be in writing, in any form accepted by the customs authority. It must include the following information:

- (a) name, business name and address of the operator or his representative;
- (b) an undertaking to comply with Article 8 (b).

3. The application may cover more than one temporary importation operation.

4. For a single temporary importation operation the application shall be replaced by the list referred to in Article 11.

Article 10

1. The customs office at which the application is lodged shall take a decision and where appropriate shall issue a temporary importation authorization, hereinafter referred to as an 'authorization'.

2. Authorization shall be granted only for containers which can be identified when they are re-exported.

3. The authorization shall be signed by the relevant customs office, which shall retain a copy. It shall indicate, in particular, the means by which the operator must supply the information referred to in Article 8 (b).

4. The authorization may cover more than one temporary importation operation.

5. For a single temporary importation operation, authorization shall be replaced by the customs authority's acceptance of the list referred to in Article 11.

CHAPTER 2

Placing under temporary importation
arrangements of the containers referred to in
Article 3 (2) and the goods referred to in Article 10
of the basic Regulation*Article 11*

1. For the purposes of applying Article 6 of the basic Regulation the placing of the containers and goods referred to in Article 10 of the basic Regulation under temporary importation arrangements shall be subject to their being presented at the customs office.

2. Where the customs office has reason to doubt that the obligation to re-export will be complied with, the production of a list may be required. This list must indicate:

- (a) the name, business name and address of the operator or his representative;
- (b) the means of identifying the containers;
- (c) the number of containers and the quantity and type of the goods referred to in Article 10 of the basic Regulation.

Article 12

For the purposes of applying Article 7 of the basic Regulation, where the customs office considers that there is a serious risk that the obligation to re-export will not be complied with and that the payment of the customs debt which may arise cannot be guaranteed, the lodging of a security shall be required.

Article 13

For the purposes of applying Article 10 of the basic Regulation, spare parts must be intended for the repair of temporarily imported containers, small repairs and maintenance being authorized under the temporary importation arrangements for containers. Container accessories and normal container equipment may be imported either with a container for subsequent re-export separately or with another container, or separately for subsequent re-export with a container.

TITLE IV

GENERAL PROVISIONS

Article 14

Where the persons benefiting from the arrangements prove that the container has not been used for a certain length of time, such non-use shall constitute a particular circumstance justifying an extension of the maximum period, as provided for in Article 5 of the basic Regulation.

Article 15

1. The customs shall, *inter alia*, carry out spot checks on containers during normal customs inspections in order to ensure that the conditions for using temporary

importation arrangements are being complied with and in particular to ensure that the containers meet the technical requirements referred to in Article 6.

2. Users of the arrangements shall submit to all supervision and inspection measures prescribed by the customs authority.

3. Where it is found that during or in connection with a temporary importation operation an infringement or irregularity has occurred in a given Member State, that Member State shall recover any duties or other charges which may be due, without prejudice to the institution of criminal proceedings.

4. The findings of the customs authorities of a Member State during inspections carried out under the arrangements shall have the same legal force in other Member States as findings by the customs authorities of those Member States.

Article 16

1. Article 9 of the basic Regulation shall be interpreted with reference to the explanatory note contained in Annex I.

2. The provisions of the first and second parts of Annex 7 to the TIR Convention referred to in Article 6 shall be applied in accordance with the explanatory notes contained in the third part of that Annex.

3. Annex 7 to the TIR Convention and the Annexes to this Regulation shall form an integral part of this Regulation.

Article 17

This Regulation shall enter into force on 1 January 1989.

It shall apply from 1 July 1989.

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

Done at Brussels, 21 December 1988.

For the Commission

COCKFIELD

Vice-President

ANNEX I

EXPLANATORY NOTE ON THE APPLICATION OF ARTICLE 9 OF THE BASIC REGULATION

NOTES

1. Containers placed under temporary importation arrangements may be used without restriction throughout the period during which they remain within the customs territory of the Community, which may not exceed 12 months, for the transport of goods loaded within the customs territory of the Community which are to be unloaded within that territory.
2. However, the use of containers placed under temporary importation arrangements for internal transport within each Member State (transport of goods loaded within the territory of a Member State for unloading within the territory of that Member State) shall be limited to a single journey during each stay in a Member State and to situations where the containers in question would otherwise have to travel empty within that Member State. It shall be possible to return several times to a given Member State in the period during which the containers remain within the customs territory of the Community.

Example: A container is introduced into the customs territory of the Community on 1 January by Member State A and is re-exported on 31 December from Member State B. In the year during which it remains under the arrangements it carries out the following operations:

- Member State A: entry loaded — transport — unloading — loading — transport — unloading — loading — transport — exit to Member State B
- Member State B: entry loaded — transport — unloading — loading — transport — unloading — exit unladen to Member State C
- Member State C: entry unladen — journey to loading point — loading — transport — unloading — loading — transport — exit to Member State A
- Member State A: entry loaded — transport — unloading — journey unladen — loading — transport — exit to Member State B
- Member State B: entry loaded — transport — unloading — loading — transport — unloading — loading — transport — re-export

ANNEX II

LIST OF COUNTRIES REFERRED TO IN ARTICLE 4 OF THIS REGULATION

Afghanistan	Hungary	Romania
Albania	Iran	Sierra Leone
Algeria	Israel	Solomon Islands
Australia	Jamaica	Sweden
Austria	Japan	Switzerland
Bulgaria	Jordan	Trinidad and Tobago
Byelorussian Soviet Socialist Republic	Kampuchea	Tunisia
Cameroon	Korea (Republic of)	Turkey
Canada	Kuwait	Ukrainian Soviet Socialist Republic
Chile	Liechtenstein	Union of Soviet Socialist Republics
China	Malawi	United States of America
Cuba	Malta	Uruguay
Cyprus	Mauritius	Yugoslavia
Czechoslovakia	Morocco	
Finland	New Zealand	
German Democratic Republic	Norway	
	Poland	

COMMISSION REGULATION (EEC) No 4028/88

of 21 December 1988

on arrangements for imports into Spain of certain textile products (category 100)
originating in South Korea

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4136/86 of 22 December 1986 on common rules for imports of certain textile products originating in third countries ⁽¹⁾, as last amended by Regulation (EEC) No 2995/88 ⁽²⁾, and in particular Article 11 thereof,

Whereas Article 11 of Regulation (EEC) No 4136/86 lays down the conditions under which quantitative limits may be established; whereas imports into Spain of textile products of category 100 specified in the Annex hereto and originating in South Korea exceeded the level referred to in paragraph 3 of the said Article 11;

Whereas, in accordance with paragraph 5 of the said Article 11 of Regulation (EEC) No 4136/86, South Korea was notified on 19 July 1988 of a request for consultations;

Whereas, pending the outcome of the requested consultations, imports into Spain were made subject to a provisional quantitative limit for the period 19 July to 18 October 1988 by Commission Regulation (EEC) No 2540/88 ⁽³⁾;

Whereas in consultations held on 18 October 1988, it was agreed that imports of the textile products in question should be subject to quantitative limits for the years 1988 to 1991;

Whereas paragraph 13 of the said Article 11 provides for compliance with the quantitative limits to be ensured by means of a double-checking system in accordance with Annex VI to Regulation (EEC) No 4136/86;

Whereas the products in question exported from South Korea between 1 January 1988 and the date of entry into force of this Regulation must be set off against the quantitative limit for the year 1988;

Whereas this quantitative limit should not prevent the importation of products covered by it shipped from South Korea before the date of entry into force of Regulation

(EEC) No 2540/88 as well as during the period between 19 October 1988 and the entry into force of this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into Spain of the category of products originating in South Korea and specified in the Annex hereto shall be subject to the quantitative limits set out in that Annex.

