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I

*(Acts whose publication is obligatory)***COUNCIL REGULATION (EEC) No 410/87****of 9 February 1987****opening, allocating and providing for the administration of Community tariff quotas for certain fishery products (1987)**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, in the context of its external relations regarding fisheries, it is in the Community's interest partially to suspend the Common Customs Tariff duties on a number of fishery products, within the limit of appropriate Community tariff quotas; whereas Community tariff quotas for 1987 should therefore be opened for whole or headless frozen redfish (*Sebastes* spp.), whole or headless frozen cod (*Gadus morhua*), frozen cod fillets and herring flaps prepared or preserved in vinegar, presented in packings of a net capacity of 10 kilograms or more, falling within subheadings ex 03.01 B I f) 2, ex 03.01 B I h) 2, ex 03.01 B II b) 1 and ex 16.04 C II of the Common Customs Tariff; whereas eligibility to benefit from these quotas opened for products falling within subheadings ex 03.01 B I h) 2 and ex 03.01 B II b) 1 is subject to the presentation to the Community customs authorities of a certificate issued by the recognized authorities of the country of origin attesting that the products concerned come from fish belonging to the North Atlantic stocks which were fished with due regard to the international conventions on the conservation and management of fishery resources; whereas the certificates covering the

products must also certify that the products presented come from cod of the *Gadus morhua* species; whereas therefore the tariff quotas in question should be opened on 1 January 1987 and allocated among Member States;

Whereas equal and continuous access to the quotas should be ensured for all importers and the rates for the said quotas should be applied without interruption to all imports until the quotas are used up; whereas, in the light of the principles outlined above, a Community tariff quota system based on an allocation between the Member States would seem to preserve the Community nature of the quotas; whereas, to reflect as closely as possible the actual development of the market in the products in question, the allocation should be in proportion to the requirements of the Member States, calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the quota year in question;

Whereas, however, the products in question of a particular origin are not separately specified in the statistical nomenclatures; whereas it has therefore not yet been possible to obtain sufficiently precise and representative figures; whereas, therefore, part of these quotas should be assigned to the Community reserves, the remainder being allocated among the Member States in proportion to their forecast import requirements; whereas, for these products, the Member States' initial percentage shares in the quota volume can thus be established as follows:

	ex 03.01 B I f) 2 ex 03.01 B I h) 2 (6 000 tonnes)	ex 03.01 B II b) 1 (24 000 tonnes)	ex 16.04 C II (7 000 tonnes)
Benelux	3,11	1,29	3,45
Denmark	6,23	3,40	0,69
Germany	21,16	26,43	86,20
Greece	0,28	0,21	0,69
France	13,05	12,65	0,69
Ireland	0,28	0,13	0,69
Italy	0,28	0,28	0,69
United Kingdom	55,61	55,61	6,90

Whereas, to take account of possible import trends for the products in question, the quota volumes should be divided into two instalments, the first being allocated and the second held as a reserve to cover any subsequent requirements of the Member States which have used up their initial share ; whereas to give importers some degree of certainty the first instalment of the Community tariff quotas should be fixed at a fairly high level, which in this case could be respectively 5 718, 22 872 and 4 000 tonnes ;

Whereas initial shares may be used at different rates ; whereas to avoid disruption of supplies on this account it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve ; whereas each time its additional share is almost used up a Member State should draw a further share and so on as many times as the reserve allows ; whereas, bearing in mind the sensitive nature of the fisheries market in the United Kingdom, that market should not be laid open to too great a pressure brought about by too high a level of imports from third countries ; whereas, therefore, without prejudice to any arrangements to be decided upon for the future, the United Kingdom should be excluded from the obligation to draw further shares from certain of the reserves ; whereas the initial and additional shares should be valid until the end of the quota period ; whereas this form of administration requires close collaboration between the Member States and the Commission, which must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly ;

Whereas if, at a given date in the quota period, a considerable quantity of a Member State's share remains unused, it is essential that such State should return a significant proportion thereof to the reserve, in order to prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others ; whereas, however, as regards the United Kingdom, any return to some of the reserves may be effected only up to the limit of the quantities necessary to satisfy the real needs of other Member States that cannot be met by the mechanisms which are directly applicable to them ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. From 1 January to 31 December 1987 the Common Customs Tariff duties on the following products shall be suspended at the levels and within the limit of the Community tariff quotas shown herewith :

Order No	CCT heading No	Description	Quota volume in tonnes	Rate of duty in %
09.1801	ex 03.01 B I f) 2 ex 03.01 B I h) 2	Red fish (<i>Sebastes</i> spp.) whole or headless, frozen and Cod (<i>Gadus morhua</i>), whole or headless, frozen, intended to undergo one of the operations authorized under paragraph 2	6 000	3,7
09.1803	ex 03.01 B II b) 1	Fillets of cod (<i>Gadus morhua</i>) frozen, intended to undergo one of the operations authorized under paragraph 2	24 000	4
09.1805	ex 16.04 C II	Herring flaps, prepared or preserved in vinegar presented in packings of a net capacity of 10 kilograms or more	7 000	10

2. Without prejudice to paragraph 3, the preferential arrangements shown under order numbers 09.1801 and 09.1803 shall apply to fish intended to undergo any operation, unless they are intended to undergo exclusively one or more of the following treatments :

- cleaning, gutting, heading, tailing,
- cutting (excluding filleting and cutting up frozen blocks),
- sampling, sorting,

- labelling,
- packing,
- chilling,
- freezing,
- deep-freezing,
- thawing, separation.

The preferential arrangements shall not apply to products intended to undergo an operation which qualifies for the

grant of the benefit of the quota but which is carried out at retail or catering level. However, the products referred to under order number 09.1803, which are presented individually or in blocks and in immediate packings of a net capacity of four kilograms or more shall be considered to fulfil the conditions shown in this subparagraph.

The preferential arrangements shall apply only to fish intended for human consumption.

3. The tariff opened for products falling within sub-headings ex 03.01 B I h) 2 and ex 03.01 B II b) 1 of the Common Customs Tariff shall be reserved for products accompanied by a certificate issued by one of the recognized authorities of the countries of origin listed in Annex II, made out in accordance with the model in

Annex I, attesting that the fish from which they were obtained were fished in the North Atlantic with due respect for the international conventions on the conservation and management of fishery resources. The certificate must also certify that the products presented were obtained from cod of the *Gadus morhua* species.

Article 2

1. The tariff quotas referred to in Article 1 shall be divided into two instalments.

A first instalment of each quota, i.e. 5 718, 22 872 and 4 000 tonnes, respectively, shall be allocated among the Member States; the shares, which subject to Article 5, shall be valid until 31 December 1987, shall be as follows:

	Quota Article 1 (1) (Order No 09.1801)	Quota Article 1 (2) (Order No 09.1803)	Quota Article 1 (3) (Order No 09.1803)
Benelux	178	295	138
Denmark	356	778	28
Germany	1 210	6 045	3 447
Greece	16	48	28
France	746	2 893	28
Ireland	16	30	28
Italy	16	63	28
United Kingdom	3 180	12 720	275
	5 718	22 872	4 000

2. The second instalment of each quota, i.e. 282, 1 128 and 3 000 tonnes, respectively, shall constitute the corresponding reserve.

Article 3

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (1), or of that share minus any portion returned to the reserve pursuant to Article 5, it shall forthwith, by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share rounded up as necessary to the next whole number.

2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up as necessary to the next whole number.

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

4. By way of derogation from paragraphs 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

5. However, with regard to the quotas referred to in Article 1 under order numbers 09.1801 and 09.1803, paragraphs 1 to 4 above shall not apply to the United Kingdom.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 5

1. Member States shall, not later than 1 October 1987, return to the reserve the unused portion of their initial share which, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1987, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1987, and charged against the Community tariff quotas and of any portion of their initial shares returned to the reserve.

2. However, with regard to the quotas referred to in Article 1 under order numbers 09.1801 and 09.1803, any return to the reserve by the United Kingdom may be effected only up to the limit of the quantities necessary to satisfy the real needs of other Member States that cannot be met either by their initial shares or by the corresponding reserve that might be replenished pursuant to paragraph 1.

Article 6

The Commission shall keep an account of the volume of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 October 1987, inform the Member States of the amount still in reserve, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts one of the reserves does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importations may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall take all appropriate measures to ensure that the products referred to in Article 1 under order numbers 09.1801 and 09.1803 fulfil the

conditions mentioned in the aforementioned Article for admission to benefit from the tariff quotas.

In such case use of the product for the particular end-use specified shall be verified in accordance with the relevant Community provisions.

3. The Member States shall ensure that importers of the products in question have free access to the shares allocated to them.

4. The Member States shall charge imports of the products in question against their shares as and when the product is entered with the customs authorities for free circulation.

5. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 4.

Article 8

Admission to benefit from the tariff quotas may not be subjected by a Member State to a customs security, intended solely to ensure that the shares laid down in this Regulation are not exceeded, unless the effective use of the shares that have been attributed to it has exceeded 90 % of such shares.

Article 9

The Member States shall, not later than the 15th day of the months of April and July, communicate to the Commission statements of charges effected on their shares during the first and second quarters, respectively.

At the request of the Commission, they shall communicate statements of charges for shorter periods and these statements must be forwarded within 10 days from the end of each period.

Article 10

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

Article 11

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 9 February 1987.

For the Council

The President

P. DE KEERSMAEKER

ANEXO I — BILAG I — ANHANG I — ΠΑΡΑΡΤΗΜΑ Ι — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

MODELO DE CERTIFICADO

MODEL TIL CERTIFIKAT

MUSTER DER BESCHEINIGUNG

ΥΠΟΔΕΙΓΜΑ ΠΙΣΤΟΠΟΙΗΤΙΚΟΥ

MODEL CERTIFICATE

MODÈLE DE CERTIFICAT

MODELLO DI CERTIFICATO

MODEL VAN CERTIFICAAT

MODELO DE CERTIFICADO

1 Exporter (Name, full address, country) Exportateur (Nom, adresse complète, pays)	2 Number Numéro	00000	
3 Consignee (Name, full address, country) Destinataire (Nom, adresse complète, pays)	CERTIFICATE IN REGARD TO NORTH ATLANTIC COD (GADUS MORHUA) Issued with a view to obtaining the benefit of the preferential tariff arrangements in the European Economic Community CERTIFICAT CONCERNANT LE CABILLAUD DE L'ATLANTIQUE DU NORD (« GADUS MORHUA ») délivré en vue de l'obtention du bénéfice du régime tarifaire préférentiel dans la Communauté économique européenne		
6 Place and date of shipment — Means of transport Lieu et date d'embarquement — moyen de transport	4 Country of origin Pays d'origine	5 Country of destination Pays de destination	
8 Marks and numbers — Number and kind of packages — DETAILED DESCRIPTION OF GOODS Marques et numéros — nombre et nature des colis — DÉSIGNATION DÉTAILLÉE DES MARCHANDISES	7 Supplementary details Données supplémentaires		9 Quantity in tonnes Quantité en tonnes
			10 FOB value (!) Valeur fob (!)
11 CERTIFICATION BY THE COMPETENT AUTHORITY — VISA DE L'AUTORITÉ COMPÉTENTE I, the undersigned, certify that the consignment described above contains only North Atlantic cod (<i>Gadus morhua</i>) from the stocks of the North Atlantic Ocean fished in accordance with the provisions of the North-West Atlantic Fisheries Organization, or the North-East Atlantic Fisheries Commission. Je soussigné certifie que l'envoi décrit ci-dessus contient exclusivement du cabillaud de l'Atlantique Nord (<i>Gadus morhua</i>) provenant des stocks de l'océan de l'Atlantique Nord et capturés en concordance avec les dispositions de l'Organisation de l'Atlantique du Nord-Ouest ou de la commission des pêcheries de l'Atlantique du Nord-Est.			
12 Competent authority (Name, full address, country) Autorité compétente (Nom, adresse complète, pays)	At / À, on / le (Signature) (Seal) (Sceau)		

(!) In the currency of the contract of sale
Dans la monnaie du contrat de vente.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II —
ALLEGATO II — BIJLAGE II — ANEXO II

