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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COUNCIL REGULATION (EEC) No 29/87**

**of 22 December 1986**

**imposing a definitive anti-dumping duty on imports of certain deep freezers originating in the Soviet Union**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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<sup>(1)</sup>, and in particular Article 12 thereof,

Having regard to the proposal from the Commission after consultations within the Advisory Committee set up under the above Regulation,

Whereas :

**A. Provisional action**

- (1) By Regulation (EEC) No 2800/86<sup>(2)</sup>, the Commission proposed a provisional anti-dumping duty on imports of certain deep freezers originating in the Soviet Union.

**B. Continuation of investigation**

- (2) After the provisional anti-dumping duty was imposed, the Soviet exporter, Technointorg, which had so far refused to cooperate, and certain importers asked for, and obtained, a Commission hearing. Their comments have been taken into consideration.

The Commission refused to hear one importer which had requested to be heard after the time limit laid down by Article 5 of Regulation (EEC) No 2800/86 had expired.

Technointorg asked for and was granted access to the information given to the Commission by other parties concerned in the investigation, to the extent that this was relevant for the defence of its interests, had been used by the Commission in the

investigation and was not confidential under Article 8 of Regulation (EEC) No 2176/84.

- (3) Technointorg disputed that it had refused to cooperate during the preliminary investigation : it argued that it had given instructions to its subsidiary in Belgium, EWA-Technical and Optical Equipment (EWA), to represent it in the procedure and that neither Technointorg nor EWA had received the questionnaires for exporters.

The Commission notes that EWA informed it that it had been instructed to act for Technointorg three months after the procedure had been initiated, and in any case after expiry of the time limit laid down by the Commission for sending in questionnaires. The Commission also notes that at no time did EWA ask for the questionnaire for exporters to be sent to it. Technointorg itself, moreover, admitted at the beginning of the procedure that it had received the questionnaire, and despite several reminders from the Commission it declined to supply the information requested.

- (4) After the provisional anti-dumping duty was imposed, Technointorg said it was ready to cooperate fully with the Commission.

The Commission notes that, despite these statements, Technointorg supplied no information as to its exports to the Community. In any case, as it did not make its views known within the time limits laid down when the notice of initiation of the procedure was published<sup>(3)</sup>, any information it might have submitted concerning its exports to the Community could not have been taken into consideration, without a supplementary investigation being carried out.

Quite apart from the additional administrative burden which it would involve, carrying out such a further inquiry after a provisional anti-dumping duty had been imposed might encourage parties

<sup>(1)</sup> OJ No L 201, 30. 7. 1984, p. 1.

<sup>(2)</sup> OJ No L 259, 11. 9. 1986, p. 14.

<sup>(3)</sup> OJ No C 319, 11. 12. 1985, p. 3.

not to cooperate at the initial stage of the procedure and to make their views known only when an investigation carried out without their participation had results which affected them.

### C. Dumping

- (5) Both Technointorg and EWA disputed the method used by the Commission to determine dumping.

Quite apart from the points already made in this connection by the Commission in Regulation (EEC) No 2800/86, which the Council endorses, these two parties' arguments have to be rejected for the reasons set out below.

### D. Normal value

- (6) Technointorg disputed the choice of Yugoslavia as a comparable country on the grounds that, firstly, production methods in Yugoslavia were different from those in the Soviet Union and, secondly, purchasing power there was three times higher than in the Soviet Union.

However, Technointorg did not bring forward any evidence for its statements, nor did it propose any alternative comparable country.

In any case, even if the exporter's arguments had been supported by convincing evidence, a further investigation would have been necessary and, for the reasons already set out in point 4 above, this is not possible, especially in the case in point where the exporter contests the dumping margin provisionally established in Regulation (EEC) No 2800/86 but does not deny the existence of dumping, claiming only that the dumping margin cannot be more than 70 %; even if this were true, it would imply no change in the measures to be taken as a result of the investigation.

### E. Comparison

- (7) Technointorg requested that, if the Commission did not alter its choice of comparable country, three allowances should be granted under Article 2 (9) and (10) of Regulation (EEC) No 2176/84 in order to permit a valid comparison between the export price and the normal value.
- (8) The first allowance requested was 30 % for differences between Yugoslavia and the Soviet Union as regards manufacturing procedures and component costs.

The second was 50 % for differences in the level of wages, allegedly three times higher in Yugoslavia than in the Soviet Union.

The third was 20 % for the fact that Soviet deep freezers were aimed at a different market segment and other consumers than were those of Community origin.

- (9) The differences adduced by the exporter do not fall within any of the categories of factors referred to in Article 2 (9) and (10) of Council Regulation (EEC) No 2176/84. The Council endorses the points made by the Commission in the last subparagraph of recital 14 of Regulation (EEC) No 2800/86. Specifically, the third allowance requested is relevant not for comparison between normal value and export price but for the examination of injury. The arguments put forward by the exporter are thus dealt with in recital 14 below.

As regards the first two allowances requested by Technointorg, it should be pointed out that any adjustment of the cost established in the comparable country, Yugoslavia, would mean that costs in the Soviet Union, a non-market economy country, were being taken as the basis. This is precisely the possibility that Article 2 (5) of Regulation (EEC) No 2176/84 is intended to exclude.

Consequently the arguments put forward by Technointorg concerning allowances for alleged comparative advantages are not admissible.

### F. Margins

- (10) The Council consequently confirms the Commission's conclusions in recital 19 of Regulation (EEC) No 2800/86 and establishes definitively the existence of a weighted average dumping margin of 204 %.

### G. Injury

- (11) As regards the injury caused by the dumped imports, the Commission's conclusions as set out in Regulation (EEC) No 2800/86 have been contested by Technointorg.
- (12) The exporter firstly argued that the Community market for deep freezers was divided into two segments: an upper range catered to by Community producers and consisting of consumers with high purchasing power who chose higher-quality, better-known products, and a lower range catered to by exporters in Eastern European countries and made up of consumers with more modest purchasing power. The exporter claimed that these two market segments were quite distinct and that there was consequently no cause-and-effect relationship between the increase in imports from the Soviet Union and the fall in Community production.

The exporter also argued that its exports to the Community in 1981 were very small and that it was a recognized factor in economic life that any product initially unknown to consumers generally showed spectacular expansion over the first few years. The exporter claimed that its sales to the Community would now be beginning to level off.

The exporter also claimed that its share of the Community market was low and could not cause any injury to the Community industry. In this regard the exporter also contested the aggregation of the effect of all dumped imports.

(13) Quite apart from the points noted by the Commission in Regulation (EEC) No 2800/86, which the Council endorses, the comments made by Technointorg cannot be accepted, for the reasons set out below.

(14) As regards the market consisting of different segments, Technointorg provided no satisfactory evidence to support its arguments. In particular it did not show that its products and those of the Community industry were not 'like products' within the meaning of Article 2 (12) of Regulation (EEC) No 2176/84. Consequently, in accordance with Article 4 (4) of that Regulation, the effect of the imports covered by the investigation are to be assessed in relation to production of deep freezers in the Community. To the extent that the exporter's arguments imply that there is a difference in quality between Soviet and Community deep freezers, it is to be pointed out that, in determining undercutting, the Commission compared like products, as regards capacity, appearance and fittings. Even, indeed, if the existence of different categories of buyers were admitted, this would not necessarily mean that there was a difference in quality between the products concerned.