Article 2

1. Products as referred to in Article 1, shipped from South Korea to Spain before the date of entry into force of Regulation (EEC) No 2540/88 as well as during the period between 19 October 1988 and the entry into force of this Regulation, not yet released for free circulation, shall be so released subject to the presentation of a bill of lading or other transport document proving that shipment actually took place as specified above.

2. Imports of products as referred to in Article 1 shipped from South Korea to Spain during the period of application of Regulation (EEC) No 2540/88 as well as from the entry into force of this Regulation shall be subject to the double-checking system described in Annex VI to Regulation (EEC) No 4136/86.

3. All quantities of products as referred to in Article 1 shipped from South Korea to Spain on or after 1 January 1988 and released for free circulation, shall be deducted from the quantitative limit laid down. This limit shall not, however, prevent the importation of products covered by it but shipped from South Korea before the entry into force of Regulation (EEC) No 2540/88 as well as during the period between 19 October 1988 and the entry into force of this Regulation.

*Article 3*This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

It shall apply until 31 December 1991.

⁽¹⁾ OJ No L 387, 31. 12. 1986, p. 42.⁽²⁾ OJ No L 270, 30. 9. 1988, p. 64.⁽³⁾ OJ No L 223, 13. 8. 1988, p. 11.

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

Done at Brussels, 21 December 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

ANNEX

Category	CN code	Description	Third country	Units	Member State	Quantitative limits
100	5903 10 10 5903 10 90 5903 20 10 5903 20 90 5903 90 10 5903 90 91 5903 90 99	Textile fabrics impregnated, coated, covered or laminated with preparations of cellulose derivatives or of other artificial plastic materials	South Korea	tonnes	ES	1988 : 480 ⁽¹⁾ 1989 : 509 1990 : 539 1991 : 572

⁽¹⁾ An additional quantity of 30 tonnes is available for 1988 only.

COMMISSION REGULATION (EEC) No 4029/88
of 21 December 1988
amending Regulation (EEC) No 2751/88 on the opening of an invitation to
tender for the refund for the export of durum wheat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Commission Regulation (EEC) No 2751/88 ⁽⁴⁾, as amended by Regulation (EEC) No 3103/88 ⁽⁵⁾, opened an invitation to tender for the refund for the export of durum wheat;

Whereas in the present situation, it is appropriate to extend the period during which this invitation to tender remains open;

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

Article 2 (3) of Regulation (EEC) No 2751/88 is hereby replaced by the following:

'3. The invitation shall remain open until 25 May 1989. During the period of its validity, weekly awards shall be made for which the time limits for the submission of tenders shall be as prescribed in the notice of invitation to tender.'

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, 21 December 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 245, 3. 9. 1988, p. 13.

⁽⁵⁾ OJ No L 277, 8. 10. 1988, p. 19.

COMMISSION REGULATION (EEC) No 4030/88
of 21 December 1988

amending Regulation (EEC) No 3576/88 increasing to 120 000 tonnes the quantity of feed wheat held by the German intervention agency for which a standing invitation to tender for export has been opened

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 (5) thereof,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 2418/87 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 3576/88 ⁽⁵⁾ opened a standing invitation to tender for the export of 100 000 tonnes of feed wheat held by the German intervention agency; whereas, in a communication of 16 December 1988, Germany informed the Commission of the intention of its intervention agency to increase by 20 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of feed wheat held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 120 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 3576/88 must therefore be amended;

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

Article 2 of Regulation (EEC) No 3576/88 is replaced by the following:

Article 2

1. This invitation to tender shall cover a maximum of 120 000 tonnes of feed wheat to be exported to all third countries.
2. The regions in which the 120 000 tonnes of feed wheat are stored are listed in Annex I hereto.

Article 2

Annex I to Regulation (EEC) No 3576/88 is replaced by the Annex hereto.

Article 3

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, 21 December 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 202, 9. 7. 1982, p. 23.
⁽⁴⁾ OJ No L 223, 11. 8. 1987, p. 5.
⁽⁵⁾ OJ No L 312, 18. 11. 1988, p. 13.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein / Hamburg	30 251
Niedersachsen / Bremen	10 108
Nordrhein-Westfalen	4 808
Rheinland-Pfalz	4 481
Hessen	248
Baden-Württemberg	1 162
Bayern	68 483'

COMMISSION DECISION No 4031/88/ECSC

of 21 December 1988

fixing the rate of the levies for the 1989 financial year and amending Decision No 3-52 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 49 and 50 thereof,

Having regard to Commission Decision No 3289/75/ECSC of 18 December 1975 on the definition and conversion of the unit of account to be used in decisions, recommendations, opinions and communications for the purposes of the Treaty establishing the European Coal and Steel Community⁽¹⁾, as amended by Decision No 3334/80/ECSC⁽²⁾,

Whereas, in view of the variations in average values recorded during the reference period, Decision No 3-52 of 23 December 1952 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty⁽³⁾ should be amended;

Whereas the requirements of the European Coal and Steel Community are estimated in the operating budget for the 1989 financial year at ECU 329 million; whereas that budget, which was adopted by the Commission of the European Communities on 21 December 1988 in the

form shown in the Annex to this Decision, indicates the amount of income to be provided from levies in the course of the financial year 1989, namely ECU 329 million;

Whereas the estimated yield of the levies at a rate of 0,01 % is ECU 5,16 million,

HAS ADOPTED THIS DECISION:

Article 1

The rate of the levies on output from 1 January 1989 shall be 0,31 % of the figures used as the basis of assessment for such levies.

Article 2

Article 2 of Decision No 3-52, as last amended by Article 2 of Decision No 3835/87/ECSC⁽⁴⁾, is hereby amended to read as follows:

'Article 2

The average value in ecus of the products on which the levies are assessed shall, from 1 January 1989, be as follows:

Product	Average value
Brown coal briquettes and semi-coke derived from brown coal	63,97
Hard coal of all categories	77,52
Pig iron other than that used for making ingots	213,38
Steel in ingots	237,94
Finished products and end products of iron and steel as described in Annex I to the Treaty	393,56'

Article 3

Article 4 of Decision No 3-52, as last amended by Article 3 of Decision No 3835/87/ECSC, is hereby amended to read as follows:

'Article 4

The scale provided for in Article 2 (4) of Decision No 2-52 shall accordingly be as follows, the figures being given in ecus:

⁽¹⁾ OJ No L 327, 19. 12. 1975, p. 4.