País de origen Oprindelsesland Ursprungsland Χώρα καταγωγής Country of origin Pays d'origine Paesi di origine Land van oorsprong País de origem	Autoridad competente Kompetent myndighed Zuständige Behörde Αρμόδια υπηρεσία Competent authority Autorité compétente Autorità competente Bevoegde autoriteit Autoridade competente
Islandia Island Island Ισλανδία Iceland Islande Islanda IJsland Islândia	Customs Iceland
Noruega Norge Norwegen Νορβηγία Norway Norvège Norvegia Noorwegen Noruega	Quality Inspection Department Directorate-General of Fisheries Bergen (Norway)
Canadá Canada Kanada Καναδάς Canada Canada Canada Canada Canadá	Department of Fisheries and Oceans
Estados Unidos De forenede Stater USA ΗΠΑ USA États-Unis d'Amérique Stati Uniti USA Estados Unidos da América	Department of Commerce Washington DC

COUNCIL REGULATION (EEC) No 411/87

of 9 February 1987

opening, allocating and providing for the administration of Community tariff quotas for certain fishery products, salted, falling within subheadings ex 03.02 A I b) and ex 03.02 A II a) of the Common Customs Tariff (1987)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has undertaken to open annual duty-free Community tariff quotas for cod, whole, salted, and fillets of cod, salted, falling within subheadings ex 03.02 A I b) and ex 03.02 A II a) of the Common Customs Tariff, and for 1987 within the limits of 6 000 and 4 000 tonnes respectively; whereas the benefit of the first of these is provided for fish of the 'Gadus morhua' species; whereas, therefore, it is necessary to open on 1 January 1987 the tariff quotas in question and to allocate them among the Member States;

Whereas equal and continuous access to the quota should be ensured for all Community importers and the rate of levy for the tariff quota should be applied consistently to all imports until the quota is used up; whereas, in the light of the principles outlined above, a Community tariff arrangement based on an allocation between the Member States would seem to preserve the Community nature of the quota; whereas, to represent as closely as possible the actual development of the market in the product in question, the allocation should follow proportionately the requirements of the Member States calculated both from statistics of imports from third countries during a representative reference period and according to the economic outlook for the tariff year in question;

Whereas, however, the products in question are not as such separately specified in the statistical nomenclatures; whereas it has therefore not yet been possible to obtain sufficiently precise and representative figures; whereas, therefore, figures should be based on statistics of imports from third countries which do not benefit from a tariff preference of cod and cod fillets whatever their species,

presentation or method of preservation; whereas, for these products, the percentage shares of the initial participation in the quota volumes can thus be established as follows:

	ex 03.02 A I b)	ex 03.02 A II a)
Benelux	1,63	0,04
Denmark	1,68	0,08
Germany	2,89	0,08
Greece	16,71	1,02
France	29,03	4,13
Ireland	0,03	0,04
Italy	46,46	95,57
United Kingdom	1,57	0,04

Whereas, to take account of the possible import trends for these fish, the quota volumes should be divided into two instalments, the first being allocated between the Member States and the second held as a reserve to cover any subsequent requirements of Member States which have used up their initial share; whereas, to give importers some degree of certainty, the first instalment of the tariff quotas should be fixed at a high level, which in this case, could be approximately 60 % of the amount of the quota volumes;

Whereas initial shares may be used up at different rates; whereas, to avoid disruption of supplies on this account, it should be provided that any Member State which has almost used up its initial share should draw an additional share from the reserve; whereas each time its additional share is almost used up a Member State should draw a further share and so on as many times as the reserve allows; whereas the initial and additional shares should be valid until the end of the quota period; whereas this form of administration requires close collaboration between the Member States and the Commission and the Commission must be in a position to keep account of the extent to which the quotas have been used up and to inform the Member States accordingly;

Whereas if, at a given date in the quota period, a considerable quantity of a Member State's initial share remains unused it is essential that such State should return a significant proportion thereof to the reserve, in order to

prevent a part of the Community tariff quota from remaining unused in one Member State while it could be used in others;

HAS ADOPTED THIS REGULATION:

Article 1

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

1. From 1 January to 31 December 1987 the Common Customs Tariff duty on the following products shall be suspended at the level and within the limit of the Community tariff quotas shown herewith:

Order No	CCT heading No	Description	Quota volume in tonnes	Rate of duty in %
09.1807	ex 03.02 A I b)	Cod of the species <i>Gadus morhua</i> , whole, salted	6 000	0
09.1809	ex 03.02 A II a)	Fillets of cod, salted	4 000	0

2. Imports of the products in question may not be charged against these tariff quotas referred to in paragraph 1 if they are already free of customs duties under other preferential tariff arrangements.

Article 5, it shall forthwith by notifying the Commission, draw a second share, to the extent that the reserve so permits, equal to 10 % of its initial share, rounded up as necessary to the next whole number.

Article 2

1. The Community tariff quotas referred to in Article 1 shall be divided into two instalments.

2. If a Member State, after exhausting its initial share, has used 90 % or more of the second share drawn by it, that Member State shall forthwith, in the manner and to the extent provided in paragraph 1, draw a third share equal to 5 % of its initial share, rounded up as necessary to the whole number.

2. A first instalment, of 3 500 and 2 450 tonnes respectively, shall be allocated among the Member States; the shares, which, subject to Article 5, shall be valid from 1 January to 31 December 1987, shall be as follows:

(tonnes)

	ex 03.02 A I b)	ex 03.02 A II a)
Benelux	57	1
Denmark	59	2
Germany	101	2
Greece	585	25
France	1 016	101
Ireland	1	1
Italy	1 626	2 317
United Kingdom	55	1

3. If a Member State, after exhausting its second share, has used 90 % or more of the third share drawn by it, that Member State shall, in the manner and to the extent provided in paragraph 1, draw a fourth share equal to the third.

This process shall apply until the reserve is used up.

3. The second instalment, of 2 500 and 1 550 tonnes respectively, shall constitute the corresponding reserve.

4. By way of derogation from paragraph 1, 2 and 3, a Member State may draw shares lower than those specified in those paragraphs if there are grounds for believing that those specified may not be used in full. Any Member State applying this paragraph shall inform the Commission of its grounds for so doing.

Article 4

Additional shares drawn pursuant to Article 3 shall be valid until 31 December 1987.

Article 3

Article 5

1. If a Member State has used 90 % or more of its initial share as fixed in Article 2 (2), or of that share minus any portion returned to the reserve pursuant to

Member States shall, not later than 1 October 1987, return to the reserve the unused portion of their initial share which, on 15 September 1987, is in excess of 20 % of the initial volume. They may return a greater portion if there are grounds for believing that it may not be used in full.

Member States shall, not later than 1 October 1987, notify the Commission of the total quantities of the product in question imported up to and including 15 September 1987 and charged against the Community quota and of any portion of their initial shares returned to the reserve.

Article 6

The Commission shall keep an account of the shares opened by the Member States pursuant to Articles 2 and 3 and shall, as soon as the information reaches it, inform each State of the extent to which the reserve has been used up.

It shall, not later than 5 October 1987, inform the Member States of the amount still in reserve, following any return of shares pursuant to Article 5.

It shall ensure that the drawing which exhausts the reserve does not exceed the balance available, and to this end shall notify the amount of that balance to the Member State making the last drawing.

Article 7

1. The Member States shall take all appropriate measures to ensure that additional shares drawn pursuant to Article 3 are opened in such a way that importation may be charged without interruption against their accumulated shares of the Community quota.

2. The Member States shall ensure that importers of the product in question have free access to the shares allocated to them.

3. The Member States shall charge imports of the product in question against their shares as and when the product is entered with the customs authorities for free circulation.

4. The extent to which a Member State has used up its share shall be determined on the basis of the imports charged in accordance with paragraph 3.

Article 8

The Member States shall, not later than the 15th day of the months of April and July, communicate to the Commission statements of charges effected on their shares during the first and second quarters, respectively.

At the request of the Commission, they shall communicate statements of charges for shorter periods and these statements must be forwarded within 10 days from the end of each period.

Article 9

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

Article 10

This Regulation shall enter into force on 1 January 1987.

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

Done at Brussels, 9 February 1987.

For the Council

The President

P. DE KEERSMAEKER

COUNCIL REGULATION (EEC) No 412/87

of 9 February 1987

on the apportionment of the quantities of cereals provided for under the Food Aid Convention for the period 1 July 1986 to 30 June 1989

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, and in particular the first and second indents of Article 4 (1) and Article 4 (2) thereof,

Having regard to the proposal from the Commission,

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

Whereas Article 4 of Regulation (EEC) No 3972/86 provides that the Council shall apportion the cereals aid provided for under the Food Aid Convention between Community and national operations; whereas, furthermore, it apportions the said national operations among the Member States;

Whereas the 1 670 000 tonnes of cereals constituting the minimum quantity to be contributed annually by the Community and its Member States under the Food Aid Convention covering the period 1 July 1986 to 30 June 1989 may be apportioned respectively as 55,5 % to Community operations and 44,5 % to national operations; whereas the apportionment of the latter amount among the Member States should be fixed for the same period,

HAS ADOPTED THIS REGULATION:

Article 1

The 1 670 000 tonnes of cereals constituting the minimum quantity to be contributed annually by the

Community and its Member States under the Food Aid Convention shall be apportioned for the period 1 July 1986 to 30 June 1989 as follows:

- (a) Community operations: 927 700 tonnes;
- (b) national operations: 742 300 tonnes.

Article 2

The quantity provided for in Article 1 (b) for national actions shall be apportioned as follows among the Member States:

	<i>(tonnes)</i>
Belgium	41 500
Denmark	15 600
Germany	193 500
Greece	10 000
Spain	20 000
France	200 000
Ireland	4 000
Italy	95 400
Luxembourg	1 400
Netherlands	50 200
Portugal	—
United Kingdom	110 700

Article 3

This Regulation shall enter into force on the third 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, 9 February 1987.

For the Council

The President

P. DE KEERSMAEKER

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ Opinion delivered on 23 January 1987 (not yet published in the Official Journal).

COMMISSION REGULATION (EEC) No 413/87

of 11 February 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 13 (5) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 135/87 ⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 10 February 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 135/87 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 17, 20. 1. 1987, p. 1.

ANNEX

to the Commission Regulation of 11 February 1987 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CCT heading No	Description	Levies	
		Portugal	Third country
10.01 B I	Common wheat, and meslin	9,23	197,59
10.01 B II	Durum wheat	43,91	265,43 ⁽¹⁾ ⁽²⁾
10.02	Rye	38,30	175,86 ⁽³⁾
10.03	Barley	36,57	190,23
10.04	Oats	94,86	158,94
10.05 B	Maize, other than hybrid maize for sowing	—	181,26 ⁽²⁾ ⁽³⁾ ⁽⁴⁾
10.07 A	Buckwheat	36,57	129,82
10.07 B	Millet	36,57	155,47 ⁽⁴⁾
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	22,48	182,06 ⁽⁴⁾ ⁽⁵⁾
10.07 D I	Triticale	⁽⁷⁾	⁽⁷⁾
10.07 D II	Canary seed; other cereals	36,57	65,28 ⁽⁵⁾
11.01 A	Wheat or meslin flour	27,81	291,51
11.01 B	Rye flour	68,51	261,09
11.02 A I a)	Durum wheat groats and meal	81,64	425,00
11.02 A I b)	Common wheat groats and meal	27,96	312,76

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

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

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

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

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

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

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

⁽⁸⁾ 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 414/87**of 11 February 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⁽¹⁾, as last amended by Regulation (EEC) No 1579/86⁽²⁾, and in particular Article 15 (6) thereof,

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

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 2011/86⁽⁴⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 10 February 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 12 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁴⁾ OJ No L 173, 1. 7. 1986, p. 4.