As regards trends in the volume of imports and the market share for which they account, these are only two of the factors which, under Article 4 (2) of the above Regulation, are to be taken into consideration in examining the injury.

At any event, while consumption in the Community remained steady, imports from the Soviet Union increased by more than 20 000 units from 1981 to 1985. Thus, on the markets where these imports were concentrated, their market share increased over the same period from 0,8 % to 2,5 % in the United Kingdom and from 1,4 % to 8,3 % in Belgium. Technointorg's statements about the future trend of its exports to the Community,

unsupported by any conclusive evidence, are not relevant to the examination of existing injury to the Community industry: as regards the volume of imports, Article 4 (2) (a) of the above Regulation lays down only that what is to be established is 'whether there has been a significant increase'.

As regards the aggregation of imports, the Council confirms the Commission's conclusions in recital 24 of Regulation (EEC) No 2800/86.

(15) None of the arguments put forward by Technointorg call into question the conclusions as regards the injury to the Community industry which the Commission reached in its preliminary conclusions. Consequently the Council confirms these conclusions.

#### H. Undertakings

(16) Technointorg offered two undertakings concerning future exports to the Community.

After consultations the Commission did not accept either of these undertakings. It informed Technointorg of the reasons for this decision.

#### I. Community interest

(17) The importer, Peja Import BV, argued that an anti-dumping duty as imposed by the Commission in Regulation (EEC) No 2800/86 had had and would have the effect of stopping imports into the Netherlands of deep freezers originating in the Soviet Union. It also argued that this would have an adverse effect on its own exports under offset agreements with Eastern European countries. The Council has taken these comments into account but, because of the difficulties facing Community production of deep freezers, and in view of the economic and social importance of such production, the Council concludes that it is in the Community interest to take measures. The defence of Community interest thus requires the imposition of a definitive anti-dumping duty on imports of certain deep freezers originating in the Soviet Union.

#### J. Level of duty

(18) In view of the above definitive conclusions, the definitive anti-dumping duty must be of the same amount as the provisional anti-dumping duty, i.e. 33 % of the net free-at-Community-frontier price before duty. This is less than the dumping margin established and should suffice to eliminate the

injury caused to Community production by imports from the Soviet Union, in view of the sale price necessary to provide efficient Community producers with a reasonable profit.

#### K. Collection of the provisional duty

- (19) The amounts secured by way of provisional anti-dumping duty should therefore be collected in their entirety.

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. A definitive anti-dumping duty is hereby imposed on imports of deep freezers falling within subheading No ex 84.15 C II of the Common Customs Tariff — corres-

ponding to Nimex codes 84.15-41 and 84.15-46 — originating in the Soviet Union.

2. The rate of the duty shall be 33 % of the net free-at-Community-frontier price before duty.

3. The provisions in force concerning customs duties shall apply.

#### *Article 2*

The amounts secured by way of provisional anti-dumping duty under Regulation (EEC) No 2800/86 shall be collected definitively.

#### *Article 3*

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

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

Done at Brussels, 22 December 1986.

*For the Council*

*The President*

G. SHAW

## COMMISSION REGULATION (EEC) No 30/87

of 7 January 1987

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1579/86 <sup>(2)</sup>, 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 <sup>(3)</sup>, 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 <sup>(4)</sup> 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 6 January 1987;

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 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 173, 1. 7. 1986, p. 1.

## ANNEX

## to the Commission Regulation of 7 January 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Levies (ECU/tonne)	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	18,39	197,33
10.01 B II	Durum wheat	45,77	245,76 <sup>(1)</sup> <sup>(2)</sup>
10.02	Rye	54,03	169,23 <sup>(2)</sup>
10.03	Barley	24,59	182,98
10.04	Oats	86,01	151,07
10.05 B	Maize, other than hybrid maize for sowing	—	178,09 <sup>(2)</sup> <sup>(3)</sup> <sup>(4)</sup>
10.07 A	Buckwheat	10,68	10,68
10.07 B	Millet	24,59	121,30 <sup>(4)</sup>
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	9,83	181,08 <sup>(4)</sup> <sup>(5)</sup>
10.07 D I	Triticale	(7)	(7)
10.07 D II	Canary seed ; other cereals	24,59	46,08 <sup>(5)</sup>
11.01 A	Wheat or meslin flour	40,36	291,82
11.01 B	Rye flour	90,26	251,54
11.02 A I a)	Durum wheat groats and meal	84,44	394,43
11.02 A I b)	Common wheat groats and meal	41,81	313,39

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by 0,60 ECU/tonne.

<sup>(2)</sup> 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'.

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

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

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

<sup>(6)</sup> 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.

<sup>(7)</sup> The levy applicable to rye shall be charged on imports of the product falling within subheading 10.07 D I (triticale).

<sup>(8)</sup> The levy referred to in Article 1 of Council Regulation (EEC) No 2913/86 shall be fixed on the basis of an invitation to tender in accordance with Commission Regulation (EEC) No 3140/86.



## COMMISSION REGULATION (EEC) No 31/87

of 7 January 1987

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1579/86 <sup>(2)</sup>, 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 <sup>(3)</sup>, 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 <sup>(4)</sup> 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 6 January 1987;

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 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 173, 1. 7. 1986, p. 4.

## ANNEX

to the Commission Regulation of 7 January 1987 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	<i>(ECU/tonne)</i>			
		Current 1	1st period 2	2nd period 3	3rd period 4
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	4,26	4,26	4,26
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	100,89	100,89	100,89
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	<i>(ECU/tonne)</i>				
		Current 1	1st period 2	2nd period 3	3rd period 4	4th period 5
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	7,58	7,58	7,58	7,58
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	5,67	5,67	5,67	5,67
11.07 B	Roasted malt	0	6,60	6,60	6,60	6,60

**COMMISSION REGULATION (EEC) No 32/87**  
**of 6 January 1987**  
**establishing unit values for the determination of the customs value of certain**  
**perishable goods**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Commission Regulation (EEC) No 1577/81 of 12 June 1981 establishing a system of simplified procedures for the determination of the customs value of certain perishable goods<sup>(1)</sup>, as last amended by Regulation (EEC) No 3502/85<sup>(2)</sup>, and in particular Article 1 thereof,

Whereas Article 1 of Regulation (EEC) No 1577/81 provides that the Commission shall periodically establish unit values for the products referred to in the classification in the Annex;

Whereas the result of applying the rules and criteria laid down in that same Regulation to the elements communi-

cated to the Commission in accordance with Article 1 (2) of that Regulation is that the unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

The unit values provided for in Article 1 (1) of Regulation (EEC) No 1577/81 are hereby established as set out in the table in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 9 January 1987.

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

Done at Brussels, 6 January 1987.