⁽²⁾ OJ No L 349, 23. 12. 1980, p. 27.

⁽³⁾ OJ of the ECSC No 1, 30. 12. 1952, p. 4.

⁽⁴⁾ OJ No L 361, 22. 12. 1987, p. 9.

Product	Assessment January 1989 and subsequent months, and collection March 1989 and subsequent months
Brown coal briquettes and semi-coke derived from brown coal ⁽¹⁾	0,19831
Hard coal of all categories ⁽²⁾	0,24031
Pig iron other than that used for making ingots	0,51008
Steel in ingots	0,63788
Finished products and end products of iron and steel as described in Annex I to the Treaty	0,29847

(¹) For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of brown coal and semi-coke derived from brown coal, less 3 %.

(²) For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of hard coal as defined in Article 1 of Decision No 2-52, less 14 %.

The amount of the levies per tonne to be paid in the currencies of the Member States of the Community shall be determined in accordance with Article 3 of Decision No 3289/75/ECSC, as amended by Decision No 3334/80/ECSC.

Article 4

This Decision shall enter into force on 1 January 1989.

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

Done at Brussels, 21 December 1988.

For the Commission
Henning CHRISTOPHERSEN
Vice-President

ANNEX

ECSC OPERATING BUDGET FOR 1989

(million ecus)

Requirements	Estimates	Resources	Estimates
Operations to be financed from current resources (non-repayable)		Resources for the financial year	
1. Administrative expenditure	5	1. Current resources :	
2. Aid for redeployment (Article 56)	175	1.1. Yield from at 0,31 % levy	160
3. Aid for research (Article 55)	74	1.2. Net balance from previous year	120
3.1. Steel	34	1.3. Fines and surcharges for late payment	18
3.2. Coal	27	1.4. Miscellaneous	p.m.
3.3. Social	13	2. Cancellation of commitments unlikely to be implemented	20
4. Interest subsidies	63	3. Unused resources carried over from 1988	p.m.
4.1. Investment (Article 54)	10	4. Exceptional revenue	
4.2. Conversion (Article 56)	53	Social measures connected with restructuring of steel industry	p.m.
5. Social measures connected with restructuring of the steel industry	p.m.	5. Contingency reserve	11
6. Social measures connected with rationalization of the coal industry	12		
	329		329
Operations financed by loans from non-borrowed funds		Origin of non-borrowed funds	
7. Workers' housing	12	6. Special reserve and former ECSC Pension Fund	12

COMMISSION REGULATION (EEC) No 4032/88

of 21 December 1988

supplementing the list in the Annex to Council Regulation (EEC) No 2763/83 as regards arrangements for processing under customs control

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

Having regard to Council Regulation (EEC) No 2763/83 of 26 September 1983 on arrangements permitting goods to be processed under customs control before being put into free circulation ⁽¹⁾, as last amended by Commission Regulation (EEC) No 4151/87 ⁽²⁾, and in particular Article 2 (3) thereof,

Whereas there exists an economic need to supplement the list in the Annex to Regulation (EEC) No 2763/83; whereas the purpose of the amendments in question is to ensure equality in conditions of competition as between

Community processors and persons established in third countries; whereas therefore these amendments are needed urgently;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for Customs Procedures with Economic Impact,

HAS ADOPTED THIS REGULATION:

Article 1

The following is added in columns I and II of the list in the Annex to Regulation (EEC) No 2763/83:

Column I	Column II
— Palm oil falling within CN code 1511 10 10, or — Palm stearin falling within CN code 1511 90 19, or — Palm olein falling within CN code 1511 90 91, or — Coconut oil falling within CN code 1513 11 10, or — Palm kernel oil falling within CN code 1513 21 11, or — Babassu oil falling within CN code 1513 29 30	Processing resulting in: — Mixture of fatty acids falling within CN codes 1519 11, 1519 12 and 1519 19 — Pure fractions of fatty acids falling within CN codes 2915 70 10, 2915 70 90, 2915 90 00, 2916 15 00 and 2916 19 90 — Mixture of methyl esters of fatty acids falling within CN code 3823 90 99 — Pure fraction of methyl esters of fatty acids falling within CN codes 2915 70 10, 2915 70 90, 2915 90 00, 2916 15 00 and 2916 19 90 — Mixture of fatty alcohols falling within CN code 1519 30 — Fatty pure alcohols falling within CN codes 2905 16 90, 2905 17 00 and 2905 19 90 — Glycerine falling within CN code 1520 10'

Article 2

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

It shall be applicable from 1 January to 30 June 1989.

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

Done at Brussels, 21 December 1988.

For the Commission

COCKFIELD

Vice-President

⁽¹⁾ OJ No L 272, 5. 10. 1983, p. 1.

⁽²⁾ OJ No L 391, 31. 12. 1987, p. 29.

COMMISSION REGULATION (EEC) No 4033/88

of 22 December 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 thereto, as
amended by the Act of Accession of Spain and Portugal,
and in particular Protocol 14 annexed thereto, and Regu-
lation (EEC) 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,

Whereas the amount of the additional aid referred to in
Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by
Commission Regulation (EEC) No 3026/88 ⁽⁴⁾, as last
amended by Regulation (EEC) No 3920/88 ⁽⁵⁾;

Whereas it follows from applying the rules and other
provisions contained in Regulation (EEC) No 3026/88 to
the information at present available to the Commission
that the amount of the aid at present in force should be
altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of
Regulation (EEC) No 2169/81 shall be 54,412 ECU per
100 kilograms.

Article 2

This Regulation shall enter into force on 23 December
1988.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽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 271, 1. 10. 1988, p. 69.

⁽⁵⁾ OJ No L 347, 16. 12. 1988, p. 64.

COMMISSION REGULATION (EEC) No 4034/88
of 22 December 1988
fixing the specific levies on beef and veal from Portugal

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 272 thereof,

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 Articles 10 (1), 11 (1) and 12 (8) thereof,

Whereas in accordance with Article 272 (1) and (2) of the Act of Accession the arrangements applicable, during the first stage, by the Community as constituted at 31 December 1985 in respect of imports of products from Portugal must be those that it applied to Portugal before accession, account being taken of any price alignment that may have taken place during the first stage; whereas the levies in question should therefore be fixed;

Whereas Commission Regulation (EEC) No 588/86 ⁽³⁾, as last amended by Regulation (EEC) No 3641/88 ⁽⁴⁾, lays

down detailed implementing rules and fixes the specific levies applicable to trade in beef and veal in the case of Portugal;

Whereas, in the light of the arrangements set out in Regulation (EEC) No 588/86, the specific levies applicable in respect of the beef and veal imports concerned should be as shown in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The specific levies applicable in the case of imports from Portugal into the Community as constituted at 31 December 1985 shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 22 December 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 57, 1. 3. 1986, p. 45.

⁽⁴⁾ OJ No L 317, 24. 11. 1988, p. 16.