ANNEX

to the Commission Regulation of 11 February 1987 fixing the premiums to be added to the import levies on cereals, flour and malt from third countries

A. Cereals and flour

<i>(ECU/tonne)</i>					
CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5
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	2,18	2,18	2,18
10.04	Oats	0	0	0	0
10.05 B	Maize, other than hybrid maize for sowing	0	0	0	0
10.07 A	Buckwheat	0	0	0	0
10.07 B	Millet	0	0	0	0
10.07 C II	Grain sorghum, other than hybrid sorghum for sowing	0	0	0	0
10.07 D	Other cereals	0	0	0	0
11.01 A	Wheat or meslin flour	0	0	0	0

B. Malt

<i>(ECU/tonne)</i>						
CCT heading No	Description	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
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	3,88	3,88	3,88	3,88
11.07 A II b)	Unroasted malt, other than that obtained from wheat, other than in the form of flour	0	2,90	2,90	2,90	2,90
11.07 B	Roasted malt	0	3,38	3,38	3,38	3,38

COMMISSION REGULATION (EEC) No 415/87

of 10 February 1987

on the supply of common wheat flour to the Republic of São Tomé and Príncipe
as food aid

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

Having regard to Council Regulation (EEC) No 3972/86
of 22 December 1986 on food-aid policy and food-aid
management⁽¹⁾, and in particular Article 12 thereof,

Having regard to Council Regulation (EEC) No 2727/75
of 29 October 1975 on the common organization of the
market in cereals⁽²⁾, as last amended by Regulation (EEC)
No 1579/86⁽³⁾, and in particular Article 28 thereof,

Whereas, by its Decision of 27 October 1986 on the
supply of food aid to São Tomé and Príncipe the
Commission allocated to the latter country 1 250 tonnes
of cereals to be supplied cif;

Whereas it is necessary to provide for the carrying out of
this measure in accordance with the rules laid down by
Commission Regulation (EEC) No 1974/80 of 22 July
1980 laying down general implementing rules in respect
of certain food-aid operations involving cereals and
rice⁽⁴⁾, as last amended by Regulation (EEC) No
3826/85⁽⁵⁾; whereas it is necessary to specify the time

limits and conditions of supply and the procedure to be
followed to determine the resultant costs;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agency specified in the Annex hereto
shall implement the mobilization and supply procedures
in accordance with the provisions of Regulation (EEC) No
1974/80 and with the conditions laid down in the Annex
hereto.

Article 2

This Regulation shall enter into force on the day fol-
lowing 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, 10 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽⁴⁾ OJ No L 192, 26. 7. 1980, p. 11.

⁽⁵⁾ OJ No L 371, 31. 12. 1985, p. 1.

ANNEX

1. **Programme** : 1986 — Operation No 28/87⁽¹⁾
2. **Recipient** : Empresa do Comércio Interno 'ECOMIN' — São Tomé
3. **Place or country of destination** : São Tomé and Príncipe
4. **Product to be mobilized** : common wheat flour
5. **Total quantity** : 913 tonnes (1 250 tonnes of cereals)
6. **Number of lots** : one
7. **Intervention agency responsible for conducting the procedure** :
OBEA, rue de Trèves 82, B-1040 Bruxelles (Télex : 24076)
8. **Method of mobilizing the product** : on the Community market
9. **Characteristics of the goods** :
flour of fair and sound merchantable quality, free from abnormal smell and pests, which produces dough which does not stick during the mechanical kneading process ; the flour shall have the following characteristics :
 - moisture : 14 % maximum (ICC Method No 110)
 - protein content : 10,5 % minimum (N × 6,25 in terms of dry matter) (ICC Method No 105)
 - Hagberg falling number of at least 180, including the preparation (agitation) time of 60 seconds (ICC Method No 107)
 - ash content : 0,62 % maximum, referred to dry matter (ICC Method No 104)
10. **Packaging** :
 - in new jute sacks of 370 grams, lined with woven polypropylene sacks of 110 grams. The top edge of the sacks will be sewn together
 - net weight of the bags : 50 kg
 - marking on the bags in letters at least 5 cm high :
'ACÇÃO N° 28/87 / FARINHA DE TRIGO / DONATIVO DA COMUNIDADE ECONÓMICA EUROPEIA À REPÚBLICA DEMOCRÁTICA DE SÃO TOMÉ E PRÍNCIPE'
11. **Port of shipment** : a Community port
12. **Delivery stage** : cif
13. **Port of landing** : São Tomé
14. **Procedure to be applied in order to determine supply costs** : tendering
15. **Deadline for the submission of tenders** : 12 noon on 24 February 1987
16. **Shipment period** : 15 March to 15 April 1987
17. **Security** : 15 ECU per tonne

Notes :

1. Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
2. At the request of the beneficiary the successful tenderer may deliver a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.
4. As soon as the successful tenderer has been informed of the award of the contract, he shall contact the beneficiary or his representative without delay, in order to determine the necessary consignment documents, as well as the details of period, rate and other circumstances concerning shipment.
4. The successful tenderer shall send a copy of the shipping documents to the following address :
Commission Delegation in São Tomé and Príncipe : boîte postale 132, São Tomé — Tel. 21 780 — Telex 224.

⁽¹⁾ The operation number is to be quoted in all correspondence.

COMMISSION REGULATION (EEC) No 416/87**of 11 February 1987****amending for the sixth time Regulation (EEC) No 3800/81 determining the classification of vine varieties**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 337/79 of 5 February 1979 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3805/85 ⁽²⁾, and in particular Article 31 (4) thereof,

Whereas the classification of vine varieties approved for cultivation in the Community was determined by Commission Regulation (EEC) No 3800/81 ⁽³⁾, as last amended by Regulation (EEC) No 2599/85 ⁽⁴⁾;

Whereas experience has shown that wine obtained from certain wine grape vine varieties listed for five years in the category of temporarily authorized varieties for certain French and Italian administrative units may be regarded as normally being of good quality; whereas it is therefore appropriate to include such varieties among the varieties recommended for the same administrative units or the administrative units immediately bordering thereon in accordance with Article 11 (1) (a) and (2) (a), second indent, of Council Regulation (EEC) No 347/79 of 5 February 1979 on general rules for the classification of vine varieties ⁽⁵⁾, as last amended by the Act of Accession of Greece;

Whereas the classification of wine grape vine varieties should now include, among the varieties recommended or authorized for certain French and Italian administrative units and one German administrative unit, certain varieties which have been listed for at least five years in the category for an administrative unit immediately bordering thereon and which therefore satisfy the condition laid down in the first indent of Article 11 (1) (a) of Regulation (EEC) No 347/79;

Whereas the classification should now also include a wine grape vine variety which has been examined and found to be satisfactory for cultivation; whereas, in accordance with Article 11 (1) (b) of Regulation (EEC) No 347/79, this variety may be authorized on a provisional basis for certain French administrative units;

Whereas the suitability for cultivation of certain wine grape vine varieties which have been listed for at least five years in the category of varieties temporarily authorized for certain Italian administrative units has been recognized as satisfactory; whereas those varieties should therefore be definitively included among the vine varieties authorized for the same administrative units in accordance with Article 11 (4) of Regulation (EEC) No 347/79;

Whereas the suitability for cultivation of one recognized vine variety in one Italian administrative unit is not satisfactory; whereas that variety should therefore be deleted from the classification in accordance with Article 11 (3) of Regulation (EEC) No 347/79;

Whereas experience has shown that the requirements for maintaining two vine varieties among the varieties recommended for one Italian administrative unit are no longer satisfied; whereas those varieties should therefore be classified among the varieties authorized for the same administrative unit in accordance with Article 11 (3) of Regulation (EEC) No 347/79;

Whereas, in accordance with Article 11 (1) (a), second indent, of Regulation (EEC) No 347/79, the classification of root stock varieties for France should also include one variety which has been examined and found to be satisfactory for cultivation;

Whereas colonial selection within the population of the Courbu Blanc B variety has enabled the Petit Courbu B variety to be clearly distinguished and its characteristics to be described in relation to the various clones of the Courbu Blanc B variety; whereas, as the morphological characteristics of the Petit Courbu B variety are definite and enable homogeneous trial plots to be established, the Petit Courbu B variety should be included in the classification of vine varieties for the same administrative units and in the same category as the Courbu Blanc B variety;

Whereas an oversight should be made good by providing for the definitive classification under the authorized varieties, of one vine variety classified among the varieties temporarily authorized for one French administrative unit in accordance with Article 11 (4) of Regulation (EEC) No 347/79;

Whereas certain varieties of table wine no longer satisfy the conditions laid down in Article 7 (a) of Regulation (EEC) No 347/79 for recommended vine varieties; whereas such varieties should therefore be classified under the authorized table grape varieties in accordance with Article 11 (2) (b) of Regulation (EEC) No 347/79;

⁽¹⁾ OJ No L 54, 5. 3. 1979, p. 1.

⁽²⁾ OJ No L 367, 31. 12. 1985, p. 39.

⁽³⁾ OJ No L 381, 31. 12. 1981, p. 1.

⁽⁴⁾ OJ No L 248, 17. 9. 1985, p. 5.

⁽⁵⁾ OJ No L 54, 5. 3. 1979, p. 75.

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

Article 2

HAS ADOPTED THIS REGULATION:

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

Article 1

The Annex to Regulation (EEC) No 3800/81 is hereby amended in accordance with the Annex to this Regulation.

It shall apply from 1 September 1986.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

The Annex to Regulation (EEC) No 3800/81 is amended as follows :

I. In Title I, sub-title I, point II, 'Federal Republic of Germany' is amended as follows (the vine variety is to be inserted in the correct alphabetical order):

2. Regierungsbezirk Trier :

— 'Blauer Spätburgunder N' is added to the category of recommended vine varieties.

II. In Title I, sub-title I, point IV, 'France' is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

6. Department of Alpes Maritimes :

— 'Aranel B (****)' is added to the category of authorized vine varieties.

7. Department of Ardèche :

subparagraph A :

— 'Alphonse Lavallée N' and 'Aranel B (****)' are added to the category of authorized vine varieties,

subparagraph B :

— 'Alphonse Lavallée N' and 'Aranel B (****)' are added to the category of authorized vine varieties.

11. Department of Aude :

subparagraph A :

— 'Liliorila B', 'Perdea B' and 'Semebat N' are added to the category of recommended vine varieties,

— 'Aranel B (*****)' is added to the category of authorized vine varieties.

subparagraph B :

— 'Liliorila B', 'Perdea B' and 'Semebat N' are added to the category of recommended vine varieties,

— 'Aranel B (*****)' is added to the category of authorized vine varieties.

12. Department of Aveyron :

— 'Segalin N' is added to the category of recommended vine varieties,

— 'Segalin N' is deleted from the category of authorized vine varieties.

13. Department of Bouches-du-Rhône :

— 'Alphonse Lavallée N', 'Aranel B (*****)' and 'Chasselas' are added to the category of authorized vine varieties.

15. Department of Cantal :

subparagraph A :

— 'Arinarnoa N', 'Liliorila B', 'Perdea B', 'Segalin N' and 'Semebat N' are added to the category of recommended vine varieties,

— 'Segalin N' is deleted from the category of authorized vine varieties.

(****) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 September 1986.

(*****) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 September 1986.

19. Department of Corrèze :

- 'Segalin N' is added to the category of recommended vine varieties,
- 'Segalin N' is deleted from the category of authorized vine varieties.

20. Departments of Haute-Corse and Corse-du-Sud :

- 'Chenin B' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to the category of authorized vine varieties.

24. Department of Dordogne :

- 'Segalin N' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to, and 'Segalin N' is deleted from, the category of authorized vine varieties.

26. Department of Drôme :

subparagraph A :

- 'Alphonse Lavallée N' and 'Arel B (****)' are added to the category of authorized vine varieties.

subparagraph B :

- 'Alphonse Lavallée N' and 'Arel B (****)' are added to the category of authorized vine varieties.

30. Department of Gard :

- 'Arinarnoa N', 'Liliorila B', 'Perdea B', 'Segalin N' and 'Semebat N' are added to the category of recommended vine varieties,
- 'Alphonse Lavallée N', 'Arel B (****)' and 'Gros Vert B' are added to, and 'Segalin N' is deleted from, the category of authorized vine varieties.

31. Department of Haut-Garonne :

- 'Arel B (****)' is added to the category of authorized vine varieties.

32. Department of Gers :

- 'Petit Courbu B' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to the category of authorized vine varieties.

33. Department of Gironde :

- 'Arel B (****)' is added to the category of authorized vine varieties.

40. Department of Landes :

- 'Petit Courbu B' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to the category of authorized vine varieties.

46. Department of Lot :

- 'Segalin N' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to, and 'Segalin N' is deleted from, the category of authorized vine varieties.

47. Department of Lot-et-Caronne :

- 'Segalin N' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to, and 'Segalin N' is deleted from, the category of authorized vine varieties.

(****) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 September 1986.

(*****) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 September 1986.

(*****) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 September 1986.

64. Department of Pyrénées-Atlantiques :

- 'Petit Courbu B' is added to the category of recommended vine varieties.