*For the Commission*  
COCKFIELD  
*Vice-President*

<sup>(1)</sup> OJ No L 154, 13. 6. 1981, p. 26.

<sup>(2)</sup> OJ No L 335, 13. 12. 1985, p. 9.

## ANNEX

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	07.01-13 } 07.01-15 }	07.01 A II	New potatoes	23,54	1034	187,79	50,60	161,51	3184	16,70	34701	56,96	15,01
1.12	ex 07.01-21 } ex 07.01-22 }	ex 07.01 B I	Broccoli	71,39	3086	561,13	148,21	490,89	10646	54,68	103302	167,46	51,69
1.14	07.01-23	07.01 B II	White cabbages and red cabbages	20,14	872	158,23	41,93	137,35	2938	15,41	29046	47,38	14,69
1.16	ex 07.01-27	ex 07.01 B III	Chinese cabbage	16,18	699	127,24	33,60	111,31	2414	12,39	23425	37,97	11,72
1.20	07.01-31 } 07.01-33 }	07.01 D I	Cabbage lettuce	79,27	3427	623,05	164,57	545,07	11821	60,71	114702	185,94	57,40
1.22	ex 07.01-36	ex 07.01 D II	Endives	45,63	1997	361,96	98,35	313,18	6137	32,33	67359	110,79	28,87
1.28	07.01-41 } 07.01-43 }	07.01 F I	Peas	150,72	6516	1184,67	312,91	1036,39	22476	115,44	218094	353,55	109,14
1.30	07.01-45 } 07.01-47 }	07.01 F II	Beans (of the species Phaseolus)	89,15	3854	700,74	185,09	613,03	13295	68,28	129004	209,12	64,56
1.32	ex 07.01-49	ex 07.01 F III	Broad beans	32,63	1411	256,51	67,75	224,40	4866	24,99	47223	76,55	23,63
1.40	ex 07.01-54	ex 07.01 G II	Carrots	8,58	376	68,35	18,25	58,96	1173	6,12	12532	20,57	5,66
1.50	ex 07.01-59	ex 07.01 G IV	Radishes	116,36	5031	914,60	241,58	800,13	17352	89,12	168376	272,95	84,26
1.60	ex 07.01-63	ex 07.01 H	Onions (other than wild onions and sets)	11,50	497	90,42	23,88	79,10	1715	8,81	16646	26,98	8,33
1.70	07.01-67	ex 07.01 H	Garlic	261,01	11284	2051,47	541,87	1794,70	38922	199,91	377669	612,23	189,00
1.74	ex 07.01-68	ex 07.01 IJ	Leeks	29,16	1260	229,23	60,55	200,54	4349	22,33	42201	68,41	21,12
1.80		07.01 K	Asparagus :										
1.80.1	ex 07.01-71		— green	538,27	23271	4230,59	1117,46	3701,07	80266	412,26	778839	1262,56	389,77
1.80.2	ex 07.01-71		— other	328,55	14205	2582,32	682,08	2259,11	48993	251,64	475397	770,66	237,91
1.90	07.01-73	07.01 L	Artichokes	87,76	3794	689,77	182,19	603,43	13086	67,21	126984	205,85	63,55
1.100	07.01-75 } 07.01-77 }	07.01 M	Tomatoes	54,74	2366	430,25	113,64	376,39	8163	41,92	79207	128,40	39,64
1.110	07.01-81 } 07.01-82 }	07.01 P I	Cucumbers	60,05	2596	472,04	124,68	412,96	8955	45,99	86901	140,87	43,49
1.112	07.01-85	07.01 Q II	Chantarelles	980,32	42351	7692,52	2040,56	6683,79	138121	751,05	1412739	2305,65	717,96
1.118	07.01-91	07.01 R	Fennel	28,32	1224	222,58	58,79	194,72	4223	21,69	40977	66,42	20,50
1.120	07.01-93	07.01 S	Sweet peppers	73,54	3179	578,00	152,67	505,66	10966	56,32	106409	172,49	53,25
1.130	07.01-97	07.01 T II	Aubergines	90,08	3894	708,05	187,02	619,43	13433	68,99	130351	211,31	65,23
1.140	07.01-96	07.01 T I	Vegetable marrows (including courgettes)	36,91	1595	290,10	76,62	253,79	5504	28,26	53406	86,57	26,72
1.150	ex 07.01-99	ex 07.01 T III	Celery stalks and leaves	49,07	2121	385,67	101,87	337,40	7317	37,58	71001	115,09	35,53
1.160	ex 07.06-90	ex 07.06 B	Sweet potatoes, fresh, whole	96,38	4166	757,51	200,08	662,70	14372	73,81	139456	226,07	69,79
2.10	08.01-31	ex 08.01 B	Bananas, fresh	46,20	1997	363,18	95,93	317,73	6890	35,39	66861	108,38	33,46
2.20	ex 08.01-50	ex 08.01 C	Pineapples, fresh	56,47	2446	444,63	117,55	385,96	8317	43,19	81545	132,88	40,90
2.30	ex 08.01-60	ex 08.01 D	Avocados, fresh	107,77	4659	847,05	223,73	741,03	16071	82,54	155940	252,79	78,04
2.40	ex 08.01-99	ex 08.01 H	Mangoes and guavas, fresh	192,72	8332	1514,73	400,09	1325,14	28738	147,60	278857	452,05	139,55
2.50		08.02 A I	Sweet oranges, fresh :										
2.50.1	08.02-02 } 08.02-06 } 08.02-12 } 08.02-16 }		— Sanguines and semi-sanguines	43,28	1900	344,34	93,04	296,26	5829	30,66	63829	104,68	27,69