ANNEX

Special levies on imports of beef and veal from Portugal

CN code	(ECU/100 kg)
	Amount of the special levies
0102 90 10	39,57
0102 90 31	39,57
0102 90 33	39,57
0102 90 35	39,57
0102 90 37	39,57
0201 10 10	74,66
0201 10 90	74,66
0201 20 21	74,66
0201 20 29	74,66
0201 20 31	59,73
0201 20 39	59,73
0201 20 51	89,59
0201 20 59	89,59
0201 20 90	111,99
0201 30	128,42
0202 10 00	67,19
0202 20 10	67,19
0202 20 30	53,76
0202 20 50	83,62
0202 20 90	100,79
0202 30 10	83,62
0202 30 50	83,62
0202 30 90	115,72
0206 10 95	128,42
0206 29 91	115,72
0210 20 10	111,99
0210 20 90	128,42
0210 90 41	128,42
0210 90 90	128,42
1602 50 10	128,42
1602 90 61	128,42

COMMISSION REGULATION (EEC) No 4035/88
of 22 December 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 4008/88 ⁽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 23 December 1988.

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

Done at Brussels, 22 December 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 354, 22. 12. 1988, p. 48.

ANNEX

to the Commission Regulation of 22 December 1988 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	35,95 ⁽¹⁾
1701 11 90	35,95 ⁽¹⁾
1701 12 10	35,95 ⁽¹⁾
1701 12 90	35,95 ⁽¹⁾
1701 91 00	44,29
1701 99 10	44,29
1701 99 90	44,29 ⁽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 Commission 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 4036/88

of 22 December 1988

fixing the import levies on live cattle and on beef and veal other than frozen

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 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 12 (8) thereof,Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Regulation (EEC) No 2312/88 ⁽³⁾, as last amended by Regulation (EEC) No 3683/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2312/88 to the quota-

tions and other information 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 on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 January 1989.

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

Done at Brussels, 22 December 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 201, 27. 7. 1988, p. 83.⁽⁴⁾ OJ No L 321, 26. 11. 1988, p. 13.

ANNEX

to the Commission Regulation of 22 December 1988 fixing the import levies on live cattle and on beef and veal other than frozen ⁽¹⁾

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	20,860	124,294
0102 90 31	21,806	20,860	124,294
0102 90 33	—	20,860	124,294
0102 90 35	21,806	20,860	124,294
0102 90 37	21,806	20,860	124,294
— Net weight —			
0201 10 10	—	39,633	236,159
0201 10 90	41,431	39,633	236,159
0201 20 21	—	39,633	236,159
0201 20 29	41,431	39,633	236,159
0201 20 31	—	31,707	188,928
0201 20 39	33,145	31,707	188,928
0201 20 51	49,718	47,560	283,390
0201 20 59	49,718	47,560	283,390
0201 20 90	—	59,450	354,239
0201 30	—	68,002	405,199
0206 10 95	—	68,002	405,199
0210 20 10	—	59,450	354,239
0210 20 90	—	68,002	405,199
0210 90 41	—	68,002	405,199
0210 90 90	—	68,002	405,199
1602 50 10	—	68,002	405,199
1602 90 61	—	68,002	405,199

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

⁽²⁾ This levy is applicable only to products complying with the provisions of Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 4037/88
of 22 December 1988
fixing the import levies on frozen beef and veal

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 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 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EEC) No 2311/88 ⁽³⁾, as last amended by Regulation (EEC) No 3684/88 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2311/88 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 January 1989.

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

Done at Brussels, 22 December 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 201, 27. 7. 1988, p. 79.

⁽⁴⁾ OJ No L 321, 26. 11. 1988, p. 15.

ANNEX

to the Commission Regulation of 22 December 1988 fixing the import levies on frozen beef and veal ⁽¹⁾

<i>(ECU/100 kg)</i>	
CN code	Levy
	— Net weight —
0202 10 00	227,355
0202 20 10	227,355
0202 20 30	181,884
0202 20 50	284,194
0202 20 90	341,032
0202 30 10	284,194
0202 30 50	284,194
0202 30 90	391,050
0206 29 91	391,050

⁽¹⁾ In accordance with Regulation (EEC) No 486/85, 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.

COMMISSION REGULATION (EEC) No 4038/88

of 22 December 1988

fixing the difference in white sugar prices to be used in calculating the levy for
processed fruit and vegetable products and for wine

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 426/86 of
26 February 1986 on the common organization of the
market in products processed from fruit and vegetables ⁽¹⁾,
as amended by Regulation (EEC) No 2247/88 ⁽²⁾, and in
particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No 822/87 of
16 March 1987, on the common organization of the
market in wine ⁽³⁾ as last amended by Regulation (EEC)
No 2964/88 ⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine
the amount of the levy applicable in respect of the various
added sugars to imports of the products listed in Annex
III to Regulation (EEC) No 426/86 and of the products
falling within subheadings 2009 60 11, 2009 60 71,
2009 60 79 and 2204 30 99 of the combined nomen-
clature, which are listed in Article 1 (2) (a) of Regulation
(EEC) No 822/87 it is necessary in accordance with
Article 10 (3) of Regulation (EEC) No 426/86 and Article
55 (2) of Regulation (EEC) No 822/87 to determine the

difference between, firstly, the average of the threshold
prices for one kilogram of white sugar for each month of
the quarter for which the difference is being determined
and, secondly, the average of the cif prices for one kilo-
gram of white sugar used in fixing the levies on white
sugar, as calculated for a period comprising the first 15
days of the month preceding the quarter for which the
difference is being determined and the two months
immediately preceding that month; whereas, pursuant to
the abovementioned Regulations, this difference must be
determined by the Commission for each quarter of the
calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 March 1989, the difference
referred to in Article 10 (3) of Regulation (EEC) No
426/86 and in Article 55 (2) of Regulation (EEC) No
822/87 is fixed at 0,4478 ECU.

Article 2

This Regulation shall enter into force on 1 January 1989.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 198, 26. 7. 1988, p. 21.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 269, 29. 9. 1988, p. 5.

COMMISSION REGULATION (EEC) No 4039/88
of 22 December 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 of 11 June 1985 fixing the conversion rates to be applied in agriculture ⁽³⁾, as last amended by Regulation (EEC) No 3765/88 ⁽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 the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3806/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 3944/88 ⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3806/88 to the infor-

mation known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

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 Commission Regulation (EEC) No 2681/83 ⁽⁹⁾ are as set out in the Annexes hereto.

2. The amount of the compensatory aid referred to in Article 14 of Council Regulation (EEC) No 475/86 ⁽¹⁰⁾ are as shown in Annex III to this Regulation for sunflower seed harvested in Spain.

3. The amount of the special subsidy provided for by Council Regulation (EEC) No 1920/87 ⁽¹¹⁾ for sunflower seed harvested and processed in Portugal is fixed in Annex III.

Article 2

This Regulation shall enter into force on 23 December 1988.

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

Done at Brussels, 22 December 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 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 330, 2. 12. 1988, p. 15.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 197, 26. 7. 1988, p. 10.

⁽⁷⁾ OJ No L 335, 7. 12. 1988, p. 18.