66. Department of Pyrénées-Orientales :

for :

'Same vine varieties as for the department of the Gard. In addition, the variety "Tourbat B" is recommended',

read :

'Same vine varieties as for the department of Gard. However, the "Tourbat B" variety is recommended and the 'Alphonse Lavallée N' and 'Chasselas B' varieties are not included among the authorized vine varieties.'

79. Department of Deux-Sèvres :

- 'Arinarnoa N', 'Liliorila B', 'Perdea B' and 'Semebat N' are added to the category of recommended vine varieties.

81. Department of Tarn :

- 'Segalin N' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to the category of authorized vine varieties.

82. Department of Tarn-et-Garonne :

- 'Segalin N' is added to the category of recommended vine varieties,
- 'Arel B (****)' is added to, and 'Segalin N' is deleted from, the category of authorized vine varieties.

83. Department of Var :

- 'Alphonse Lavallée N', 'Arel B (****)' and 'Chasselas B' are added to the category of authorized vine varieties.

84. Department of Vaucluse :

- 'Arel B (****)' is added to the category of authorized vine varieties.

85. Department of Vendée :

- 'Arinarnoa N', 'Liliorila B', 'Perdea B' and 'Semebat N' are added to the category of recommended vine varieties.

86. Department of Vienne :

- 'Liliorila B', 'Perdea B' and 'Semebat N' are added to the category of recommended vine varieties.

III. In Title I, sub-title I, point V 'Italy', is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):

16. Province of Mantua :

- 'Pinot grigio G', 'Pinot nero N' and 'Sauvignon B' are added to the category of authorized vine varieties.

17. Province of Milan :

- 'Ancellotta N', 'Freisa N' and 'Malvasia istriana B' are deleted from the category of recommended vine varieties,
- 'Ancellotta N', 'Freisa N', 'Pinot bianco B', 'Pinot grigio G' and 'Pinot nero N' are added to the category of authorized vine varieties.

22. Province of Trento :

- 'Chardonnay B' is added to the category of recommended wine varieties,
- 'Chardonnay B (**)' is deleted from, and 'Sauvignon B' is added to, the category of authorized vine varieties.

(****) Added under Article 11 (1) (b) of Regulation (EEC) No 347/79 with effect from 1 September 1986.

26. **Province of Treviso :**
— ‘Franconia N’ and ‘Tocai rosso N’ are added to the category of authorized vine varieties.
34. **Province of Bologna :**
In the category of authorized vine varieties,
— ‘Pinot grigio G’ is added, and
— the sign ‘(*)’ appearing after ‘Mostosa B’ and ‘Terrano N’ is deleted.
36. **Province of Forlì :**
— ‘Mostosa B’ and ‘Terrano N’ are added to the category of recommended vine varieties,
— ‘Mostosa B (*)’ and ‘Terrano N (*)’ are deleted from the category of authorized vine varieties.
40. **Province of Ravenna :**
— ‘Mostosa B’ and ‘Terrano N’ are added to the category of recommended vine varieties,
— ‘Mostosa B (**)’ and ‘Terrano N (**)’ are deleted from the category of authorized vine varieties ;
the sign ‘(**)’ appearing after ‘Ancellota N’ is deleted.
44. **Province of Grosseto :**
— ‘Pinot bianco B’ and ‘Sauvignon B’ are added to the category of authorized vine varieties.
67. **Province of Chieti :**
— ‘Moscato bianco B’ is added to the category of authorized vine varieties.
68. **Province of Aquila :**
— ‘Moscato bianco B’ is added to the category of authorized vine varieties.
- IV. In Title II, point III ‘France’, paragraph (1) is amended as follows (the vine varieties are to be inserted in the correct alphabetical order):
- (a) the following are deleted from the category of recommended varieties :
‘Clairette (all varieties)’, ‘Jaoumet B’, ‘Madeleines (all varieties)’, ‘Mireille B’, ‘Muscat d’Alexandrie B’, ‘Céillade N’, ‘Olivette B’, ‘Perlette B’, ‘Sultanine B’ and ‘Valensi N’ ;
- (b) the following are added to the category of authorized varieties :
‘Clairette (all varieties)’, ‘Jaoumet B’, ‘Madeleines (all varieties)’, ‘Mireille B’, ‘Muscat d’Alexandrie B’, ‘Céillade N’, ‘Olivette B’, ‘Perlette B’, ‘Sultanine B’ and ‘Valensi N’.
- V. In Title IV, paragraph B, point III ‘France’ is amended as follows :
‘Gravesac’ is added.
-

COMMISSION REGULATION (EEC) No 417/87
of 11 February 1987
amending Regulation (EEC) No 1569/77 fixing the procedure and conditions for
the taking over of cereals by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1579/86 ⁽²⁾, and in particular Article 7 (5) thereof,

Whereas Commission Regulation (EEC) No 1569/77 ⁽³⁾, as last amended by Regulation (EEC) No 2134/86 ⁽⁴⁾, lays down the conditions for accepting cereals into intervention; whereas cereals offered must have the physical and technical characteristics required of qualities eligible for intervention; whereas it should be specified in particular that a cereal presented as of breadmaking quality or for which the prices and/or increases applicable to a breadmaking quality are asked must be suitable for the use thus indicated whereas provision should accordingly be made, in the case of any doubt regarding such suitability, for the intervention agency to undertake verification;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EEC) No 1569/77 is hereby replaced by the following:

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

Done at Brussels, 11 February 1987.

'2. They shall be regarded as sound, fair and of marketable quality if they are of the typical colour of the cereal in question, free from abnormal smell and live pests (including mites) at every stage of their development and if they meet the minimum quality requirements set out in the Annex hereto. In addition, for cereals presented as being of breadmaking quality, the intervention agency shall, in case of doubt, undertake a germination test. Where the germinative capacity is less than 85 % for common wheat and 75 % for rye, the cereal in question shall, at the request of the supplier, be accepted by the intervention agency and paid for at the intervention price minus, in the case of common wheat, the reduction provided for in the first subparagraph of Article 4a (1) of Commission Regulation (EEC) No 1570/77 ⁽¹⁾; however, if evidence is furnished to the satisfaction of the intervention agency that the cereal offered is of breadmaking quality, the cereal in question shall be accepted as such and the buying-in price to be paid shall be that fixed for breadmaking quality. The costs of carrying out the tests required to furnish the abovementioned evidence shall be defrayed by the supplier.'

⁽¹⁾ OJ No L 174, 14. 7. 1977, p. 18.'

Article 2

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

It shall also apply to tenders submitted prior to that date but not yet accepted.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 139, 24. 5. 1986, p. 29.

⁽³⁾ OJ No L 174, 14. 7. 1977, p. 15.

⁽⁴⁾ OJ No L 187, 9. 7. 1986, p. 23.

COMMISSION REGULATION (EEC) No 418/87

of 11 February 1987

introducing retrospective Community surveillance of imports of urea originating in 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 288/82 of 5 February 1982 on common rules for imports ⁽¹⁾, as last amended by Regulation (EEC) No 1243/86 ⁽²⁾, and in particular Article 10 thereof,

After consultation within the committee provided for in that Regulation,

Whereas by a Commission decision 87/C 29/04 ⁽³⁾ of 4 February 1987 the entry into free circulation into the United Kingdom of urea originating in the USSR and East Germany was placed under quantity restrictions until 31 December 1987.

Whereas those measures are likely to lead to changes in traditional patterns of trade involving both an increase in exports to other Member States and indirect exports through other third countries;

Whereas in addition the adoption of trade measures concerning urea by certain third countries, including the United States of America, may lead to a considerable increase in exports from producer countries to the Community;

Whereas one consequence of the above might be that imports of urea falling within subheadings 31.02 ex B and ex C of the Common Customs Tariff, corresponding to *Nimexe* codes 31.02-15,80, originating in third countries, might be relatively high during 1987 and might account for an appreciable share of the Community market;

Whereas the first quantities have been imported at prices considerably lower than those charged on the Community market;

Whereas the imports concerned are such as to have a depressive effect on prices and on the financial performance of the Community industry and are thus likely to

cause injury to Community producers of like and competing products;

Whereas therefore it is in the Community interest to introduce retroactive Community surveillance of those imports, in order to gather information as soon as possible on the trend therein,

HAS ADOPTED THIS REGULATION:

Article 1

Imports into the Community of urea falling within subheadings 31.02 ex B and ex C of the Common Customs Tariff, corresponding to NIMEXE code 31.02-15,80, originating in third countries, shall be subject to retroactive Community surveillance as provided for in Articles 10 and 14 of Regulation (EEC) No 288/82 and in this Regulation.

Article 2

The information to be communicated by Member States as provided for in Article 14 of Regulation (EEC) No 288/82 shall include the following:

- (a) a detailed technical description of the product, the subheading of the Common Customs Tariff and the countries of origin and shipment;
- (b) the quantity;
- (c) the value for customs purposes.

Article 3

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

It shall apply from 1 February 1987 to 31 December 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Willy DE CLERCQ

Member of the Commission

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

⁽²⁾ OJ No L 113, 30. 4. 1986, p. 1.

⁽³⁾ OJ No C 29, 6. 2. 1987, p. 3.

COMMISSION REGULATION (EEC) No 419/87

of 11 February 1987

amending Regulation (EEC) No 2382/86 as regards the countervailing charges to be imposed where the minimum import price for dried grapes is not observed

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

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 1838/86⁽²⁾, and in particular Article 9 (6) thereof,

Whereas Commission Regulation (EEC) No 2382/86⁽³⁾, as amended by Regulation (EEC) No 3737/86⁽⁴⁾, fixes the countervailing charges to be imposed where the minimum import price for dried grapes is not observed ;

Whereas Article 2 (2) of Council Regulation (EEC) No 2089/85 of 23 July 1985 laying down general rules relating to the system of minimum import prices for dried grapes⁽⁵⁾ provides that the maximum countervailing charge shall be determined on the basis of the most favourable prices applied on the world market for significant quantities by the most representative non-member countries ; whereas on the basis of the now known prices applied on the world market, the maximum countervailing charges at present in force should be altered ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The countervailing charges set out in the third column of Annex II to Regulation (EEC) No 2382/86 shall be amended as follows :

- (a) In respect of currants falling within subheading 08.04 B I a) or B II a) of the Common Customs Tariff the amount '182,55' is replaced by '323,02'.
- (b) In respect of dried grapes falling within subheading 08.04 B I b) or B II b) of the Common Customs Tariff the amount '231,48' is replaced by '371,95'.

Article 2

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

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 159, 14. 6. 1986, p. 1.

⁽³⁾ OJ No L 206, 30. 7. 1986, p. 18.

⁽⁴⁾ OJ No L 347, 9. 12. 1986, p. 7.

⁽⁵⁾ OJ No L 197, 27. 7. 1985, p. 10.

COMMISSION REGULATION (EEC) No 420/87

of 11 February 1987

altering the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾,

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by Regulation (EEC) No 2429/72⁽⁴⁾, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the exchange rates to be applied in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 3923/86,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 1474/84⁽⁷⁾, in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Wheres the export refunds on oil seeds were fixed by Regulation (EEC) No 295/87⁽⁸⁾

Whereas, in the absence of a target price for colza and rape seed for the 1987/88 marketing year, in cases of advance fixing for the month of July 1987 of the refund on these products it has been possible only to make a provisional calculation using the target price for the 1986/87 marketing year; whereas, therefore, such refund amounts must be applied only provisionally and confirmed or altered when the target price for the 1987/88 marketing year is known;

Whereas the estimated production of colza and rape seed for the 1987/88 marketing year has not been fixed; whereas the amount to be deducted where appropriate, from the subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC and its effect on the amount of the refund could therefore not be determined; whereas the amounts of the refund should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for rape seed are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 295/87 to the information at present known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71⁽⁹⁾, fixed in the Annex to Regulation (EEC) No 295/87, are altered as shown in the Annex hereto.

2. In cases of advance fixing of the refund on colza and rape seed for the month of July 1987 the amount will however be confirmed or altered with effect from 12 February 1987 on the basis of the target price and connected measures set for these products for the 1987/88 marketing year for colza and rape seed.

3. In cases of advance fixing of the refund on colza and rape seed for the month of July 1987, the amount shall however be confirmed or altered with effect from 12 February 1987 to take account, where appropriate, of the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

4. There shall be no refund on sunflower seed.

Article 2

This Regulation shall enter into force on 12 February 1987.

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 264, 23. 11. 1972, p. 1.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 143, 30. 5. 1984, p. 4.

⁽⁸⁾ OJ No L 30, 31. 1. 1987, p. 16.

