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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3069/86

of 7 October 1986

amending Regulation (EEC) No 1430/79 on the repayment or remission of import or export duties

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, in accordance with Council Regulation (EEC) No 1430/79 ⁽⁴⁾, as last amended by Regulation (EEC) No 918/83 ⁽⁵⁾, repayment or remission of import duties relating to goods is conditional in certain cases on the goods in question being re-exported out of the customs territory of the Community, or destroyed, under the supervision of the competent authorities;

Whereas, where the persons concerned have failed to comply with the procedural requirements, they may nevertheless apply for repayment or remission under Article 13 (2) of Regulation (EEC) No 1430/79, inserted into the said Regulation by Regulation (EEC) No 1672/82 ⁽⁶⁾; whereas, as the texts stand at present, the application for repayment or remission must be sent to the Commission which is alone authorized to decide;

Whereas experience has shown that there is no reason why responsibility for deciding on such applications for repayment or remission cannot be assumed by the Member States themselves, provided it is established that, where the procedural requirements have not been observed, the substantive conditions laid down for repayment or remission have been met and that the circum-

stances are such that no deception or serious negligence may be attributed to the person concerned; whereas Article 13 should be amended accordingly;

Whereas the opportunity shall be taken to set a time limit for submission of an application for the repayment or remission of import duties on the basis of Article 13;

Whereas this time limit and those laid down in the second subparagraph of Article 3 (2), the second subparagraph of Article 5 (2), the second subparagraph of Article 10 (2) and the second subparagraph of Article 13 (2) may be exceeded only in duly justified exceptional cases; whereas Article 19 therefore applies only to the time limit referred to in Article 2; whereas the text should consequently be simplified by amending Article 2 and deleting Article 19;

Whereas experience acquired since the entry into force of Regulation (EEC) No 1430/79 has also shown that a further case must be added to Article 10, which lists the cases in which import duties shall be repaid or remitted where they relate to goods in a special situation, the additional case being that of goods which, after having been released for free circulation, are found by the competent authorities not to have complied, at the time of their release, with the rules in force concerning their use or marketing and which therefore cannot be used for the purpose intended by the consignee;

Whereas it has proved necessary to extend the Community procedure for adopting the measures implementing Regulation (EEC) No 1430/79 to the whole of that Regulation;

Whereas it is necessary to stipulate that Regulation (EEC) No 1430/79 shall apply without prejudice to Article 16 of Council Regulation (EEC) No 2176/84 of 23 July 1984 on protection against dumped or subsidized imports from countries not members of the European Economic Community ⁽⁷⁾,

⁽¹⁾ OJ No C 22, 24. 1. 1985, p. 10.

⁽²⁾ OJ No C 229, 9. 9. 1985, p. 108.

⁽³⁾ OJ No C 169, 8. 7. 1985, p. 9.

⁽⁴⁾ OJ No L 175, 12. 7. 1979, p. 1.

⁽⁵⁾ OJ No L 105, 23. 4. 1983, p. 1.

⁽⁶⁾ OJ No L 186, 30. 6. 1982, p. 1.

⁽⁷⁾ OJ No L 201, 30. 7. 1984, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1430/79 is hereby amended as follows :

1. the following subparagraph shall be inserted after the first subparagraph of Article 2 (2) :

'This period may not be extended unless the person concerned can prove that he was prevented by unforeseeable circumstances or *force majeure* from submitting his application within the prescribed period.'

2. the following Article shall be inserted :

Article 4a

1. Where goods entered in error for free circulation have been re-exported out of the customs territory of the Community without having been previously entered, in accordance with Article 4 (b), for the customs procedure under which they should have been placed, the import duties may nevertheless be repaid or remitted provided it is established that :

- (a) the other conditions laid down in Article 3 (2) and Article 4 (a) have been met ;
- (b) the circumstances are such that no deception or serious negligence may be attributed to the person concerned.

2. Repayment or remission of import duties in the circumstances referred to in paragraph 1 shall be conditional upon :

- (a) production of all items of evidence needed to enable the competent authorities to ascertain that the goods in respect of which repayment or remission is requested have in fact been re-exported out of the customs territory of the Community and that they are the goods that were released for free circulation ;
- (b) the return to the competent authorities of any document certifying the Community status of the goods in question under cover of which, where applicable, the said goods left the customs territory of the Community, or the production of any evidence which the competent authorities consider necessary so that they can be satisfied that the document in question cannot be used subsequently in connection with any importation of goods into the Community.'

3. the following Article shall be inserted :

Article 6a

1. Where the goods have been re-exported or destroyed in the absence of supervision by the competent authorities in accordance with Article 6 (1), the import duties may nevertheless be repaid or remitted provided it is established that :

- (a) the other conditions laid down in Article 5 (2) and Article 6 (3) have been met ;
- (b) the circumstances are such that no deception or serious negligence may be attributed to the person concerned.