⁽⁸⁾ OJ No L 348, 17. 12. 1988, p. 41.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

⁽¹⁰⁾ OJ No L 53, 1. 3. 1986, p. 47.

⁽¹¹⁾ OJ No L 183, 3. 7. 1987, p. 18.

ANNEX I

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

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
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	18,476	18,518	18,585	18,752	18,918	19,161
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	44,03	44,14	44,30	44,71	45,11	45,94
— Netherlands (Fl)	49,10	49,21	49,39	49,83	50,27	51,17
— BLEU (Bfrs/Lfrs)	883,51	894,18	897,41	905,48	913,49	925,23
— France (FF)	130,39	134,87	135,32	136,55	137,77	139,60
— Denmark (Dkr)	158,15	161,89	162,46	163,93	165,38	167,53
— Ireland (£ Irl)	14,486	14,999	15,049	15,186	15,322	15,526
— United Kingdom (£)	10,674	11,428	11,462	11,553	11,659	11,730
— Italy (Lit)	27 143	28 677	28 658	28 799	29 059	29 084
— Greece (Dr)	1 842,01	1 824,11	1 794,20	1 784,08	1 802,69	1 742,20
(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)	2 815,00	2 822,42	2 829,98	2 845,09	2 871,07	2 868,81
(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)	4 030,18	4 036,32	4 027,57	4 035,08	4 065,45	4 048,91

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
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	20,976	21,018	21,085	21,252	21,418	21,661
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,94	50,04	50,20	50,61	51,01	51,85
— Netherlands (Fl)	55,71	55,83	56,01	56,45	56,89	57,79
— BLEU (Bfrs/Lfrs)	1 003,68	1 014,89	1 018,13	1 026,19	1 034,21	1 045,94
— France (FF)	149,08	153,83	154,28	155,51	156,73	158,56
— Denmark (Dkr)	180,04	183,99	184,56	186,03	187,49	189,63
— Ireland (£ Irl)	16,564	17,109	17,159	17,296	17,432	17,635
— United Kingdom (£)	12,314	13,116	13,150	13,241	13,346	13,418
— Italy (Lit)	31 136	32 764	32 746	32 886	33 146	33 172
— Greece (Dr)	2 214,01	2 196,11	2 166,20	2 156,08	2 174,69	2 114,20
(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)	3 200,54	3 207,95	3 215,51	3 230,62	3 256,61	3 254,34
(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)	4 500,20	4 506,33	4 497,58	4 505,10	4 535,47	4 518,93

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4
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	24,463	24,841	24,102	24,438	24,816
2. Final aids:					
(a) Seed harvested and processed in (1):					
— Federal Republic of Germany (DM)	58,15	59,04	57,32	58,13	59,02
— Netherlands (Fl)	64,93	65,93	63,99	64,88	65,88
— BLEU (Bfrs/Lfrs)	1 171,52	1 199,49	1 163,81	1 180,04	1 198,29
— France (FF)	175,54	183,18	177,28	179,83	182,70
— Denmark (Dkr)	210,75	217,91	211,28	214,25	217,60
— Ireland (£ Irl)	19,508	20,375	19,718	20,002	20,321
— United Kingdom (£)	14,676	15,765	15,210	15,422	15,679
— Italy (Lit)	36 825	39 117	37 717	38 146	38 767
— Greece (Dr)	2 779,06	2 824,36	2 636,64	2 657,71	2 715,30
(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)	3 765,16	3 823,35	3 709,91	3 750,98	3 809,19
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 887,21	6 959,93	6 791,98	6 834,43	6 907,81
— in another Member State (Esc)	6 687,86	6 758,48	6 595,39	6 636,62	6 707,87
3. Compensatory aids:					
— in Spain (Pta)	3 712,27	3 770,46	3 657,02	3 697,54	3 755,75
4. Special aid:					
— in Portugal (Esc)	6 687,86	6 758,48	6 595,39	6 636,62	6 707,87

(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 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5
DM	2,076470	2,072590	2,068990	2,065530	2,065530	2,054670
Fl	2,345180	2,340740	2,337040	2,333760	2,333760	2,322910
Bfrs/Lfrs	43,559100	43,539000	43,530700	43,523300	43,523300	43,492200
FF	7,097970	7,102390	7,107740	7,112530	7,112530	7,129370
Dkr	8,024800	8,024850	8,025940	8,027780	8,027780	8,033700
£Irl	0,777103	0,776909	0,777085	0,777291	0,777291	0,778682
£	0,649689	0,651204	0,652429	0,653603	0,653603	0,657666
Lit	1 532,73	1 539,62	1 545,31	1 550,72	1 550,72	1 566,84
Dr	172,84900	174,44000	176,08000	177,67600	177,67600	182,80000
Esc	172,49300	173,38400	174,28100	175,29800	175,29800	177,98900
Pta	134,52000	134,90900	135,34200	135,79800	135,79800	137,42300

COMMISSION REGULATION (EEC) No 4040/88**of 22 December 1988****amending for the third time Regulation (EEC) No 3796/88 introducing a countervailing charge on fresh clementines originating in Morocco**

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 3796/88⁽³⁾, as last amended by Regulation (EEC) No 3942/88⁽⁴⁾, introduced a countervailing charge on fresh clementines originating in Morocco;

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 clementines originating in Morocco must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 3796/88, 'Ecu 8,65' is hereby replaced by 'Ecu 14,33'.

Article 2

This Regulation shall enter into force on 23 December 1988.

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

Done at Brussels, 22 December 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 334, 6. 12. 1988, p. 18.

⁽⁴⁾ OJ No L 348, 17. 12. 1988, p. 38.

COMMISSION REGULATION (EEC) No 4041/88

of 22 December 1988

fixing the export refunds 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)
No 2221/88 ⁽²⁾, and in particular the fourth subparagraph
of Article 16 ⁽²⁾,

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 in 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 Article 3 of Regulation (EEC) No 2746/75
defines the specific criteria to be taken into account when
the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat
and rye flour, groats and meal are concerned, in Article 4
of Regulation (EEC) No 2746/75; whereas furthermore,
when the refund on these products is being calculated,

account must be taken of the quantities of cereals
required for their manufacture; whereas these quantities
were fixed in Commission Regulation No 162/67/EEC ⁽⁴⁾,
as amended by Regulation (EEC) No 1607/71 ⁽⁵⁾;

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 destina-
tion;

Whereas the refund must be fixed once a month;
whereas it may be altered in the intervening period;

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 rela-
tion 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 Regula-
tion (EEC) No 1676/85 ⁽⁶⁾, as last amended by Regula-
tion (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 rela-
tion to the Community currencies referred to in the
previous indent and the aforesaid coefficient;

Whereas it follows from applying the detailed rules set
out above to the present situation on the market in
cereals, and in particular to quotations or prices for these
products within the Community and on the world
market, that the refunds should be as set out in the
Annex hereto;

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 Cereals,

⁽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 128, 27. 6. 1967, p. 2574/67.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 16.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

HAS ADOPTED THIS REGULATION:

The refund on export to Portugal has not been fixed.