⁽⁹⁾ OJ No L 75, 30. 3. 1971, p. 16.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX

to the Commission Regulation of 11 February 1987 altering the export refunds on colza and rape seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month	6th month ⁽¹⁾
1. Gross refunds (ECU):						
— Spain	30,180	30,676	31,172	31,172	31,172	27,204
— Portugal	35,700	36,196	36,692	36,692	36,692	32,724
— other Member States	35,700	36,196	36,692	36,692	36,692	32,724
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	86,08	87,26	88,46	88,54	88,54	79,34
— Netherlands (Fl)	96,99	98,32	99,66	99,75	99,75	89,35
— BLEU (Bfrs/Lfrs)	1 667,01	1 690,26	1 713,51	1 712,97	1 712,97	1 522,93
— France (FF)	244,26	247,78	251,09	250,69	250,69	223,10
— Denmark (Dkr)	300,82	305,05	309,29	309,29	309,29	275,11
— Ireland (£ Irl)	26,805	27,193	27,579	27,440	27,440	24,256
— United Kingdom (£)	19,442	19,753	20,064	20,064	20,064	17,471
— Italy (Lit)	53 474	54 235	54 888	55 000	55 000	48 683
— Greece (Dr)	3 437,95	3 475,48	3 509,26	3 496,97	3 496,97	2 959,67
— Spain (Pta)	4 160,95	4 233,26	4 305,58	4 279,63	4 279,63	3 696,81
— Portugal (Esc)	5 045,18	5 115,95	5 161,64	5 152,30	5 152,30	4 511,23

⁽¹⁾ Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

COMMISSION REGULATION (EEC) No 421/87
of 11 February 1987
fixing the amount of the subsidy on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1454/86⁽²⁾, and in particular Article 27 (4),

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2923/86⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 1474/84⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the target price and the monthly increments in the target price for colza, rape and sunflower seed for the 1986/87 marketing year have been fixed in Regulations (EEC) No 1457/86⁽⁷⁾ and (EEC) No 1458/86⁽⁸⁾;

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 3776/86⁽⁹⁾, as last amended by Regulation (EEC) No 371/87⁽¹⁰⁾;

Whereas, in the absence of the target price for the 1987/88 marketing year for colza and rape seed, the amount of the subsidy in the case of advance fixing for July 1987 for colza and rape seed has been obtainable only provisionally on the basis of the target price for the marketing year 1986/87; whereas this amount may, therefore, be applied on a temporary basis and should be confirmed or replaced when the indicative price of the 1987/88 marketing year is known;

Whereas estimated production of colza and rape seed for the 1987/88 marketing year has not been fixed; whereas the amount, where appropriate, to be deducted from the

subsidy in compliance with the system of maximum guaranteed quantities referred to in Article 27a of Regulation No 136/66/EEC could therefore not be determined; whereas the amounts of the subsidy should therefore only be applied on a temporary basis and should be confirmed or replaced once the effects of the system of maximum guaranteed quantities for colza and rape seed are known;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3776/86 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽¹¹⁾ shall be as set out in the Annexes hereto.
2. The amount of the compensatory aid referred to in Article 14 of Regulation (EEC) No 475/86 and Article 12 of Regulation (EEC) No 476/86 shall be as shown in Annex III to this Regulation for sunflower seed harvested in Spain and Portugal.
3. The amount of the subsidy in the case of advance fixing for July 1987 for colza and rape seed will, however, be confirmed or replaced as from 12 February 1987 to take into account the indicative price, and like measures, which is fixed for these products for the 1987/88 marketing year.
4. However, the amount of the subsidy in the case of advance fixing for July 1987 for colza and rape and for August will be confirmed or replaced as from 12 February 1987 to take into account where appropriate, the effects of the application of the system of maximum guaranteed quantities for colza and rape seed.

Article 2

This Regulation shall enter into force on 12 February 1987.

⁽¹¹⁾ OJ No L 266, 28. 9. 1983, p. 1.

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

⁽²⁾ OJ No L 133, 21. 5. 1986, p. 8.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 272, 24. 9. 1986, p. 18.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 146, 31. 5. 1986, p. 25.

⁽⁷⁾ OJ No L 133, 21. 5. 1986, p. 12.

⁽⁸⁾ OJ No L 133, 21. 5. 1986, p. 14.

⁽⁹⁾ OJ No L 349, 11. 12. 1986, p. 34.

⁽¹⁰⁾ OJ No L 35, 6. 2. 1987, p. 21.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

ANNEX I

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

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month	6th month (1)
1. Gross aids (ECU):						
— Spain	0,610	0,610	0,610	0,610	0,610	0,610
— Portugal	0,000	0,000	0,000	0,000	0,000	0,000
— Other Member States	36,457	36,876	37,016	36,861	36,706	32,506
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	87,83	88,84	89,21	88,93	88,58	78,84
— Netherlands (Fl)	98,97	100,10	100,50	100,19	99,79	88,79
— BLEU (Bfrs/Lfrs)	1 702,84	1 722,45	1 728,84	1 720,97	1 713,63	1 512,54
— France (FF)	250,14	253,07	253,61	252,01	250,80	221,41
— Denmark (Dkr)	307,51	311,06	312,15	310,78	309,41	273,18
— Ireland (£ Irl)	27,460	27,781	27,859	27,588	27,453	24,064
— United Kingdom (£)	20,188	20,435	20,449	20,320	20,191	17,403
— Italy (Lit)	54 720	55 355	55 424	55 279	55 024	48 321
— Greece (Dr)	3 566,50	3 591,96	3 565,33	3 526,37	3 499,41	2 920,57
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	88,94	88,94	88,94	88,94	88,94	88,94
— in another Member State (Pta)	4 284,54	4 344,29	4 358,48	4 307,55	4 281,94	3 660,73
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00	0,00
— in another Member State (Esc)	5 180,82	5 238,01	5 220,51	5 183,11	5 154,85	4 470,86

(1) Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month	6th month ⁽¹⁾
1. Gross aids (ECU):						
— Spain	1,860	1,860	1,860	1,860	1,860	1,860
— Portugal	1,250	1,250	1,250	1,250	1,250	1,250
— Other Member States	37,707	38,126	38,266	38,111	37,956	33,756
2. Final aids:						
(a) Seed harvested and processed in:						
— Federal Republic of Germany (DM)	90,82	91,82	92,19	91,92	91,56	81,83
— Netherlands (Fl)	102,33	103,46	103,87	103,55	103,15	92,15
— BLEU (Bfrs/Lfrs)	1 761,44	1 781,04	1 787,44	1 779,57	1 772,23	1 571,14
— France (FF)	259,02	261,94	262,49	260,89	259,68	230,29
— Denmark (Dkr)	318,19	321,74	322,83	321,46	320,09	283,86
— Ireland (£ Irl)	28,439	28,760	28,838	28,567	28,431	25,042
— United Kingdom (£)	20,972	21,219	21,233	21,104	20,975	18,187
— Italy (Lit)	56 644	57 279	57 348	57 203	56 948	50 245
— Greece (Dr)	3 712,35	3 737,81	3 711,18	3 672,22	3 645,25	3 066,41
(b) Seed harvested in Spain and processed:						
— in Spain (Pta)	271,19	271,19	271,19	271,19	271,19	271,19
— in another Member State (Pta)	4 466,79	4 526,54	4 540,73	4 489,80	4 464,19	3 842,98
(c) Seed harvested in Portugal and processed:						
— in Portugal (Esc)	189,77	189,77	189,77	189,77	189,77	189,77
— in another Member State (Esc)	5 370,59	5 427,78	5 410,28	5 372,88	5 344,62	4 660,63

⁽¹⁾ Subject to the amount to be deducted in accordance with the system of guaranteed maximum quantities and the Council Decision regarding prices and related measures for the 1987/88 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kilograms)

	Current month	2nd month	3rd month	4th month	5th month
1. Gross aids (ECU):					
— Spain	1,720	1,720	1,720	1,720	1,720
— Portugal	0,000	0,000	0,000	0,000	0,000
— Other Member States	41,790	42,381	42,381	42,381	42,381
2. Final aids:					
(a) Seed harvested and processed in (!):					
— Federal Republic of Germany (DM)	100,80	102,21	102,23	102,33	102,33
— Netherlands (Fl)	113,58	115,17	115,17	115,28	115,28
— BLEU (Bfrs/Lfrs)	1 951,12	1 978,82	1 978,82	1 978,17	1 978,17
— France (FF)	285,54	289,74	289,48	289,00	289,00
— Denmark (Dkr)	351,96	357,01	357,01	357,01	357,01
— Ireland (£ Irl)	31,330	31,793	31,790	31,622	31,622
— United Kingdom (£)	22,774	23,145	23,145	23,145	23,145
— Italy (Lit)	62 534	63 442	63 307	63 444	63 444
— Greece (Dr)	3 993,80	4 038,09	4 008,87	3 993,97	3 993,97
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	250,77	250,77	250,77	250,77	250,77
— in another Member State (Pta)	3 965,44	4 051,61	4 051,61	4 020,15	4 020,15
(c) Seed harvested in Portugal and processed:					
— in Portugal (Esc)	0,00	0,00	0,00	0,00	0,00
— in Spain (Esc)	6 545,45	6 632,50	6 595,39	6 583,67	6 583,67
— in another Member State (Esc)	6 333,05	6 417,27	6 381,37	6 370,04	6 370,04
3. Compensatory aids:					
— in Spain (Pta)	3 914,22	4 002,51	4 005,49	3 974,03	3 974,03
— in Portugal (Esc)	6 301,41	6 386,95	6 352,88	6 341,55	6 341,55

(!) For seed harvested in the Community as constituted at 31 December 1985 and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0335380.

ANNEX IV

Exchange rate of the ECU to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of 1 ECU)

	Current month	2nd month	3rd month	4th month	5th month	6th month
DM	2,063080	2,057860	2,052200	2,046920	2,046920	2,031820
Fl	2,329480	2,325960	2,322130	2,317870	2,317870	2,307310
Bfrs/Lfrs	42,689800	42,716300	42,740100	42,753800	42,753800	42,800400
FF	6,870840	6,878010	6,886960	6,895990	6,895990	6,924440
Dkr	7,798250	7,819080	7,840950	7,858340	7,858340	7,921110
£ Irl	0,773583	0,777630	0,781940	0,786337	0,786337	0,795772
£	0,741980	0,744051	0,746320	0,748512	0,748512	0,754757
Lit	1 466,61	1 470,21	1 474,13	1 478,29	1 478,29	1 488,23
Dr	150,95600	152,91900	154,91600	156,86600	156,86600	163,14400
Esc	159,74300	161,28200	162,69300	163,69900	163,69900	167,06200
Pta	145,33100	145,92800	146,54900	147,16500	147,16500	148,96100

COMMISSION REGULATION (EEC) No 422/87

of 11 February 1987

fixing the amounts to be levied in the beef sector on products which left the United Kingdom during the week 26 January to 1 February 1987

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1347/86 of 6 May 1986 on the granting of a premium for the slaughter of certain adult bovine animals in the United Kingdom ⁽¹⁾, as amended by Regulation (EEC) No 4049/86 ⁽²⁾,Having regard to Commission Regulation (EEC) No 1695/86 of 30 May 1986 laying down detailed rules for the application of the premium for the slaughter of certain adult bovine animals for slaughter in the United Kingdom ⁽³⁾, and in particular Article 7 (1) thereof,

Whereas, under Article 3 of Regulation (EEC) No 1347/86, an amount equivalent to the amount of the variable slaughter premium granted in the United Kingdom is levied on meat and meat preparations from animals on which it has been paid, when they are consigned to other Member States or to non-member countries;

Whereas, under Article 7 (1) of Regulation (EEC) No 1695/86 the amounts to be charged on departure from the territory of the United Kingdom of the products listed

in the Annex to the said Regulation must be fixed each week by the Commission;

Whereas, accordingly, the amounts to be levied on products which left the United Kingdom during the week 26 January to 1 February 1987 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 3 of amended Regulation (EEC) No 1347/86, the amounts to be levied on the products referred to in Article 7 (1) of Regulation (EEC) No 1695/86 which left the territory of the United Kingdom during the week 26 January to 1 February 1987 shall be those set out in the Annex.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 26 January 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 119, 8. 5. 1986, p. 40.⁽²⁾ OJ No L 377, 31. 12. 1986, p. 28.⁽³⁾ OJ No L 146, 31. 5. 1986, p. 56.