Code	NIMEXE code	CCT heading No	Description	Amount of unit values per 100 kg net									
				ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50.2	08.02-03 08.02-07 08.02-13 08.02-17		— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	33,70	1 457	264,93	69,98	231,77	5026	25,81	48 774	79,06	24,40
2.50.3	08.02-05 08.02-09 08.02-15 08.02-19		— others	38,59	1 668	303,38	80,13	265,40	5755	29,56	55 851	90,53	27,95
2.60		ex 08.02 B	Mandarins including tangerines and satsumas, fresh, clementines, wilkings and other similar citrus hybrids, fresh :										
2.60.1	08.02-29	ex 08.02 B II	— Monreales and satsumas	32,96	1 425	259,07	68,43	226,64	4915	25,24	47 694	77,31	23,86
2.60.2	08.02-31	ex 08.02 B II	— Mandarins and wilkings	35,87	1 551	281,98	74,48	246,68	5349	27,47	51 911	84,15	25,97
2.60.3	08.02-28	08.02 B I	— Clementines	58,60	2 533	460,59	121,65	402,94	8738	44,88	84 793	137,45	42,43
2.60.4	08.02-34 08.02-37	ex 08.02 B II	— Tangerines and others	116,51	5046	917,29	242,52	796,25	17158	89,10	168 230	274,14	84,38
2.70	ex 08.02-50	ex 08.02 C	Lemons, fresh	38,11	1 647	299,54	79,12	262,05	5683	29,18	55 144	89,39	27,59
2.80		ex 08.02 D	Grapefruit, fresh :										
2.80.1	ex 08.02-70		— white	43,15	1 865	339,16	89,58	296,71	6434	33,05	62 438	101,21	31,24
2.80.2	ex 08.02-70		— pink	56,33	2 435	442,79	116,95	387,37	8401	43,14	81 517	132,14	40,79
2.81	ex 08.02-90	ex 08.02 E	Limes and limettes	176,57	7 634	1 387,79	366,56	1 214,09	26330	135,23	255 488	414,16	127,86
2.90	08.04-11 08.04-19 08.04-23	08.04 A I	Table grapes	75,67	3 271	594,78	157,10	520,34	11 284	57,96	109 498	177,50	54,80
2.95	08.05-50	08.05 C	Chestnuts	101,92	4 406	801,12	211,60	700,84	15 199	78,06	147 483	239,08	73,81
2.100	08.06-13 08.06-15 08.06-17	08.06 A II	Apples	39,96	1 727	314,10	82,96	274,79	5959	30,60	57 826	93,74	28,93
2.110	08.06-33 08.06-35 08.06-37 08.06-38	08.06 B II	Pears	55,36	2 395	434,47	115,38	377,57	7 802	42,35	79 815	130,40	40,29
2.120	08.07-10	08.07 A	Apricots	143,61	6 209	1 128,79	298,15	987,51	21 416	109,99	207 807	336,87	103,99
2.130	ex 08.07-32	ex 08.07 B	Peaches	196,44	8 493	1 544,00	407,83	1 350,75	29 294	150,45	284 246	460,78	142,25
2.140	ex 08.07-32	ex 08.07 B	Nectarines	198,02	8 561	1 556,43	411,11	1 361,62	29 530	151,67	286 535	464,49	143,40
2.150	08.07-51 08.07-55	08.07 C	Cherries	88,56	3 890	706,11	190,05	607,49	12 155	62,99	130 463	214,04	56,65
2.160	08.07-71 08.07-75	08.07 D	Plums	365,55	15 804	2 873,11	758,89	2 513,50	54 511	279,97	528 930	857,44	264,71
2.170	08.08-11 08.08-15	08.08 A	Strawberries	418,86	18 109	3 292,09	869,56	2 880,04	62 460	320,80	606 064	982,48	303,31
2.175	08.08-35	08.08 C	Fruit of the species Vaccinium myrtillus	131,10	5 710	1 044,19	275,73	902,34	18 106	100,19	190 076	311,13	90,10
2.180	08.09-11	ex 08.09	Water melons	22,75	991	181,21	47,85	156,59	3 142	17,38	32 987	53,99	15,63
2.190		ex 08.09	Melons (other than water melons) :										
2.190.1	ex 08.09-19		— Amarillo, Cuper, Honey Dew, Onteniente, Piel de Sapo, Rochet, Tendral	78,81	3 407	619,47	163,62	541,94	11 753	60,36	114 044	184,87	57,07
2.190.2	ex 08.09-19		— other	138,57	5 991	1 089,12	287,67	952,80	20 663	106,13	200 505	325,03	100,34
2.195	ex 08.09-80	ex 08.09	Pomegranates	47,87	2 069	376,27	99,38	329,28	7 139	36,66	69 271	112,29	34,66
2.200	08.09-50	ex 08.09	Kiwis	208,83	9 028	1 641,35	433,54	1 435,91	31 141	159,94	302 169	489,84	151,22
2.202	ex 08.09-80	ex 08.09	Khakis	99,45	4 299	781,67	206,46	683,83	14 830	76,17	143 903	233,28	72,01
2.203	ex 08.09-80	ex 08.09	Lychees	217,35	9 397	1 708,36	451,24	1 494,53	32 412	166,47	314 504	509,83	157,39

## COMMISSION REGULATION (EEC) No 33/87

of 7 January 1987

## fixing the quotas for 1987 which may be applied to trade in certain products in the wine sector between Spain and Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal<sup>(1)</sup>, and in particular Article 13 (1) thereof,

Whereas, pursuant to Article 9 of Regulation (EEC) No 3792/85, Spain and Portugal may, until the end of the first stage, apply quantitative restrictions in the form of annual quotas in respect of certain products in the wine sector; whereas the minimum rate of progressive increase of the quotas is 10 % at the beginning of each year;

whereas the initial quotas for 1986 were fixed by Commission Regulation (EEC) No 645/86<sup>(2)</sup>; amended by Regulation (EEC) No 3508/86<sup>(3)</sup>;

Whereas provision should be made for informing the Commission of trade between Spain and Portugal in the said products under the quotas fixed and of the measures taken by those two Member States for the application of the quotas;

Whereas for Portugal, pursuant to Article 4 of Regulation (EEC) No 3792/85, the quota fixed by this Regulation is in addition to the quota applicable under Article 269 of the Act of Accession in respect of imports from the Community as constituted at 31 December 1985;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quotas, in volume, for the period from 1 January to 31 December 1987 shall be as follows:

(a) Imports into Spain:

<i>(hectolitres)</i>		
CCT heading No	Description	Quota for 1987
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>ex B. Wine other than that referred to in A in bottles with 'mushroom' stoppers held in place by ties or fastenings; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:</p> <p style="padding-left: 20px;">— Wine put up other than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:</p> <p>C. Other:</p> <p style="padding-left: 20px;">I. Of an actual alcoholic strength by volume not exceeding 13 % vol</p> <p style="padding-left: 20px;">II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol</p>	38 500

<sup>(1)</sup> OJ No L 367, 31. 12. 1985, p. 7.

<sup>(2)</sup> OJ No L 60, 1. 3. 1986, p. 44.

<sup>(3)</sup> OJ No L 324, 19. 11. 1986, p. 9.

(b) Imports into Portugal :

		<i>(hectolitres)</i>
CCT heading No	Description	Quota for 1987
22.05	<p>Wine of fresh grapes ; grape must with fermentation arrested by the addition of alcohol :</p> <p>ex B. Wine other than that referred to in A in bottles with 'mushroom' stoppers held in place by ties or fastenings ; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C :</p> <p>— Wine put up other than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C :</p> <p>C. Other :</p> <p>I. Of an actual alcoholic strength by volume not exceeding 13 % vol</p> <p>II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol</p>	9 350

*Article 2*

The Spanish authorities and the Portuguese authorities shall notify the Commission of the measures they have taken for the application of Article 1.

They shall forward to the Commission every six months information on the quantities imported during this period.