2. The grant of repayment or remission of import duties in the circumstances referred to in paragraph 1 shall be conditional upon :

- (a) production of all items of evidence needed to enable the competent authorities to ascertain that the goods in respect of which repayment or remission is requested have been :
 - actually re-exported out of the customs territory of the Community, or
 - destroyed under the supervision of authorities or persons empowered to certify such destruction officially ;
- (b) the return to the competent authorities of any document certifying the Community status of the goods in question under cover of which, where applicable, the said goods left the customs territory of the Community, or the production of any evidence which the competent authorities consider necessary so that they can be satisfied that the document in question cannot be used subsequently in connection with any importation of goods into the Community.'

4. Article 10 (1) shall be amended as follows :

— the following point shall be inserted :

'(d) goods which, after having been released for free circulation, are found not to have complied, at the time of their release, with the rules in force concerning their use or marketing and which therefore cannot be used for the purpose intended by the consignee ;'

— the present points (d) to (g) shall become points (e) to (h) ;

5. the following Article shall be inserted :

Article 11 a

1. Where the goods have been re-exported or destroyed in the absence of supervision by the competent authorities in accordance with Article 11 (1), import duties may nevertheless be repaid or remitted provided it is established that :

- (a) the other conditions laid down in Article 10 (2) and Article 11 (2) and (4) have been met ;
- (b) the circumstances are such that no deception or serious negligence may be attributed to the person concerned.

2. Repayment or remission of import duties in the circumstances referred to in paragraph 1 shall be conditional upon :

(a) production of all items of evidence needed to enable the competent authorities to ascertain that the goods in respect of which repayment or remission is requested have been:

- in fact re-exported out of the customs territory of the Community, or
- destroyed under the supervision of authorities or persons empowered to certify such destruction officially;

(b) the return to the competent authorities of any document certifying the Community status of the goods in question under cover of which, where applicable, the said goods left the customs territory of the Community, or the production of any evidence which the competent authorities consider necessary so that they can be satisfied that the document in question cannot be used subsequently in connection with any importation of goods into the Community.';

6. Article 13 shall be replaced by the following:

Article 13

1. Import duties may be repaid or remitted in special situations other than those referred to in Sections A to D, which result from circumstances in which no deception or obvious negligence may be attributed to the person concerned.

The situations in which the first subparagraph may be applied, and the detailed procedural arrangements to be followed for this purpose, shall be determined in accordance with the procedure laid down in Article 25. Repayment or remission may be made subject to special conditions.

2. Import duties shall be repaid or remitted for the reasons set out in paragraph 1 upon submission of an application to the appropriate customs office within 12

months from the date on which those duties were entered in the accounts by the authority responsible for their collection.

However, the competent authorities may permit that period to be exceeded in exceptional cases where there is good reason for doing so.';

7. Article 19 shall be deleted;

8. Article 25 shall be replaced by the following:

Article 25

1. The Committee on Duty-Free Arrangements provided for in Article 141 of Regulation (EEC) No 918/83⁽¹⁾ may examine any question relating to the application of this Regulation raised by its chairman, either on his own initiative or at the request of a Member State.

2. The provisions necessary for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 143 (2) and (3) of Regulation (EEC) No 918/83.

⁽¹⁾ OJ No L 105, 23. 4. 1983, p. 1.';

9. the following Article shall be inserted:

Article 26a

This Regulation shall apply without prejudice to Article 16 of Regulation (EEC) No 2176/84⁽²⁾.

⁽²⁾ OJ No L 201, 30. 7. 1984, p. 1.'

Article 2

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

Article 1 (2) to (6) shall apply to applications for repayment or remission of import or export duties submitted to the competent authorities on or after 1 January 1987.

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

Done at Luxembourg, 7 October 1986.

For the Council

The President

A. CLARKE

COUNCIL REGULATION (EEC) No 3070/86

of 7 October 1986

amending Regulation (EEC) No 2058/86 opening, allocating and providing for the administration of a Community tariff quota for cod, wet, salted and falling within subheading ex 03.02 A I b) of the Common Customs Tariff

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 28 thereof,

Whereas, under Regulation (EEC) No 2058/86⁽¹⁾, the Common Customs Tariff duty for cod, wet, salted and falling within subheading ex 03.02 A I b) is suspended at a level of 3 % within the limit of a Community tariff quota of 40 000 tonnes; whereas this suspension was decided for the period from 2 July to 31 December 1986 following a request made by the Portuguese delegation in February 1986;

Whereas, under the same Regulation, the extent to which the quota has been used up is determined on the basis of the imports of the product in question charged against the Member States' drawings; whereas, at the date on which this Regulation is adopted, such imports will have been effected only in the Member State which requested the opening of the said quota;