ANNEX

Amounts to be levied on products which left the territory of the United Kingdom during
the week 26 January to 1 February 1987

(ECU/100 kg net weight)

CCT heading No	Description	Amount
1	2	3
ex 02.01 A II a) and ex 02.01 A II b)	Meat of adult bovine animals, fresh, chilled or frozen : 1. Carcases, half-carcases or 'compensated' quarters 2. Separated or unseparated forequarters 3. Separated or unseparated hindquarters 4. Other : aa) Unboned (bone-in) bb) Boned or boneless	 26,26474 21,01179 31,51769 21,01179 35,98269
ex 02.06 C I a)	Meat salted, in brine, dried or smoked, of adult bovine animals : 1. Unboned (bone-in) 2. Boned or boneless	 21,01179 29,94180
ex 16.02 B III b) 1	Other prepared or preserved meat or meat offal, containing meat or offal of adult bovine animals : aa) Uncooked ; mixtures of cooked meat or offal and uncooked meat or offal : 11. Containing 80 % or more by weight of beef meat excluding offals and fat 22. Other	 29,94180 21,01179

COMMISSION REGULATION (EEC) No 423/87
of 11 February 1987
amending Regulation (EEC) No 354/87 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⁽¹⁾, as last amended by Regulation (EEC) No 1351/86⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 354/87 of 4 February 1987⁽³⁾ introduced a countervailing charge on lemons originating in Cyprus;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration, the countervailing charge on the import of lemons originating in Cyprus must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 354/87 '7,51' ECU is hereby replaced by 13,80 ECU'.

Article 2

This Regulation shall enter into force on 12 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.

⁽³⁾ OJ No L 34, 5. 2. 1987, p. 42.

COMMISSION REGULATION (EEC) No 424/87

of 11 February 1987

introducing a countervailing charge and suspending the preferential customs duty on imports of apples originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Article 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 2034/86 of 30 June 1986 fixing the reference price for apples for the 1986/87 marketing year⁽³⁾ fixed the reference price for products of class I for the month of February 1987 at 50,21 ECU per 100 kilograms net;

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

Whereas, in accordance with Article 3 (1) of Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 3811/85⁽⁵⁾, the prices to be taken into consid-

eration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for Turkish apples 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 apples;

Whereas, in Article 1 of Council Regulation (EEC) No 3671/81 of 15 December 1981 on imports into the Community of certain agricultural products originating in Turkey⁽⁶⁾, as amended by Regulation (EEC) No 1555/84⁽⁷⁾, when the Commission introduces a countervailing charge on imports of apples in Turkey, at the same time it reintroduces for the product in question the conventional rate of customs duty; whereas, therefore, a rate of customs duty of 8 % should be reintroduced for these apples, with a minimum charge of 2,30 ECU per 100 kilograms net;

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 coefficient provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁸⁾,
- for other currencies, an exchange rate based on the arithmetic mean of the spot market rates of each of these currencies recorded for 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

1. A countervailing charge of 4,33 ECU per 100 kilograms net is applied on imports of apples falling within subheading 08.06 A II of the Common Customs Tariff originating in Turkey.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽²⁾ OJ No L 119, 8. 5. 1986, p. 46.⁽³⁾ OJ No L 173, 1. 7. 1986, p. 52.⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.⁽⁵⁾ OJ No L 368, 31. 12. 1985, p. 1.⁽⁶⁾ OJ No L 367, 23. 12. 1981, p. 3.⁽⁷⁾ OJ No L 150, 6. 6. 1984, p. 4.⁽⁸⁾ OJ No L 164, 24. 6. 1985, p. 1.

2. The rate of customs duty on imports of these products shall be 8 % with a minimum charge of 2,30 ECU per 100 kilograms net.

Article 2

This Regulation shall enter into force on 13 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

COMMISSION REGULATION (EEC) No 425/87
of 11 February 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 ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 2051/86 ⁽³⁾, as last amended by Regulation (EEC) No 407/87 ⁽⁴⁾;

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 12 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission
 Frans ANDRIESEN
 Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 173 1. 7. 1986, p. 91.

⁽⁴⁾ OJ No L 41, 11. 2. 1987, p. 27.

ANNEX

to the Commission Regulation of 11 February 1987 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>		
CCT heading No	Description	Levy
17.01	Beet sugar and cane sugar, in solid form : A. White sugar : flavoured or coloured sugar B. Raw sugar	50,65 42,22 ⁽¹⁾

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

COMMISSION REGULATION (EEC) No 426/87

of 11 February 1987

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

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 351/87 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 351/87 to the information known to the Commission that the export refunds at

present in force should be altered to the amounts 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 exported in the natural state, as fixed in the Annex to Regulation (EEC) No 351/87 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 34, 5. 2. 1987, p. 36.

ANNEX

to the Commission Regulation of 11 February 1987 altering 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	43,68	
	(b) Other	41,85	
	(II) Flavoured or coloured sugar		0,4368
B. Raw sugar :			
II. Other :			
(a) Candy sugar	40,18 ⁽¹⁾		
(b) Sugar with added anti-caking agent		0,4368	
(c) Raw sugar in immediate packing not exceeding 5 kilograms net of product	37,28 ⁽¹⁾		
(d) Other raw sugar	⁽²⁾		

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

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

COMMISSION REGULATION (EEC) No 427/87

of 11 February 1987

fixing the maximum export refund for white sugar for the 35th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1659/86

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 229/87 ⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

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

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

Whereas, following an examination of the tenders submitted in response to the 35th 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 35th partial invitation to tender for white sugar issued under Regulation (EEC) No 1659/86 is hereby fixed at 43,956 ECU per 100 kilograms.

Article 2

This Regulation shall enter into force on 12 February 1987.

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

Done at Brussels, 11 February 1987.

For the Commission

Frans ANDRIESEN

Vice-President

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 25, 28. 1. 1987, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 29.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 22 December 1986

amending Directive 75/439/EEC on the disposal of waste oils

(87/101/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 100 and 235 thereof,

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

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

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

Whereas Council Directive 75/439/EEC ⁽⁴⁾ provides that Member States shall take the necessary measures to ensure the safe collection and disposal of waste oils and to ensure that, as far as possible, the disposal of waste oils is carried out by recycling (regeneration and/or combustion other than for destruction);

Whereas regeneration is generally the most rational way of re-using waste oils in view of the energy savings which can be achieved; whereas therefore, priority should be given to the processing of waste oils by regeneration, where technical, economic and organizational constraints allow it;

Whereas, in the present state of Community law, Member States may, under certain conditions, ban the combustion of waste oils on their territory; whereas this Directive is not intended to change this state of law;

Whereas the burning of waste oil generates waste gases containing substances which are harmful to the environment when emitted above certain concentration; whereas measures laying down arrangements for burning waste oils should, therefore, be taken;

Whereas it is desirable to improve the efficiency of waste oil collection and to tighten up monitoring in this area;

Whereas, in view of the particularly dangerous character of PCB/PCTs, it is necessary to strengthen Community law concerning the combustion or the regeneration of waste oils contaminated by these substances;

Whereas Member States should have the possibility, whilst respecting the conditions of the Treaty, to take more stringent measures for the purpose of environmental protection,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 75/439/EEC is hereby amended as follows:

1. Articles 1 to 6 shall be replaced by the following:

Article 1

For the purposes of this Directive:

— “waste oils” means:

any mineral-based lubrication or industrial oils which have become unfit for the use for which they were originally intended, and in particular used combustion engine oils and gearbox oils, and also mineral lubricating oils, oils for turbines and hydraulic oils;

— “disposal” means:

the processing or destruction of waste oils as well as their storage and tipping above or under ground;

⁽¹⁾ OJ No C 58, 6. 3. 1985, p. 3.

⁽²⁾ OJ No C 255, 13. 10. 1986, p. 269.

⁽³⁾ OJ No C 330, 20. 12. 1985, p. 32.

⁽⁴⁾ OJ No L 194, 25. 7. 1975, p. 23.

- “*processing*” means :
operations designed to permit the re-use of waste oils, that is to say, regeneration and combustion ;
- “*regeneration*” means :
any process whereby base oils can be produced by refining waste oils, in particular by removing the contaminants, oxidation products and additives contained in such oils ;
- “*combustion*” means :
the use of waste oils as fuel with the heat produced being adequately recovered ;
- “*collection*” means :
all operations whereby waste oils can be transferred from the holders to undertakings which dispose of such oils.

Article 2

Without prejudice to the provisions of Directive 78/319/EEC ⁽¹⁾, Member States shall take the necessary measures to ensure that waste oils are collected and disposed of without causing any avoidable damage to man and the environment.

⁽¹⁾ OJ No L 84, 31. 3. 1973, p. 43.

Article 3

1. Where technical, economic and organizational constraints so allow, Member States shall take the measures necessary to give priority to the processing of waste oils by regeneration.
2. Where waste oils are not regenerated, on account of the constraints mentioned in paragraph 1 above, Member States shall take the measures necessary to ensure that any combustion of waste oils is carried out under environmentally acceptable conditions, in accordance with the provisions of this Directive, provided that such combustion is technically, economically and organizationally feasible.
3. Where waste oils are neither regenerated nor burned, on account of the constraints mentioned in paragraphs 1 and 2, Member States shall take the measures necessary to ensure their safe destruction or their controlled storage or tipping.

Article 4

Member States shall take the necessary measures to ensure the prohibition of :

- (a) any discharge of waste oils into inland surface water, ground water, territorial sea water and drainage systems ;

- (b) any deposit and/or discharge of waste oils harmful to the soil and any uncontrolled discharge of residues resulting from the processing of waste oils ;
- (c) any processing of waste oils causing air pollution which exceeds the level prescribed by existing provisions.

Article 5

1. Where necessary in order to achieve the objectives of this Directive and without prejudice to the provisions of Article 2, Member States shall carry out public information and promotional campaigns to ensure that waste oils are stored appropriately and collected as far as possible.

2. Where the objectives defined in Articles 2, 3 and 4 cannot otherwise be achieved, Member States shall take the necessary measures to ensure that one or more undertakings carry out the collection and/or disposal of waste oils offered to them by holders, where appropriate in the area assigned to them by the competent authorities.

3. To achieve the objectives defined in Articles 2 and 4, Member States may decide to allocate the waste oils to any of the types of processing set out in Article 3. To this end, they may institute appropriate checks.

4. To ensure compliance with the measures taken pursuant to Article 4, any undertaking which collects waste oils must be subject to registration and adequate supervision by the competent national authorities, possibly including a system of permits.

Article 6

1. In order to comply with the measures taken pursuant to Article 4, any undertaking which disposes of waste oils must obtain a permit. Where necessary, this permit shall be granted after examination of the installations.

2. Without prejudice to the requirements laid down by national and Community provisions with a purpose other than that of this Directive, a permit may be granted to undertakings which regenerate waste oils or use waste oils as fuel only where the competent authority has satisfied itself that all appropriate environmental and health protection measures have been taken, including use of the best technology available, where the cost is not excessive.

Article 7

Where waste oils are regenerated, Member States shall take the measures necessary to ensure that :

- (a) the operation of the regeneration plant will not cause avoidable damage to the environment.

To this end, the Member States shall ensure that the risks associated with the quantity of residues of regeneration and with the toxic and dangerous character of such residues are reduced to a minimum and that the residues are disposed of in accordance with Article 9 of Directive 78/319/EEC;

- (b) the base oils derived from regeneration do not constitute a toxic and dangerous waste as defined in Article 1 (b) of Directive 78/319/EEC and do not contain polychlorinated biphenyls and polychlorinated tophenyls (PCB/PCT) in concentrations beyond the limits laid down in Article 10.

Member States shall inform the Commission of these measures. On the basis of this information, the Commission shall, within five years of the date of notification of this Directive, submit a report to the Council, accompanied if necessary by appropriate proposals.

Article 8

1. Without prejudice to the provisions of Directive 84/360/EEC⁽¹⁾ and Article 3 (1) of this Directive, where waste oils are used as fuel, Member States shall take the measures necessary to ensure that operation of the plant will not cause any significant level of air pollution, in particular by the emission of substances listed in the Annex. To this end:

- (a) Member States shall satisfy themselves that in the case of the combustion of oils in plants with a thermal input of 3 MW or more based on the lower heating value (LHV), the emission limit values set in that Annex are being observed.