*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, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

## COMMISSION REGULATION (EEC) No 34/87

of 7 January 1987

fixing the quotas for 1987 to be opened by Portugal in respect of certain products of the wine sector from third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3797/85 of 20 December 1985 laying down detailed rules concerning quantitative restrictions on imports into Portugal from third countries of certain agricultural products subject to transition by stage <sup>(1)</sup>, and in particular Article 3 (1) thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3797/85, Portugal shall apply quantitative restrictions in the form of annual quotas in respect of certain products

in the wine sector; whereas the quotas for 1987 should be fixed taking account, in particular, of the initial quotas and of the trade recorded; whereas an increase of 10 % by comparison with the initial quota fixed by Regulation (EEC) No 841/86 <sup>(2)</sup> seems adequate;

Whereas provision should be made for informing the Commission of imports into Portugal of the said products under the quotas fixed and of the measures taken by Portugal for the application of these quotas;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quotas to be opened by Portugal in respect of certain products of the wine sector from third countries for the period from 1 January to 31 December 1987 shall be as follows:

<i>(hectolitres)</i>		
CCT heading No	Description	Quota for 1987
22.05	<p>Wine of fresh grapes; grape must with fermentation arrested by the addition of alcohol:</p> <p>ex B. Wine other than that referred to in A in bottles with 'mushroom' stoppers held in place by ties or fastenings; wine otherwise put up with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:</p> <p style="padding-left: 20px;">— Wine put up other than in bottles with 'mushroom' stoppers held in place by ties or fastenings, with an excess pressure due to carbon dioxide in solution of not less than 1 bar but less than 3 bar, measured at a temperature of 20 °C:</p> <p>C. Other:</p> <p style="padding-left: 20px;">I. Of an actual alcoholic strength by volume not exceeding 13 % vol</p> <p style="padding-left: 20px;">II. Of an actual alcoholic strength by volume exceeding 13 % vol but not exceeding 15 % vol</p>	9 350

<sup>(1)</sup> OJ No L 367, 31. 12. 1985, p. 23.

<sup>(2)</sup> OJ No L 77, 22. 3. 1986, p. 15.



*Article 2*

The Portuguese authorities shall notify the Commission of the measures they have taken for the application of Article 1.

They shall forward to the Commission every six months information on the quantities imported during this period.

*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, 7 January 1987.

*For the Commission*

Frans ANDRIESSEN

*Vice-President*

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**COMMISSION REGULATION (EEC) No 35/87**  
**of 7 January 1987**  
**fixing the quotas for 1987 to be opened by Spain in respect of the wine sector**  
**from third countries**

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 491/86 of 25 February 1986 laying down detailed rules concerning quantitative restrictions on imports into Spain of certain agricultural products from third countries<sup>(1)</sup>, and in particular Article 3 (1) thereof,

Whereas Article 77 of the Act of Accession of Spain and Portugal provides that Spain may apply quantitative restrictions on imports from third countries until 31 December 1995; whereas such restrictions affect wine sector products; whereas, the quotas for 1987 should be fixed taking account, in particular, of the initial quotas and of trade recorded; whereas an increase of 10 % by comparison with initial quotas fixed by Commission Regulation (EEC) No 1612/86<sup>(2)</sup> seems adequate;

Whereas provision should be made for informing the Commission of imports into Spain of the said products under the quota fixed and of the measures taken by Spain for the application of these quotas;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The quotas to be opened by Spain for the period 1 January to 31 December 1987 for products of the wine sector from third countries shall be 38 500 hl.

*Article 2*

The Spanish authorities shall notify the Commission of the measures they have taken for the application of Article 1.

They shall forward to the Commission every six months information on the quantities that have been imported during this period.

*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, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 54, 1. 3. 1986, p. 25.

<sup>(2)</sup> OJ No L 142, 25. 5. 1986, p. 20.

## COMMISSION REGULATION (EEC) No 36/87

of 7 January 1987

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 934/86 <sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 <sup>(4)</sup> 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1489/76 <sup>(4)</sup>, 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 <sup>(5)</sup>; 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 <sup>(6)</sup>, as amended by Regulation (EEC) No 1467/77 <sup>(7)</sup>; 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 <sup>(8)</sup>,
- 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;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.<sup>(2)</sup> OJ No L 87, 2. 4. 1986, p. 1.<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.<sup>(4)</sup> OJ No L 167, 26. 6. 1976, p. 13.<sup>(5)</sup> OJ No L 89, 10. 4. 1968, p. 3.<sup>(6)</sup> OJ No L 50, 4. 3. 1970, p. 1.<sup>(7)</sup> OJ No L 162, 1. 7. 1977, p. 6.<sup>(8)</sup> 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 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

ANNEX

to the Commission Regulation of 7 January 1987 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	44,09	
	(b) Other	43,45	
	(II) Flavoured or coloured sugar		0,4409
	B. Raw sugar :		
	II. Other :		
	(a) Candy sugar	40,56 <sup>(1)</sup>	
	(b) Sugar with added anti-caking agent		0,4409
(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	39,86 <sup>(1)</sup>		
(d) Other raw sugar	<sup>(2)</sup>		

<sup>(1)</sup> 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.

<sup>(2)</sup> 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 37/87**  
**of 7 January 1987**

**fixing the maximum export refund for white sugar for the 30th 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 934/86<sup>(2)</sup>, 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<sup>(3)</sup> 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 30th 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 30th partial invitation to tender for white sugar issued under Regulation (EEC) No 1659/86 is hereby fixed at 45,495 ECU per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*  
Frans ANDRIESEN  
*Vice-President*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 87, 2. 4. 1986, p. 1.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 29.

## COMMISSION REGULATION (EEC) No 38/87

of 7 January 1987

introducing a countervailing charge on lemons originating in Cyprus

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1661/86 of 29 May 1986 fixing for the 1986/1987 marketing year the reference prices for lemons<sup>(3)</sup> fixed the reference price for products of class I for the month of October 1986 at 47,66 ECU per 100 kilograms net;

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<sup>(4)</sup>, as last amended by Regulation(EEC) No 3811/85<sup>(5)</sup>, 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 Cyprus the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; 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<sup>(6)</sup>,
- 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 4,35 ECU per 100 kilograms net is applied to lemons (subheading 08.02 C of the Common Customs Tariff) originating in Cyprus.

*Article 2*

This Regulation shall enter into force on 9 January 1987.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p.46.<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 39.<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.<sup>(6)</sup> 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, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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**COMMISSION REGULATION (EEC) No 39/87**  
**of 7 January 1987**  
**introducing a countervailing charge on lemons originating in Spain (except the**  
**Canary Islands)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1351/86<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1661/86 of 29 May 1986 fixing for the 1986/87 marketing year the reference prices for lemons<sup>(3)</sup> fixed the reference price for products of class I for the period 1 November 1986 to 30 April 1987 at 45,00 ECU per 100 kilograms net;

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<sup>(4)</sup>, as last amended by Regulation

(EEC) No 3811/85<sup>(5)</sup>, 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 Spain (except the Canary Islands) the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; 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<sup>(6)</sup>,
- 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, pursuant to Article 136 (2) of the Act of Accession of Spain and Portugal<sup>(7)</sup>, the arrangements applicable to trade between, on the one hand, a new Member State and, on the other, the Community as constituted at 31 December 1985, must be those which were applicable before accession;

Whereas Article 140 (1) provides for a 4 % reduction in the countervailing charges applicable under Regulation (EEC) No 1035/72 during the second year after accession,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of 2,75 ECU per 100 kilograms net is applied to lemons (subheading 08.02 C of the Common Customs Tariff) originating in Spain (except the Canary Islands).