Whereas until 28 February 1986 imports of the product in question were liable in that Member State to an effective duty-rate of 3 %; whereas, as a result of the decision taken by the Portuguese Republic to accelerate alignment with the Common Customs Tariff, it has applied the full CCT rate to imports from non-preferential third countries as from 1 March 1986; whereas imports of the product in question into that Member State may benefit only to a

limited extent from the quota opened within the framework of the GATT by Council Regulation (EEC) No 3544/85 of 12 December 1985 opening, allocating and providing for the administration of a Community tariff quota for cod, dried, salted or in brine, whole, headless or in pieces, falling within subheading 03.02 A I b) of the Common Customs Tariff (1986)⁽²⁾, as amended by Regulation (EEC) No 1420/86⁽³⁾, and whereas they are consequently liable to a sudden increase in duty as from the aforementioned date;

Whereas, in order to avoid such an increase for the product imported under the quota opened by Regulation (EEC) No 2058/86, the Regulation should, taking account of the exceptional circumstances in question, take effect from 1 March 1986,

HAS ADOPTED THIS REGULATION:

Sole Article

Regulation (EEC) No 2058/86 is hereby amended as follows:

1. in Article 1 (1) 'From the date on which this Regulation enters into force' is deleted;
2. the following paragraph is added to Article 5:
'It shall apply as from 1 March 1986.'

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

Done at Luxembourg, 7 October 1986

*For the Council**The President*

A. CLARKE

⁽¹⁾ OJ No L 176, 1. 7. 1986, p. 5.

⁽²⁾ OJ No L 338, 17. 12. 1985, p. 8.

⁽³⁾ OJ No L 129, 15. 5. 1986, p. 5.

COMMISSION REGULATION (EEC) No 3071/86

of 8 October 1986

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) No 1579/86⁽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⁾, 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 2010/86⁽⁴⁾ 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 7 October 1986;

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 2010/86 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 9 October 1986.

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

Done at Brussels, 8 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 1.

ANNEX

to the Commission Regulation of 8 October 1986 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	3,93	174,03
10.01 B II	Durum wheat	27,84	240,84 ⁽¹⁾ ⁽²⁾
10.02	Rye	41,33	160,71 ⁽⁶⁾
10.03	Barley	10,99	172,20
10.04	Oats	74,55	146,22
10.05 B	Maize, other than hybrid maize for sowing	—	171,99 ⁽²⁾ ⁽³⁾
10.07 A	Buckwheat	—	0
10.07 B	Millet	10,99	115,08 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	—	167,96 ⁽⁴⁾
10.07 D I	Triticale	(7)	(7)
10.07 D II	Canary seed ; other cereals	—	0 ⁽⁵⁾
11.01 A	Wheat or meslin flour	19,31	256,47
11.01 B	Rye flour	71,67	238,02
11.02 A I a)	Durum wheat groats and meal	56,40	386,55
11.02 A I b)	Common wheat groats and meal	19,97	276,10

⁽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 10.07 D I (triticale).

**COMMISSION REGULATION (EEC) No 3072/86
of 8 October 1986**

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 1579/86 ⁽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⁾, 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 2011/86 ⁽⁴⁾ 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 7 October 1986;

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 originating in 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 originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1986.

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

Done at Brussels, 8 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 8 October 1986 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

CCT heading No	Description	(ECU/tonne)			
		Current 10	1st period 11	2nd period 12	3rd period 1
10.01 B I	Common wheat, and meslin	0	0	0	0
10.01 B II	Durum wheat	0	0	0	0
10.02	Rye	0	0	0	0
10.03	Barley	0	0	0	0
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

CCT heading No	Description	(ECU/tonne)				
		Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
11.07 A I (a)	Unroasted malt, obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A I (b)	Unroasted malt, obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 A II (a)	Unroasted malt, other than that obtained from wheat, in the form of flour	0	0	0	0	0
11.07 A II (b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	0	0	0	0
11.07 B	Roasted malt	0	0	0	0	0

COMMISSION REGULATION (EEC) No 3073/86
of 8 October 1986
fixing the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1449/86 ⁽²⁾, and in particular Article 11 (2) thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2683/86 ⁽³⁾, as last amended by Regulation (EEC) No 2987/86 ⁽⁴⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of

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

Whereas it follows from applying the detailed rules contained in amended Regulation (EEC) No 2683/86 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1986.

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

Done at Brussels, 8 October 1986.

For the Commission
 Frans ANDRIESEN
 Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.
⁽³⁾ OJ No L 246, 30. 8. 1986, p. 5.
⁽⁴⁾ OJ No L 280, 1. 10. 1986, p. 5.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 8 October 1986 fixing the import levies on rice and broken rice

<i>(ECU/tonne)</i>				
CCT heading No	Description	Portugal	Third countries ⁽³⁾	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾
ex 10.06	Rice :			
	B. Other :			
	I. Paddy rice ; husked rice :			
	a) Paddy rice :			
	1. Round grain	—	313,16	152,98
	2. Long grain	—	337,58	165,19
	b) Husked rice :			
	1. Round grain	—	391,45	192,12
	2. Long grain	—	421,97	207,38
	II. Semi-milled or wholly milled rice :			
	a) Semi-milled rice :			
	1. Round grain	13,05	496,39	236,27
	2. Long grain	12,97	613,22	294,72
	b) Wholly milled rice :			
	1. Round grain	13,90	528,66	251,98
	2. Long grain	13,90	657,38	316,34
	III. Broken rice	64,94	210,72	102,36

⁽¹⁾ Subject to the application of the provisions of Articles 10 and 11 of Regulation (EEC) No 486/85 and of Regulation No 551/85.