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 December 1988.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 22 December 1988 fixing the export refunds on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)

Product code	Destination (1)	Amount of refund
0709 90 60 000	—	—
0712 90 19 000	—	—
1001 10 10 000	01	0
1001 10 90 000	04	21,00 (?)
	07	22,00
	02	20,00 (?)
1001 90 91 000	01	0
1001 90 99 000	05	57,00
	07	22,00
	06	63,00
	08	67,50
	02	20,00
1002 00 00 000	06	63,00
	02	20,00
1003 00 10 000	01	0
1003 00 90 000	05	62,50
	07	22,00
	02	20,00
1004 00 10 000	01	0
1004 00 90 000	01	0
1005 10 90 000	—	—
1005 90 00 000	03	70,00
	02	0
1007 00 90 000	—	—
1008 20 00 000	—	—
1101 00 00 110	01	90,00
1101 00 00 120	01	90,00
1101 00 00 130	01	82,00
1101 00 00 150	01	72,00
1101 00 00 170	01	62,00
1101 00 00 180	01	52,00
1101 00 00 190	—	—
1101 00 00 900	—	—
1102 10 00 100	01	90,00
1102 10 00 200	01	90,00
1102 10 00 300	01	90,00
1102 10 00 500	01	90,00
1102 10 00 900	—	—
1103 11 10 100	04	235,00
	02	198,00
1103 11 10 200	04	235,00
	02	187,00
1103 11 10 500	01	167,00
1103 11 10 900	01	158,00
1103 11 90 100	01	90,00
1103 11 90 900	—	—

(¹) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Algeria,
- 05 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 06 Zone II b),
- 07 Poland,
- 08 People's Republic of China.

(²) The refund cannot be granted if the quality of durum wheat exported corresponds to less than the quality defined in paragraph 2 of Article 2 of Commission Regulation (EEC) No 1569/77 with the exception of impurities constituted by grain (other than mottled grains and grains affected with fusariosis) ; 7 % maximum of which 5 % of soft wheat or other cereals.

NB : The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 296/88 (OJ No L 30, 2. 2. 1988, p. 9).

COMMISSION REGULATION (EEC) No 4042/88

of 22 December 1988

fixing 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⁾,

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 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (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, 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 possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation 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 exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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 cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 December 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, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 22 December 1988 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 12	1st period 1	2nd period 2	3rd period 3	4th period 4	5th period 5	6th period 6
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	0	- 40,00	- 40,00	- 40,00
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	03	0	+ 3,00	+ 3,00	+ 3,00	0	- 30,00	- 30,00
	04	0	+ 4,50	+ 4,50	+ 4,50	+ 4,50	- 30,00	- 30,00
	02	0	0	0	0	0	- 30,00	- 30,00
1002 00 00 000	01	0	0	0	0	0	- 30,00	- 30,00
1003 00 10 000	01	0	0	0	0	—	—	—
1003 00 90 000	03	0	+ 3,00	+ 3,00	+ 3,00	0	- 30,00	- 30,00
	02	0	0	0	0	0	- 30,00	- 30,00
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	01	0	0	0	- 30,00	- 30,00	- 30,00	- 30,00
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	- 30,00	- 30,00
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 110	01	0	0	0	0	0	—	—
1101 00 00 120	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 100	01	0	0	0	0	0	—	—
1102 10 00 200	01	0	0	0	0	0	—	—
1102 10 00 300	01	0	0	0	0	0	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	05	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 50,00
	02	0	0	0	0	0	0	- 50,00
1103 11 10 200	05	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 50,00
	02	0	0	0	0	0	0	- 50,00
1103 11 10 500	05	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 50,00
	02	0	0	0	0	0	0	- 50,00
1103 11 10 900	05	0	0	- 30,00	- 30,00	- 30,00	- 30,00	- 50,00
	02	0	0	0	0	0	0	- 50,00
1103 11 90 100	01	0	0	0	0	0	—	—
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,
- 04 People's Republic of China,
- 05 Algeria.

NB: The zones are those defined in Commission 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).

COMMISSION REGULATION (EEC) No 4043/88

of 22 December 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⁽³⁾, laying down general rules for granting export
refunds on cereals and criteria for fixing the amount of
such refunds, 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 destin-
ation;

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 rela-
tion 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 Regula-
tion (EEC) No 1676/85⁽⁶⁾, as last amended by Regula-
tion (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 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 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on malt listed in Article 1 (d) of Regu-
lation (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 23 December
1988.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 153, 13. 6. 1987, p. 1.

⁽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.

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

Done at Brussels, 22 December 1988.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 22 December 1988 fixing the export refunds on malt

(ECU/tonne)	
Product code	Refund
1107 10 19 000	77,00
1107 10 99 000	81,00
1107 20 00 000	93,00

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).

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 December 1988

authorizing extension or tacit renewal of certain trade agreements concluded
between Member States and third countries

(88/637/EEC)

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 Council Decision 69/494/EEC of 16 December 1969 on the progressive standardization of agreements concerning commercial relations between Member States and third countries and on the negotiation of Community agreements⁽¹⁾, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas extension or tacit renewal beyond the end of the transitional period was last authorized in the case of the Agreements and Protocols listed in the Annex by Decision 87/484/EEC⁽²⁾;

Whereas the Member States concerned have, with a view to avoiding any disruption of their commercial relations with the third countries concerned based on Agreement, requested authorization to extend or renew the abovementioned Agreements;

Whereas, however, most of the areas covered by these national Agreements are henceforth the subject of Community Agreements; whereas, in this situation, there should be authorization for the maintenance of national Agreements only for those areas not covered by

Community Agreements; whereas, in addition, such authorization should not, therefore, adversely affect the obligation incumbent upon the Member States to avoid and, where appropriate, to eliminate any incompatibility between such Agreements and the provisions of Community law;

Whereas the provisions of the Agreements to be either prolonged or renewed should not furthermore, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas the Member States concerned have declared that the extension or tacit renewal of these Agreements would neither constitute an obstacle to the opening of Community negotiations with the third countries concerned and the transfer of the commercial substance of those Agreements to Community Agreements nor, during the period under consideration, hinder the adoption of the measures necessary to complete the standardization of the import arrangements of the Member States;

Whereas, at the conclusion of the consultations provided for in Article 2 of Decision 69/494/EEC, it was established, as the aforesaid declarations by the Member States concerned confirm, that the provisions of the Agreements to be extended or renewed would not, during the period under consideration, constitute an obstacle to the implementation of the common commercial policy;

Whereas, in these circumstances, the Agreements concerned may be either extended or tacitly renewed for a limited period,

⁽¹⁾ OJ No L 326, 29. 12. 1969, p. 39.

⁽²⁾ OJ No L 277, 30. 9. 1987, p. 36.

HAS ADOPTED THIS DECISION :

Article 1

The Trade Agreements and Protocols between Member States and third countries, as listed in the Annex hereto, may be extended or tacitly renewed up to the dates indicated for each of them for those areas not covered by Agreements between the Community and the third countries concerned and in so far as their provisions are not contrary to existing common policies.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 December 1988.