*Article 2*

This Regulation shall enter into force on 9 January 1987.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 119, 8. 5. 1986, p. 46.  
<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 39.  
<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.

<sup>(5)</sup> OJ No L 368, 31. 12. 1985, p. 1.  
<sup>(6)</sup> OJ No L 164, 24. 6. 1985, p. 1.  
<sup>(7)</sup> OJ No L 302, 15. 11. 1985, p. 9.



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

Done at Brussels, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

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## COMMISSION REGULATION (EEC) No 40/87

of 7 January 1987

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 1579/86 <sup>(2)</sup>, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(3)</sup>, as last amended by Regulation (EEC) No 1449/86 <sup>(4)</sup> and in particular Article 12 (4) thereof,

Having regard to Council Regulation No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(5)</sup> and in particular Article 3 thereof,

Having regard to the advice of the Monetary Committee,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 4071/86 <sup>(6)</sup>, as last amended by Regulation (EEC) No 23/87 <sup>(7)</sup>;

Whereas Council Regulation (EEC) No 1588/86 <sup>(8)</sup> as amended by Council Regulation (EEC) No 2744/75 <sup>(9)</sup> as regards products falling within subheading 23.02 A of the Common Customs Tariff;

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

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

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

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

Whereas these exchange rates being those recorded on 6 January 1987;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75, as last amended by Regulation (EEC) No 1588/86, as fixed in the Annex to amended Regulation (EEC) No 4071/86 are hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 139, 24. 5. 1986, p. 29.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 133, 21. 5. 1986, p. 1.

<sup>(5)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(6)</sup> OJ No L 371, 31. 12. 1986, p. 19.

<sup>(7)</sup> OJ No L 3, 6. 1. 1987, p. 15.

<sup>(8)</sup> OJ No L 139, 24. 5. 1986, p. 47.

<sup>(9)</sup> OJ No L 281, 1. 11. 1975, p. 65.

<sup>(10)</sup> OJ No L 168, 25. 6. 1974, p. 7.

## ANNEX

## to the Commission Regulation of 7 January 1987 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CCT heading No	Import levies	
	Third countries (other than ACP or OCT)	ACP or OCT
11.01 G (?)	186,70	183,68
11.02 A VII (?)	186,70	183,68
11.02 B II d) (?)	291,15	288,13
11.02 C VI (?)	291,15	288,13
11.02 D VI (?)	186,70	183,68
11.02 E II d) 2 (?)	330,18	324,14
11.02 F VII (?)	186,70	183,68

(?) For the purpose of distinguishing between products falling within heading Nos 11.01 and 11.02 and those falling within subheading 23.02 A, products falling within heading Nos 11.01 and 11.02 shall be those meeting the following specifications:

- a starch content (determined by the modified Ewers polarimetric method), referred to dry matter, exceeding 45 % by weight,
  - an ash content, by weight, referred to dry matter (after deduction of any added minerals), not exceeding 1,6 % for rice, 2,5 % for wheat, 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.
- Germ of cereals, whole, rolled, flaked or ground, falls in all cases within heading No 11.02.

**COMMISSION REGULATION (EEC) No 41/87**  
**of 7 January 1987**  
**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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 934/86 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 <sup>(3)</sup>, as last amended by Regulation (EEC) No 10/87 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2051/86 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 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*  
 Frans ANDRIESEN  
 Vice-President

- <sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.  
<sup>(2)</sup> OJ No L 87, 2. 4. 1986, p. 1.  
<sup>(3)</sup> OJ No L 173 1. 7. 1986, p. 91.  
<sup>(4)</sup> OJ No L 1, 3. 1. 1987, p. 19.

*ANNEX*

to the Commission Regulation of 7 January 1987 fixing the import levies on white sugar and raw sugar

CCT heading No	Description	Levy <i>(ECU/100 kg)</i>
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	52,31 45,66 <sup>(1)</sup>

<sup>(1)</sup> Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the levy applicable is calculated in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68.

**COMMISSION REGULATION (EEC) No 42/87**  
**of 7 January 1987**  
**altering the basic amount of the import levies on syrups and certain other**  
**products in the sugar sector**

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

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

Having regard to Council Regulation (EEC) No 1785/81  
of 30 June 1981 on the common organization of the  
markets in the sugar sector <sup>(1)</sup>, as last amended by Regula-  
tion (EEC) No 934/86 <sup>(2)</sup>, and in particular Article 16 (8)  
thereof,

Whereas the import levies on syrups and certain other  
sugar products were fixed by Commission Regulation  
(EEC) No 4075/86 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules  
contained in Regulation (EEC) No 4075/86 to the infor-

mation known to the Commission that the basic amount  
of the levy on syrups and certain other sugar products at  
present in force should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The basic amounts of the import levy on the products  
listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81,  
as fixed in the Annex to Regulation (EEC) No 4075/86  
are hereby altered to the amounts shown in the Annex  
hereto.

*Article 2*

This Regulation shall enter into force on 8 January 1987.

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

Done at Brussels, 7 January 1987.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 87, 2. 4. 1986, p. 1.

<sup>(3)</sup> OJ No L 371, 31. 12. 1986, p. 31.

## ANNEX

to the Commission Regulation of 7 January 1987 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

<i>(ECU)</i>			
CCT heading No	Description	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
17.02	Other sugars in solid form ; sugar syrups, not containing added flavouring or colouring matter ; artificial honey, whether or not mixed with natural honey ; caramel :		
	C. Maple sugar and other syrup	0,5231	—
	D. Other sugars and syrups (other than lactose, glucose and malto-dextrine) :		
	I. Isoglucose	—	60,77
	ex II. Other	0,5231	—
	E. Artificial honey, whether or not mixed with natural honey	0,5231	—
	F. I. Caramelized sugar and molasses containing, in the dry state, 50 % or more by weight of sucrose	0,5231	—
21.07	Food preparations not elsewhere specified or included :		
	F. Flavoured or coloured sugar syrups :		
	III. Isoglucose	—	60,77
	IV. Other	0,5231	—

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 10 December 1986

**approving a modification to the programme for the rapeseed sector in Denmark  
pursuant to Council Regulation (EEC) No 355/77**

**(Only the Danish text is authentic)**

(87/4/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the condition under which agricultural and fishery products are processed and marketed <sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86 <sup>(2)</sup>, and in particular Article 5 thereof,

Whereas on 20 June 1985 the Danish Government forwarded a modification to the programme for the rapeseed sector approved by Commission Decision 83/284/EEC <sup>(3)</sup>;

Whereas this modification involves the expansion of the Danish rapeseed processing capacity to take account of the increase in the production of the double-00 variety with the aim of improving the income of the Danish producers of this variety; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas, however, new or restructured rapeseed processing may only be aided if evidence is provided of assured market outlets for the rapeseed oil production;

Whereas the modification contains sufficient of the details listed in Article 3 of Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regula-

tion can be achieved in the rapeseed sector in Denmark; whereas the estimated time required for implementation of the modification does not exceed the period mentioned in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The modification to the programme for the rapeseed sector in Denmark, forwarded by the Danish Government on 20 June 1985, is hereby approved insofar as it concerns the expansion of the rapeseed processing sector subject to the reservation set out in the recitals above.