⁽²⁾ In accordance with Regulation (EEC) No 486/85, the levies are not applied to imports into the overseas department of Réunion of products originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.

⁽³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

COMMISSION REGULATION (EEC) No 3074/86
of 8 October 1986

fixing the premiums to be added to the import levies on rice and broken rice

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

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1449/86 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2684/86 ⁽³⁾, as last amended by Regulation (EEC) No 2988/86 ⁽⁴⁾;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁵⁾,
- 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, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts shown in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

1. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in Portugal shall be zero.
2. The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 9 October 1986.

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

Done at Brussels, 8 October 1986.

For the Commission
Frans ANDRIESEN
Vice-President

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 133, 21. 5. 1986, p. 1.
⁽³⁾ OJ No L 246, 30. 8. 1986, p. 8.
⁽⁴⁾ OJ No L 280, 1. 10. 1986, p. 7.
⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

ANNEX

to the Commission Regulation of 8 October 1986 fixing the premiums to be added to the import levies on rice and broken rice

CCT heading No	Description	(ECU/tonne)			
		Current 10	1st period 11	2nd period 12	3rd period 1
ex 10.06	Rice :				
	B. Other :				
	I. Paddy rice ; husked rice :				
	a) Paddy rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Husked rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	II. Semi-milled or wholly milled rice :				
	a) Semi-milled rice :				
	1. Round grain	0	0	0	—
	2. Long grain	0	0	0	—
	b) Wholly milled rice :				
1. Round grain	0	0	0	—	
2. Long grain	0	0	0	—	
III. Broken rice	0	0	0	0	

COMMISSION REGULATION (EEC) No 3075/86

of 8 October 1986

fixing the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 934/86 ⁽²⁾, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in the natural state, are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation ; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account ;Whereas the refund on raw sugar must be fixed in respect of the standard quality ; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁵⁾ ; whereas, furthermore,this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68 ; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁶⁾, as amended by Regulation (EEC) No 1467/77 ⁽⁷⁾ ; whereas the refund thus calculated for aromatized sugars or for sugars with colouring added must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content ;

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded over a given period in relation to the Community currencies referred to in the previous indent, and the aforesaid coefficient ;

Whereas the refund must be fixed every two weeks ; whereas it may be altered in the intervening period ;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁷⁾ OJ No L 162, 1. 7. 1977, p. 6.⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

exported in the natural state, shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81 undenatured and

Article 2

This Regulation shall enter into force on 9 October 1986.

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

Done at Brussels, 8 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 8 October 1986 fixing the export refunds on white sugar and raw sugar exported in the natural state

(ECU)

CCT heading No	Description	Amount of refund	
		per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
17.01	Beet sugar and cane sugar, solid :		
	A. White sugar ; flavoured or coloured sugar :		
	(I) White sugar :		
	(a) Candy sugar	44,36	
	(b) Other	43,28	
	(II) Flavoured or coloured sugar		0,4436
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	40,81 ⁽¹⁾	
	(b) Sugar with added anti-caking agent		0,4436
(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	39,81 ⁽¹⁾		
(d) Other raw sugar	⁽²⁾		

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

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

COMMISSION REGULATION (EEC) No 3076/86

of 8 October 1986

establishing ceilings and Community surveillance for imports of carrots and onions, falling within heading No ex 07.01 of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and the overseas countries and territories (1987)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories⁽¹⁾, extended by Regulation (EEC) No 692/86⁽²⁾, and in particular Articles 13 and 22 thereof,

Whereas Article 13 of Regulation (EEC) No 486/85 stipulates that, for the period 1 January to 31 March, carrots, falling within subheading ex 07.01 G II of the Common Customs Tariff, and, for the period 15 February to 15 May, onions, falling within subheading ex 07.01 H of the Common Customs Tariff and originating in the countries in question are subject on importation into the Community to the reduced rates of duty of 10,2 and 4,8 % respectively; whereas such reduction of duties applies only to imports up to ceilings of 500 tonnes for each of these products above which the customs duties actually applicable to third countries are re-established;

Whereas, according to Articles 6 and 18 of the Annex to Council Regulation 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other⁽³⁾, the Kingdom of Spain and the Portuguese Republic shall postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72⁽⁴⁾ until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the present Regulation applies only to the Community as constituted at 31 December 1985;

Whereas the application of ceilings requires the Community to be regularly informed of the trend of imports of the relevant products originating in these countries; whereas imports should, therefore, be made subject to a system of surveillance;

Whereas this objective may be achieved by means of an administrative procedure based on offsetting imports of the products in question against the ceilings at Community level as and when these products are entered with

customs authorities for free circulation; whereas this administrative procedure must make provision for the possible re-establishment of customs tariff duties as soon as the ceilings are reached at Community level;

Whereas this administrative procedure requires close and particularly swift cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to follow the progress of quantities charged against the ceilings and keep the Member States informed; whereas this cooperation has to be particularly close since the Commission must be able to take the appropriate measures to re-establish customs tariff duties if one of the ceilings is reached;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports of the products, originating in the African, Caribbean and Pacific States, and the overseas countries and territories, which are listed in the Annex, shall in the Community as constituted at 31 December 1985, be subject to ceilings and to Community surveillance.