Member States may at any time set limit values more stringent than those given in the Annex. They may also set limit values for substances and parameters other than those listed in the Annex;

- (b) Member States shall take such measures as they consider necessary to ensure that combustion of waste oils in plants with a thermal input of less than 3 MW based on the lower heating value (LHV) is subject to adequate control.

They shall inform the Commission of these measures. On the basis of this information the Commission shall, within five years of the date of notification of this Directive, submit a report to the Council, accompanied if necessary by appropriate proposals.

2. The Member States shall further ensure that:

- (a) the residues from the combustion of waste oils are disposed of in accordance with Article 9 of Directive 78/319/EEC;

- (b) the waste oils used as fuel do not constitute a toxic and dangerous waste as defined in Article 1 (b) of Directive 78/319/EEC and do not contain PCB/PCT in concentrations beyond 50 ppm;

3. Observance of the limit values set out in the Annex may alternatively be ensured by means of an appropriate system of control of concentrations of pollutants in waste oils, or mixtures of waste oils and other fuels, intended for combustion taking account of the technical characteristics of the plant.

In the case of plants where emissions of substances listed in the Annex may arise additionally from heating products, Member States shall ensure, through an established control system, that the proportion of these substances arising from the combustion of waste oils does not exceed the limit values fixed in the Annex.

⁽¹⁾ OJ No L 188, 16. 7. 1984, p. 10⁷

2. Article 7 becomes Article 9.

3. Articles 8 and 9 are deleted.

4. A new Article 10 is inserted to read as follows:

Article 10

1. During storage and collection, holders and collectors must not mix waste oils with PCBs and PCTs within the meaning of Directive 76/403/EEC⁽¹⁾ nor with toxic and dangerous waste within the meaning of Directive 78/319/EEC.

2. Except as provided for in paragraph 3, the provisions of Directive 76/403/EEC shall apply to waste oils containing more than 50 ppm of PCB/PCT.

Member States shall further take such special technical measures as are necessary to ensure that any waste oils containing PCB/PCT's are disposed of without any avoidable damage to man and the environment.

3. The regeneration of waste oils containing PCBs or PCTs may be permitted if the regeneration processes make it possible either to destroy the PCBs and PCTs or to reduce them so that the regenerated oils do not contain PCB/PCT beyond a maximum limit which in no case may exceed 50 ppm.

4. The reference method of measurement to determine the PCB/PCT content of waste oils shall be fixed by the Commission after consultation of the Committee for adaptation to technical progress established under Article 18 of Directive 78/319/EEC.

5. Waste oils contaminated by substances which fall within the definition of toxic and dangerous waste as laid down in Article 1 (b) of Directive 78/319/EEC shall be disposed of in accordance with the provisions of that Directive.

(¹) OJ No L 108, 26. 4. 1976, p. 41.

5. Article 10 becomes Article 11.

6. Article 11 becomes Article 12, and is amended to read as follows:

Article 12

Any undertaking which collects, holds and/or disposes of waste oils must convey to the competent authorities, at their request, any information concerning the collection and/or disposal of waste oils or their residues.

7. Article 12 becomes Article 13 and is amended to read as follows:

Article 13

1. The undertakings referred to in Article 6 shall be inspected periodically by the Member States, particularly as regards their compliance with the conditions of their permits.

2. The competent authorities shall examine trends in the state of technical development and/or of the environment with a view to revising, where necessary, permits granted to undertakings in accordance with this Directive.

8. Articles 13 and 14 become Articles 14 and 15 respectively.

9. A new Article 16 is added to read as follows:

Article 16

Member States may, whilst respecting the provisions of the Treaty, take measures for the purpose of environmental protection which are more stringent than those provided for in this Directive.

Such measures may, under the same provisions, include *inter alia* the prohibition of the combustion of waste oils.

10. Articles 15 and 16 become Articles 17 and 18 respectively.

11. The Annex to this Directive shall be added.

Article 2

Member States shall take the measures necessary to comply with this Directive with effect from 1 January 1990 and shall forthwith inform the Commission thereof.

Article 3

The measures adopted by Member States pursuant to this Directive may be progressively applied to the undertakings referred to in Article 6 of Directive 75/439/EEC existing at the time of notification of this Directive, within seven years of the said notification (¹).

Article 4

Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 5

This Directive is addressed to the Member States.

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

(¹) This Directive was notified to the Member States on 13 January 1987.

ANNEX

Emission limit values ⁽¹⁾ for certain substances emitted as a result of the combustion of waste oils in plants with a thermal input of 3 MW (LHV) or more

Pollutant	Limit value mg/Nm ³
Cd	0,5
Ni	1
Cr	either ⁽²⁾ 1,5 or ⁽²⁾ 5
Cu	
V	
Pb	
Cl ⁽³⁾	100
F ⁽⁴⁾	5
SO ₂ ⁽⁵⁾	—
Dust (total) ⁽⁵⁾	—

⁽¹⁾ These limit values, which may not be exceeded when waste oils are burned, indicate the mass concentration of emissions of the aforementioned substances in waste gas, in terms of the volume of waste gas in the standard state (273 K ; 1 013 hPa), after deduction of the water vapour moisture content, and of a 3 % oxygen content by volume in waste gas.

In the case of the second subparagraph of Article 8 (3), the oxygen content will be that which corresponds to normal operating conditions in the particular process concerned.

⁽²⁾ It shall be for the Member States to lay down which of these options shall apply in their country.

⁽³⁾ Inorganic gaseous compounds of chlorine expressed as hydrogen chloride.

⁽⁴⁾ Inorganic gaseous compounds of fluorine expressed as hydrogen fluoride.

⁽⁵⁾ It is not possible to determine limit values for these substances at this stage. The Member States will independently set emission standards for discharges of these substances taking into account the requirements of Directive 80/779/EEC (OJ No L 229, 30. 8. 1980, p. 30).

STATEMENT

The Article 10 (3) of Directive 75/439/EEC

The Council considers that the limit given in Article 10 (3) is in fact a maximum limit for the output of the regeneration process. Bearing in mind the desirability of eliminating PCB/PCT wherever possible from the environment, it invites Member States to make every effort to stay well below this limit. It further invites the Commission to review this limit and to come forward with appropriate proposals for a new limit within five years of the notification of this Directive.

COUNCIL DIRECTIVE
of 22 December 1986
for the approximation of the laws, regulations and administrative provisions of
the Member States concerning consumer credit

(87/102/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

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

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

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

Whereas wide differences exist in the laws of the Member States in the field of consumer credit;

Whereas these differences of law can lead to distortions of competition between grantors of credit in the common market;

Whereas these differences limit the opportunities the consumer has to obtain credit in other Member States; whereas they affect the volume and the nature of the credit sought, and also the purchase of goods and services;

Whereas, as a result, these differences have an influence on the free movement of goods and services obtainable by consumers on credit and thus directly affect the functioning of the common market;

Whereas, given the increasing volume of credit granted in the Community to consumers, the establishment of a common market in consumer credit would benefit alike consumers, grantors of credit, manufacturers, wholesalers and retailers of goods and providers of services;

Whereas the programmes of the European Economic Community for a consumer protection and information policy ⁽⁴⁾ provide, *inter alia*, that the consumer should be protected against unfair credit terms and that a harmonization of the general conditions governing consumer credit should be undertaken as a priority;

Whereas differences of law and practice result in unequal consumer protection in the field of consumer credit from one Member State to another;

Whereas there has been much change in recent years in the types of credit available to and used by consumers; whereas new forms of consumer credit have emerged and continue to develop;

Whereas the consumer should receive adequate information on the conditions and cost of credit and on his obligations; whereas this information should include, *inter alia*, the annual percentage rate of charge for credit, or, failing that, the total amount that the consumer must pay for credit; whereas, pending a decision on a Community method or methods of calculating the annual percentage rate of charge, Member States should be able to retain existing methods or practices for calculating this rate, or failing that, should establish provisions for indicating the total cost of the credit to the consumer;

Whereas the terms of credit may be disadvantageous to the consumer; whereas better protection of consumers can be achieved by adopting certain requirements which are to apply to all forms of credit;

Whereas, having regard to the character of certain credit agreements or types of transaction, these agreements or transactions should be partially or entirely excluded from the field of application of this Directive;

Whereas it should be possible for Member States, in consultation with the Commission, to exempt from the Directive certain forms of credit of a non-commercial character granted under particular conditions;

Whereas the practices existing in some Member States in respect of authentic acts drawn up before a notary or judge are such as to render the application of certain provisions of this Directive unnecessary in the case of such acts; whereas it should therefore be possible for Member States to exempt such acts from those provisions;

Whereas credit agreements for very large financial amounts tend to differ from the usual consumer credit agreements; whereas the application of the provisions of this Directive to agreements for very small amounts could create unnecessary administrative burdens both for consumers and grantors of credit; whereas therefore, agreements above or below specified financial limits should be excluded from the Directive;

⁽¹⁾ OJ No C 80, 27. 3. 1979, p. 4 and
OJ No C 183, 10. 7. 1984, p. 4.

⁽²⁾ OJ No C 242, 12. 9. 1983, p. 10.

⁽³⁾ OJ No C 113, 7. 5. 1980, p. 22.

⁽⁴⁾ OJ No C 92, 25. 4. 1975, p. 1 and
OJ No C 133, 3. 6. 1981, p. 1.

Whereas the provision of information on the cost of credit in advertising and at the business premises of the creditor or credit broker can make it easier for the consumer to compare different offers ;

Whereas consumer protection is further improved if credit agreements are made in writing and contain certain minimum particulars concerning the contractual terms ;

Whereas, in the case of credit granted for the acquisition of goods, Member States should lay down the conditions in which goods may be repossessed, particularly if the consumer has not given his consent ; whereas the account between the parties should upon repossession be made up in such manner as to ensure that the repossession does not entail any unjustified enrichment ;

Whereas the consumer should be allowed to discharge his obligations before the due date ; whereas the consumer should then be entitled to an equitable reduction in the total cost of the credit ;

Whereas the assignment of the creditor's rights arising under a credit agreement should not be allowed to weaken the position of the consumer ;

Whereas those Member States which permit consumers to use bills of exchange, promissory notes or cheques in connection with credit agreements should ensure that the consumer is suitably protected when so using such instruments ;

Whereas, as regards goods or services which the consumer has contracted to acquire on credit, the consumer should, at least in the circumstances defined below, have rights *vis-à-vis* the grantor of credit which are in addition to his normal contractual rights against him and against the supplier of the goods or services ; whereas the circumstances referred to above are those where the grantor of credit and the supplier of goods or services have a pre-existing agreement whereunder credit is made available exclusively by that grantor of credit to customers of that supplier for the purpose of enabling the consumer to acquire goods or services from the latter ;

Whereas the ECU is as defined in Council Regulation (EEC) No 3180/78 ⁽¹⁾, as last amended by Regulation (EEC) No 2626/84 ⁽²⁾ ; whereas Member States should to a limited extent be at liberty to round off the amounts in national currency resulting from the conversion of amounts of this Directive expressed in ECU ; whereas the amounts in this Directive should be periodically re-examined in the light of economic and monetary trends in the Community, and, if need be, revised ;

⁽¹⁾ OJ No L 379, 30. 12. 1978, p. 1.

⁽²⁾ OJ No L 247, 16. 9. 1984, p. 1.

Whereas suitable measures should be adopted by Member States for authorizing persons offering credit or offering to arrange credit agreements or for inspecting or monitoring the activities of persons granting credit or arranging for credit to be granted or for enabling consumers to complain about credit agreements or credit conditions ;

Whereas credit agreements should not derogate, to the detriment of the consumer, from the provisions adopted in implementation of this Directive or corresponding to its provisions ; whereas those provisions should not be circumvented as a result of the way in which agreements are formulated ;

Whereas, since this Directive provides for a certain degree of approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit and for a certain level of consumer protection, Member States should not be prevented from retaining or adopting more stringent measures to protect the consumer, with due regard for their obligations under the Treaty ;

Whereas, not later than 1 January 1995, the Commission should present to the Council a report concerning the operation of this Directive,

HAS ADOPTED THIS DIRECTIVE :

Article 1

1. This Directive applies to credit agreements.
2. For the purpose of this Directive :
 - (a) 'consumer' means a natural person who, in transactions covered by this Directive, is acting for purposes which can be regarded as outside his trade or profession ;
 - (b) 'creditor' means a natural or legal person who grants credit in the course of his trade, business or profession, or a group of such persons ;
 - (c) 'credit agreement' means an agreement whereby a creditor grants or promises to grant to a consumer a credit in the form of a deferred payment, a loan or other similar financial accommodation.