For the Council

The President

Th. PANGALOS

[illegible]

DEUTSCHLAND (Fortsetzung)	Somalia	Handelsabkommen	19. 1. 1962	31. 12. 1989
	Sri Lanka	Handelsabkommen	1. 4. 1955	31. 12. 1989
	Südafrika	Liste der Einfuhrkontingente		31. 8. 1989
	Tansania	Handels- und Wirtschaftsabkommen	6. 9. 1962	31. 12. 1989
	Tschad	Wirtschaftsabkommen	31. 5. 1963	31. 12. 1989
	Tunesien	Handelsabkommen und Zusatzprotokoll	29. 1. 1960 22. 12. 1963	31. 12. 1989
	Uganda	Handelsabkommen	17. 3. 1964	31. 12. 1989
	Zentralafrikanische Republik	Wirtschaftsabkommen	29. 12. 1962	31. 12. 1989
	Zypern	Handelsabkommen	30. 10. 1961	31. 12. 1989
ΕΛΛΑΔΑ	Καναδάς	Εμπορική συμφωνία	25. 8. 1947	28. 8. 1989
	Σουδάν	Εμπορική συμφωνία	10. 10. 1978	10. 10. 1989
	Ζαΐρ	Εμπορική συμφωνία	3. 10. 1968	3. 10. 1989
	Κορέα	Εμπορική συμφωνία	4. 10. 1974	4. 10. 1989
	Κύπρος	Εμπορική συμφωνία	23. 8. 1962	23. 8. 1989
ESPAÑA	Colombia	Acuerdo comercial	27. 6. 1979	19. 12. 1989
	India	Acuerdo de comercio y de cooperación económica	14. 12. 1972	13. 12. 1989
	Madagascar	Acuerdo comercial	20. 1. 1965	19. 1. 1990
	Pakistan	Acuerdo comercial	29. 11. 1976	28. 11. 1990
	Uruguay	Convenio sobre intercambio comercial	24. 2. 1954	20. 2. 1990
	Yugoslavia	Acuerdo comercial	30. 7. 1976	7. 12. 1989
	Zaire	Acuerdo de cooperación económica	21. 11. 1983	20. 11. 1989
FRANCE	Argentine	Accord commercial et de paiement	25. 11. 1957	31. 12. 1989
	Autriche	Accord commercial et protocole	26. 7. 1963	31. 12. 1989
	Israël	Accord commercial	10. 7. 1953	31. 12. 1989
		Protocole	16. 1. 1967	31. 12. 1989
		Échange de lettres	24. 12. 1968	31. 12. 1989
	Japon	Accord commercial et protocole	14. 5. 1963	10. 1. 1990
		Protocole	26. 7. 1966	10. 1. 1990
	Mexique	Accord commercial	11. 7. 1950	28. 11. 1989
	Norvège	Accord commercial	3. 7. 1951	28. 11. 1989
		Protocole	2. 4. 1960	31. 12. 1989
		Échange de lettres	6. 2. 1964	31. 12. 1989
	Suède	Accord commercial	3. 3. 1949	31. 12. 1989
	Suisse	Accord commercial	21. 11. 1967	31. 12. 1989
	Turquie	Accord commercial	31. 8. 1946	31. 12. 1989
	Yugoslavie	Accord commercial	25. 1. 1964	31. 12. 1989
		Protocole	6. 5. 1970	31. 12. 1989
ITALIA	Argentina	Accordo commerciale e scambio di note	25. 11. 1957	31. 12. 1989
	Canada	Modus vivendi commerciale	28. 4. 1948	31. 12. 1989
	Costa Rica	Modus vivendi commerciale e scambio di note	20. 2. 1953 23. 6. 1953	12. 11. 1989
	Giappone	Agreed minutes	31. 12. 1969	30. 9. 1989
	Guatemala	Modus vivendi commerciale	6. 6. 1936	31. 12. 1989
	Irak	Accordo commerciale	30. 9. 1963	30. 11. 1989
	Málta	Accordo commerciale	28. 7. 1967	31. 12. 1989
	Marocco	Accordo commerciale	28. 1. 1961	31. 12. 1989
		Protocollo	24. 2. 1963	31. 12. 1989
	Messico	Accordo commerciale	15. 9. 1949	31. 12. 1989
		Protocollo	28. 10. 1963	31. 12. 1989
		Scambio di note	20. 7. 1963	31. 12. 1989
	Pakistan	Accordo commerciale	10. 1. 1961	10. 1. 1990
	Paraguay	Accordo commerciale	8. 7. 1959	23. 1. 1990
	Repubblica araba d'Egitto	Protocollo commerciale	29. 4. 1959	31. 12. 1989
	Siria	Accordo commerciale	10. 11. 1955	31. 12. 1989
	Tunisia	Accordo commerciale e protocollo addizionale	23. 11. 1961 2. 8. 1963	31. 12. 1989
NEDERLAND	Arabische Republiek	Handelsovereenkomst	21. 3. 1953	31. 12. 1989
	Egypte	Handels- en betalingsovereenkomst	25. 11. 1957	31. 12. 1989
	Argentinië	Handelsakkoord	6. 9. 1949	31. 12. 1989
	Turkije			31. 12. 1989

PORTUGAL	Angola	Acordo comercial	20. 1. 1979	19. 1. 1990
	Colômbia	Acordo comercial	28. 12. 1978	27. 12. 1989
	Coreia do Sul	Acordo comercial	2. 12. 1977	1. 12. 1989
	Equador	Acordo comercial	16. 12. 1976	15. 12. 1989
	Senegal	Acordo comercial	30. 1. 1975	} 29. 1. 1990
		Protocolo adicional	21. 2. 1980	
	Tunísia	Acordo comercial	9. 11. 1974	8. 11. 1989
	Zaire	Acordo comercial	16. 12. 1983	15. 12. 1989
UEBL / BLEU	Argentine /	Accord commercial et de paiement /		
	Argentinië	Handels- en betalingsakkoord	25. 11. 1957	31. 12. 1989
	Pakistan	Accord commercial / Handelsakkoord	15. 3. 1952	31. 12. 1989

COMMISSION

COMMISSION DECISION

of 16 November 1988

accepting undertakings relating to the anti-dumping proceeding concerning certain plain paper photocopiers assembled in the Community by Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA

(88/638/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 13 (10) thereof,

After consultations within the Advisory Committee as provided for under the abovementioned Regulation,

Whereas :

- Canon Bretagne SA (France),
- Canon Glessen GmbH (Germany),
- Firma Develop Dr Eisbein GmbH (Germany),
- Konica Business Machines Manufacturing GmbH (Germany),
- Matsushita Business Machine (Europe) GmbH (Germany),
- Olivetti-Canon Industriale SpA (Italy),
- Ricoh (UK) Products Ltd (United Kingdom),
- Sharp Electronics (UK) Ltd (United Kingdom),
- Toshiba Systèmes (France) SA (France).