The products referred to in the first subparagraph, their tariff headings, the customs duties applicable, the periods of validity and the levels of the ceilings are set out in the said Annex.

2. Quantities shall be charged against the ceilings as and when products are entered with customs authorities for free circulation, accompanied by a movement certificate.

Products may be charged against a ceiling only if the movement certificate is submitted before the date on which customs duties are re-established.

The extent to which a ceiling is used up shall be determined at Community level on the basis of the imports charged against it, as defined in the preceding subparagraphs.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 4, of imports effected in accordance with the above procedures.

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 63, 5. 3. 1986, p. 93.

⁽³⁾ OJ No L 63, 5. 3. 1986, p. 3.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

3. As soon as a ceiling has been reached, the Commission shall adopt a regulation re-establishing, until the end of its period of validity, the customs duties applicable to third countries.

4. Member States shall send the Commission statements of the quantities charged for periods of 10 days, to be forwarded within five clear days of the end of each 10-day period.

Article 2

The Commission shall take all appropriate measures, in close cooperation with the Member States, to ensure the implementation of this Regulation.

Article 3

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 8 October 1986.

For the Commission
COCKFIELD
Vice-President

ANNEX

Order No	CCT heading No	Description	Customs duty applicable	Level of ceiling (tonnes)
12.0010	07.01	Vegetables, fresh or chilled : G. Carrots, turnips, salad beetroot, salsify, celeriac, radishes and similar edible roots : ex II. Carrots and turnips : — Carrots, from 1 January to 31 March 1987	10,2 %	500
12.0020		ex H. Onions, shallots and garlic : — Onions, from 15 February to 15 May 1987	4,8 %	500

COMMISSION REGULATION (EEC) No 3077/86

of 8 October 1986

opening, allocating and providing for the administration of a Community tariff quota for strawberries falling within subheading ex 08.08 A II of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and the overseas countries and territories (1986/87)

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

Having regard to Council Regulation (EEC) No 486/85 of 26 February 1985 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States and the overseas countries and territories⁽¹⁾, extended by Regulation (EEC) No 692/86⁽²⁾, and in particular Articles 13 and 22 thereof,

Whereas Article 13 of Council Regulation (EEC) No 486/85 provides for the opening by the Community of a Community tariff quota of 700 tonnes of strawberries, falling within subheading ex 08.08 A II of the Common Customs Tariff and originating in the countries in question; whereas the quota period runs from 1 November to 28 February; whereas the customs duty applicable to the quota is set at 5,6 %;

Whereas, according to Articles 6 and 18 of the Annex to Council Regulation 691/86 of 3 March 1986 establishing arrangements for trade between Spain and Portugal on the one hand and the African, Caribbean and Pacific States (ACP States) on the other⁽³⁾, the Kingdom of Spain and the Portuguese Republic shall postpone implementation of the preferential arrangements for fruit and vegetables falling within Council Regulation (EEC) No 1035/72⁽⁴⁾ until 31 December 1989 and 31 December 1990 respectively; whereas, consequently, the present Regulation applies only to the Community as constituted at 31 December 1985;

Whereas it is necessary, in particular, to ensure to all Community importers equal and uninterrupted access to the abovementioned quota and uninterrupted application of the rates laid down for that quota to all imports of the products concerned into all Member States, until the quota has been used up; whereas, however, since the period of application of the quota is very short, it seems possible to avoid allocating it among the Member States, without prejudice to the drawing against the quota volume of such quantities as they may need, in the conditions and according to the procedure specified in Article 1 (2); whereas this method of management requires close cooperation between the Member States and the Commission; whereas the latter must, in particular, be able to monitor the rate at which the quota is used up and inform the Member States thereof;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 November 1986 to 28 February 1987 a Community tariff quota of 700 tonnes shall be opened in the Community as constituted at 31 December 1985 for strawberries, falling within subheading ex 08.08 A II of the Common Customs Tariff and originating in the African, Caribbean and Pacific States and the overseas countries and territories.

Within this tariff quota, the Common Customs Tariff duty applicable to the products shall be suspended at 5,6 %.

2. If an importer notifies an imminent importation of the product in question in a Member State and requests the benefit of the quota, the Member State concerned shall inform the Commission and draw an amount corresponding to these requirements to the extent that the available balance of the reserve permits this.