Agreements for the provision on a continuing basis of a service or a utility, where the consumer has the right to pay for them, for the duration of their provision, by means of instalments, are not deemed to be credit agreements for the purpose of this Directive ;

 - (d) 'total cost of the credit to the consumer' means all the costs of the credit including interest and other charges directly connected with the credit agreement, determined in accordance with the provisions or practices existing in, or to be established by, the Member States.

- (e) 'annual percentage rate of charge' means the total cost of the credit to the consumer expressed as an annual percentage of the amount of the credit granted and calculated according to existing methods of the Member States.

Article 2

1. This Directive shall not apply to:
- (a) credit agreements or agreements promising to grant credit:
 - intended primarily for the purpose of acquiring or retaining property rights in land or in an existing or projected building,
 - intended for the purpose of renovating or improving a building as such;
 - (b) hiring agreements except where these provide that the title will pass ultimately to the hirer;
 - (c) credit granted or made available without payment of interest or any other charge;
 - (d) credit agreements under which no interest is charged provided the consumer agrees to repay the credit in a single payment;
 - (e) credit in the form of advances on a current account granted by a credit institution or financial institution other than on credit card accounts.

Nevertheless, the provisions of Article 6 shall apply to such credits;
 - (f) credit agreements involving amounts less than 200 ECU or more than 20 000 ECU;
 - (g) credit agreements under which the consumer is required to repay the credit:
 - either, within a period not exceeding three months,
 - or, by a maximum number of four payments within a period not exceeding 12 months.

2. A Member State may, in consultation with the Commission, exempt from the application of this Directive certain types of credit which fulfil the following conditions:

- they are granted at rates of charge below those prevailing in the market, and
- they are not offered to the public generally.

3. The provisions of Article 4 and of Articles 6 to 12 shall not apply to credit agreements or agreements promising to grant credit, secured by mortgage on immovable property, in so far as these are not already excluded from the Directive under paragraph 1 (a) of this Article.

4. Member States may exempt from the provisions of Articles 6 to 12 credit agreements in the form of an authentic act signed before a notary or judge.

Article 3

Without prejudice to Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws,

regulations and administrative provisions of the Member States concerning misleading advertising⁽¹⁾, and to the rules and principles applicable to unfair advertising, any advertisement, or any offer which is displayed at business premises, in which a person offers credit or offers to arrange a credit agreement and in which a rate of interest or any figures relating to the cost of the credit are indicated, shall also include a statement of the annual percentage rate of charge, by means of a representative example if no other means is practicable.

Article 4

1. Credit agreements shall be made in writing. The consumer shall receive a copy of the written agreement.

2. The written agreement shall include:

- (a) a statement of the annual percentage rate of charge;
- (b) a statement of the conditions under which the annual percentage rate of charge may be amended.

In cases where it is not possible to state the annual percentage rate of charge, the consumer shall be provided with adequate information in the written agreement. This information shall at least include the information provided for in the second indent of Article 6 (1).

3. The written agreement shall further include the other essential terms of the contract.

By way of illustration, the Annex to this Directive contains a list of terms which Member States may require to be included in the written agreement as being essential.

Article 5

By way of derogation from Articles 3 and 4 (2), and pending a decision on the introduction of a Community method or methods of calculating the annual percentage rate of charge, those Member States which, at the time of notification of this Directive, do not require the annual percentage rate of charge to be shown or which do not have an established method for its calculation, shall at least require the total cost of the credit to the consumer to be indicated.

Article 6

1. Notwithstanding the exclusion provided for in Article 2 (1) (e), where there is an agreement between a credit institution or financial institution and a consumer for the granting of credit in the form of an advance on a current account, other than on credit card accounts, the consumer shall be informed at the time or before the agreement is concluded:

- of the credit limit, if any,
- of the annual rate of interest and the charges applicable from the time the agreement is concluded and the conditions under which these may be amended,
- of the procedure for terminating the agreement.

⁽¹⁾ OJ No L 250, 19. 9. 1984, p. 17.

This information shall be confirmed in writing.

2. Furthermore, during the period of the agreement, the consumer shall be informed of any change in the annual rate of interest or in the relevant charges at the time it occurs. Such information may be given in a statement of account or in any other manner acceptable to Member States.

3. In Member States where tacitly accepted overdrafts are permissible, the Member States concerned shall ensure that the consumer is informed of the annual rate of interest and the charges applicable, and of any amendment thereof, where the overdraft extends beyond a period of three months.

Article 7

In the case of credit granted for the acquisition of goods, Member States shall lay down the conditions under which goods may be repossessed, in particular if the consumer has not given his consent. They shall further ensure that where the creditor recovers possession of the goods the account between the parties shall be made up so as to ensure that the repossession does not entail any unjustified enrichment.

Article 8

The consumer shall be entitled to discharge his obligations under a credit agreement before the time fixed by the agreement. In this event, in accordance with the rules laid down by the Member States, the consumer shall be entitled to an equitable reduction in the total cost of the credit.

Article 9

Where the creditor's rights under a credit agreement are assigned to a third person, the consumer shall be entitled to plead against that third person any defence which was available to him against the original creditor, including set-off where the latter is permitted in the Member State concerned.

Article 10

The Member States which, in connection with credit agreements, permit the consumer:

- (a) to make payment by means of bills of exchange including promissory notes;
- (b) to give security by means of bills of exchange including promissory notes and cheques,

shall ensure that the consumer is suitably protected when using these instruments in those ways.

Article 11

1. Member States shall ensure that the existence of a credit agreement shall not in any way affect the rights of the consumer against the supplier of goods or services purchased by means of such an agreement in cases where

the goods or services are not supplied or are otherwise not in conformity with the contract for their supply.

2. Where:

- (a) in order to buy goods or obtain services the consumer enters into a credit agreement with a person other than the supplier of them; and
- (b) the grantor of the credit and the supplier of the goods or services have a pre-existing agreement whereunder credit is made available exclusively by that grantor of credit to customers of that supplier for the acquisition of goods or services from that supplier; and
- (c) the consumer referred to in subparagraph (a) obtains his credit pursuant to that pre-existing agreement; and
- (d) the goods or services covered by the credit agreement are not supplied, or are supplied only in part, or are not in conformity with the contract for supply of them; and
- (e) the consumer has pursued his remedies against the supplier but has failed to obtain the satisfaction to which he is entitled,

the consumer shall have the right to pursue remedies against the grantor of credit. Member States shall determine to what extent and under what conditions these remedies shall be exercisable.

3. Paragraph 2 shall not apply where the individual transaction in question is for an amount less than the equivalent of 200 ECU.

Article 12

1. Member States shall:

- (a) ensure that persons offering credit or offering to arrange credit agreements shall obtain official authorization to do so, either specifically or as suppliers of goods and services; or
- (b) ensure that persons granting credit or arranging for credit to be granted shall be subject to inspection or monitoring of their activities by an institution or official body; or
- (c) promote the establishment of appropriate bodies to receive complaints concerning credit agreements or credit conditions and to provide relevant information or advice to consumers regarding them.

2. Member States may provide that the authorization referred to in paragraph 1 (a) shall not be required where persons offering to conclude or arrange credit agreements satisfy the definition in Article 1 of the first Council Directive of 12 December 1977 on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions⁽¹⁾ and are authorized in accordance with the provisions of that Directive.

⁽¹⁾ OJ No L 322, 17. 12. 1977, p. 30.

Where persons granting credit or arranging for credit to be granted have been authorized both specifically, under the provisions of paragraph 1 (a) and also under the provisions of the aforementioned Directive, but the latter authorization is subsequently withdrawn, the competent authority responsible for issuing the specific authorization to grant credit under paragraph 1 (a) shall be informed and shall decide whether the persons concerned may continue to grant credit, or arrange for credit to be granted, or whether the specific authorization granted under paragraph 1 (a) should be withdrawn.

Article 13

1. For the purposes of this Directive, the ECU shall be that defined by Regulation (EEC) No 3180/78, as amended by Regulation (EEC) No 2626/84. The equivalent in national currency shall initially be calculated at the rate obtaining on the date of adoption of this Directive.

Member States may round off the amounts in national currency resulting from the conversion of the amounts in ECU provided such rounding off does not exceed 10 ECU.

2. Every five years, and for the first time in 1995, the Council, acting on a proposal from the Commission, shall examine and, if need be, revise the amounts in this Directive, in the light of economic and monetary trends in the Community.

Article 14

1. Member States shall ensure that credit agreements shall not derogate, to the detriment of the consumer, from the provisions of national law implementing or corresponding to this Directive.

2. Member States shall further ensure that the provisions which they adopt in implementation of this directive are not circumvented as a result of the way in which

agreements are formulated, in particular by the device of distributing the amount of credit over several agreements.

Article 15

This Directive shall not preclude Member States from retaining or adopting more stringent provisions to protect consumers consistent with their obligations under the Treaty.

Article 16

1. Member States shall bring into force the measures necessary to comply with this Directive not later than 1 January 1990 and shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the main provisions of national law which they adopt in the field covered by this Directive.

Article 17

Not later than 1 January 1995 the Commission shall present a report to the Council concerning the operation of this Directive.

Article 18

This Directive is addressed to the Member States.

Done at Brussels, 22 December 1986.

For the Council

The President

G. SHAW

*ANNEX***LIST OF TERMS REFERRED TO IN ARTICLE 4 (3)****1. Credit agreements for financing the supply of particular goods or services :**

- (i) a description of the goods or services covered by the agreement ;
- (ii) the cash price and the price payable under the credit agreement ;
- (iii) the amount of the deposit, if any, the number and amount of instalments and the dates on which they fall due, or the method of ascertaining any of the same if unknown at the time the agreement is concluded ;
- (iv) an indication that the consumer will be entitled, as provided in Article 8, to a reduction if he repays early ;
- (v) who owns the goods (if ownership does not pass immediately to the consumer) and the terms on which the consumer becomes the owner of them ;
- (vi) a description of the security required, if any ;
- (vii) the cooling-off period, if any ;
- (viii) an indication of the insurance (s) required, if any, and, when the choice of insurer is not left to the consumer, an indication of the cost thereof.

2. Credit agreements operated by credit cards :

- (i) the amount of the credit limit, if any ;
- (ii) the terms of repayment or the means of determining them ;
- (iii) the cooling-off period, if any.

3. Credit agreements operated by running account which are not otherwise covered by the Directive :

- (i) the amount of the credit limit, if any, or the method of determining it ;
- (ii) the terms of use and repayment ;
- (iii) the cooling-off period, if any.

4. Other credit agreements covered by the Directive :

- (i) the amount of the credit limit, if any ;
 - (ii) an indication of the security required, if any ;
 - (iii) the terms of repayment ;
 - (iv) the cooling-off period, if any ;
 - (v) an indication that the consumer will be entitled, as provided in Article 8, to a reduction if he repays early.
-

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management

(Official Journal of the European Communities No L 370 of 30 December 1986)

On page 2, second indent of Article 3 :

for: '... the meaning of the second subparagraph of Article 6...'

read: '... the meaning of Article 6 (2) ...'.

On page 3, Article 6 :

for: 'In accordance with the Council decisions...'

read: '1. In accordance with the Council decisions...'

for: 'For the purposes of points (a) and (b)...'

read: '2. For the purposes of points (a) and (b) of paragraph 1...'

On page 4,

Articles 12 and 13 shall become Articles 13 and 14 respectively and the following Article shall be inserted :

'Article 12

The European Parliament shall be informed of the management of food aid by being notified of the decisions provided for in Articles 4, 5 and 6 immediately upon their adoption and by the annual presentation of progress reports of the various operations for the relevant financial years.

The decisions provided for in Articles 5 and 6 and the reports referred to in the preceding paragraph shall be communicated to the Council at the same time.'

Corrigendum to Council Regulation (EEC) No 254/87 of 26 January 1987 extending the provisional anti-dumping duty on imports of standardized multi-phase electric motors having an output of more than 0,75 kW but not more than 75 kW, originating in Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, Romania and the Soviet Union

(Official Journal of the European Communities No L 26 of 29 January 1987)

On page 1 the last recital should read as follows :

'Whereas those exporters, representing nearly all the trade concerned have raised no objection,'

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