*Article 2*

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.

<sup>(3)</sup> OJ No L 151, 9. 6. 1983, p. 56.

**COMMISSION DECISION**

of 10 December 1984

**approving an addendum to the programme relating to the manufacture of processed fruit and vegetables products in Denmark pursuant to Council Regulation (EEC) No 355/77**

(Only the Danish text is authentic)

(87/5/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed <sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86 <sup>(2)</sup>, and in particular Article 5 thereof,Whereas on 6 May 1986 the Danish Government forwarded an addendum to the programme approved by Commission Decision 84/146/EEC <sup>(3)</sup> relating to the manufacture of processed fruit and vegetable products;

Whereas the purpose of this addendum is to permit the further pursuit of the objectives defined in the original programme, including:

- to increase processing capacity for the outdoor crop of vegetables,
- to increase storage and processing capacity for semi-manufactured products,
- to aid marketing facilities and the restructuring of the sector,

in order to adapt supply to market requirements and thus enhance the market value of the products and improve producers' incomes;

Whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the addendum contains sufficient information, as required by Article 3 of Regulation (EEC) No 355/77, other than for non-Annex II products on which no deci-

sion can be taken at this stage, to show that the objectives of Article 1 of the Regulation can be achieved in respect of the processed fruit and vegetable sector in Denmark; whereas the estimated time required for execution of the addendum does not exceed the limits laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The addendum to the programme relating to the manufacture of processed fruit and vegetable products, forwarded by the Danish Government on 6 May 1986, pursuant to Regulation (EEC) No 355/77, is hereby approved.

*Article 2*

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1985, p. 4.<sup>(3)</sup> OJ No L 73, 16. 3. 1984, p. 78.



**COMMISSION DECISION**

of 10 December 1986

**approving a second addendum to the programme relating to the marketing and processing of horticultural products in Ireland pursuant to Council Regulation (EEC) No 355/77**

(Only the English text is authentic)

(87/6/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed <sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86 <sup>(2)</sup>, and in particular Article 5 thereof,Whereas on 20 May 1986 the Irish Government forwarded a second addendum to the programme approved by Commission Decision 82/238/EEC <sup>(3)</sup> and to the first addendum approved by Commission Decision 83/601/EEC <sup>(4)</sup> relating to the marketing and processing of horticultural products in Ireland;

Whereas the purpose of this addendum is to permit the further pursuit of the objectives defined in the original programme, including:

- the establishment of larger marketing units with cool storage facilities,
- the expansion and modernization of processing plants,
- the improvement of market intelligence,

in order to adapt supply more closely to demand, and thus improve the situation in the horticultural sector, enhance the market value of the products and improve producers' incomes;

Whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the details provided in the addendum concerning harvesting equipment are insufficient to satisfy the conditions laid down in Articles 5 (2) and 6 (1) (f) of Regu-

lation (EEC) No 355/77 as amended, such equipment is therefore ineligible to receive financial assistance;

Whereas the second addendum contains sufficient information, as required by Article 3 of Regulation (EEC) No 355/77, to show that the objectives of Article 1 of the Regulation can be achieved in respect of the horticultural sector in Ireland; whereas the estimated time required for execution of the addendum does not exceed the limits laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The second addendum to the programme relating to the marketing and processing of horticultural products, forwarded by the Irish Government on 20 May 1986 pursuant to Regulation (EEC) No 355/77 is hereby approved subject to the reservation set out in the recitals above.

*Article 2*

This Decision is addressed to Ireland.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1985, p. 4.<sup>(3)</sup> OJ No L 106, 21. 4. 1982, p. 26.<sup>(4)</sup> OJ No L 347, 9. 12. 1983, p. 55.

**COMMISSION DECISION**

of 10 December 1986

**approving a programme for the improvement of livestock marketing in Ireland  
pursuant to Council Regulation (EEC) No 355/77**

(Only the English text is authentic)

(87/7/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed<sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86<sup>(2)</sup> and in particular Article 5 thereof,

Whereas on 28 May 1986 the Irish Government forwarded a programme for the improvement of livestock marketing and on 24 July 1986 provided additional information ;

Whereas this programme relates mainly to the modernization and rationalization and, in some instances, to the relocation of facilities for the marketing of livestock, without however increasing overall capacity, and to the modernization of marketing techniques and of effluent disposal with the aim of adapting the Irish livestock auction facilities to the need of the market ; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77 ;

Whereas the programme includes sufficient of the details listed in Article 3 of Regulation (EEC) No 355/77 to show that the objectives listed in Article 1 of that Regulation can be achieved in the abovementioned sector ; whereas the estimated time for implementation of the programme

does not exceed the period laid down in Article 3 (1) (g) of the Regulation ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The programme for the improvement of livestock marketing in Ireland, which was forwarded by the Irish Government on 28 May 1986 pursuant to Regulation (EEC) No 355/77, and for which additional information was provided on 24 July 1986, is hereby approved.

*Article 2*

This Decision is addressed to Ireland.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.

**COMMISSION DECISION**

of 10 December 1986

**approving an addition to the programme for the sheepmeat sector in Ireland  
pursuant to Council Regulation (EEC) No 355/77****(Only the English text is authentic)**

(87/8/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the condition under which agricultural and fishery products are processed and marketed <sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86 <sup>(2)</sup> and in particular Article 5 thereof,Whereas on 10 April 1986 the Irish Government forwarded an addendum to the programme for the sheepmeat sector in Ireland approved by Commission Decision 83/600/EEC <sup>(3)</sup>;

Whereas this addendum continues the objectives of the earlier programme, involving the modernization of the Irish sheepmeat industry, the expansion of slaughtering capacity and the rationalization of existing plant, with the aim of improving the techniques of processing and marketing and hence the quantity and quality of the products processed and marketed; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas, however, the establishment of new slaughtering units can only be aided if the regional need for further capacity can be demonstrated and the units are of a sufficient size to be economically viable;

Whereas projects for the installation of cold stores and refrigerated warehouses may only be aided if these facilities are linked to processing or marketing facilities;

Whereas the addendum contains sufficient of the details listed in Article 3 of Regulation (EEC) No 355/77 to show that the aims set out in Article 1 of that Regulation can be achieved in the sheepmeat sector in Ireland; whereas the estimated time required for implementation of the addendum does not exceed the period mentioned in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure:

HAS ADOPTED THIS DECISION:

*Article 1*

The addendum to the programme for the sheepmeat sector in Ireland, forwarded by the Irish Government on 10 April 1986 pursuant to Regulation (EEC) No 355/77, is hereby approved subject to the reservations set out in the recitals above.

*Article 2*

This Decision is addressed to Ireland.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.<sup>(3)</sup> OJ No L 347, 9. 12. 1983, p. 54.