3. The shares drawn pursuant to paragraph 2 shall be valid until the end of the quota period.

Article 2

1. Member States shall take all appropriate measures to ensure that their drawings pursuant to Article 1 (2) are carried out in such a way that imports may be charged without interruption against their accumulated shares of the Community quota.

2. Each Member State shall ensure that importers of the said goods have free access to the quota so long as the residual balance of the quota volume allows this.

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

⁽¹⁾ OJ No L 61, 1. 3. 1985, p. 4.

⁽²⁾ OJ No L 63, 5. 3. 1986, p. 93.

⁽³⁾ OJ No L 63, 5. 3. 1986, p. 3.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

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

Article 3

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

Article 4

The Member States and the Commission shall collaborate closely in order to ensure that this Regulation is complied with.

Article 5

This Regulation shall enter into force on 1 November 1986.

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

Done at Brussels, 8 October 1986.

For the Commission
COCKFIELD
Vice-President

COMMISSION REGULATION (EEC) No 3078/86

of 7 October 1986

fixing the sluice-gate prices and levies for pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1475/86⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas sluice-gate prices for pig carcasses and for the other products specified in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate prices for pig carcasses⁽³⁾, as last amended by Regulation (EEC) No 1905/83⁽⁴⁾, and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75, must be fixed in advance for each quarter in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 2132/85 of 29 July 1985 fixing the levies and sluice-gate prices on pigmeat⁽⁵⁾;

Whereas, since sluice-gate prices and levies for pigmeat were last fixed by Commission Regulation (EEC) No 2243/86 of 16 July 1986, fixing the sluice-gate prices and levies for pigmeat⁽⁶⁾ for the period 1 August 1986 to 31 October 1986, they must be fixed anew for the period 1 November 1986 to 31 January 1987; whereas such prices and levies should in principle be fixed by reference to feed grain prices for the period 1 May to 30 September 1986;

Whereas, when the sluice-gate price applicable from 1 November, 1 February and 1 May is being fixed, trends in world market prices for feed grain are to be taken into account only if the value of the quantity of feed grain required varies by at least a specified minimum in relation to that used in calculating the sluice-gate price for the preceding quarter; whereas this minimum was fixed by Regulation (EEC) No 2766/75 at 3 %;

Whereas the value of the quantity of feed grain varies by more than 3 % from that used for the preceding quarter; whereas trends in world market prices for feed grain must therefore be taken into account when fixing sluice-gate prices for the period 1 November 1986 to 31 January 1987;

Whereas, when the levies applicable from 1 November, 1 February and 1 May are being fixed, trends in world market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is being fixed;

Whereas, since a new sluice-gate price is to be fixed trends in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, in the case of products falling within any of subheadings 02.01 B II c) 1 to 7, 15.01 A I, 16.01 A or 16.02 A II of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levies should be limited to the amounts resulting from that binding;

Whereas, Commission Regulation (EEC) No 616/86 of 28 February 1986 on the application of import levies on pigmeat products from Portugal suspended the application of import levies on pigmeat products from Portugal owing to the minimal difference between the prices obtaining in the Community on the one hand and in Portugal on the other hand; whereas the situation still pertains;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 November 1986 to 31 January 1987, the sluice-gate prices provided for in Article 12 of Regulation (EEC) No 2759/75 for the products specified in Article 1 of Regulation (EEC) No 2766/75 and the levies provided for in Article 8 of Regulation (EEC) No 2759/75 for the products specified in Article 1 (1) of that Regulation shall be as shown in the Annex.

2. Provided that, in the case of products falling within any of subheadings 02.01 B II c) 1 to 7, 15.01

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 39.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽⁴⁾ OJ No L 190, 14. 7. 1983, p. 1.

⁽⁵⁾ OJ No L 198, 30. 7. 1985, p. 54.

⁽⁶⁾ OJ No L 196, 18. 7. 1986, p. 14.

A I, 16.01 A or 16.02 A II of the Common Customs Tariff, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

3. For imports from Portugal of products specified in paragraph I and in free circulation in that Member State,

application of the levies specified in the Annex shall be suspended.

Article 2

This Regulation shall enter into force on 1 November 1986.