A. Procedure

- (1) In January 1988, the Commission received a complaint lodged by Cecom, the Committee of European Copier Manufacturers, on behalf of producers of plain paper photocopiers (PPCs) whose collective output constitutes a major proportion of Community production of the product in question. The complaint contained sufficient evidence that following the opening of the investigation on PPCs originating in Japan⁽²⁾, a number of companies were assembling PPCs in the Community under the conditions referred to in Article 13 (10) of Regulation (EEC) No 2423/88. After consultation, the Commission accordingly announced, by notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of an investigation, under Article 13 (10) of Regulation (EEC) No 2423/88 concerning PPCs assembled in the Community by the following companies related to or associated with the Japanese manufacturers whose imports of PPCs to the Community are subject to a definitive anti-dumping duty :

B. Results of the investigation

- (2) The investigation showed that Sharp Electronics (UK) Ltd had not assembled or produced PPCs in the Community during the investigation period and that Canon Glessen GmbH and Olivetti-Canon SpA had reached the required 40 % of non-Japanese parts during that period. Accordingly, the relevant anti-dumping duties were not extended to PPCs assembled in the Community by these companies. In addition, Canon Bretagne SA, Firma Develop Dr Eisbein GmbH and Ricoh (UK) Products Ltd offered undertakings during the course of the proceeding which were accepted by the Commission by Decision 88/519/EEC⁽⁴⁾.
- (3) For all other companies investigated, and after taking into consideration the circumstances of each case, Council Regulation (EEC) No 3205/88⁽⁵⁾ extended the anti-dumping duty imposed by Regulation (EEC) No 535/87⁽⁶⁾ to certain PPCs assembled in the Community by these companies.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 194, 2. 8. 1985, p. 5.

⁽³⁾ OJ No C 44, 17. 2. 1988, p. 3.

⁽⁴⁾ OJ No L 284, 19. 10. 1988, p. 60.

⁽⁵⁾ OJ No L 284, 19. 10. 1988, p. 36.

⁽⁶⁾ OJ No L 54, 24. 2. 1987, p. 12.

C. Undertakings

- (4) Subsequently, Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA offered undertakings. The Commission verified, at the premises of the companies concerned, that the undertakings removed the conditions justifying the extension by Regulation (EEC) No 3205/88 of the anti-dumping duty to PPCs assembled in the Community. In the light of the undertakings offered and of the results of the verification and after consultation, the Commission is satisfied that the changes in the sourcing of parts and materials and the assurances regarding future sourcing and of other aspects of these companies' assembly of production operations in the Community are sufficient for the undertakings to be accepted.
- (5) The Council is therefore appropriately amending Regulation (EEC) No 3205/88 which extended the duty to products assembled or produced in the Community by *inter alia* Matsushita Business

Machine (Europe) GmbH and Toshiba Systèmes (France) SA,

HAS DECIDED AS FOLLOWS:

Sole Article

The undertakings offered by Matsushita Business Machine (Europe) GmbH and Toshiba Systèmes (France) SA in connection with plain paper photocopiers incorporating an optical system, corresponding to CN codes ex 9009 11 00, ex 9009 12 00 and ex 9009 21 00, introduced into the commerce of the Community after having been assembled in the Community by those companies are hereby accepted.

Done at Brussels, 16 November 1988.

For the Commission

Willy DE CLERCQ

Member of the Commission

COMMISSION DECISION

of 26 September 1988

fixing the delivery levels of ECSC steel products of Portuguese origin on to the rest of the Community market, excluding Spain

(Only the Portuguese version of this text is authentic)

(88/639/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Protocol 20 thereto,

With the assent of the Council,

Whereas Protocol 20, which covers the restructuring of the Portuguese iron and steel industry, and the Joint Declaration on the Portuguese iron and steel industry provide that deliveries of ECSC steel products of Portuguese origin on to the Community market must be subject to quantitative limits in 1988;

Whereas, pursuant to the second subparagraph of paragraph 5 (a) of Protocol 20, it falls to the Commission, with the assent of the Council, to fix the level of those deliveries;

Whereas, by the terms of the first subparagraph of paragraph 3 (a) of the said Joint Declaration the level of deliveries must be compatible with the objectives of Portuguese restructuring and the forecasts adopted for the development of the Community market;

Whereas deliveries of ECSC steel products of Portuguese origin on to the rest of the Community market, excluding Spain, were not permitted to exceed 100 000 tonnes in 1987;

Whereas pursuant to the third subparagraph of paragraph 5 (a) of Protocol 20, those deliveries must be liberalized

as soon as the transitional arrangements expire, and in order to ensure a harmonious transition the level of such deliveries may be subject to increase before the expiry of those arrangements;

Whereas, following the results of a study on the viability of steel undertakings the Portuguese authorities have agreed to implement measures additional to the plan for the restructuring of the Portuguese steel industry,

HAS ADOPTED THIS DECISION:

Article 1

Deliveries of ECSC steel products of Portuguese origin on to the rest of the Community market, excluding Spain, during 1988 may not exceed 100 000 tonnes.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 26 September 1988.

For the Commission

Karl-Heinz NARJES

Vice-President

COMMISSION DECISION

of 26 September 1988

fixing the delivery levels of ECSC steel products of Spanish origin on to the rest of the Community market, excluding Portugal

(Only the Spanish version of this text is authentic)

(88/640/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Protocol 10 thereto,

With the assent of the Council,

Whereas Protocol 10, which covers the restructuring of the Spanish iron and steel industry, and the Joint Declaration on the Spanish iron and steel industry provide that deliveries of ECSC steel products of Spanish origin on to the Community market must be subject to quantitative limits in 1988;

Whereas pursuant to the first subparagraph of paragraph 6 (a) of Protocol 10, it falls to the Commission, with the assent of the Council, to fix the level of those deliveries;

Whereas, by the terms of the first subparagraph of paragraph 3 (a) of the said Joint Declaration, the level of deliveries must be compatible with the objectives of the restructuring of the Spanish steel industry and with the forecasts adopted for the development of the Community market;

Whereas, at the same time, it is desirable to retain the principle of the maintenance of traditional trade flows between Spain and the rest of the Community, excluding Portugal, interpreted on the basis of Spanish deliveries made during the reference years used in the framework of steel industry relations between the Community and Spain prior to the accession of the latter;

Whereas deliveries of ECSC steel products of Spanish origin on to the rest of the Community market, excluding Portugal, were not permitted to exceed 935 000 tonnes in 1987;

Whereas pursuant to the second subparagraph of paragraph 6 (a) of Protocol 10, those deliveries must be liberalized as soon as the transitional arrangements expire, and in order to ensure a harmonious transition the level of such deliveries may be subject to increase before the expiry of those arrangements;

Whereas Spain has made efforts to put into effect a restructuring of its steel industry which will reduce the maximum possible output to 17 250 000 tonnes per annum,

HAS ADOPTED THIS DECISION:

Article 1

Deliveries of ECSC steel products of Spanish origin on to the rest of the Community market, excluding Portugal, during 1988 may not exceed 1 100 000 tonnes.

Article 2

This Decision is addressed to the Kingdom of Spain.

Done at Brussels, 26 September 1988.

For the Commission

Karl-Heinz NARJES

Vice-President