**COMMISSION DECISION**

of 10 December 1986

**approving an addendum to the programme relating to the cereals sector in Ireland pursuant to Council Regulation (EEC) No 355/77****(Only the English text is authentic)**

(87/9/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed<sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86<sup>(2)</sup>, and in particular Article 5 thereof,Whereas on 19 August 1986 the Irish Government forwarded an addendum to the programme approved by Commission Decision 80/655/EEC<sup>(3)</sup> relating to the cereals sector in Ireland;

Whereas the addendum to the programme relates to the modernization and expansion of capacity for the treatment and conditioning of cereal seed, the modernization and expansion of capacity for the storage and treatment of compound feedingstuffs, in order to improve the competitive position of the sector and enhance the value of its products; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas approval of the programme cannot extend to any expansion of production capacity for feedingstuffs;

Whereas the addendum contains sufficient information, as required in Article 3 of Regulation (EEC) No 355/77, to show that the objectives of Article 1 of the Regulation can be achieved in respect of the cereals sector in

Ireland; whereas the estimated time required for execution of the addendum does not exceed the limits laid down in Article 3 (1) (g) of the Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The addendum to the programme relating to the cereals sector in Ireland, forwarded by the Irish Government on 19 August 1986 pursuant to Regulation (EEC) No 355/77, is hereby approved, with the exception of any increase in capacity in the feedingstuffs sector.

*Article 2*

This Decision is addressed to Ireland.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.<sup>(3)</sup> OJ No L 177, 11. 7. 1980, p. 58.

**COMMISSION DECISION**

of 10 December 1986

**approving an amendment to the programme relating to the marketing and processing of fruit and vegetables in Belgium pursuant to Council Regulation (EEC) No 355/77**

(Only the French and Dutch texts are authentic)

(87/10/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed <sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86 <sup>(2)</sup>, and in particular Article 5 thereof,Whereas on 24 October 1985 the Belgian Government forwarded an amendment to the programme approved by Commission Decision 80/1058/EEC <sup>(3)</sup> relating to the marketing and processing of fruit and vegetables, and on 9 July 1986 submitted supplementary information;

Whereas the amendment to the said programme is confined to investments principally intended for the modernization and rationalization of capacity for marketing and processing of fruit and vegetables; whereas such investments are likely to contribute towards improving the situation in the sector concerned and enhancing its value; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the investments relating to the modernization and rationalization of auction halls and wholesale markets can be accepted and those relating to processed products are acceptable insofar as they concern products listed in Annex II to the Treaty and the raw materials used in their manufacture come principally from the Community;

Whereas the amendment contains enough of the details specified in Article 3 of Regulation (EEC) No 355/77 to show that the objectives of Article 1 of the said Regulation can be attained in the abovementioned sector; whereas the time laid down for implementing the amendment does not exceed the period specified in Article 3 (1) (g) of the said Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The amendment to the programme relating to the marketing and processing of fruit and vegetables, notified on 24 October 1985 and supplemented on 9 July 1986 by the Belgian Government in accordance with Regulation (EEC) No 355/77, is hereby approved.

*Article 2*

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.<sup>(3)</sup> OJ No L 308, 19. 11. 1980, p. 18.

## COMMISSION DECISION

of 10 December 1986

approving an amendment to the specific programme relating to the livestock, meat and meat products sector in Belgium pursuant to Council Regulation (EEC) No 355/77

(Only the French and Dutch texts are authentic)

(87/11/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed<sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86<sup>(2)</sup>, and in particular Article 5 thereof,

Whereas on 24 September 1985 the Belgian Government forwarded an amendment to the programme approved by Commission Decision 80/1317/EEC<sup>(3)</sup> relating to the livestock, meat and meat products sector and on 5 February 1986 submitted supplementary information;

Whereas the amendment to the said programme is confined to investments intended for the modernization, rationalization and concentration of capacity for marketing animals, slaughtering, cutting and adding value to slaughter by-products and preparing meat products from cattle, pigs and sheep; whereas such investments are likely to contribute towards improving the situation in the sector concerned and enhancing its value; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77;

Whereas the investments relating to the modernization, rationalization and concentration of marketing and slaughtering capacity can be accepted and those relating to adding value to by-products and to meat preparations are also acceptable insofar as they concern products listed in Annex II to the Treaty;

Whereas the amendment contains enough of the details specified in Article 3 of Regulation (EEC) No 355/77 to show that the objectives of Article 1 of the said Regulation can be attained in the abovementioned sector; whereas the time laid down for implementing the amendment does not exceed the period specified in Article 3 (1) (g) of the said Regulation;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION:

*Article 1*

The amendment to the programme relating to the livestock meat and meat products sector, notified on 20 September 1985 and supplemented on 5 February 1986 by the Belgian Government in accordance with Regulation (EEC) No 355/77, is hereby approved.

*Article 2*

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*

<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.

<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.

<sup>(3)</sup> OJ No L 380, 31. 12. 1980, p. 10.

## COMMISSION DECISION

of 10 December 1986

approving a second addendum to the programme relating to the storage of cereals in Belgium pursuant to Council Regulation (EEC) No 355/77

(Only the French and Dutch texts are authentic)

(87/12/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 355/77 of 15 February 1977 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed <sup>(1)</sup>, as last amended by Regulation (EEC) No 2224/86 <sup>(2)</sup>, and in particular Article 5 thereof,Whereas on 17 March 1986 the Belgian Government forwarded a second addendum to the programme approved by Commission Decision 81/1026/EEC <sup>(3)</sup>, as amended by Decision 84/286/EEC <sup>(4)</sup>, relating to the storage of cereals in Belgium ;

Whereas the second addendum to the programme relates to the rationalization and increase of reception, treatment and storage capacity for cereals, including related equipment, to enable homogeneous lots of quality cereals to be properly conserved so as to add value to the products concerned and improve the competitive position of the sector ; whereas it therefore constitutes a programme within the meaning of Article 2 of Regulation (EEC) No 355/77 ;

Whereas, in accordance with the principles of sound financial management, encouragement should not be given to investments that are used for intervention purpose ;

Whereas the second addendum to the programme contains sufficient information, as required in Article 3 of Regulation (EEC) No 355/77, to show that the objectives of Article 1 of the Regulation can be achieved in respect of the cereals storage sector in Belgium ; whereas the estimated time required for execution of the second addendum does not exceed the limits laid down in Article 3 (1) (g) of the Regulation ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Agricultural Structure,

HAS ADOPTED THIS DECISION :

*Article 1*

The second addendum to the programme relating to the storage of cereals forwarded by the Belgian Government pursuant to Regulation (EEC) No 355/77 on 17 March 1986 is hereby approved, with the exception of the part relating to facilities that are used for intervention purposes.

*Article 2*

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 10 December 1986.

*For the Commission*

Frans ANDRIESEN

*Vice-President*<sup>(1)</sup> OJ No L 51, 23. 2. 1977, p. 1.<sup>(2)</sup> OJ No L 194, 17. 7. 1986, p. 4.<sup>(3)</sup> OJ No L 367, 23. 12. 1981, p. 44.<sup>(4)</sup> OJ No L 139, 25. 5. 1984, p. 42.

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Brussels — Luxembourg / April 1986

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