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

Done at Brussels, 7 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 7 October 1986 fixing the sluice-gate prices and levies on pigmeat

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
01.03	Live swine : A. Domestic species : II. Other : a) Sows having farrowed at least once, of a weight of not less than 160 kg b) Other	59,63 70,12	51,33 60,36	— —
02.01	Meat and edible offals of the animals falling within heading No 01.01, 01.02, 01.03 or 01.04, fresh, chilled or frozen : A. Meat : III. Of Swine : a) Of domestic swine : 1. Whole carcasses or half carcasses 2. Legs and parts thereof 3. Fore-ends or shoulders ; parts thereof 4. Loins and parts thereof 5. Bellies and parts thereof 6. Other : aa) Boned or boneless bb) Other B. Offals : II. Other : c) Of domestic swine : 1. Heads and parts thereof 2. Feet or tails 3. Kidneys 4. Livers 5. Hearts, tongues or lungs 6. Livers, hearts, tongues and lungs with windpipe and gullet all attached 7. Other	91,18 132,21 102,12 147,71 79,33 147,71 — — — — — — — — —	78,49 113,81 87,91 127,16 68,29 127,16 127,16 25,12 7,06 82,42 94,98 47,10 69,07 69,07	— — — — — — — — — — — — — — — — — 4 4 4 7 4 4 4
02.05	Pig fat free of lean meat and poultry fat (not rendered or solvent-extracted), fresh, chilled, frozen, salted, in brine, dried or smoked : A. Subcutaneous pig fat : I. Fresh, chilled, frozen, salted or in brine II. Dried or smoked B. Other pig fat	36,47 40,12 —	31,40 34,54 18,84	— — —

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
02.06	Meat and edible meat offals (except poultry liver), salted, in brine, dried or smoked :			
	B. Of domestic swine :			
	I. Meat :			
	a) Salted or in brine :			
	1. Bacon sides or spencers	116,71	100,47	—
	2. $\frac{3}{4}$ sides or middles	127,65	109,89	—
	3. Hams and parts thereof	132,21	113,81	—
	4. Fore-ends or shoulders ; parts thereof	102,12	87,91	—
	5. Loins and parts thereof	147,71	127,16	—
	6. Bellies and parts thereof	79,33	68,29	—
	7. Other :			
	aa) Boned or boneless	147,71	127,16	—
	bb) Other	—	127,16	—
	b) Dried or smoked :			
	1. Hams and parts thereof	257,13	221,35	—
	2. Fore-ends or shoulders ; parts thereof	202,42	174,25	—
	3. Loins and parts thereof	254,39	218,99	—
	4. Bellies and parts thereof	132,21	113,81	—
	5. Other :			
	aa) Boned or boneless	257,13	221,35	—
	bb) Other	—	221,35	—
	II. Offals :			
	a) Heads and parts thereof	—	25,12	—
	b) Feet or tails	—	7,06	—
	c) Kidneys	—	82,42	—
	d) Livers	—	94,98	—
	e) Hearts, tongues or lungs	—	47,10	—
	f) Livers, hearts, tongues and lungs with windpipe and gullet all attached	—	69,07	—
	g) Other	—	69,07	—
15.01	Lard, other pig fat and poultry fat, rendered or solvent extracted :			
	A. Lard and other pig fat :			
	I. For industrial uses other than the manufacture of foodstuffs for human consumption (a)	—	25,12	3
	II. Other	29,18	25,12	—
16.01	Sausages and the like, of meat, meat offal or animal blood :			
	A. Liver sausages	—	126,39	24
	B. Other (b) :			
	I. Sausages, dry or for spreading, uncooked	214,27	218,93	—
	II. Other	—	148,23	—

CCT heading No	Description	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
16.02	Other prepared or preserved meat or meat offal :			
	A. Liver :			
	II. Other	—	141,43	25
	B. Other :			
	III. Other :			
	a) Containing meat or offal of domestic swine :			
	1. Containing bovine meat, uncooked	—	381,47	—
	2. Other, containing by weight :			
	aa) 80 % or more of meat or offal, of any kind, including fats of any kind or origin :			
	11. Hams or loins, (excluding collars); parts thereof	223,39	232,04	—
	22. Collars or shoulders; parts thereof	186,92	191,26	—
	33. Other	—	127,81	—
	bb) 40 % or more but less than 80 % of meat or offal, of any kind, including fats of any kind or origin	—	108,64	—
	cc) Less than 40 % of meat or offal, of any kind, including fats of any kind or origin	—	79,10	—

(a) Entry under this subheading is subject to conditions to be determined by the competent authorities.

(b) The levy on sausages imported in containers which also contain preserving liquid shall be charged on the net weight, i. e. minus the weight of the liquid.

COMMISSION REGULATION (EEC) No 3079/86

of 8 October 1986

fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 5

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 882/86 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 1633/84 of 8 June 1984 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 ⁽³⁾, as last amended by Regulation (EEC) No 1860/86 ⁽⁴⁾, and in particular Articles 3 (1) and 4 (1) thereof,

Whereas the United Kingdom is the only country which grants the variable slaughter premium, in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80; whereas it is necessary therefore for the Commission to fix, for the week beginning 15 September 1986, the level of the premium and the amount to be charged on products leaving that region;

Whereas Article 3 (1) of Regulation (EEC) No 1633/84 stipulates that the level of the variable slaughter premium is to be fixed each week by the Commission;

Whereas Article 4 (1) of Regulation (EEC) No 1633/84 lays down that the amount to be charged on products leaving region 5 shall be fixed weekly by the Commission;

Whereas it follows from the application of the rules laid down in Article 9 (1) of Regulation (EEC) No 1837/80

and in Article 4 (1), (3) and (4) of Regulation (EEC) No 1633/84 that the variable slaughter premium for sheep certified as eligible in the United Kingdom, and the amounts to be charged on products leaving region 5 of the aforesaid Member State during the week beginning 15 September 1986, shall be set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United Kingdom in region 5, within the meaning of Article 3 (5) of Regulation (EEC) No 1837/80, for the variable slaughter premium during the week beginning 15 September 1986 the level of the premium shall be equivalent to the amount fixed in Annex I.

Article 2

For products referred to in Article 1 (a) and (c) of Regulation (EEC) No 1837/80 which left the territory of region 5 during the week beginning 15 September 1986, the amounts to be charged shall be equivalent to those fixed in Annex II hereto.

Article 3

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

It shall apply with effect from 15 September 1986.

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

Done at Brussels, 8 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 183, 16. 7. 1980, p. 1.

⁽²⁾ OJ No L 82, 27. 3. 1986, p. 3.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 161, 17. 6. 1986, p. 25.

ANNEX I

Level of variable slaughter premium for certified sheep in region 5 for the week commencing 15 September 1986

Description	Premium
Certified sheep or sheepmeat	118,649 ECU per 100 kilograms of estimated or actual dressed carcase weight ⁽¹⁾

⁽¹⁾ Within the weight limits laid down by Article 1 (1) (b) of Regulation (EEC) No 1633/84.

ANNEX II

Amount to be charged for products leaving region 5 during the week commencing
15 September 1986

(ECU/100 kg)

CCT heading No	Description	Amounts			
		A. Products qualifying for the premium specified in Article 9 of Regulation (EEC) No 1837/80	B. Products specified at the second, third and fourth indents of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾	C. Products specified at the first indent of the first subparagraph of Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾	
01.04 B	Live sheep and goats other than pure-bred breeding animals	Live weight	Live weight	Live weight	
		55,765	27,883	5,577	
		Net weight	Net weight	Net weight	
02.01 A IV a)	Meat of sheep or goats, fresh or chilled :				
		1. Carcases or half-carcases	118,649	59,325	11,865
		2. Short forequarters	83,054		
		3. Chines and/or best ends	130,514		
		4. Legs	154,244		
		5. Other :			
02.01 A IV b)	Meat of sheep or goats, frozen :				
		1. Carcases or half-carcases	88,987		
		2. Short forequarters	62,291		
		3. Chines and/or best ends	97,886		
		4. Legs	115,683		
		5. Other :			
02.06 C II a)	Meat of sheep or goats, salted in brine, dried or smoked :				
		1. Unboned (bone-in)	154,244		
		2. Boned or boneless	215,941		
ex 16.02 B III b) 2 aa) 11)	Other prepared or preserved meat or meat offal of sheep or goats, uncooked ; mixtures of cooked meat or offal and uncooked meat or offal :				
		— unboned (bone-in)	154,244		
		— boned or boneless	215,941		

⁽¹⁾ Eligibility for these reduced amounts is subject to compliance with the conditions laid down in the second subparagraph of Article 5 (3) of Regulation (EEC) No 1633/84.

COMMISSION REGULATION (EEC) No 3080/86
of 8 October 1986

fixing the maximum export refund for white sugar for the 19th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86

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 934/86⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1659/86 of 29 May 1986 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1659/86, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 19th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refund for the 19th partial invitation to tender for white sugar issued under Regulation (EEC) No 1659/86 is hereby fixed at 45,360 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 9 October 1986.

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

Done at Brussels, 8 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 87, 2. 4. 1986, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 29.

COMMISSION REGULATION (EEC) No 3081/86

of 8 October 1986

introducing a countervailing charge on lemons originating in Uruguay

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 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least 0,6 ECU below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least 0,6 ECU below the reference price;

Whereas Commission Regulation (EEC) No 1661/86 of 29 May 1986 fixing for the 1986/87 marketing year the reference prices for lemons⁽³⁾ fixed the reference price for products of class I at 47,66 ECU per 100 kilograms net for the month of October 1986;

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

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

(EEC) No 3811/85⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for lemons originating in Uruguay the entry prices calculated in this way have for seven consecutive market days been alternatively above and below the reference price; whereas three of these entry prices are at least 0,6 ECU below the reference prices; whereas a countervailing charge should therefore be introduced for these lemons;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of 0,97 ECU per 100 kilograms net is applied to lemons (subheading 08.02 C of the Common Customs Tariff) originating in Uruguay.

Article 2

This Regulation shall enter into force on 10 October 1986.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 15 October 1986.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 45.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 39.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

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

Done at Brussels, 8 October 1986.

For the Commission

Frans ANDRIESEN

Vice-President

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 2930/86 of 22 September 1986 defining characteristics for fishing vessels

(Official Journal of the European Communities No L 274 of 25 September 1986)

Page 2, attestation :

for: 'For the Commission',

read: 'For the Council'.

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DOCUMENT

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